Commissioners:
Trey Bodenhamer
Todd Vande Zande
Rebecca Patterson
Carolyn Greenall
Robert Trim

Planning Commission
Meeting Agenda
February 4, 2026 6:30 PM
Council Chambers
(2529 J.O. Stephenson Avenue, Kennesaw, GA 30144)

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1. **Call to Order / Roll Call**

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 February 16, 2026.

3. **Approval of the Meeting Minutes**

   A. Approval of meeting minutes: January 7, 2026

4. **Old Business**

   A. **RZ2025-03** - Consideration to rezone the property located at 6095 Pine Mountain Rd (parcel #20014001380) from Highway General Business (HGB) to Planned United Development – Residential (PUD-R) as submitted by DRB Group Georgia, LLC. Said request is to rezone the property for the development of fee simple town homes. Property consists of 8.823 +/- acres and lies in land lot 140, tax parcel 138.

5. **New Business**

   A. **RZ2026-01** - Consideration to rezone the properties located at 1600 Old 41 Highway (parcel #20014001380 & 20021201560) from General Commercial

(GC) and RM-12, Multiple-Family District to RM-16, Multiple-Family District as submitted by Walton Communities, LLC. Said request is to rezone the property for the development of a multi-family residential community. Property consists of 11.684 +/- acres and lies in land lot 140, tax parcels 13 & 156.

B. **RZ2026-02** - Consideration to rezone the unassigned right-of-way (ROW) fronting 2995 & 2997 N Main Street (parcel # 20013900140 & 20013900130) to R-15, Single-Family Residential as submitted by Dean Klein. Property consists of 0.11 +/- acres and lies on land lot 139, tax parcels 14 & 13.

C. **PP2026-01** - Consideration for approval for a preliminary plat submitted by Mark Allen for parcel #20016700640 for the development of a restaurant and distillery. Property consists of 0.61+/- acres and lies in land lot 167, tax parcel 64.

D. **MISC2026-02** - Consideration for approval of a text amendment request as submitted by the City of Kennesaw. Said request is to amend the Unified Development Code, Appendix A, “Unified Development Code” Chapter 2, Section 2.01.03 “Residential Zoning Districts” and Chapter 9, Section 9.01.00 “Nonconforming Uses” of said chapters as submitted by the City of Kennesaw.

E. **MISC2026-03** - Consideration for approval to adopt the official "2026 Zoning Map" for the City of Kennesaw.

6. Staff Comment

7. Adjourn

MINUTES OF PLANNING COMMISSION MEETING
CITY OF KENNESAW
Council Chambers
(2529 J.O. Stephenson Avenue, Kennesaw, GA 30144)
January 7, 2026
6:30 PM

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1. Call to Order / Roll Call

Chairman Bodenhamer called the meeting to order at 6:50 p.m.
Roll Call: Trey Bodenhamer, Rebecca Patterson, Carolyn Greenall, Todd Vande Zande
Absent: Robert Trim
Staff Present: Chanelle Campbell (Assistant Zoning Administrator & City Planner), and Rebecca Goldstein (Community Development Administrative Assistant)
Speakers Present: Adam Rozen (Applicant Representative), Dave Schwickerath (HOA President, The Village at Pine Mountain)

2. Election of Officers

Commissioner Vande Zande nominated Commissioner Bodenhamer as Chair.
Commissioner Bodenhamer accepted the nomination for Chairman.

Commissioner Bodenhamer nominated Commissioner Vande Zande as Vice Chair.
Commissioner Vande Zande accepted the nomination for Vice Chairman.

3. 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 January 20, 2026.

4. Approval of the Meeting Minutes

A. Approval of Meeting Minutes: December 3, 2025

Chairman Bodenhamer called for a motion.
Motion to approve by Vice Chair Vande Zande
Seconded by Commissioner Patterson
Chairman Bodenhamer proceeded with a roll call for approval.

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Vote taken, motion unanimously approved 3-0. Motion carried.

5. New Business

A. **RZ2025-03** - Consideration to rezone the property located at 6095 Pine Mountain Rd (parcel #20014001380) from Highway General Business (HGB) to Planned Unit Development - Residential (PUD-R) as submitted by DRB Group Georgia, LLC. Said request is to rezone the property for the development of fee simple townhomes. Property consists of 8.823 +/- acres and lies in land lot 140, tax parcel 138.

Ms. Chanelle Campbell presented this agenda item. This is a rezoning application submitted by DRB Group Georgia, LLC, with a request to rezone the 8.823 +/- acres of land located at 6095 Pine Mountain Road from Highway General Business (HGB) to Planned Unit Development-Residential (PUD-R) for the development of a town home subdivision. On December 31, 2025, staff received a letter from the applicant's representative, Rozen, Rozen & Reilly, LLP, with a request to postpone the rezoning case until the February cycle. The additional time will allow the applicant to address concerns and comments raised during the community meeting held by the applicant on December 8, 2025. Staff advertised the case in the Marietta Daily Journal on December 12, 2025, and signage has been placed on the property. Because the application was legally advertised, a public hearing is required to take formal action on the applicant's request to postpone. Staff recommended approval of the request to postpone to allow the applicant and property owners additional time to discuss the matter. If the request to postpone is approved, the rezoning case will come before the Planning Commission at the February meeting. Ms. Campbell announced that the applicant was available to answer any Commissioner questions.

Chairman Bodenhamer invited the applicant to speak. Mr. Adam Rozen, the applicant's representative, stated that the applicant requested to postpone the hearing. He explained that the applicant has been in ongoing discussions with an adjoining property owner regarding access to the property. He stated that a meeting is scheduled to be held on Monday between the applicant, city staff, the city attorney, the adjoining property owner, and the adjoining property owner's representative to further discuss the issue. The applicant is requesting to postpone to allow additional time to discuss the issue.

Chairman Bodenhamer opened the floor for public comment.
Dave Schwickerath, President of The Village at Pine Mountain Homeowner's Association (HOA), noted that The Village at Pine Mountain subdivision was directly behind the proposed subdivision. He stated that the HOA did not have an objection to anything proposed by the applicant at this point.

Hearing no additional public comment, Chairman Bodenhamer closed the floor for public comment and opened the floor to Commissioner comment.

Chairman Bodenhamer asked for clarification on the difference between tabling an

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agenda item and postponing an agenda item. He asked if tabling meant there was no new hearing date and if postponement meant there was a new hearing date. Ms. Campbell responded that the Commissioner was correct. Ms. Campbell explained that the applicant was requesting to postpone until the February hearing dates.

Hearing no additional Commissioner comment, Chairman Bodenhamer called for a motion.
Motion to table by Vice Chair Vande Zande
Vice Chair Vande Zande amended the motion to postpone the agenda item to the February 4, 2026, Planning Commission meeting.
Seconded by Commissioner Greenall
Chairman Bodenhamer proceeded with a roll call for approval.
Vote taken, motion unanimously approved 3-0. Motion carried.

6. Staff Comment

Ms. Campbell announced that there would be five items, including three rezoning cases, on the February Planning Commission agenda. She requested that all Commissioners be present for the meeting so the cases can move forward to Mayor and Council for review and consideration.

Chairman Bodenhamer asked what the process would be for swearing in new Planning Commissioners if people were found to fill the two vacancies on the Planning Commission. Ms. Campbell responded that new Planning Commissioners would need to be sworn in at a Mayor and Council session. She explained that there were multiple Mayor and Council meetings before the February Planning Commission meeting. She stated that if a new commissioner was sworn in at those meetings, they could be present for the next Planning Commission meeting.

7. Adjourn

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

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DIRECTOR OF PLANNING & ZONING
CHANELLE CAMPBELL

COMMUNITY DEVELOPMENT
Planning and Zoning

2529 J.O. Stephenson Avenue
Kennesaw, GA 30144

CONTACT US

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MAYOR AND COUNCIL
JANUARY 20, 2026 (POSTPONED)
FEBRUARY 16, 2026

PLANNING COMMISSION
JANUARY 7, 2026 (POSTPONED)
FEBRUARY 4, 2026

LEGAL ADVERTISEMENTS
DECEMBER 12, 2025

PUBLIC NOTICE SIGN
DECEMBER 12, 2025
JANUARY 21, 2026 (UPDATED)

APPLICATION SUBMITTED
OCTOBER 17, 2025

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2025-03

Property Addresses
6095 Pine Mountain Rd

Applicant
DRB Group Georgia, LLC

Representative
Adam J. Rozen - Rozen, Rozen & Reilly, LLP

Property Owner
AP Real Estate Georgia, LLC

Current Zoning
Highway General Business (HGB)

Future Land Use Category
Community Activity Center (CAC)

Project Request: Rezone property from Highway General Business (HGB) to Planned Unit Development - Residential (PUD-R) for the development of 89 fee simple townhomes.
Please see page 6 for project request and intent.



Aerial view of subject property

PROPERTY DETAILS

Within 1/2 mi from Unincorporated Cobb Co: Yes
Historic District: No
Cemetery: No **Floodplain:** Yes **Stream:** Yes
Parcel ID #: 20014001380
Land Lot #: 140 **Tax Parcel #:** 138
Land Area: 8.823 +/- acres
Proposed Building SQFT: Please see page 6.

RECOMMENDATION

Staff Recommendation:
Approval with conditions the rezoning application

Please see page 27– 28 for basis for recommendation.

ADJACENT PROPERTY DETAILS

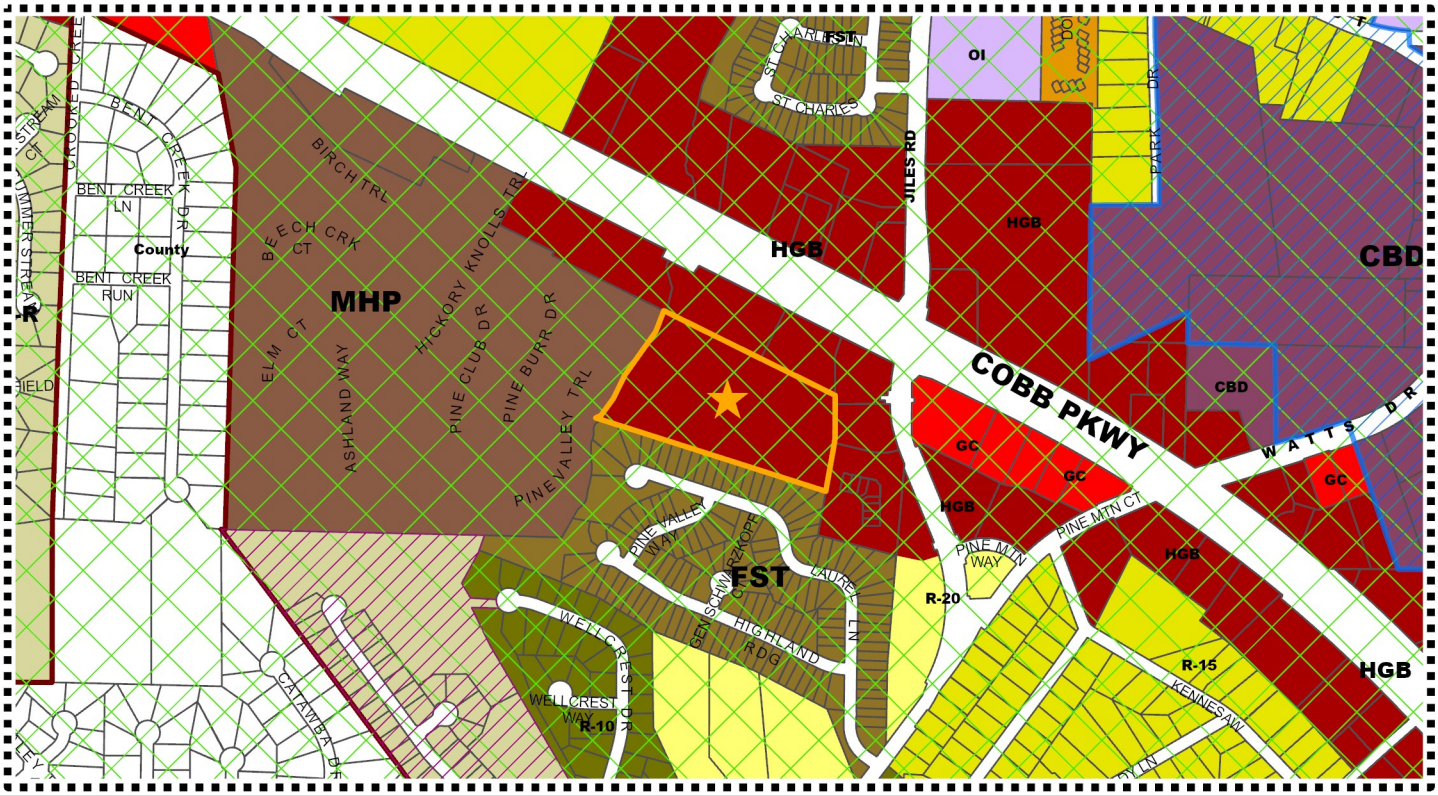
Surrounding Zoning Dist. and Future Land Use

North: No Street
Zoning: Highway General Business (HGB)
Future Land Use: Community Activity Center (CAC)
South: No Street
Zoning: Fee Simple Townhouse (FST)
Future Land Use: Residential High (RH)
East: Pine Mountain Rd
Zoning: Highway General Business (HGB)
Future Land Use: Community Activity Center (CAC)
West: No Street
Zoning: Mobile Home Park (MHP)
Future Land Use: Residential High (RH)

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2025-03

ZONING MAP



LEGEND

Zoning Districts

CBD	HI	OI	R-12	RA-5
CRC	LI	PBSH	R-15	RA-6
FST	MHP	PSC	R-20	RM-8
GC	NRC	PUD-R	R-30	RM-12
HGB	NS	PVC	R-40	RM-16
		R-10	RA-4	UVC

Form Based Code

- Open Space
- T-3
- T-4L
- T-4O
- T-5

Zoning Overlays

- Airport Hazard District
- Conservation Subdivision
- Historic Districts
- Historic Preservation Village
- Senior Living

The parcel is currently zoned Highway General Business (HGB) and is bordered by residentially zoned properties to the south, designated as Fee Simple Townhouse (FST), and to the west, designated as Mobile Home Park (MHP). Parcels located directly to the north and east are also zoned Highway General Business (HGB), creating a transition between commercially oriented frontage and established residential neighborhoods. This zoning pattern reflects a mix of uses in the immediate area and underscores the suitability of introducing a residential planned development that can serve as an appropriate buffer between these differing land-use contexts.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2025-03

AERIAL MAP

LOCATION:

The 8.823 +/- acre tract is located off Cobb Parkway and is surrounded by a diverse mix of commercial and residential uses. To the west is the mobile home community known as The Woodlands of Kennesaw. To the north is the Kings Crossing shopping center, which includes a variety of retail and office uses such as Bank of America, Cricket Mobile, Omega Family Dentistry, and a hair salon. To the east are office suites with multiple professional uses, including Innovation Compounding, a pharmacy, and a State Farm Insurance office. To the south is the established residential subdivision known as The Village at Pine Mountain.



BACKGROUND



In 2006, the Mayor and Council approved the rezoning of the adjacent parcel (Parcel #20014001470), consisting of approximately 2.88 +/- acres, from General Commercial (GC) and R-20, Single Family Residential to Highway General Business (HGB) to support the development of a business office complex now known as the Cedar Creek Professional Center. At that time, the subject parcel was under the same ownership, with the intent to expand the office complex onto the site. The first office building was completed in 2008 and is currently occupied by a multi-tenant office suite development offering a variety of professional services, including a pharmacy and a State Farm Insurance office. The remaining 8.823 +/- acres were left undeveloped and subsequently sold in 2009.

In 2018, the Community Development department received a permit applications for the construction of a nursing home, identified as “Devi Manor Home for Life, LLC”. The proposed facility included approximately 81,115 square feet of building area. Construction commenced shortly thereafter but stalled in 2019, leaving the property in its current partially developed condition.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2025-03

EXISTING SITE CONDITIONS







STAFF ANALYSIS REPORT

ZONING CASE #: RZ2025-03

EXISTING SITE CONDITIONS







STAFF ANALYSIS REPORT

ZONING CASE #: RZ2025-03

DESCRIPTION OF ZONING REQUEST: **REZONING**

REZONING:
The applicant seeks to change the zoning designation from Highway General Business (HGB) to Planned Unit Development - Residential (PUD-R) for the construction of residential subdivision.

APPLICATION DETAILS

Pre-Application Meeting
October 21, 2025

Application Submitted
October 17, 2025

Fees Paid
$638.30 (Rezoning)

Certified Letters Mailed
December 12, 2025

PROJECT INTENT

The applicant is requesting to rezone the property to Planned Unit Development - Residential (PUD-R) to construct a development that will consist of eighty-nine (89) Fee Simple Townhomes.

Number of units proposed: 89

1. 20' Rear Entry Townhomes: 37 units
2. 24' Front Entry Townhomes: 52 units

Minimum Floor Area:

1. 2 story front load: 1,849 sq. ft.
2. 3 story rear load: 1,897 sq. ft.

Proposed Amenities: Amenities will include a dog

NEIGHBORHOOD MEETING

- Letters were mailed out to all property owners within 200-ft of the project regarding the meeting.
- Neighborhood meeting was held on December 8, 2025 at 5:30 p.m. at the Ben Robertson Community Center.
- Meeting presented by DRB Group Georgia, LLC and Adam Rozen.

UNIFIED DEVELOPMENT CODE

***Section 2.01.03.07* - Lot size, setback and building height requirements for developments within the Planned Unit Development – Residential (PUD-R) zoning district**

Lot size and setback requirements	Lot by Lot setbacks shall not apply in the PUD-R district; however, no primary structure shall be closer than 15 ft. to another primary structure.
Landscape buffer and screening requirements	Unless otherwise noted within this district's requirements, any property within a PUD-R district which abuts a more restrictively zoned residentially zoned property shall have a minimum of ten-foot landscaped screening buffer. Additionally, during the construction phase, a 40-foot undisturbed buffer shall be maintained except for access points, required detention/retention facilities or utilities. Required buffers may be included within required setbacks; however, in such case that the required buffer is greater than the required setback, the required buffer shall be adhered to. Additionally, necessary private utilities and access drives may be allowed through, over or across a landscaped buffer. Any such uses which are proposed through, over or across a designated undisturbed buffer must be approved pursuant to an original site plan or site plan modification.
Max. Height	35 ft.
Minimum lot size for single family dwelling	8,400 sq. ft.

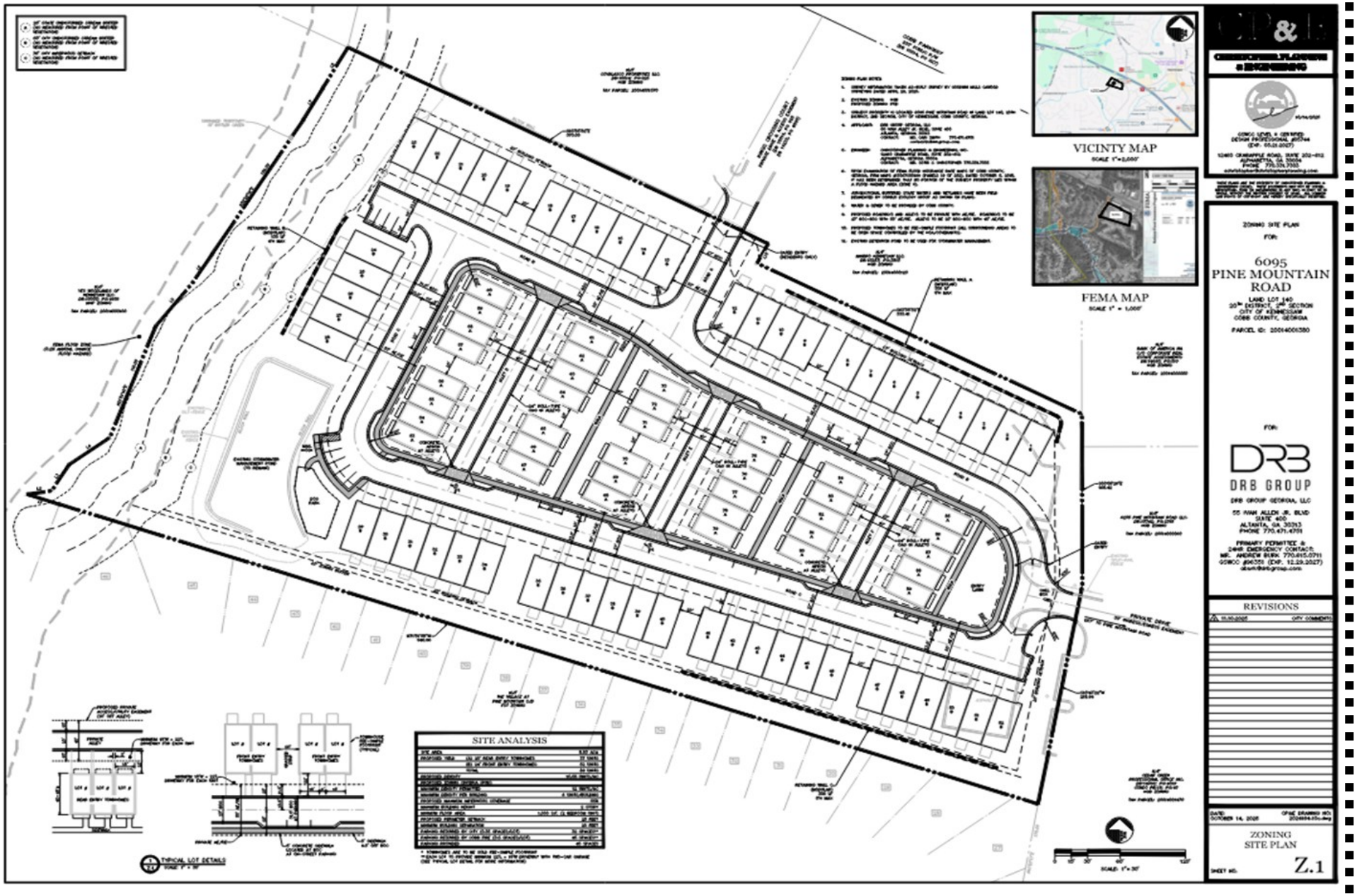
PROPOSED SITE PLAN

ZONING CASE #: RZ2025-03



PROPOSED SITE PLAN

ZONING CASE #: RZ2025-03



PROPOSED RENDERING (PAGE 1 OF 5)

ZONING CASE #: RZ2025-03



PROPOSED RENDERING (PAGE 2 OF 5)

ZONING CASE #: RZ2025-03



PROPOSED RENDERING (PAGE 3 OF 5)

ZONING CASE #: RZ2025-03



PROPOSED RENDERING (PAGE 4 OF 5)

ZONING CASE #: RZ2025-03



PROPOSED RENDERING (PAGE 5 OF 5)

ZONING CASE #: RZ2025-03

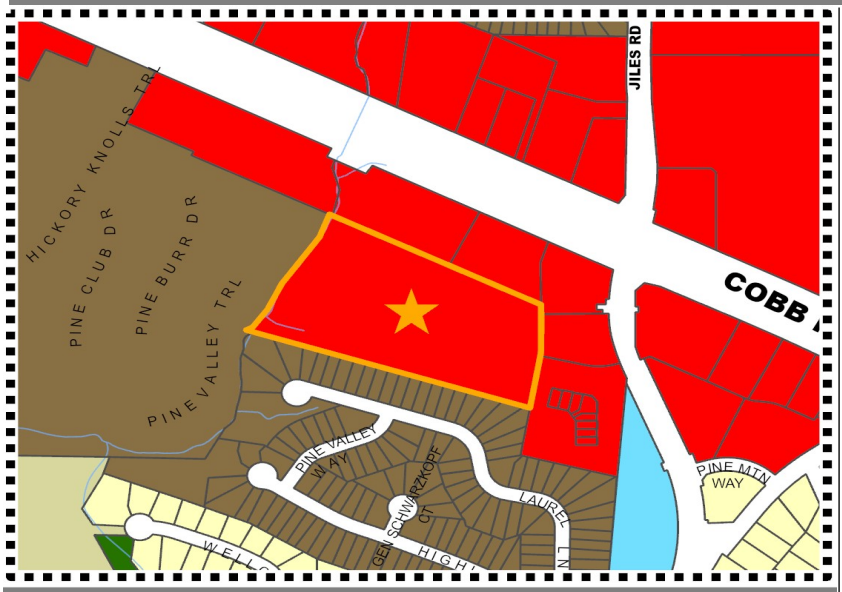




STAFF ANALYSIS REPORT

ZONING CASE #: RZ2025-03

FUTURE LAND USE CATEGORY



CAC - COMMUNITY ACTIVITY CENTER

These areas provide services to the community but are not as intense as the Regional Activity Center.

LEGEND

Future Land Use

- CAC - Community Activity Center
- DAC - Downtown Activity Center
- I - Industrial
- NAC - Neighborhood Activity Center
- PI - Public Service/Institutional
- PRC - Park/Recreation/Conservation
- PUD - Planned Unit Development
- RAC - Regional Activity Center
- RH - Residential High
- RL - Residential Low/Medium
- TCU - Transportation Communication Utilities

FUTURE LAND USE ANALYSIS

The Comprehensive Plan designates the properties fronting Cobb Parkway as a Community Activity Center (CAC), an area intended to accommodate a balanced mix of commercial, civic, and residential uses. The inclusion of residential units within the Community Activity Center (CAC) is consistent with the Comprehensive Plan's intent to create vibrant, mixed-use environments that support a blend of commercial, civic, and residential uses. Introducing housing into the CAC strengthens the activity center by increasing the local population base, which in turn supports nearby retail, dining, and service establishments. This added residential presence helps sustain businesses throughout the day and evening, contributing to a more active and economically resilient center.

Residential development also promotes land-use efficiency by utilizing underperforming or underutilized parcels and encouraging redevelopment that aligns with the long-term vision for a walkable, mixed-use district. Housing diversity within the CAC provides options for residents seeking proximity to employment, services, and transit, reducing vehicle trips and supporting multimodal transportation goals creating the overall sense of place within the activity center.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2025-03

TRANSPORTATION DATA:

AERIAL OF ROAD #1



ROAD #1

Roadway Name
Cobb Parkway

Roadway Classification
Arterials

Speed Limit
55 MPH

Jurisdictional Control
City of Kennesaw

Minimum Width of Right-of -Way requirement
100-feet

AERIAL OF ROAD #2



ROAD #2

Roadway Name
Pine Mountain Road

Roadway Classification
Arterial

Speed Limit
40 MPH

Jurisdictional Control
City of Kennesaw

Minimum Width of Right-of-Way requirement
100-feet

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2025-03

ENVIRONMENTAL

Floodplain:
- ✓ Yes
- ___ No
- ___ Not Verified

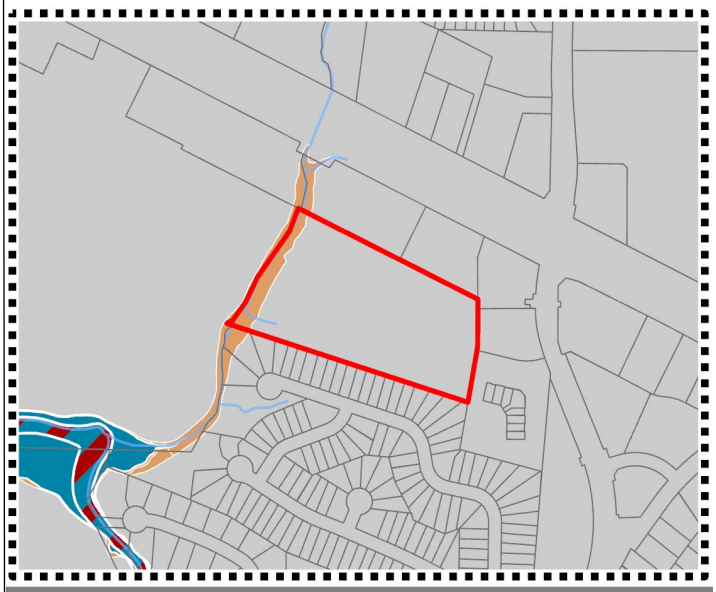
Wetlands:
- ___ Yes
- ___ No
- ✓ Not Verified

Drainage Basin:
- ___ None
- ___ FEMA 100-year floodplain area
- ___ Flood Damage Prevention Ordinance[1]
- ___ Project subject to Cobb County Damage Prevention Requirements
- ___ Dam Breach Zone (Upstream)[2]
- ✓ Owner/Developer is responsible for obtaining any required wetland permits from the United States Army Corps of Engineers

Streams and Creeks:
- ___ Metropolitan River Protection Area[3]
- ___ Chattahoochee River Corridor Tributary Area[4]
- ___ Georgia Erosion-Sediment Control Law and County Ordinance[5]
- ___ Georgia DNR Variance for work being done in 25-foot stream bank buffers (may be required)
- ___ City Stream Buffer Required
- ___ No Stream Buffer Required

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

FEMA FLOOD ZONE MAP



LEGEND

Special Flood Hazard Areas

2018 Flood Zones

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

ADDITIONAL COMMENTS REGARDING PROJECT:

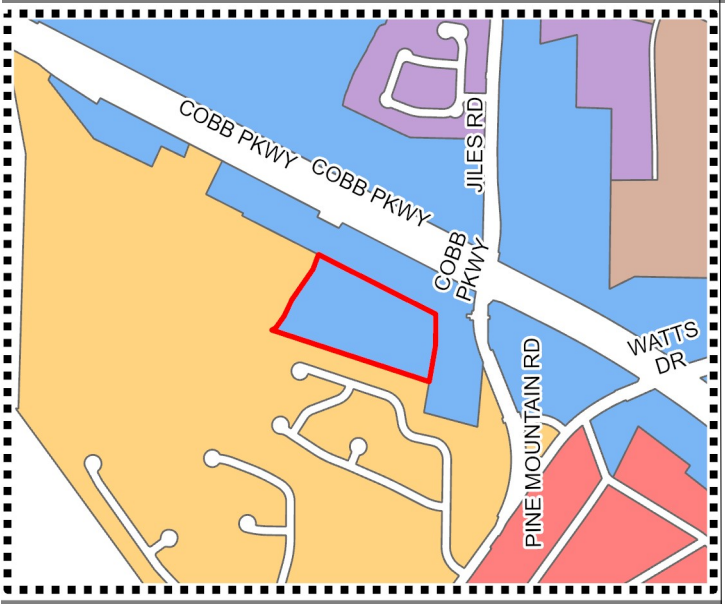
The west portion of the site is identified as having a 0.2% annual chance flood hazard. The proposed development avoids any disturbance within this area, and all required stream buffers mandated by the City and the State consistent with *Chapter 46, Article VII* Stream Buffer Ordinance of the Code of Ordinances will be fully maintained. Preservation of this buffer ensures continued protection of natural drainage functions, supports water quality, and maintains compliance with applicable environmental regulations.

Applicant will be responsible to meet all City of Kennesaw Development & Zoning Ordinance Standards, State, County and applicable Federal regulations as part of the plan review approval process. All conceptual representations submitted with the application and acted on by Mayor and Council does not relieve applicant and property owners from meeting all development standards.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2025-03

AREA DESIGNATION



COBB PARKWAY COMMERCIAL CORRIDOR

The Cobb Parkway Commercial Corridor is the most significant commercial corridor in Kennesaw. This approximately two-mile-long section of highway runs southeast to northwest through the lower third of the city limits. The corridor's appearance and function has been affected by vacant structures or structures that are in disrepair. Generally, there are no unifying architectural features, gateways or impressionable spaces or buildings that identify this corridor with a unique sense of place that is characteristic of Kennesaw; however, several segments of this corridor show promise.

LEGEND

Kennesaw Areas

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

AREA DESIGNATION ANALYSIS

The site is located within the Cobb Parkway Commercial Corridor. According to the Area Policy Matrix in the Comprehensive Plan, development within this corridor should prioritize improved pedestrian mobility and safety, particularly as surrounding neighborhoods continue to revitalize. The policy framework also calls for inter-parcel access connectivity and shared access points to help manage traffic flow and reduce the number of individual driveways along major roadways. In addition, the Cobb Parkway Commercial Corridor encourages a diverse mix of products and services and emphasizes the importance of transitional buffers to ensure compatibility between commercial development and adjacent residential areas.

SURROUNDING NEIGHBORHOODS

- The Woodlands of Kennesaw
- The Village at Pine Mountain
- Butler Ridge
- Woodland Acres

NEARBY PUBLIC SCHOOLS

- Kennesaw Elementary School
- Hayes Elementary School
- Pine Mountain Middle School
- Kennesaw Mountain High School

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2025-03

TRAFFIC ANALYSIS

The applicant completed a traffic impact study for the proposed residential development to evaluate how the project would affect traffic conditions in the surrounding roadway network. The study's purpose was to quantify the additional vehicle trips generated by the development, assess how those trips would influence intersection operations during peak travel periods, and determine whether any improvements or mitigation measures would be necessary to maintain acceptable traffic flow.



Conclusion:

The traffic impact study indicates that the main intersection at Cobb Parkway and Jiles Road/Pine Mountain Road will still operate at Level of Service D in the morning and Level of Service E in the evening, meaning it will continue to be congested during peak hours either way. The smaller intersections with stop signs will also function about the same, with most approaches staying at Level of Service D or better. The only movement that continues to experience heavy delays is the westbound approach from Pine Mountain Way, which struggles today and will continue to do so as many drivers use it as a cut through route to avoid the main signal.

In short, the additional traffic from 89 townhomes does not significantly change the overall performance of the nearby intersections.

BENDIN SUMRALL & LADNER, LLC

Stephen T. Snow, Esq.
Partner

DD: 404.671.3107
SSnow@bsllaw.net

January 16, 2026

Via E-Mail
CCampbell@kennesaw-ga.gov

City of Kennesaw Planning and Zoning
c/o Chanelle Campbell, Director
3080 Moon Station Road
Kennesaw, GA 30144

RE: Cedar Creek Professional Office Association, Inc.'s Opposition to Rezoning Application #RZ2025-3 for 6095 Pine Mountain Road, Kennesaw, GA 30152

Dear Ms. Campbell,

This law firm and the undersigned represent Cedar Creek Professional Office Association, Inc. ("CCPOA"). Since May 17, 2010, CCPOA has owned the common area of the Cedar Creek Professional Center located at 6095 Pine Mountain Road, Kennesaw, GA 30152. (**Exhibit 1**). CCPOA submits this letter to formally express its opposition to Rezoning Application #RZ2025-3 submitted by DRB Group Georgia, LLC for the purpose of constructing an 89-unit townhome community on the property owned by AP Real Estate Georgia, LLC, situated immediately adjacent to the Cedar Creek Professional Center.

The City of Kennesaw recently updated and approved its Future Land Use Map in 2023. (**Exhibit 2**). The proposed townhome development contradicts the Community Activity Center designation established by the City less than three (3) years ago, and it is not in harmony with the single-family detached homes situated adjacent to the property. The proposed townhome development also violates no less than five (5) of the express stipulations set forth in City of Kennesaw Ordinance No. 2006-20, 2006 (the "Ordinance," (**Exhibit 3**)). The Ordinance contains multiple stipulations that specifically apply to and restrict the manner in which DRB may develop the subject property. DRB's proposed townhome development cannot be constructed as shown on the plans submitted by DRB because it would violate the express zoning requirements set forth in Ordinance 2006-20.

The ~2.84-acre parcel on which CCPOA's property and Building 100 lie was originally part of a larger ~11.7-acre development project involving three (3) small office buildings. In 2006, as part of its acquisition of the ~11.7 acres from King's Crossing Management, LLC (**Exhibit 4**), Pebblebrook Development, LLC rezoned (#RZ2006-11) the ~2.84-acre parcel from GC (General Commercial) and R-20 to match the HGB (Highway General Business) zoning designation that

One Midtown Plaza, Suite 800 ♦ 1360 Peachtree Street, N.E. ♦ Atlanta, Georgia 30309
Telephone: 404.671.3100 ♦ Facsimile: 404.671.3080
www.bsllaw.net

already existed for the other ~8.83 acres "for the purpose of a general business/office development" encompassing all ~11.7 acres "with reference to that Rezoning Drawing prepared for Pebblebrook Development, LLC dated April 24, 2006." (Ordinance, Stipulation #2; see also Rezoning Drawing (**Exhibit 5**)). As noted throughout the Ordinance, the "proposed development" referred to "a general business/office development" including "all proposed office buildings" located not only on the rezoned ~2.84-acre parcel, but also on the adjoining ~8.83-acre property. (See e.g. Ordinance, Stipulation #2, #4, #5, #6, #7, #8, #11, #14, and #15).

The City approved Pebblebrook's rezoning application following extensive negotiations with adjacent property owners and residents, which resulted in numerous stipulations being imposed upon the proposed development on the subject property "and the adjacent property also to be developed," referring to the ~8.83 acres on which Pebblebrook intended to construct Buildings 200 and 300, and on which DRB now seeks to construct 89 townhomes. (See Kennesaw Planning Commission meeting minutes for July, 10, 2006 (**Exhibit 6**); Mayor and Council meeting minutes for September 5, 2006 (**Exhibit 7**); Mayor and Council Agenda Packet for September 5, 2006 (**Exhibit 8**)).The Ordinance's zoning stipulations specifically reference "the proposed buildings, both within the Subject Property and on adjoining property, which will be part of the proposed development." (Ordinance, Stipulation #7).

As depicted on its rezoning application materials, DRB's proposed 89-unit townhome development would violate at least the following five (5) zoning stipulations set forth in the Ordinance:

Stipulation #4:

Applicant agrees that the architectural style for the proposed development shall be consistent with all architectural photographs submitted to City staff during the zoning process and presented to the City of Kennesaw during the respective public hearings. In that regard, the exterior elevations of the proposed buildings shall consist of brick, stone, stacked stone, stucco, and other masonry materials.

The 89 townhomes proposed by DRB are not consistent with the three (3) small office buildings shown on the development plan that Pebblebrook submitted to the City during the zoning process. Not only does DRB intend to change the entire character of the proposed development from three (3) office buildings to 89 townhomes, but the proposed townhomes do not comply with any of the Ordinance's exterior elevation requirements. The elevation details submitted by DRB indicate the townhomes will consist of lapped panel siding and board and

batten siding, not brick, stone, stacked stone, stucco, and other masonry materials as required by the ordinance. As such, the proposed development is in direct violation of this stipulation.

Stipulation #6:

Applicant agrees to establish and maintain a permanent, minimum forty (40) foot buffer along the entire southern boundary of the Subject Property, as well as, the adjacent property also to be developed, which buffer shall be adjacent to a development known as "The Village at Pine Lake Mountain." Such forty foot buffer shall not include any drives or other paved areas; but rather, shall be utilized for landscaping, screening materials, and fencing subject to a landscape plan to incorporate such features subject to City of Kennesaw staff approval during the plan review process.

According to the materials submitted by DRB, the proposed townhome development would only have a 20-foot landscape strip on the southern boundary. This is only half of the minimum 40-foot landscape buffer required by the Ordinance. Moreover, the site plan submitted by Pebblebrook for the original zoning, with which the "proposed development shall be consistent" (Ordinance, Stipulation #4 and #11), provided for a 35-foot rear setback for the buildings, compared to the only 25-foot setback specified for DRB's proposed townhomes. Because the townhomes lack the minimum required landscaped buffer and the minimum required setback, the proposed development is in violation of this stipulation.

Stipulation #11:

Applicant agrees that the future development shall be consistent with the general layout and design as shown and reflected on the submitted site plan.

As noted above, the Ordinance provides that the adjoining property "will be part of the proposed development" (Stipulation #7). The "future development" in this stipulation references Buildings 200 and 300, identified as Tract 2 on the Rezoning Drawing submitted by Pebblebrook and relied upon by the City, Pebblebrook, and the local residents as the basis for the prior zoning approval. (**Exhibit 5**). The 89 townhomes proposed by DRB are in no way consistent with what is shown on the Rezoning Drawing. As such, the proposed development is in violation of this stipulation.

Stipulation #13:

Applicant agrees to coordinate and seek approval from the City of Kennesaw on final layout of access drive to the proposed development from Pine Mountain Road that will reduce stacking and promote better traffic flow for egress and ingress.

As noted in this stipulation, traffic congestion on Pine Mountain Road was already a concern for the City and the local businesses and residents when the zoning Ordinance was passed back in 2006. The proposed development consisting of 89 townhomes is contrary to the City's directive to reduce stacking and promote better traffic flow to and from Pine Mountain Road.

DRB's site plan shows two (2) points of ingress/egress. The first is to Hwy 41 (Cobb Parkway) to the north via King Crossing Court. The second is to Pine Mountain Road to the east via the unnamed private drive serving the CCPOA property. As part of its zoning application, DRB submitted a Traffic Impact Study[1] which relied upon the assumption that the future townhome residents would have two (2) points of ingress/egress. However, in a meeting with the City and CCPOA on January 12, 2026, DRB represented to the City and to CCPOA that it is "landlocked" and is seeking an easement of necessity through CCPOA's private drive because the current owner does not have the legal right to use King Crossing Court as shown on DRB's site plan and as indicated in its Traffic Impact Study. DRB makes this assertion despite the fact that the current owner's deed, and all relevant prior deeds, specifically include an easement appurtenant granting the owner "all right, title and interest in real estate [King Crossing Court] by virtue of the Reciprocal Easement Agreement" recorded by the original owner of the full ~11.7-acre parcel. (See **Exhibit 4**; AP Real Estate Georgia, LLC's Limited Warranty Deed (**Exhibit 9**); and Reciprocal Easement Agreement (**Exhibit 10**)). It is noteworthy that the current owner of the proposed development property has used King Crossing Court as its exclusive point of ingress/egress since 2019. It is also noteworthy that the Rezoning Drawing submitted by Pebblebrook in 2006 as part of its acquisition and future development of the ~11.7 acre property, as well as its rezoning of the ~2.84-acre parcel, specifically shows that that grantor of the Reciprocal Easement Agreement intended to have the future development access Hwy 41 via King Crossing Court. (**Exhibit 5**). It is also noteworthy that DRB acknowledges that no one claiming an ownership or other interest in King Crossing Court has objected to its proposed use

[1] CCPOA questions the validity of the traffic study submitted by DRB. It seems highly unlikely that an 89-unit residential townhome community would only generate 28 exit trips during the peak morning hours of 7:00 am – 9:00 am.

of King Crossing Court to access the proposed development or has otherwise claimed that the current owner lacks the legal right to do so.

CCPOA disputes DRB's position that it is landlocked or that the current owner has no legal right to use King Crossing Court. The recorded Reciprocal Easement Agreement was created for the specific purpose of providing "a perpetual and non-exclusive permanent easement and right of way appurtenant" to give access to the development property. (**Exhibit 10**). Moreover, the current owner's deed specifically references that same Reciprocal Easement Agreement as "Appurtenant Easement Area No. 3" benefiting the subject property. (**Exhibit 9**; see also **Exhibit 4**). In light of DRB's representations to the City in its site plan and Traffic Impact Study that the proposed development will access Hwy 41 via King Crossing Court, the fact that the current owner's deed specifically references the Reciprocal Easement Agreement over King Crossing Court as an easement appurtenant benefitting the development property, and the fact that the current owner has exclusively used King Crossing Court to access the development property since 2019, it appears that DRB's current position is merely a strategy to support its effort to seize access to CCPOA's private drive and secure a second access point for its proposed townhomes.

However, assuming *arguendo* that the proposed development truly has no legal right to use King Crossing Court, that would mean that DRB's site plan falsely represents that the 89-unit townhome development would have two (2) points of ingress/egress. Moreover, it would also mean that, contrary to what is represented in DRB's Traffic Impact Study, 100% of the traffic to/from the proposed 89-unit townhome development would be forced to use CCPOA's private drive. Relying upon DRB's own traffic calculations, that would mean the proposed townhome development would result in 584 additional vehicles passing through CCPOA's private drive every day, and 584 additional vehicles attempting to enter and exit a highly congested section of Pine Mountain Road every day. This would be incredibly harmful to the interests of CCPOA, its unit owners, their customers, and the general public. In addition, this would be incredibly harmful to the local businesses and residents in the community since this increased traffic would overwhelm the already problematic traffic situation on Pine Mountain Road.

Although the Ordinance requires CCPOA's private drive to be designed in a manner that would reduce stacking and promote better traffic flow for ingress and egress, the proposed townhome development would do the opposite. As such, the proposed development is in direct violation of this stipulation.

BENDIN SUMRALL & LADNER, LLC

January 16, 2026
Page 6

Stipulation #14:

Interparcel access and shared access drive shall be designed with adjoining vacant property once future development of adjoining parcel is pursued.

DRB relies upon this stipulation to support its contention that the Ordinance requires CCPOA to allow the residents of its proposed 89-unit townhome development to use CCPOA's private drive as a secondary (or primary, as it now alleges) point of ingress/egress. However, the Ordinance and this stipulation were based on the assumption that the future development would be two (2) additional office buildings, as specifically shown on Pebblebrook's Rezoning Drawing. Neither Pebblebrook, nor the City, nor the residents who collectively negotiated the terms and stipulations of the Ordinance contemplated that the adjoining property would be developed into 89 townhomes. CCPOA is confident that Pebblebrook and the local residents would never have agreed to this stipulation if it were possible for the adjoining property to be developed in a completely different manner than what was shown in Pebblebrook's Rezoning Drawing, such as replacing the two (2) office buildings with 89 townhomes all using the private drive to access Pine Mountain Road. In light of DRB's intent to change the nature of the development on the adjacent property, CCPOA has submitted a rezoning application contemporaneously with this letter in which it requests that the City remove this Stipulation #14 from the Ordinance.

CCPOA strongly objects to DRB's rezoning application for the reasons stated above. The site plan submitted by DRB does not accurately reflect the access road(s) DRB's application and proposed development project rely upon. DRB seeks to use CCPOA's private drive for a purpose that was not contemplated or approved in the Ordinance and that will result in irreparable harm to CCPOA and the community who already struggle with traffic problems on Pine Mountain Road. Moreover, the proposed townhome development violates no less than five (5) stipulations within the existing Ordinance that expressly apply to the proposed development property. For these reasons, CCPOA respectfully requests that the City of Kennesaw deny DRB's rezoning request.

In the event the City is inclined to grant DRB's rezoning request despite its many violations of an existing Ordinance, CCPOA respectfully requests that the City impose the following conditions on its approval:

1. Require DRB to modify its site plan to eliminate the proposed use of CCPOA's private drive as an access road and delete Condition #14 from City of Kennesaw Ordinance 2006-20.

BENDIN SUMRALL & LADNER, LLC

January 16, 2026
Page 7

2. Restrict development to single-family detached homes in harmony with the adjacent subdivisions.

3. Require DRB to establish and maintain a permanent, minimum 40-foot landscape buffer along the entire southern and eastern boundaries of the subject property.

4. Require DRB to install a continuous, eight (8) foot tall wood privacy fence along the entire southern and eastern boundaries of the subject property.

5. If DRB is permitted to proceed with the construction of single-family attached homes, require DRB to include a deed restriction preventing future unit owners from renting or leasing their units.

We appreciate the opportunity to submit this formal objection to Rezoning Application #RZ2025-3. If you need any further information or documentation related to this matter, please do not hesitate to contact me.

Sincerely,

Stephen T. Snow

CC: Cedar Creek Professional Office Association, Inc.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2025-03

PLANNING AND ZONING

Site Visit:
☑ Yes
☐ No

Staff Member:
Name: Chanelle Campbell
Date of Visit: 10/21/2025

Land Use Recommendation:
Residential development is a compatible use

Historic Preservation:
Not located in the historic district

Cemetery Preservation:
No cemeteries on site

DEPARTMENT COMMENTS

Engineering: No Comments

Public Works: The proposed site requires a Traffic Impact Study (TIS) to evaluate anticipated trip generation, turning movements, and overall impacts to the surrounding roadway network.

Building Services: No Comments

Cobb County Fire: None provided

Cobb County Water: None provided

JANUARY 2026 ZONING ADMINISTRATOR'S RECOMMENDATION: **POSTPONE**

Planning and Zoning staff recommends to postpone the rezoning application. Please note that staff received a letter on December 31, 2025 from the applicant's attorney requesting to postpone the case to the February 2026 public hearing.

JANUARY 2026 BASIS FOR PLANNING AND ZONING'S RECOMMENDATION:

In order to make an informed recommendation to the Planning Commission and Mayor and Council, staff is needing for the applicant to provide more information on this project including:

1. Addressing the concerns and comments of the surrounding property owners and incorporating solutions.

JANUARY 7, 2026 PLANNING COMMISSION:

The Planning Commission recommended to **postpone** the rezoning application to the February 4, 2026 Planning Commission meeting and the February 16, 2026 Mayor and Council meeting.

JANUARY 20, 2026 MAYOR AND COUNCIL DECISION

The Mayor and Council voted to **postpone** the rezoning application to the February 4, 2026 Planning Commission meeting and the February 16, 2026 Mayor and Council meeting.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2025-03

STAFF ANALYSIS - **REZONING**

The applicant, DRB Group Georgia, LLC represented by Adam Rozen of Rozen, Rozen and Reilly, LLP is requesting to rezone the property located at 6095 Pine Mountain Road from Highway General Business (HGB) to Planned Unit Development-Residential (PUD-R) for the development of eighty nine (89) 'For Sale' Fee Simple townhomes. Staff has analyzed the request to rezone based on the standard for decision outlined in *section 10.01.02* Rezoning Procedures for Amending the Official Zoning Map and the requirement outline in *section 2.01.03.07* for the Planned Unit Development - Residential (PUD-R) district with the following observations:

The City's adopted land use policy documents and Comprehensive Plan support the requested rezoning. The proposed development aligns with the purpose and intent of the Planned Unit Development–Residential (PUD-R) district, as outlined in Unified Development Code *section 2.01.03.07*, which is designed to allow flexible site planning and coordinated development under a unified master plan rather than traditional lot-by-lot regulation. The PUD-R district is not intended to increase density beyond what is appropriate for the surrounding area; instead, it promotes creative and efficient land planning that incorporates open space, recreational amenities, and high-quality design to achieve a more desirable residential environment.

The proposed site plan includes residential units with a minimum floor area of 1,000 square feet and an overall density of 10.08 units per acre, arranged in buildings containing six units each. The development program also incorporates on-site amenities, including a dog park and other shared open-space features designed to support resident recreation and enhance the overall livability of the community.

The development will also include a call system at the Pine Mountain Road access point, as well as a residents only access point off Cobb Parkway, to support controlled entry and enhance overall site security. This feature supports orderly traffic flow at the entry points and contributes to the safety and management of the residential community.

Per the parking standards per use as outlined in *section 6.06.00* Off Street Parking Facilities requires:

Type of Use	Required Parking Spaces
Townhouse Dwelling Units (attached)	2 space per dwelling unit plus 0.35 parking spaces per unit for overall new development

Required Parking Spaces Analysis:

- 89 units X 2 = 178 parking spaces required
- 89 units X 0.35 = 31 parking spaces required

According to the requirements outlined in section 6.06.00 of the Unified Development Code, the proposed project is required to provide a minimum of two hundred and nine (209) parking spaces. The submitted site plan demonstrates compliance with this standard by providing a two-car garage and a minimum 22' L x 18' W driveway for each unit, supplemented by forty-five (45) additional surface parking spaces. This configuration exceeds the minimum parking requirement for the proposed residential use and ensures adequate on-site parking capacity for residents and visitors.

Given the site's lack of direct frontage on a major roadway and its limited visibility from the street network, the development of a townhome subdivision represents an efficient and appropriate use of the property. The residential character of the proposal is compatible with the established development pattern, including The Woodlands mobile home community to the east and The Village at Pine Mountain townhome subdivision to the south, constructed in 1993.

Within the Community Activity Center (CAC) future land use designation, the PUD-R zoning provides an appropriate mechanism to introduce residential uses that complement nearby commercial activity while ensuring that overall density remains compatible with surrounding neighborhoods. The proposed townhomes create a logical transition between existing residential areas and the broader CAC designation, resulting in a well-integrated and suitable infill development that supports the City's long-term land use objectives.

Staff recommends approval of the request, as the proposed development is consistent with the Comprehensive Plan designation of the site as a Community Activity Center and supports the corridor's long-term vision for mixed-use redevelopment. The development also advances policy objectives for the Cobb Parkway Commercial Corridor by introducing housing diversity, supporting nearby commercial uses, and promoting efficient use of an underutilized site. The project aligns with corridor guidelines encouraging pedestrian mobility improvements, inter-parcel connectivity, and appropriate transitions to adjacent residential areas.

Based on the project's consistency with adopted land-use policies, its limited traffic impact, and its contribution to corridor revitalization, staff finds the request appropriate and supportive of the City's long-term planning goals.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2025-03

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

Based on the findings outlined in the analysis section of the staff report, City Staff recommends **approval with conditions** of case #RZ2025-03.

PROPOSED ZONING CONDITIONS:

1. The rezoning of the Subject Property to the Planned Unit Development–Residential (PUD-R) district shall be consistent with the technical and conceptual site plans submitted with the application and shall comply with the proposed minimum front, side, and rear setbacks, as well as the overall density of 10.08 units per acre.

2. The Subject Property shall be developed as maximum of eighty-nine (89) 'For Sale" Fee Simple Town-homes.

3. Applicant agrees the minimum floor area of all residential units shall be 1,400 sq. ft. Applicant also agrees that the maximum height of the overall development will adhere to the development standards outlined in the Unified Development Code.

4. The architectural style and composition of the buildings to be constructed on the Subject Property shall be in reasonable conformity to the architectural renderings/elevations submitted with the rezoning application and should include a mixture of components consisting of brick, stacked stone, and other cementitious components including Hardie plank and Hardie plank shake and similar products.

5. Compliance with the recommendations from the City Engineer and/or the City's Public Works Director with respect to stormwater management, hydrology and water quality requirements as outlined in the Unified Development Code.

6. Prior to issuance of a land disturbance permit, the applicant shall coordinate with a qualified geotechnical firm and civil engineer to design and implement measures to capture any groundwater encountered on-site associated with the spring ,subject to review and approval by the City Engineer and/or the City's Public Works Director.

7. Subject to review and approval by the City Engineer and the Public Works Department, all stormwater management components shall comply with the recommendations of the City of Kennesaw's Stormwater Management Division, including requirements related to stormwater management, hydrology, and water quality.

8. Applicant agrees to the protection of all required stream buffers affecting the Property; any potential impact to the stream(s) due to revisions to the site plans will require a variance.

9. Applicant shall create a mandatory Homeowners Association ("HOA") and prepare and file a Declaration of Covenant, Conditions and Restrictions ("CCRs") to be made applicable to the Property, which shall include, among other components, a restriction on the total number of units that may be rented at any one time to no more than five percent (5%) of the total number of units.

10. The homeowners association shall be solely responsible for the upkeep and maintenance of all common areas, mail kiosk, amenities, and amenity areas; including the entrance areas, boundary landscape buffers, stormwater management systems, driveways and parking lot.

11. 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, which shall include the installation of an irrigation system in areas where appropriate.

12. The applicant agrees to the installation of a privacy fence constructed of solid weather resistant materials such as wood, wrought iron, with a height no greater than 8 ft along the portion of the rezoned parcel adjacent to existing commercial properties.

13. The developer agrees to construct all of the necessary roadways and infrastructure improvements as more particularly shown and reflected on the 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 subdivision.

14. The proposed development shall include amenities for use and enjoyment of its residents as follows:
    a) Community courtyards, gathering places
    b) Pedestrian connectivity
    c) A dog park

15. Sidewalks shall be provided throughout the subdivision, with all amenity areas connected to the nearest internal sidewalk to ensure continuous pedestrian access.

16. The proposed community shall utilize the City or Cobb County; utility services as is typical for such residential development.

17. Compliance with recommendations from Cobb County Fire Marshal's Office with respect to Life Safety and Fire Prevention issues. The development shall also comply with all applicable guest parking regulations, consistent with the parking layout and quantities depicted on the submitted site plan.

18. 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 subdivision.

19. All utilities servicing the residences with the proposed community shall be underground.

20. The applicant agrees that construction will begin in 24 months of the approval date of the rezoning. If no land development activity is initiated, then the subject property will automatically revert back to the original zoning.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2025-03

PLANNING COMMISSION RECOMMENDATION:

To be determined on February 4, 2026

MAYOR AND COUNCIL DECISION:

To be determined on February 16, 2026

REZONING APPLICATION

Date Received 10/17/25
Staff's Initials RG

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

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

Date of Consultation _____ Staff's Initials _____

REZONING PROPERTY ADDRESS 6095 Pine Mountain Road

Land Lot 140 Tax Parcel 20014001380 Lot Size 8.823

Resident Population _____ Housing Units _____ Other Buildings _____

Zoning Request from:

Present Zoning HGB To: PUD

For the purpose of: Fee simple residential townhomes

APPLICANT EMAIL [redacted] for DRB Group Georgia, LLC

Applicant Address 248 Roswell Street, Marietta, GA 30060

(Phone #) [redacted]

Applicant Signature _____ Date _____

Signed, sealed and delivered in presence of: Cam Hutto 10/15/25
Notary **Date**

CAMERON HEATH NOTARY PUBLIC FULTON COUNTY, GEORGIA Exp. 6/9/

REPRESENTIVE Adam J. Rozen, Rozen, Rozen & Reilly, LLP

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

Representative Signature _____ Date _____

Signed, sealed and delivered in presence of: _____
Notary **Date**

TITLEHOLDER: A P Real Estate Georgia, LLC **(Phone #)** _____

Signature: _____ **Address** _____

Signed, sealed and delivered in presence of: _____
Notary **Date**

REZONING APPLICATION

Date Received 10/17/25
Staff's Initials RG

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

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

Date of Consultation _____ Staff's Initials _____

REZONING PROPERTY ADDRESS 6095 Pine Mountain Road

Land Lot 140 Tax Parcel 20014001380 Lot Size 8.823

Resident Population _____ Housing Units _____ Other Buildings _____

Zoning Request from:

Present Zoning HGB To: PUD

For the purpose of: Fee simple residential townhomes

APPLICANT EMAIL [redacted] for DRB Group Georgia, LLC

Applicant Address 248 Roswell Street, Marietta, GA 30060

(Phone #) [redacted]

Applicant Signature _____ Date 10/17/25

Signed, sealed and delivered in presence of: _____ 10/17/25
Notary **Date**

SUSEANN R BRISTOW NOTARY PUBLIC COBB COUNTY, GEORGIA MY COMMISSION EXPIRES OCTOBER 04, 2028

REPRESENTIVE Adam J. Rozen, Rozen, Rozen & Reilly, LLP

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

Representative Signature _____ Date _____

Signed, sealed and delivered in presence of: _____
Notary **Date**

TITLEHOLDER: A P Real Estate Georgia, LLC **(Phone #)** _____

Signature: _____ **Address** _____

Signed, sealed and delivered in presence of: _____
Notary **Date**

REZONING APPLICATION

Date Received 10/17/25
Staff's Initials RG

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

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

Date of Consultation _____ Staff's Initials _____

REZONING PROPERTY ADDRESS 6095 Pine Mountain Road

Land Lot 140 Tax Parcel 20014001380 Lot Size 8.823

Resident Population _____ Housing Units _____ Other Buildings _____

Zoning Request from:

Present Zoning HGB To: PUD

For the purpose of: Fee simple residential townhomes

APPLICANT EMAIL [redacted] for DRB Group Georgia, LLC

Applicant Address 248 Roswell Street, Marietta, GA 30060

(Phone #) [redacted]

Applicant Signature _____ Date _____

Signed, sealed and delivered in presence of: _____
Notary **Date**

REPRESENTIVE Adam J. Rozen, Rozen, Rozen & Reilly, LLP

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

Representative Signature _____ Date _____

Signed, sealed and delivered in presence of: _____
Notary **Date**

TITLEHOLDER: A P Real Estate Georgia, LLC **(Phone #)** [redacted]

Signature: Kathleen Steil as Trustee **Address** P.O. Box 1547, Decatur, GA 30031
Kathleen Steil as and only as Chapter 7 Trustee for the Bankruptcy Estate of A P Real Estate Georgia, LLC (Case No. 23-57890-JWC ND GA)

Signed, sealed and delivered in presence of: _____ 10/15/2025
Notary **Date**

TERESA PANTALEON NOTARY PUBLIC CHEROKEE COUNTY GEORGIA EXPIRES January 24, 2029

CAMPAIGN DISCLOSURE REPORT[1] BY APPLICANT[2]

Each applicant must complete a separate form

TITLEHOLDER

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 The Bankruptcy Estate of A P. Real Estate Georgia, LLC has not made any campaign contributions.

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:

N/A

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:

N/A

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 _____d ay of _____, 20_____

TITLEHOLDER

~~Applicants~~ Signature

Kathleen Steil as Trustee

Signed by:

Kathleen Steil as and only as Chapter 7 Trustee for the Bankruptcy Estate of A P Real Estate Georgia, LLC (Case No. 23-57890 ND GA)

[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.

CAMPAIGN DISCLOSURE REPORT[1] BY APPLICANT[2]

Each applicant must complete a separate form

Has the applicant made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating two hundred fifty dollars ($250.00) or more or made gifts having in the aggregate a value of two hundred fifty dollars ($250.00) or more to a member or members of the Mayor and Council or Planning Commission who will consider the application?
No

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

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

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

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

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

I certify that the foregoing information is true and correct, this 15th day of October, 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.

CAMPAIGN DISCLOSURE REPORT[1] BY APPLICANT[2]

Each applicant must complete a separate form

Has the applicant made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating two hundred fifty dollars ($250.00) or more or made gifts having in the aggregate a value of two hundred fifty dollars ($250.00) or more to a member or members of the Mayor and Council or Planning Commission who will consider the application?
No

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

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

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

NO

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 17th day of OCTOBER, 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.

ROZEN, ROZEN & REILLY, LLP
248 Roswell Street, SE
Marietta, Georgia 30060
[redacted]

ROGER J. ROZEN
[redacted]
ADAM J. ROZEN
[redacted]
JEFFREY M. REILLY, JR.
[redacted]

Injury, Land Use,
Criminal Defense,
Domestic
& Business

October 17, 2025

VIA EMAIL: [redacted]

Darryl Simmons
Planning & Zoning Manager
City of Kennesaw

Re: Rezoning Application of DRB Group Georgia, LLC to rezone from HGB to PUD for fee simple residential townhomes on an approximately 8.828 acre tract known as 6095 Pine Mountain Road, City of Kennesaw, Cobb County, Georgia

Dear Darryl:

This firm represents DRB Group Georgia, LLC ("DRB") as it relates to its Rezoning Application regarding the above-captioned property ("Subject Property") (hereinafter collectively the "Application"). On behalf of DRB, please accept and find the Application and the following:

1. Application forms signed by the Property Owner and Applicant.

2. Application fee to be submitted electronically following receipt of City electronic invoice after filing.

3. Copies of the deed reflecting the record titleholder and a current legal description of the subject property.

4. Copies of the paid tax receipt for 2024.

5. Copy of the site plan drawn to scale and survey of the property.

6. A Constitutional Challenge.

REZONING WRITTEN DESCRIPTION/LETTER OF INTENT

The Subject Property is zoned HGB in a commercialized corridor of the City of Kennesaw along US Hwy 41 near its intersection with Jiles Road/Pine Mountain Road. The Subject Property is one parcel removed from and without frontage on US Hwy 41 situated behind retail commercial parcels fronting on the highway on one side and situated behind additional retail and professional office uses fronting on Pine Mountain Road. The Subject Property is partially developed for an assisted living facility but left incomplete after horizontal development was halted due to bankruptcy.

The Applicant proposes rezoning to PUD for the development of fee simple residential townhomes providing an additional and needed residential development alongside an existing residential townhome development and mobile home park before transitioning to additional residential uses zoned R-10 and R-20. The development is proposed under the maximum allowed PUD density of 12 UPA at 10.08 UPA yielding 89 units.

For these reasons, the intent and purpose of the Ordinance and applicable Sections are not frustrated by the Applicant's request, but their strict application and retention of the existing HGB zoning district would create a hardship for the Applicant without gain or benefit to the public for strict enforcement.

For all the reasons stated herein above and with all of the information and documentation which is before you, we respectfully request that the Rezoning Application be approved. Prior to the final hearing of the Application, I will be providing you and your staff with any necessary additional information, documentation and stipulations in order to facilitate the approval of this Application.

Thank you.

Sincerely,

ROZEN, ROZEN & REILLY, LLP

/s/ Adam J. Rozen

Adam J. Rozen
[redacted]

AJR/srb
Enclosures/Attachments

ZONING STANDARDS RESPONSE AND ZONING IMPACT STATEMENT FOR THE REZONING APPLICATION OF DRB GROUP GEORGIA, LLC

COMES NOW, APPLICATION OF DRB GROUP GEORGIA, LLC, and pursuant to Section 1908 of the Kennesaw Zoning Code, files this its Zoning Impact Statement and Zoning Standards Response, as follows:

(1) Would the proposed amendment be consistent and compatible with the City's land use and development, plans, goals and objectives? *Yes, the Subject Property is within a Community Activity Center ("CAC") without frontage but one parcel removed from US Hwy 41 and adjoining existing residential ranging from townhomes to single family detached homes of varying zoning districts and a mobile home park.*

(2) Would the proposed amendment tend to increase, decrease, or have no impact on traffic safety and congestion in the streets? *The proposed amendment would increase traffic in its provision of additional homes but would do so in an appropriate manner and without congestion through US Hwy 41 access and additional access to Pine Mountain Road.*

(3) Would the proposed amendment tend to increase, decrease, or have no relationship to safety from fire and other dangers? *The amendment would increase by providing occupied homes on an otherwise vacant and partially developed parcel and will be developed with implementation and adherence to current fire safety standards.*

(4) Would the proposed amendment tend to promote, diminish, or have no influence on the public health and general welfare of the city? *The proposed amendment will promote public health and welfare by providing active*

development on an otherwise partially developed parcel and provide needed housing opportunities.

(5) Would the proposed amendment tend to increase, decrease, or have no influence on the adequate (provisions) of light or air? *The proposed amendment will not negatively impact provisions of light and air being developed alongside similar residential uses and adjacent to existing retail commercial uses.*

(6) Would the proposed amendment tend to cause, prevent or have no influence on the overcrowding of land? *The proposed amendment will not overcrowd land being below the maximum allowed density but provide an efficient use of the land in its provision of an additional 89 residential homes.*

(7) Would the proposed amendment tend to cause, prevent or have no relationship on the population distribution within the city creating any area as dense in population as to adversely affect the health, safety, and general welfare of the city? *The proposed amendment will have a positive relationship on population distribution being below the maximum allowed density but provide an efficient use of the land in its provision of an additional 89 residential homes.*

(8) Would the proposed amendment tend to impede, facilitate, or have no impact on the adequate provision of transportation, water, sewage, other public services, utilities or facilities? *The proposed amendment will facilitate the aforementioned utilities and facilities by efficiently providing 89 residential homes developed with and served by such utilities.*

(9) Would the proposed amendment tend to be compatible with environmental conditions in light of surrounding developments? If compatible, what factors, if any, would diminish the value, use and enjoyment of surrounding properties? *The proposed amendment will be compatible with and enhance environmental conditions through best management practices stormwater facilities, erosion and environmental controls.*

(10) Would the proposed amendment tend to require only reasonable expenditures of public funds, or would the amendment tend to require an excessive or premature expenditure of public funds? *The proposed amendment would only require a reasonable expenditure of public funds.*

(11) Would the proposed amendment tend to promote, diminish or have no influence upon the aesthetic effect of existing and future uses of property and the surrounding area? *The proposed amendment will promote the aesthetics of the existing and future uses by eliminating a blighted and partially developed site but provide residential homes to support the existing adjacent and nearby retail and professional uses.*

(12) Would the proposed amendment have measurable adverse economic effect of on the value of the surrounding or adjacent properties? The proposed amendment *promote a positive economic effect on surrounding properties by eliminating a blighted and partially developed site and instead provide residential homes to support the existing adjacent and nearby retail and professional uses.*

Respectfully submitted, this the 17th day of October, 2025.

ROZEN, ROZEN & REILLY, LLP

By: */s/ Adam J. Rozen*
ADAM J. ROZEN
Attorney for Applicant
Ga. Bar No. 161610

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

CERTIFICATION AUTHORIZATION

I hereby attest to the fact that a certified mailing to property owners within 200 feet was mailed out on 12-12-2025 in accordance with the application requirements.

12-12-2025
Date

Applicant or Authorized Agent

Sworn and subscribed before me this 12th day of December 20 2025

Notary Public Exp. 6/19/29

CAMERON HEATH
NOTARY
PUBLIC
FULTON COUNTY, GEORGIA

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

FOR NOTICE OF LIS PENDENS SEE
LB Book 114 Page 1438

FOR ML SEE
LB Book 132 Page 1752
LB Book 133 Page 4994
LB Book 150 Page 3319

BK: 15033 PG: 3374-3379
Filed and Recorded Feb-20-2013 11:46:38AM
DOC#: D2013-018250
Real Estate Transfer Tax Paid $426.10
0332013006163

REBECCA KEATON
CLERK OF SUPERIOR COURT Cobb Cty. GA.

(Space above is for Recorder's use)

FOR NOTICE SEE
LB Book 134 Page 5367
LB Book 134 Page 6285
LB Book 135 Page 173
LB Book 135 Page 5339
LB Book 137 Page 3926

~~When Recorded Mail To~~:

Prepared By:
Vanessa A. Orta, Esq.
ANDERSON, MCCOY & ORTA
100 North Broadway, Suite 2600
Oklahoma City, OK 73102
Telephone: (888) 236-0007

When Recorded Return to:
Title Source, Inc. -
Commercial Team
662 Woodward Avenue
Detroit, MI 48226
TSI#: 574407-280

FOR ML SEE
LB Book 137 Page 2703

LIMITED WARRANTY DEED

THIS INDENTURE, made as of the 22 day of January, 2013, between **CRIMSON CEDAR CREEK, LLC**, a Georgia limited liability company (hereinafter called "Grantor"), whose address is 4675 MacArthur Court, Suite 1550, Newport Beach, California 92660, and **A P REAL ESTATE GEORGIA, LLC**, a Georgia limited liability company (hereinafter called "Grantee").

WITNESSETH THAT: Grantor, for and in consideration of the sum of Ten and No/100 ($10.00) Dollars, and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt, adequacy and sufficiency of which being hereby acknowledged by Grantor, 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 more particularly described in Exhibit "A" attached hereto and by this reference made a part hereof.

TO HAVE AND TO HOLD the said tract or parcel of land, together 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.

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.

The conveyance and warranty of title hereunder are expressly subject to those matters shown on Exhibit "B," attached hereto and made a part hereof by reference.

FOR LIEN CANC SEE
LB Book 151 Page 2897

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

Signed, Sealed and Delivered
in the presence of:

GRANTOR:

CRIMSON CEDAR CREEK, LLC, a
Georgia limited liability company

By: _____
Name: R. Patterson Jackson
Title: Authorized Signatory

_____
Name: Valerie Hill

_____
Name: ~~Amy O'Donnell~~
nora castellon

ACKNOWLEDGMENT

STATE OF _____)
) ss:
COUNTY OF _____)

Before me, _____ in and for said County and State, on this ___ day of _____, 2013, personally appeared _____, to me known to be the identical person who subscribed the name of the Grantor to the foregoing instrument as its _____ and acknowledged before me that he executed the same as his free and voluntary act and deed, and as the free and voluntary act and deed of CRIMSON CEDAR CREEK, LLC, for the uses and purposes therein set forth.

See Attached

_____
Notary Public

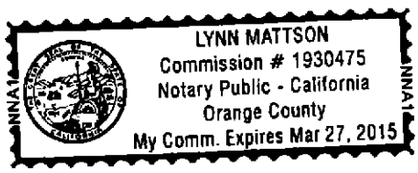
[SEAL]

STATE OF CALIFORNIA)
COUNTY OF ORANGE)

On January 22, 2013, before me, Lynn Mattson, Notary Public, personally appeared R. Patterson Jackson, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature _____ (SEAL)
Signature of Notary Public

EXHIBIT "A"

All THAT TRACT OR PARCEL OF LAND lying and being In Land Lot 140 of the 20th District. 2nd Section, City of Kennesaw. Cobb County, Georgia, and being 11.70 acres, more or less, as shown on plat for Pebblebrook Development, LLC, Bank of North Georgia. and Ticor Title Insurance Company, dated September 19, 1006, prepared by Centerline Surveying Systems, Inc., Charles C. Franklin, GRLS #2143,and being more particularly described as follows:

BEGINNING at the common comer of Land Lots 139, 140, 165, and 166 said district and section; thence running North 78 degrees 50 minutes 25 seconds West for a distance of 293.34 feet to a #4 rebar found and corner; thence running North 10 degrees 03 minutes 54 seconds East for a distance of 178.00 feet to a #4 rebar found and corner; thence running North 72 degrees 08 minutes 21 seconds West for a distance of 946.96 feet to an Iron pin; thence running North 72 degrees 08 minutes 21 seconds West for a distance of 31.32 feet, more or less, to a point and corner at the centerline of a creek; thence running in a Northeasterly direction as measured along the centerline of said creek and following the meanderings thereof, the following courses and distances: North 80 degrees 38 minutes 20 seconds East for a distance of 22.96 feet to a point; North 31 degrees 10 minutes 56 seconds East for a distance of 29.47 feet to a point; North 53 degrees 58 minutes 46 seconds East for a distance of 46.85 feet to a point; North 20 degrees 45 minutes 17 seconds East for a distance of 116.55 feet to a point; North 38 degrees 01 minutes. 21 seconds East for a distance of 56.03 feet to a point; North 32 degrees 09 minutes 53 seconds East for a distance of 156.05 feet to a point; North 29 degrees 35 minutes 43 seconds East for a distance of 35.91 feet to a point; North 29 degrees 35 minutes 43 seconds East for a distance of 46.28 feet to a point and corner; thence leaving the centerline of said creek and running thence South 63 degrees 52 minutes 15 seconds East for a distance of 373.05 feet, more or less, to a point; thence running South 62 degrees 46 minutes 55 seconds East for a distance of 59.00 feet to a point and corner; thence running South 27 degrees 13 minutes 05 seconds West for a distance of 21.63 feet to a point and comer; thence running South 63 degrees 52 minutes 15 seconds East for a distance of 333.41 feet to a point and corner; thence running South 00 degrees 24 minutes 49 seconds East for a distance of 168.42 feet to a point; thence running South 06 degrees 59 minutes 47 seconds West for a distance 21.33 feet to a point and comer; thence running South 76 degrees 34 minutes 50 seconds East for a distance of 148.14 feet to a point; thence running along the arc of a curve, an arc distance of 93.57 feet (said arc being subtended by a chord bearing South 89 degrees 58 minutes 59 seconds East, a chord distance of 92.72 feet and having a radius of 200.00 feet) to a point; thence running North 76 degrees 36 minutes 52 seconds East for a distance of 23.90 feet to a point and comer located on the Southwesterly right of way of Pine Mountain Road (having a variable right of way); thence running In a Southeasterly direction as measured along the Southwesterly right of way of Pine Mountain Road, the following courses and distances: South 21 degrees 04 minutes 38 seconds East, a distance of 28.29 feet to a Point; South 22 degrees 21 minutes 26 seconds East a distance of 70.07 feet to a point and corner located at the intersection of the Southwesterly right of way of Pine Mountain Road with the Easterly land lot line of land Lot 140, said district and section; thence running South 00 degrees 28 minutes 12 seconds West as measured along the Easterly land lot line of Land Lot 140, said district and section, for a distance of 306.85 feet to the Point of Beginning.

Appurtenant Easement Area No. 1:
Together with all right, title and interest in real estate created by virtue of Declaration of Easements and Agreement to Share Costs (the "Declaration") by King's Crossing Management, LLC and Bank of America, N.A., recorded in Deed Book 14015, Page 5160, Cobb County, Georgia Records; as amended by First Amendment to Declaration of Easements and Agreement to Share Costs, filed and recorded January 10, 2005 in Deed Book 14095, Page 6231, aforesaid records.

Appurtenant Easement Area No. 2:
Together with all right, title and interest in real estate created by virtue of Restrictive Covenant Agreement (the "Restrictive Covenant") dated January 31, 1991 by Southern Forty-Four L.P., Ltd., a Georgia limited partnership and Columbia Homes, L.P., recorded February 1, 1991, in Deed Book 6000, Page 1, Cobb County, Georgia.

Appurtenant Easement Area No. 3:
Together with all right, title and interest in real estate created by virtue of Reciprocal Easement Agreement ("Reciprocal Easement") between Kings Crossing Investments, LLC and Kings Crossing Management, LLC, dated October 6, 2005, recorded October 12, 2005 in Deed Book 14233, Page 4595, Cobb County, Georgia Records.

Less and Except the property conveyed in the following Deeds:
Limited Warranty Deed from Pebblebrook Development, LLC to Southcore Cedar Creek, LLC, filed and recorded December 10, 2008 at Deed Book 14653, Page 2194, Cobb County, Georgia Records, conveying Unit 101 of Building 100.

Limited Warranty Deed from Pebblebrook Development, LLC to William A. Phillips and Martha S. Phillips, filed July 16, 2006 at Deed Book 14624, Page 5063, Georgia Records, and as described in that Quit Claim Deed from Bank of North Georgia to Pebblebrook Development, LLC, dated July 15, 2008, filed and recorded July 25, 2008 at Deed Book 14626, Page 5054, aforesaid records, conveying Unit 104 of Building 100.
Quit Claim Deed from Bank of North Georgia to Cedar Creek Professional Office Association, Inc, filed December 29, 2011 at Deed Book 14907, Page 95, Cobb County, Georgia Records.

Exhibit "B"

(Permitted Exceptions)

1. All current taxes and assessments relating to the Property which are not yet due and payable, current assessments or liens for assessments under any homeowners association which are not yet due and payable or any agreements of record which are not yet due and payable and all current utility charges or liens for utility charges which are not yet due and payable.

2. Zoning and other ordinances affecting the Property.

3. All matters which would be shown by current accurate survey and inspection of the Property.

4. The rights of any parties in possession.

5. Any and all redemption rights.

6. Applicable matters of public record.

FOR NOTICE OF LIS PENDENS SEE
LB Book 114 Page 1438

FOR ML SEE
LB Book 132 Page 1752
LB Book 133 Page 4994
LB Book 150 Page 3319

BK: 15033 PG: 3374-3379
Filed and Recorded Feb-20-2013 11:46:38AM
DOC#: D2013-018250
Real Estate Transfer Tax Paid $426.10
0332013006163

REBECCA KEATON
CLERK OF SUPERIOR COURT Cobb Cty. GA.

(Space above is for Recorder's use)

FOR NOTICE SEE
LB Book 134 Page 5367
LB Book 134 Page 6285
LB Book 135 Page 173
LB Book 135 Page 5339
LB Book 137 Page 3926

~~When Recorded Mail To~~:
Prepared By:
Vanessa A. Orta, Esq.
ANDERSON, MCCOY & ORTA, P.C.
100 North Broadway, Suite 2600
Oklahoma City, OK 73102
Telephone: (888) 236-0007

When Recorded Return to:
Title Source, Inc. -
Commercial Team
662 Woodward Avenue
Detroit, MI 48226
TSI#: 514407-30

FOR NOTICE SEE
DE Book 16162 Page 2550

LIMITED WARRANTY DEED

FOR ML SEE
LB Book 137 Page 2703

THIS INDENTURE, made as of the 22 day of January, 2013, between **CRIMSON CEDAR CREEK, LLC**, a Georgia limited liability company (hereinafter called "Grantor"), whose address is 4675 MacArthur Court, Suite 1550, Newport Beach, California 92660, and **A P REAL ESTATE GEORGIA, LLC**, a Georgia limited liability company (hereinafter called "Grantee").

WITNESSETH THAT: Grantor, for and in consideration of the sum of Ten and No/100 ($10.00) Dollars, and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt, adequacy and sufficiency of which being hereby acknowledged by Grantor, 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 more particularly described in Exhibit "A" attached hereto and by this reference made a part hereof.

TO HAVE AND TO HOLD the said tract or parcel of land, together 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.

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.

The conveyance and warranty of title hereunder are expressly subject to those matters shown on Exhibit "B," attached hereto and made a part hereof by reference.

FOR LIEN CANC SEE
LB Book 151 Page 2897

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

Signed, Sealed and Delivered
in the presence of:

GRANTOR:

CRIMSON CEDAR CREEK, LLC, a
Georgia limited liability company

By: _____
Name: R. Patterson Jackson
Title: Authorized Signatory

_____
Name: Valerie Hill

_____
Name: ~~Amy O'Donnell~~
nora castellon

ACKNOWLEDGMENT

STATE OF _____)
) ss:
COUNTY OF _____)

Before me, _____ in and for said County and State, on this ___ day of _____, 2013, personally appeared _____, to me known to be the identical person who subscribed the name of the Grantor to the foregoing instrument as its _____ and acknowledged before me that he executed the same as his free and voluntary act and deed, and as the free and voluntary act and deed of CRIMSON CEDAR CREEK, LLC, for the uses and purposes therein set forth.

See Attached

_____
Notary Public

[SEAL]

STATE OF CALIFORNIA)
COUNTY OF ORANGE)

On January 22, 2013, before me, Lynn Mattson, Notary Public, personally appeared R. Patterson Jackson, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature _____ (SEAL)
Signature of Notary Public

EXHIBIT "A"

All THAT TRACT OR PARCEL OF LAND lying and being In Land Lot 140 of the 20th District. 2nd Section, City of Kennesaw. Cobb County, Georgia, and being 11.70 acres, more or less, as shown on plat for Pebblebrook Development, LLC, Bank of North Georgia. and Ticor Title Insurance Company, dated September 19, 1006, prepared by Centerline Surveying Systems, Inc., Charles C. Franklin, GRLS #2143,and being more particularly described as follows:

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6. Applicable matters of public record.

All THAT TRACT OR PARCEL OF LAND lying and being In Land Lot 140 of the 20th District. 2nd Section, City of Kennesaw. Cobb County, Georgia, and being 11.70 acres, more or less, as shown on plat for Pebblebrook Development, LLC, Bank of North Georgia. and Ticor Title Insurance Company, dated September 19, 1006, prepared by Centerline Surveying Systems, Inc., Charles C. Franklin, GRLS #2143, and being more particularly described as follows:

BEGINNING at the common comer of Land Lots 139, 140, 165, and 166 said district and section; thence running North 78 degrees 50 minutes 25 seconds West for a distance of 293.34 feet to a #4 rebar found and corner; thence running North 10 degrees 03 minutes 54 seconds East for a distance of 178.00 feet to a #4 rebar found and corner; thence running North 72 degrees 08 minutes 21 seconds West for a distance of 946.96 feet to an Iron pin; thence running North 72 degrees 08 minutes 21 seconds West for a distance of 31.32 feet, more or less, to a point and corner at the centerline of a creek; thence running in a Northeasterly direction as measured along the centerline of said creek and following the meanderings thereof, the following courses and distances: North 80 degrees 38 minutes 20 seconds East for a distance of 22.96 feet to a point; North 31 degrees 10 minutes 56 seconds East for a distance of 29.47 feet to a point; North 53 degrees 58 minutes 46 seconds East for a distance of 46.85 feet to a point; North 20 degrees 45 minutes 17 seconds East for a distance of 116.55 feet to a point; North 38 degrees 01 minutes. 21 seconds East for a distance of 56.03 feet to a point; North 32 degrees 09 minutes 53 seconds East for a distance of 156.05 feet to a point; North 29 degrees 35 minutes 43 seconds East for a distance of 35.91 feet to a point; North 29 degrees 35 minutes 43 seconds East for a distance of 46.28 feet to a point and corner; thence leaving the centerline of said creek and running thence South 63 degrees 52 minutes 15 seconds East for a distance of 373.05 feet, more or less, to a point; thence running South 62 degrees 46 minutes 55 seconds East for a distance of 59.00 feet to a point and corner; thence running South 27 degrees 13 minutes 05 seconds West for a distance of 21.63 feet to a point and comer; thence running South 63 degrees 52 minutes 15 seconds East for a distance of 333.41 feet to a point and corner; thence running South 00 degrees 24 minutes 49 seconds East for a distance of 168.42 feet to a point; thence running South 06 degrees 59 minutes 47 seconds West for a distance 21.33 feet to a point and comer; thence running South 76 degrees 34 minutes 50 seconds East for a distance of 148.14 feet to a point;

thence running along the arc of a curve, an arc distance of 93.57 feet (said arc being subtended by a chord bearing South 89 degrees 58 minutes 59 seconds East, a chord distance of 92.72 feet and having a radius of 200.00 feet) to a point; thence running North 76 degrees 36 minutes 52 seconds East for a distance of 23.90 feet to a point and comer located on the Southwesterly right of way of Pine Mountain Road (having a variable right of way); thence running In a Southeasterly direction as measured along the Southwesterly right of way of Pine Mountain Road, the following courses and distances: South 21 degrees 04 minutes 38 seconds East, a distance of 28.29 feet to a Point; South 22 degrees 21 minutes 26 seconds East a distance of 70.07 feet to a point and corner located at the intersection of the Southwesterly right of way of Pine Mountain Road with the Easterly land lot line of land Lot 140, said district and section; thence running South 00 degrees 28 minutes 12 seconds West as measured along the Easterly land lot line of Land Lot 140, said district and section, for a distance of 306.85 feet to the Point of Beginning.

Printed: 1/29/2026

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:
GEORGIA CONSTRUCTION MANAGEMENT LLC

A P REAL ESTATE GEORGIA LLC

Payment Date: 1/7/2026

Tax Year	Parcel ID	Due Date		Appeal Amount		Taxes Due
2025	20014001380	10/15/2025	**Pay:**	N/A	or	$0.00

Interest	Penalty	Fees	Total Due	Amount Paid	Balance
$184.87	$335.37	$0.00	$0.00	$7,227.54	**$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

2025
Property Tax Bill

Parcel ID	Tax District	Bill #
20014001380	3/3-BOND - KENNESAW CITY	302878

Property Owner/Location/Description	Fair Market Value	Taxable Value
A P REAL ESTATE GEORGIA LLC 6095 PINE MOUNTAIN RD	556,530	222,612

Levies	Taxable Value	-	Exemptions	=	Net Assessment	X	Tax Rate	=	Net Tax
CITY OF KENNESAW	222,612		0		222,612		7.7500000000		$1,725.24
BOND	222,612		0		222,612		1.4000000000		$311.66
2025-BLIGHTED PROPERTY 13									$12,221.39

Exemptions:

Printed January 2026 | Settled Value Bill: You are receiving this bill due to the finalization of your appeal.

For properties under appeal with Cobb County, an initial temporary bill was issued based on 85% of the estimated tax value due 12/1/2025. Now that your appeal has been finalized, this bill reflects the full amount due for 2025.

If your taxes are paid through escrow, please forward the attached bill to your mortgage company for prompt processing.

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

Current Year Tax	$14,240.46
Interest	$224.13
Penalty	$0.00
Other Fees	$0.00
Payments Received	$2,036.90
Other Amounts Due	$15,724.52
Total Due	$28,152.21
Due Date	12/01/2025

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:	20014001380
Amount Due:	$28,152.21
Bill#:	302878
Due Date:	12/01/2025
	AMOUNT PAID

A P REAL ESTATE GEORGIA LLC
C/O DEVIKA PATEL
6095 PINE MOUNTAIN RD
KENNESAW, GA 30152

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

CERTIFICATE REGARDING CORPORATE AUTHORITY TO PURSUE REZONING APPLICATION

1.

My name is William Cutler. I am the officer who is delegated the responsibility for authenticating records of DRB GROUP GEORGIA, LLC, a Foreign Limited Liability Company which entity is the applicant in the Rezoning Application to which this Certificate is attached (the Applicant). I am of legal age and suffer from no disabilities which would affect my competence to give this Certificate which is being given on my own personal knowledge for use with respect to the Applicant's Rezoning Application regarding certain real property owned by AP Real Estate Georgia, LLC located in Cobb County, Georgia.

2.

In accordance with the Requirements for completing a City of Kennesaw Rezoning Application, I hereby attest on behalf of the Applicant Company that I have reviewed the Rezoning Application and related documents which are being filed simultaneously therewith on behalf of the Applicant (collectively, the "Rezoning") to which this Certificate is attached and hereby certify:

(a) That corporate seal or facsimile affixed to the Rezoning Application is in fact the seal of the Applicant Company or a true facsimile thereof; and

(b) That the officer or other representative of the Applicant Company who executed the Rezoning Application does in fact occupy the official position indicated, that the position that the signer occupies has the authority to execute the Rezoning Application on behalf of the Applicant Company, and that the signature of said officer or other representative is genuine; and

(c) That the execution of the Rezoning Application and the filing of the Rezoning Application on behalf of the Applicant Company by the officer or other representative of the Applicants has been duly authorized by the Applicant Company.

DRB GROUP GEORGIA, LLC

By: _____ (CORPORATE SEAL)

Print Name: William Cutler

Its: Vice President
Title

CERTIFICATE REGARDING COMPANY AUTHORITY TO PURSUE REZONING APPLICATION

1.

My name is Kathleen Steil and I am the Chapter 7 Trustee for the Estate of AP Real Estate Georgia, LLC, Case No. 23-57890-JWC, pending in the Northern District of Georgia. As such, I am the only person authorized to act for or on behalf of AP Real Estate Georgia, LLC, a Domestic Limited Liability Company which entity is the titleholder in the Rezoning Application to which this Certificate is attached (the Titleholder). A true and correct copy of the Notice of Appointment of Interim Trustee and Section 341(a) Meeting of Creditors [Docket No. 64] is attached hereto. I am of legal age and suffer from no disabilities which would affect my competence to give this Certificate which is being given for use with respect to the Applicant's Rezoning Application regarding certain real property owned by the Titleholder Company located in Cobb County, Georgia.

2.

In accordance with the Requirements for completing a City of Kennesaw Rezoning Application, I hereby attest on behalf of the Titleholder Company that I have reviewed the Rezoning Application and related documents which are being filed simultaneously therewith on behalf of the Titleholder (collectively, the "Rezoning") to which this Certificate is attached and hereby certify:

(a) That, by virtue of the bankruptcy filing, I am the sole representative of the Titleholder Company. I have executed the Rezoning Application, I do in fact occupy the official position indicated, I have the authority to execute the Rezoning Application on behalf of the Titleholder Company, and my signature is genuine; and

(b) That the execution of the Rezoning Application and the filing of the Rezoning Application on behalf of the Titleholder Company has been duly authorized by the Bankruptcy Court's *Order Granting Trustee's Motion for Entry of An Order Authorizing the Sale of Debtor's Property Free and Clear of Liens, Claims, Interests, and Encumbrances entered on March 31, 2025* [Docket No. 93] ("Bankruptcy Court Order"). A true and correct copy of the Bankruptcy Court's Order is attached hereto and incorporated herein by reference.

A P REAL ESTATE GEORGIA, LLC,
Case No. 23-57890-JWC, pending in the Northern District of Georgia

By: _____
Kathleen Steil as and only as Chapter 7 Trustee

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE	)	CHAPTER 7
	)	
AP REAL ESTATE GEORGIA, LLC,	)	CASE NO. 23-57890-JWC
	)	
DEBTOR.	)	

NOTICE OF APPOINTMENT OF INTERIM TRUSTEE AND SECTION 341(a) MEETING OF CREDITORS

Pursuant to 11 U.S.C. § 701, the United States Trustee appoints **Kathleen Steil** as interim trustee in this case and designates her to preside over the meeting of creditors. Unless creditors at the first meeting of creditors held pursuant to 11 U.S.C. § 341(a) elect another trustee, the interim trustee appointed herein shall serve as trustee without further appointment or qualification. The trustee shall serve under the blanket bond heretofore approved. The name and address of the interim trustee and the date, time, and location of the section 341(a) meeting of creditors are as follows. The trustee, debtor, and debtor's attorney must appear via Zoom. Creditors and other parties may appear by telephone.

Kathleen Steil P.O. Box 1547 Decatur, GA 30031 E-mail: [redacted] Phone: [redacted] Fax: [redacted]	**June 12, 2024, at 8:30 a.m.** The meeting will be held by zoom video meeting. Go to **Zoom.us/join.** Enter Meeting ID: [redacted] **and** Passcode: [redacted] or call [redacted]

Notice given by:

MARY IDA TOWNSON
UNITED STATES TRUSTEE
REGION 21

s/ Jeneane Treace
R. Jeneane Treace
GA Bar No. 716620
United States Department of Justice
Office of the United States Trustee
362 Richard B. Russell Building
75 Ted Turner Drive, S.W.
Atlanta, Georgia 30303
[redacted]

Information to identify the case:

Debtor **A P Real Estate Georgia, LLC** EIN **46-1771881**
Name

United States Bankruptcy Court **Northern District of Georgia** Date case filed in chapter **11** **8/17/23**
Court website: www.ganb.uscourts.gov

Case number: **23-57890-jwc** Date case converted to chapter **7** **5/16/24**

Official Form 309C (For Corporations or Partnerships)

Notice of Chapter 7 Bankruptcy Case -- No Proof of Claim Deadline

10/20

For the debtor listed above, a case has been filed under chapter 7 of the Bankruptcy Code. An order for relief has been entered.

This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines.

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtor or the debtor's property. For example, while the stay is in effect, creditors cannot sue, assert a deficiency, repossess property, or otherwise try to collect from the debtor. Creditors cannot demand repayment from debtors by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees.
To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at https://pacer.uscourts.gov). Copy fees or access charges may apply. A free automated response system is available at 866-222-8029 (Georgia Northern). You must have case number, debtor name, or SSN when calling.

The staff of the bankruptcy clerk's office cannot give legal advice.

Do not file this notice with any proof of claim or other filing in the case.

1. Debtor's full name	A P Real Estate Georgia, LLC	
2. All other names used in the last 8 years		
3. Address	5 Baltic Street Edison, NJ 08820	
4. Debtor's attorney Name and address	Ian M. Falcone The Falcone Law Firm, P.C. 363 Lawrence Street Marietta, GA 30060	Contact phone (770) 426-9359 Email: attorneys@falconefirm.com
5. Bankruptcy trustee Name and address	Kathleen Steil Kathleen Steil, Trustee Ogier, Rothschild & Rosenfeld, PC P. O. Box 1547 Decatur, GA 30031	Contact phone (404) 525-4000
6. Bankruptcy clerk's office Documents in this case may be filed at this address. You may inspect all records filed in this case at this office or online at https://pacer.uscourts.gov.	Vania S. Allen Clerk of Court 1340 United States Courthouse 75 Ted Turner Drive SW Atlanta, GA 30303	Office Hours: 8:00 a.m. - 4:00 p.m. Court website: www.ganb.uscourts.gov Contact phone 404-215-1000
7. Meeting of creditors The debtor's representative must attend the meeting to be questioned under oath. Creditors may attend, but are not required to do so. Cellular phones and other devices with cameras are not allowed in the building.	**June 12, 2024 at 08:30 AM** The meeting may be continued or adjourned to a later date. If so, the date will be on the court docket.	Location: **Zoom video meeting. Go to Zoom.us/join, Enter Meeting ID 871 484 5731, and Passcode 9517153975, OR call 1 (470) 944-8606** For additional meeting information go to https://www.justice.gov/ust/moc
8. Proof of claim Please do not file a proof of claim unless you receive a notice to do so.	No property appears to be available to pay creditors. Therefore, please do not file a proof of claim now. If it later appears that assets are available to pay creditors, the clerk will send you another notice telling you that you may file a proof of claim and stating the deadline.	
9.		

Creditors with a foreign address	If you are a creditor receiving a notice mailed to a foreign address, you may file a motion asking the court to extend the deadlines in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.

IT IS ORDERED as set forth below:

Date: March 31, 2025

Jeffery W. Cavender
U.S. Bankruptcy Court Judge

Signed as Revised by the Court

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:	)	
	)	CASE NO. 23-57890-JWC
A P REAL ESTATE GEORGIA, LLC,	)	
	)	CHAPTER 7
Debtor.	)	
KATHLEEN STEIL AS TRUSTEE	)	
	)	
Movant,	)	CONTESTED MATTER
	)	
v.	)	
	)	
CITY OF KENNESAW, OPTUM CONSTRUCTION GROUP, LLC, LOYALTY ENTERPRISES, INC., BEE-DON, INC., CAT PLUMBING, INC., THOMAS CONCRETE OF GEORGIA, INC.; YANCEY RENTS, GENESIS CONCRETE PUMPING, LLC, CRUSADE CONSTRUCTION COMPANY LLC, and ERNST ENTERPRISES OF GEORGIA, INC.,	)	

ORDER GRANTING TRUSTEE'S MOTION FOR ENTRY OF AN ORDER AUTHORIZING THE SALE OF DEBTOR'S PROPERTY FREE AND CLEAR OF LIENS, CLAIMS, INTERESTS, AND ENCUMBRANCES

Upon the *Trustee's Motion for Entry of an Order Authorizing the Sale of Debtor's Property Free and Clear of Liens, Claims, Interests, and Encumbrances* (Doc. No. 89)(the "Sale Motion")[1] filed by Kathleen Steil in her capacity as Chapter 7 Trustee (the "Trustee"), in the above-captioned case, pursuant to sections 105, 362, 363, and 365 of the Bankruptcy Code, seeking authorization to sell the estate's interest in and to that certain tract of land containing approximately 8.82 acres and located in Land Lot 140 of the 20 District, Cobb County, Georgia with Cobb County tax parcel identification number 20014001380 (the "Property"), and to pay certain items at the sale closing as set forth in the Motion, as all more fully set forth in the Sale Motion; and the Court having jurisdiction over the matters raised in the Sale Motion pursuant to 28 U.S.C. § 1334; and the Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2) and that the Court may enter a final order consistent with Article III of the United States Constitution; and the Court having found that venue of this proceeding and the Sale Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having found that proper and adequate notice of the Sale Motion and hearing thereon has been given and no response to the Motion was filed prior to the hearing scheduled for March 27, 2025.

The Motion came before the Court for a hearing on March 27, 2025 (the "Hearing"). Attorney Tamara Ogier of Ogier, Rosenfeld & Steil, P.C. appeared on behalf of the Trustee, Attorney Marshall Kent of Fox Rothschild, LLP appeared on behalf of Optum Construction Group, LLC, and Attorney Ian Falcone of The Falcone Law Firm, P.C. appeared on behalf of the Debtor and Harshad Patel in his individual capacity. The Trustee Kathleen Steil and Harshad Patel also appeared at the Hearing. The Court heard arguments from the parties,

[1] A capitalized term used but not defined herein shall have the meaning ascribed to it in the Sale Motion (as defined herein) or the REPA.

including Harshad Patel. The Court has considered the Motion, oral arguments, lack of filed objections to the Motion, and all other matters of record, and based on the foregoing and for the reasons set forth on the record, finds that good cause exists to grant the relief requested in the Motion.

Accordingly,

THE COURT HEREBY FINDS AND CONCLUDES THAT:

1. The Trustee has provided proper, timely, adequate, and sufficient notice with respect to the Sale Motion and the relief sought therein, including the entry of this Order and the transfer and sale of the Property as set forth in the Real Estate Purchase Agreement attached as Exhibit "A" to Sale Motion (the "REPA") and the Sale Hearing; and no other or further notice of the Sale Motion, the relief requested in the Sale Motion, or the Sale Hearing is required. A reasonable opportunity to object and be heard regarding the relief provided herein has been afforded to all parties-in-interest.

2. The REPA and other documents and instruments (the "Transaction Documents") related to and connected with the Sale to the Purchaser and the consummation thereof have been negotiated and entered into by the Trustee and the Purchaser without collusion, in good faith, and through an arms'-length bargaining process. Neither the Purchaser nor its affiliates or representatives is an "insider" of the Debtor (as such term is defined in section 101(31) of the Bankruptcy Code). The Purchaser has proceeded in good faith and without collusion in all respects in connection with the sale process and, accordingly, is entitled to all of the benefits and protections provided to a good faith Purchaser under section 363(m) of the Bankruptcy Code.

3. The consideration to be provided by the Purchaser pursuant to the REPA (i) is fair and reasonable; (ii) is the highest or otherwise best offer for the Property; and (iii) constitutes reasonably equivalent value and fair consideration for the Property.

4. If the Trustee did not sell the Property free and clear of all Encumbrances (as hereinafter defined), the Purchaser would not have been willing to purchase the Property, thus adversely affecting the Debtor, its estate, its creditors, and holders of equity interests.

5. The Trustee has demonstrated compelling circumstances and a good, sufficient, and sound business purpose for: (i) the sale of the Property outside of the ordinary course of business pursuant to Bankruptcy Code section 363(b) because of the Debtor's current financial position; (ii) a restriction on the Trustee pursuing, considering, or accepting any further offers for the purchased Property from and after the entry of this Order through the earlier of the consummation of the Sale or termination of the REPA in accordance with its terms; and (iii) the immediate consummation of the REPA. Such circumstances and purposes include:(a) the Trustee, through a Broker, conducted a robust marketing process to sell the Property and the REPA constitutes the best offer for the Property; (b) there is risk of deterioration of the value of the Property if the Sale is not consummated in accordance with the terms of the REPA and this Order; and (c) the REPA and the sale of the Property to the Purchaser provide greater value to the Debtor's estate than would be provided by any other presently available alternative that has a substantial likelihood of closing. To maximize the value of the purchased Property and preserve the viability of the Property, it is essential that the Sale occur within the time constraints set

forth in the REPA and this Order and that the Purchaser be protected against any further offers for the purchased Property.

6. As of the Closing, pursuant and subject to the terms of the REPA and this Order, the transfer of the Property and the Sale will affect a legal, valid, enforceable, and effective transfer of the Property and will vest the Purchaser with all of the Trustee's rights, title, and interests in the Property free and clear of all Encumbrances.

7. Time is of the essence in consummating the Sale. The consummation of the Sale as soon as practicable is necessary to preserve and maximize the value of the Debtor's assets and to provide the means for the Trustee to minimize administrative expenses. Accordingly, there is cause to waive the stays contemplated by Bankruptcy Rules 6004 and 6006.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

8. The Sale Motion is granted as set forth herein.

9. All objections to the entry of this Order or to the relief granted herein that were not timely filed are hereby forever barred.

10. Pursuant to sections 105, 363, and 365 of the Bankruptcy Code, the Sale, including the transfer and sale of the Property to the Purchaser in accordance with the terms and conditions of the REPA, is approved in all respects, and the Trustee is authorized to consummate the Sale in accordance with the terms and conditions of the REPA, including, without limitation: (i) executing all of the Transaction Documents (and any ancillary documents or instruments that may be reasonably necessary to implement the REPA and/or the Sale); and (ii) taking all actions necessary and appropriate to effectuate and consummate the Sale (including the sale, transfer, and conveyance of the Property to

the Purchaser) upon the terms set forth in the REPA. The Trustee and the Purchaser shall have the right to make any mutually agreeable, non-material changes to the Transaction Documents (including the REPA), which shall be in writing and signed by both parties, without further order of the Court.

Approval of the REPA

11. The REPA, all the terms and conditions thereof, and the Sale contemplated therein are approved in all respects. The failure specifically to reference any particular provision of the REPA in this Order shall not diminish or impair the effectiveness of such provision, it being the intent of the Court that the REPA be authorized and approved in its entirety and incorporated herein by reference. The transfer of the Property by the Trustee to the Purchaser in accordance with the terms and conditions of the REPA and this Order shall be a legal, valid, and effective transfer of the Property. The consummation of the Sale is hereby approved and authorized under section 363(b) of the Bankruptcy Code. The automatic stay pursuant to section 362 of the Bankruptcy Code, to the extent applicable, is hereby modified to allow the Purchaser to enforce its rights, including any rights to specific performance, in accordance with the terms and conditions of the REPA.

12. The Trustee and Purchaser, as well as their officers, employees, and agents, shall be, and hereby are, authorized to take any and all actions necessary or appropriate to perform, consummate, implement, and close the Sale, including the sale to the Purchaser of the Property, in accordance with the terms and conditions of the REPA and this Order, including, without limitation, executing, acknowledging, and delivering such deeds, assignments, conveyances, and other assurance, documents, and instruments of transfer and taking any action for purposes of assigning, transferring, granting, conveying, and

confirming to the Purchaser, or reducing to possession, any or all of the Property, and entering into any other agreements related to implementing the Sale.

13. The Trustee and/or Purchaser, as appropriate, are authorized to pay, without further order of this Court, whether before, at or after the Closing, any expenses or costs that are required to be paid in order to consummate the Sale or perform their obligations under the REPA.

14. All persons and entities are prohibited from taking any action to adversely affect or interfere with, or which would be inconsistent with, the ability of the Trustee to transfer the Property to the Purchaser in accordance with the REPA and this Order.

Sale and Transfer Free and Clear of all Liens, Claims, Encumbrances, and/or Interests

15. Pursuant to sections 105(a), 363(b), 363(f), and 365(b) of the Bankruptcy Code, upon Closing, in accordance with the REPA and as otherwise set forth in this Order, the Trustee is authorized to transfer to the Purchaser all of the Trustee's rights, title, and interests in and to, and possession of the Property free and clear of all liens, claims, encumbrances, and interests to the fullest extent permitted by section 363 of the Bankruptcy Code, including, without limitation, each of the following, which are collectively referred to herein as the "Encumbrances":

a) liens (as that term is defined in the Bankruptcy Code), including, without limitation, any lien, encumbrance, pledge, mortgage, deed of trust, security interest, charge, or encumbrance, and liens and security interests granted under sections 361, 363, and/or 364 of the Bankruptcy Code or an order of the Court;

b) interests, obligations, liabilities, demands, guaranties, options, restrictions, and contractual or other commitments;

c) rights, including, without limitation, rights of first refusal, rights of offset, rights to use, contract rights, preferential rights to purchase, rights of recovery, and any rights that purport to give any party a right or option to effect any forfeiture, modification, right of first offer or first refusal, consent, or termination of the Trustee's or the Purchaser's interest in any of the Property, or any similar rights, in each case with respect to the Sale;

d) judgments and/or decrees of any court or foreign or domestic government entity (to the extent permitted by law);

e) charges or restrictions of any kind or nature, including, without limitation, any restriction on the use, transfer, receipt of income or other exercise of any attributes of ownership of the Property, including, without limitation, consent of any person or entity to assign or transfer any of the Property;

f) debts arising in any way in connection with any agreements, acts, or failures to act, of the Debtor, Trustee, or any of their predecessors or affiliates;

g) matters of any kind or nature whatsoever, whether at law or in equity and whether known or unknown, choate or inchoate, filed or unfiled, scheduled or unscheduled, noticed or unnoticed, recorded or unrecorded, perfected or unperfected, allowed or disallowed, contingent or non-contingent, liquidated or unliquidated, matured or un-matured, material or nonmaterial, disputed or undisputed, whether arising prior to or during the Debtor's bankruptcy case, and whether imposed by agreement, understanding, law, equity or otherwise.

16. At Closing, all of the Trustee's rights, title, and interests in and to, and possession of, the Property shall be immediately vested in the Purchaser pursuant to

sections 105(a), 363(b), 363(f), and 365 of the Bankruptcy Code free and clear of all Encumbrances. Such transfer shall constitute a legal, valid, binding, and effective transfer of such Property. All Encumbrances of record against the Property shall, upon Closing, be automatically terminated and expunged as against the Property.

17. Except as otherwise expressly provided in the REPA or this Order, and to the greatest extent permitted under applicable law, all persons and entities (and their respective successors and assigns), including, without limitation, all debt security holders, equity security holders, affiliates, governmental, tax and regulatory authorities, lenders, customers, vendors, employees, trade creditors, litigation claimants, and other creditors holding Encumbrances arising under or out of, in connection with, or in any way relating to, the Debtor, the Trustee, the Property, the ownership, sale, or operation of the Property prior to Closing or the transfer of the Property to Purchaser, are hereby forever barred and estopped from asserting such Encumbrances against Purchaser or its property or its affiliates, designees, assignees, and/or successors or their property, or the Property. Following the Closing, no holder of any Encumbrances shall interfere with Purchaser's title to or use and enjoyment of the Property based on or related to any such Encumbrances or based on any action the Trustee has taken or may take in this bankruptcy case.

18. If any person or entity that has filed or recorded financing statements, mortgages, lis pendens, or other documents or agreements evidencing Encumbrances against or in the Property shall not have delivered to the Trustee prior to the Closing of the Sale, in proper form for filing and executed by the appropriate parties, termination statements, instruments of satisfaction, releases of all Encumbrances that the person or entity has with respect to the Property or otherwise, then only with regard to the Property

that is purchased by Purchaser pursuant to the REPA and this Order: (i) the Trustee is hereby authorized to execute and file such statements, instruments, releases, and other documents on behalf of the person or entity with respect to the Property; (ii) Purchaser is hereby authorized to file, register, or otherwise record a certified copy of this Order, which, once filed, registered, or otherwise recorded, shall constitute conclusive evidence of the release of all Encumbrances against Purchaser and the applicable Property; and (iii) Purchaser may seek in this Court or any other court to compel appropriate parties to execute termination statements, instruments of satisfaction, and releases of all Encumbrances with respect to the Property. This Order is deemed to be in recordable form sufficient to be placed in the filing or recording system of each and every federal, state, or local government agency, department, or office. Notwithstanding the foregoing, the provisions of this Order authorizing the sale and assignment of the Property free and clear of all Encumbrances shall be self-executing, and neither the Trustee nor Purchaser shall be required to execute or file releases, termination statements, assignments, consents, or other instruments to effectuate, consummate, and implement the provisions of this Order.

19. Nothing in this Order or the REPA:

a) diminishes the Trustee's obligations, for periods prior to the Closing, or the Purchaser's obligations, for periods after the Closing, to comply with applicable health and safety laws and regulations;

b) releases, nullifies, precludes or enjoins the enforcement of any police or regulatory liability to a governmental unit to which any post-sale owner or operator of the Property would be subject in such capacity after the date of entry of this Order;

c) authorizes the transfer or assignment of any governmental (i) license, (ii) permit, (iii) registration, (iv) authorization, (v) certificate or (vi) approval, or the discontinuation of any obligation thereunder, without compliance with all applicable non-bankruptcy laws and regulations governing such transfers; or

d) divests any tribunal of any jurisdiction it may have under police or regulatory law to interpret this Order or to adjudicate any defense asserted under this Order.

Good Faith of the Purchaser

20. The Purchaser is a good faith purchaser within the meaning of section 363(m) of the Bankruptcy Code and, as such, is entitled to the full protections of section 363(m) of the Bankruptcy Code. The Sale contemplated by the REPA is undertaken by Buyer without collusion and in good faith, as that term is defined in section 363(m) of the Bankruptcy Code and, accordingly, the reversal or modification on appeal of the authorization provided herein to consummate the Sale or appeal of the other relief provided for in this Order shall not affect the validity of the Sale or the other relief provided for in this Order (including the assumption and assignment of the Assumed Contracts), whether or not Purchaser knew or knows of the pendency of the appeal, unless prior to the Closing of this Order, such authorization, such Sale, and the other relief provided for in this Order are duly and properly stayed pending such appeal.

21. Neither the Trustee, the Purchaser, or any affiliate of either the Trustee or Purchaser has engaged in any collusion with other bidders or other parties or has taken any other action or inaction that would cause or permit the Sale to be avoided or costs or damages to be imposed under section 363(n) of the Bankruptcy Code or otherwise. The

consideration provided by Purchaser for the Property under the REPA is fair and reasonable and is not less than the value of such Assets, and the Sale and the other relief provided for in this Order may not be avoided under section 363(n) of the Bankruptcy Code.

Miscellaneous

22. The terms and provisions of this Order, as well as the rights granted under the Transaction Documents, shall continue in full force and effect and are binding upon all parties, notwithstanding any conversion, dismissal, or order entry. The provisions of this Order and any actions taken pursuant hereto shall survive any conversion or dismissal of the case and the entry of any other order that may be entered in the case.

23. Notwithstanding the possible applicability of Bankruptcy Rules 6004(h), 6006(d), 7062, 9014 or any other provisions of the Bankruptcy Rules, the Federal Rules of Civil Procedure, or the Local Rules stating the contrary, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry and no automatic stay shall apply to this Order. This Order constitutes a final order within the meaning of 28 U.S.C. § 158(a).

24. In accordance with the REPA attached to the Motion as Exhibit A, the Property shall be sold "As Is," "Where is" and "With all Faults" except as explicitly set forth in the REPA and corresponding closing documents.

25. All time periods set forth in this Order shall be calculated in accordance with Bankruptcy Rule 9006(a).

26. The Trustee is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Sale Motion. In the event there is any inconsistency between the Sale Motion, REPA, or this Order, this Order shall govern.

27. The Court shall retain exclusive jurisdiction over any matters related to or arising from the implementation of this Order and to enter any Orders in aid or furtherance of this Order, and to adjudicate any and all remaining issues concerning the Trustee's right and authority to assume, assign and/or sell the Property.

IT IS SO ORDERED.

END OF DOCUMENT

Prepared and Submitted by:
OGIER, ROSENFELD & STEIL, P.C.

By: */s/ Tamara Miles Ogier*
Tamara Miles Ogier
Georgia Bar No. 550355
P.O. Box 1547
Decatur, Georgia 30031
[redacted]

DISTRIBUTION LIST:

Ogier, Rosenfeld & Steil, P.C.
P.O. Box 1547
Decatur, Georgia 30031

United States Trustee
Lindsay P. S. Kolba
362 Richard B. Russell Building
75 Ted Turner Drive S.W.
Atlanta, Georgia 30303

A P Real Estate Georgia, LLC
5 Baltic Street
Edison, NJ 08820

Ian M. Falcone
The Falcone Law Firm, P.C.
363 Lawrence Street
Marietta, GA 30060

CBRE Inc.
3550 Lenox Road
Suite 2300
Atlanta, GA 30326

Samuel Holder, Asst. Corporate Counsel
DRB Group Georgia, LLC
55 Ivan Allen Blvd, Suite 400
Atlanta, GA 30308

City of Kennesaw
c/o Fred Bentley, Jr., City Counsel
The Bentley Law Firm
241 Washington Ave, NE
Marietta, GA 30060

Will Geer
Rountree Leitman Klein & Geer, LLC
Century Plaza I
2987 Clairmont Road, Suite 350
Atlanta, GA 30329

Parkland Communities
James Jacobi
925 North Point Parkway, Suite 320
Alpharetta, GA 30005

Traton Homes
Richard Parvey
720 Kennesaw Avenue
Marietta, GA 30060

Fischer Homes
Michael Kady
3940 Olympic Boulevard, Suite 400
Erlanger, KY 41018

InLine Communities
Bryan Musolf
48 Atlanta Street
Marietta, GA 30060

BVO Capital
Kevin Woodley
7315 Wisconsin Ave, Suite 925W
Bethesda, MD 20814

Beazer Homes
Scott Butler
2002 Summit Boulevard NE, 15th Floor
Atlanta GA 30319

Taylor Morrison
Mason Maynardi
4400 North Point Parkway, Suite 295
Alpharetta, GA 30022

PulteGroup
Ross Ripple
2475 Northwinds Pkwy, Ste 600
Alpharetta, GA 30009

DR Horton
Sharonda Rahming
8800 Roswell Road, Bldg B Suite B
Atlanta, GA 30350

Davidson Homes
Geoffrey Martin
3460 Preston Ridge Suite 525
Alpharetta, GA 30005

Harshad Patel
Harshad Patel
5 Baltic Street
Edison, NJ 08820

David H. Johnson
McCorkle, Johnson & McCoy, LLP
319 Tattnall Street
Savannah, Georgia 31401

G. Marshall Kent
Fox Rothschild LLP
999 Peachtree Street, N.E.
Suite 1500
Atlanta, GA 30309

Kevin A. Stine
Baker Donelson
1500 Monarch Plaza
3414 Peachtree Road, N.E.
Atlanta, GA 30326

TO THE MAYOR & CITY COUNCIL

KENNESAW, GEORGIA

CONSTITUTIONAL CHALLENGE

COMES NOW, *DRB GROUP GEORGIA, LLC,* hereinafter referred to as the "Applicant", and asserts the following, to wit:

1.

By application to which this exhibit relates, the Applicant has applied for a rezoning of certain real property lying and being in Kennesaw, Georgia, a more particular description and delineation of the subject property, hereinafter referred to as the "Property", being set forth in said Application.

2.

The Application for Zoning of the property seeks a rezoning from the existing category of HGB as established by the governing authority of Kennesaw, Georgia to the zoning category of PUD for residential townhomes.

3.

The current HGB zoning classification of the property and all intervening classifications between same and PUD are unconstitutional in that they deprive the Applicant under and pursuant to Article 1, Section I, Paragraphs I and II of the Georgia Constitution of 1983 and the Equal Protection and Due Process clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States. This deprivation of property without due process violates constitutional prohibitions against the taking of private property without just compensation.

4.

The zoning classification of HGB and all intervening classifications between same and PUD as they presently exist violate the Applicant's right to the unfettered use of the property in that the existing zoning classification does not bear a substantial relation to the public health, safety, morality or general welfare and is, therefore, confiscatory and void. Further, said classifications are unconstitutional in that they are arbitrary and unreasonable, resulting in relatively little gain or benefit to the public, while inflicting serious injury and loss upon the Applicant.

5.

The Kennesaw Zoning Ordinance is further unconstitutional in that the procedures contained therein pertaining to the public hearing held in connection with zoning applications also violates the aforementioned constitutional provisions in that said procedures contain the lack of procedural and evidentiary safeguards, do not restrict evidence received to the issues at hand and are controlled wholly and solely by political considerations rather than the facts and considerations required by law.

Respectfully submitted, this the 17th day of October, 2025.

ROZEN, ROZEN & REILLY, LLP

By: */s/ Adam J. Rozen*
ADAM J. ROZEN
Attorney for Applicant
Ga. Bar No. 161610

(A) 25' STATE UNDISTURBED STREAM BUFFER (AS MEASURED FROM POINT OF WRESTED VEGETATION)

(B) 50' CITY UNDISTURBED STREAM BUFFER (AS MEASURED FROM POINT OF WRESTED VEGETATION)

(C) 75' CITY IMPERVIOUS SETBACK (AS MEASURED FROM POINT OF WRESTED VEGETATION)

COBB PARKWAY
200' PUBLIC R/W
(DB 16514, PG 927)

N/F
COVALASCO PROPERTIES LLC.
DB:15514; PG:925
HGB ZONING

TAX PARCEL: 20014001370

KINGS CROSSING COURT
PRIVATE DRIVE & ACCESS EASEMENT
DB 15814, PG 925
DB 14231, PG 4885)

UNNAMED TRIBUTARY OF BUTLER CREEK

BLOCK WALL

S63°35'52"E
373.05

25' BUILDING SETBACK

L5 L6 L7

N12°29'16"E 166.05

RETAINING WALL B
(MODULAR)
130 LF
4'H MAX

N/F
YES WOODLANDS OF KENNESAW LLC.
DB:15055; PG:4936
MHP ZONING

TAX PARCEL: 20014000100

FEMA FLOOD ZONE
(0.2% ANNUAL CHANCE FLOOD HAZARD)

N10°04'40"E 116.85

L4 L3 L2 L1

EXISTING SILT-FENCE

EXISTING WOODEN FENCE

EXISTING STORMWATER MANAGEMENT POND (TO REMAIN)

MAIL KIOSK

DOG PARK

ROAD A ROAD B ROAD C

50' AE/UE

27' BOC

31.5' BOC

13.5' - 10'-8"

ALLEY D ALLEY E ALLEY F

24" ROLL-TYPE C&G IN ALLEYS

CONCRETE APRON AT ALLEYS

GATED ENTRY (RESIDENTS ONLY)

N/F
MINBRO KENNESAW LLC.
DB:15287; PG:3815
HGB ZONING

TAX PARCEL: 20014000120

RETAINING WALL A
(MODULAR)
306 LF
8'H MAX

S63°35'52"E
333.41

N/F
BANK OF AMERICA NA
C/O CORPORATE REAL ESTATE ASSESSMENTS
DB:14690; PG:510
HGB ZONING

TAX PARCEL: 20014000050

S00°08'26"E
168.42

N/F
6205 PINE MOUNTAIN ROAD LLC.
DB:15342; PG:2318
HGB ZONING

TAX PARCEL: 20014000060

GATED ENTRY

EXISTING SPLIT-RAIL FENCE

R30'

CALL BOX

ENTRY LAWN

PRIVATE DRIVE
30' INGRESS/EGRESS EASEMENT
267' TO PINE MOUNTAIN ROAD

S10°43'22"W
218.94

20' ZONING BUFFER

25' BUILDING SETBACK

N71°51'58"W
946.96

N/F
THE VILLAGE AT PINE MOUNTAIN S/D
FST ZONING

RETAINING WALL C
(MODULAR)
306 LF
5'H MAX

N/F
CEDAR CREEK PROFESSIONAL OFFICE INC.
DB:14766; PG:4019
CONDO PB:18; PG:45
HGB ZONING

TAX PARCEL: 20014001470

N10°20'17"E 178.00

0 15' 30' 60' 120'
SCALE: 1"= 30'

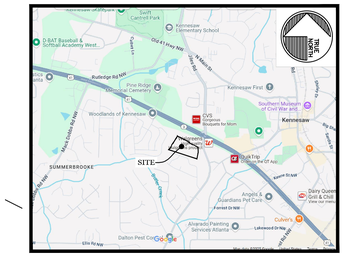


1 / Z.1 TYPICAL LOT DETAILS
SCALE: 1" = 30'

SITE ANALYSIS

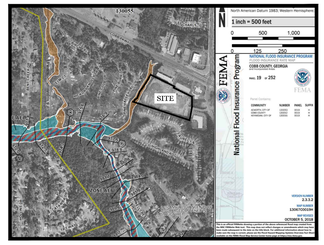
SITE AREA		8.83 AC±
PROPOSED YIELD	(A) 20' REAR ENTRY TOWNHOMES	37 UNITS
	(B) 24' FRONT ENTRY TOWNHOMES	52 UNITS
	TOTAL	89 UNITS
PROPOSED DENSITY		10.08 UNITS/AC
PROPOSED ZONING CRITERIA (PUD)		
MAXIMUM DENSITY PERMITTED		12 UNITS/AC
MAXIMUM DENSITY PER BUILDING		6 UNITS/BUILDING
PROPOSED MAXIMUM IMPERVIOUS COVERAGE		55%
MAXIMUM BUILDING HEIGHT		2 STORY
MINIMUM FLOOR AREA		1,000 S.F. (2 BEDROOM UNIT)
PROPOSED PERIMETER SETBACK		25 FEET
MINIMUM BUILDING SEPARATION		20 FEET
PARKING REQUIRED BY CITY (0.35 SPACES/LOT)		32 SPACES**
PARKING REQUIRED BY COBB FIRE (0.5 SPACES/LOT)		45 SPACES**
PARKING PROVIDED		45 SPACES

* TOWNHOMES ARE TO BE SOLD FEE-SIMPLE FOOTPRINT
** EACH LOT TO PROVIDE MINIMUM 22'L x 18'W DRIVEWAY WITH TWO-CAR GARAGE (SEE TYPICAL LOT DETAIL FOR MORE INFORMATION)



VICINITY MAP

SCALE 1"=2,000'



FEMA MAP

SCALE 1" = 1,000'

CP&E

CHRISTOPHER PLANNING & ENGINEERING

GEORGIA REGISTERED No. 029999 PROFESSIONAL SCOTT J. CHRISTOPHER
10/14/2025

GSWCC LEVEL II CERTIFIED
DESIGN PROFESSIONAL #05744
(EXP. 03.21.2027)

12460 CRABAPPLE ROAD, SUITE 202-612
ALPHARETTA, GA 30004
PHONE 770.331.7303
schristopher@christopherplanning.com

THESE PLANS ARE THE PROPERTY OF CHRISTOPHER PLANNING & ENGINEERING (CP&E). THESE DOCUMENTS MAY NOT BE COPIED, REPRODUCED, USED OR IMPLEMENTED IN ANY WAY, IN PART OR IN WHOLE, WITHOUT THE WRITTEN CONSENT OF CP&E. ALL COMMON LAW RIGHTS OF COPYRIGHT ARE HEREBY SPECIFICALLY RESERVED.

ZONING SITE PLAN

FOR:

6095 PINE MOUNTAIN ROAD

LAND LOT 140
20TH DISTRICT, 2ND SECTION
CITY OF KENNESAW
COBB COUNTY, GEORGIA

PARCEL ID: 20014001380

FOR:

DRB GROUP

DRB GROUP GEORGIA, LLC

55 IVAN ALLEN JR. BLVD
SUITE 400
ATLANTA, GA 30313
PHONE 770.471.4751

PRIMARY PERMITTEE &
24HR EMERGENCY CONTACT:
MR. ANDREW BURK 770.615.0711
GSWCC #96351 (EXP. 12.29.2027)
aburk@drbgroup.com

REVISIONS

1	11.10.2025	CITY COMMENTS

DATE: OCTOBER 14, 2025

CP&E DRAWING NO: 2024164.10c.dwg

ZONING SITE PLAN

SHEET NO. Z.1



Kimley»Horn

PINE MOUNTAIN | SITE PLAN

DECEMBER 4, 2025

DRB GROUP

0 20 40 80

SCALE IN FEET

NORTH

DRB HOMES

Division Office:

55 Ivan Allen Jr. Blvd, Ste 400

Atlanta, GA 30308

Corporate Office:

2099 Gaither Road, Ste 600

Rockville, MD 20850

Pine Mountain Townhomes

Kennesaw, Georgia


LANDON 4.1
LANDON 1
LANDON 3
LANDON 1
LANDON 4.1

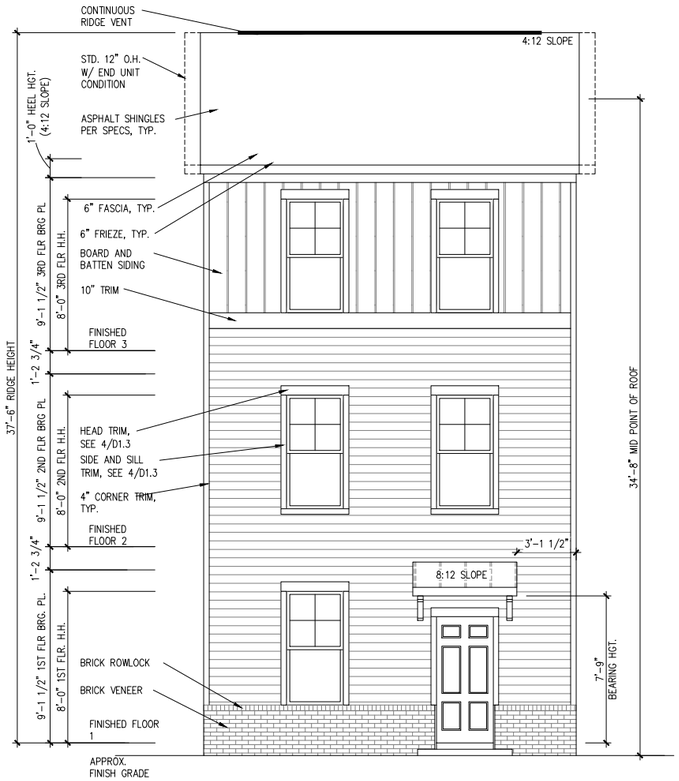

LANDON 2.1
LANDON 4
LANDON 3
LANDON 4
LANDON 2.1










CONTINUOUS RIDGE VENT
4:12 SLOPE
STD. 12" O.H. W/ END UNIT CONDITION
ASPHALT SHINGLES PER SPECS, TYP.
6" FASCIA, TYP.
6" FRIEZE, TYP.
BOARD AND BATTEN SIDING
10" TRIM
FINISHED FLOOR 3
HEAD TRIM, SEE 4/D1.3
SIDE AND SILL TRIM, SEE 4/D1.3
4" CORNER TRIM, TYP.
FINISHED FLOOR 2
3'-1 1/2"
8:12 SLOPE
BRICK ROWLOCK
BRICK VENEER
FINISHED FLOOR 1
APPROX. FINISH GRADE
37'-6" RIDGE HEIGHT
1'-0" HEEL HGT. (4:12 SLOPE)
9'-1 1/2" 3RD FLR BRG PL
8'-0" 3RD FLR H.H.
1'-2 3/4"
9'-1 1/2" 2ND FLR BRG PL
8'-0" 2ND FLR H.H.
1'-2 3/4"
9'-1 1/2" 1ST FLR BRG. PL.
8'-0" 1ST FLR. H.H.
34'-8" MID POINT OF ROOF
7'-9" BEARING HGT.


6" FASCIA
12
4
OPT. WINDOW AT BEDROOM 3 W/ ALT. 2 3RD FLOOR
OMIT WINDOW AT W/ ALT. 2 3RD FLOOR
7'-0" ABOVE STAIR LANDING
TEMP
1" CORNER TRIM, TYP.
STD. RAILING PER LOCAL CODE
1" CORNER TRIM, TYP.
FINISHED FLOOR 2
8
BRICK ROWLOCK
BRICK VENEER
FINISHED FLOOR 1
APPROX. FINISH GRADE
2'-0"
37'-6" RIDGE HEIGHT
1'-0" HEEL HGT. (4:12 SLOPE)
9'-1 1/2" 3RD FLR BRG PL
8'-0" 3RD FLR H.H.
1'-2 3/4"
9'-1 1/2" 2ND FLR BRG PL
8'-0" 2ND FLR H.H.
1'-2 3/4"
9'-1 1/2" 1ST FLR BRG. PL.
8'-0" 1ST FLR. H.H.
34'-8" MID POINT OF ROOF

December 12, 2025

Subject: Please Take Notice - Notification of Nearby Zoning Application
6095 Pine Mountain Rd, Kennesaw, GA 30144
Parcel ID(s): 20014001380

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: DRB Group Georgia, LLC
Property Address: 6095 Pine Mountain Rd
Parcel Identification Number: 20014001380
Description of Proposal: Request to rezone from Highway General Business (HGB) to Planned Unit Development – Residential (PUD-R) to develop fee simple residential townhomes.

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: 1/7/26	Date: 1/20/26
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 11.21.2025



CASE NUMBER		LAND USE OR ZONING FROM	TO
AV	LU		
AX	RZ 2025-003	HGB	PUD-R
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

6095 Pine Mountain Rd

Land Lot 140, Tax Parcel 138

Subject Property

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

Derek Easterling MAYOR
Jan Alvarez CITY CLERK

Scale: 1" = 334 '
Print Date: 11/5/2025
RZ2025_003

REZONING APPLICATION

Date Received 10/17/25
Staff's Initials RG

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

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

Date of Consultation _____ Staff's Initials _____

REZONING PROPERTY ADDRESS 6095 Pine Mountain Road

Land Lot 140 Tax Parcel 20014001380 Lot Size 8.823

Resident Population _____ Housing Units _____ Other Buildings _____

Zoning Request from:

Present Zoning HGB To: PUD

For the purpose of: Fee simple residential townhomes

APPLICANT EMAIL [redacted] for DRB Group Georgia, LLC

Applicant Address 248 Roswell Street, Marietta, GA 30060

(Phone #) [redacted]

Applicant Signature _____ Date _____

Signed, sealed and delivered in presence of: Cam Hutto 10/15/25
Notary **Date**

CAMERON HEATH NOTARY PUBLIC FULTON COUNTY, GEORGIA Exp. 6/9/

REPRESENTIVE Adam J. Rozen, Rozen, Rozen & Reilly, LLP

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

Representative Signature _____ Date _____

Signed, sealed and delivered in presence of: _____
Notary **Date**

TITLEHOLDER: A P Real Estate Georgia, LLC **(Phone #)** _____

Signature: _____ **Address** _____

Signed, sealed and delivered in presence of: _____
Notary **Date**

REZONING APPLICATION

Date Received 10/17/25
Staff's Initials RG

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

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

Date of Consultation _____ Staff's Initials _____

REZONING PROPERTY ADDRESS 6095 Pine Mountain Road

Land Lot 140 Tax Parcel 20014001380 Lot Size 8.823

Resident Population _____ Housing Units _____ Other Buildings _____

Zoning Request from:

Present Zoning HGB To: PUD

For the purpose of: Fee simple residential townhomes

APPLICANT EMAIL [redacted] for DRB Group Georgia, LLC

Applicant Address 248 Roswell Street, Marietta, GA 30060

(Phone #) [redacted]

Applicant Signature _____ Date 10/17/25

Signed, sealed and delivered in presence of: _____ 10/17/25
Notary **Date**

SUSEANN R BRISTOW NOTARY PUBLIC COUNTY, GEORGIA MY COMMISSION EXPIRES OCTOBER 04, 2028

REPRESENTIVE Adam J. Rozen, Rozen, Rozen & Reilly, LLP

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

Representative Signature _____ Date _____

Signed, sealed and delivered in presence of: _____
Notary **Date**

TITLEHOLDER: A P Real Estate Georgia, LLC **(Phone #)** _____

Signature: _____ **Address** _____

Signed, sealed and delivered in presence of: _____
Notary **Date**

REZONING APPLICATION

Date Received 10/17/25
Staff's Initials RG

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

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

Date of Consultation _____ Staff's Initials _____

REZONING PROPERTY ADDRESS 6095 Pine Mountain Road

Land Lot 140 Tax Parcel 20014001380 Lot Size 8.823

Resident Population _____ Housing Units _____ Other Buildings _____

Zoning Request from:

Present Zoning HGB To: PUD

For the purpose of: Fee simple residential townhomes

APPLICANT EMAIL [redacted] for DRB Group Georgia, LLC

Applicant Address 248 Roswell Street, Marietta, GA 30060

(Phone #) [redacted]

Applicant Signature _____ Date _____

Signed, sealed and delivered in presence of: _____
Notary **Date**

REPRESENTIVE Adam J. Rozen, Rozen, Rozen & Reilly, LLP

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

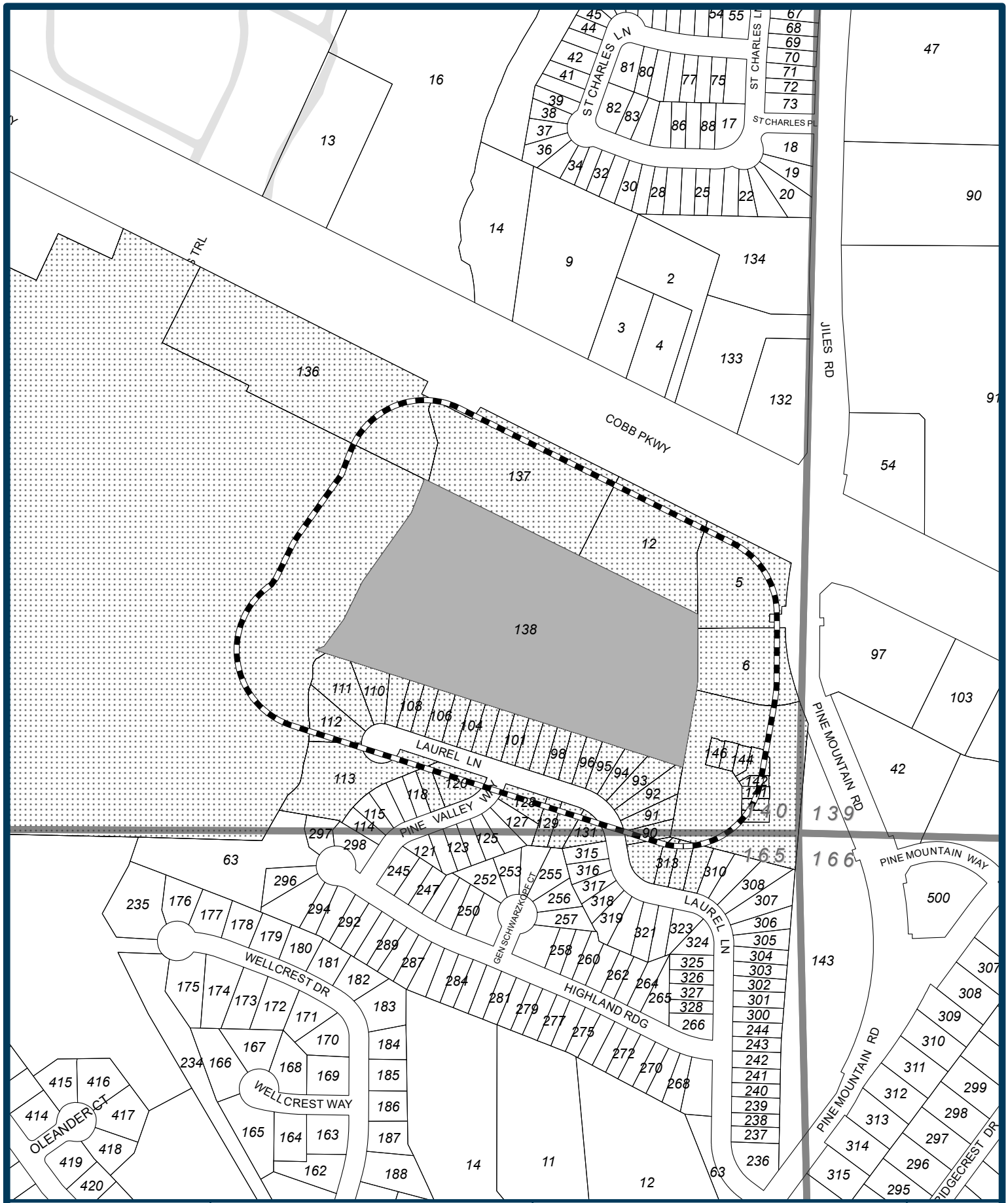
Representative Signature _____ Date _____

Signed, sealed and delivered in presence of: _____
Notary **Date**

TITLEHOLDER: A P Real Estate Georgia, LLC **(Phone #)** [redacted]

Signature: Kathleen Steil as Trustee **Address** P.O. Box 1547, Decatur, GA 30031
Kathleen Steil as and only as Chapter 7 Trustee for the Bankruptcy Estate of A P Real Estate Georgia, LLC (Case No. 23-57890-JWC ND GA)
Signed, sealed and delivered in presence of: _____ 10/15/2025
Notary **Date**

TERESA PANTALEON NOTARY PUBLIC CHEROKEE COUNTY GEORGIA EXPIRES January 24, 2029



Subject Parcel

200' Radius

Properties Notified

6095 Pine Mountain Rd
Land Lot 140,
Tax Parcel 138

RZ2025-003
200' PROPERTY NOTIFICATION

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

Derek Easterling, MAYOR
Lea Alvarez, CITY CLERK

Date: 11/5/2025
RZ2025_003

1" = 318'

USPS TRACKING #

9590 9402 9664 5199 7255 60

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

RZ2025-03
City of Kennesaw
Community Development Dept.
3080 Moon Station Rd.
Kennesaw, GA 30144

USPS TRACKING #

9590 9402 9664 5199 7256 38

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

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RZ2025-03
City of Kennesaw
Community Development Dept.
3080 Moon Station Rd.
Kennesaw, GA 30144

USPS TRACKING #

9590 9402 9664 5199 7275 02

First-Class Mail
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United States
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3080 Moon Station Rd.
Kennesaw, GA 30144

USPS TRACKING #

9590 9402 9664 5199 7274 96

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Community Development Dept.
3080 Moon Station Rd.
Kennesaw, GA 30144

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

20014001060
RUSH1 LLC
419 MORGAN FALLS CHASE
CANTON GA 30114 6835

9590 9402 9664 5199 7255 60

9589 0710 5270 2632 2245 23

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) Cindy Austin C. Date of Delivery 12-15

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

CANTON GA 30188 DEC 15 2025

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery
ail
ail Restricted Delivery
(over $500)

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

20014001410
AERO GROUP MOTORSPORTS LLC
2700 DELK RD SE SUITE 100
MARIETTA GA 30067

9590 9402 9664 5199 7256 38

2. Article Number (Transfer from service label)
9589 0710 5270 2632 2244 55

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) Renae Oldham C. Date of Delivery 12/15/25

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery
estricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receip

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

20014001070
RAFFI MASOUND
3339 EAGLE WATCH DR
WOODSTOCK GA 30189

9590 9402 9664 5199 7275 02

2. Article Number (Transfer from service label)
9589 0710 5270 2632 2243 32

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) Faith Masoud C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery
Mail
Mail Restricted Delivery
(over $500)

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

20014001080
LOWERY RITA MAY
2686 LAUREL LN NW
KENNESAW GA 30152

9590 9402 9664 5199 7274 96

2. Article Number (Transfer from service label)
9589 0710 5270 2632 2243 25

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) Rita M. Lowery C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery
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ail Restricted Delivery
)

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

USPS TRACKING #

9590 9402 9664 5199 7250 65

First-Class Mail
Postage & Fees Paid
USPS
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RZ2025-03
City of Kennesaw
Community Development Dept.
3080 Moon Station Rd.
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USPS TRACKING #

9590 9402 9664 5199 7251 64

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

RZ2025-03
City of Kennesaw
Community Development Dept.
3080 Moon Station Rd.
Kennesaw, GA 30144

USPS TRACKING #

9590 9402 9731 5199 8716 71

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

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RZ2025-03
City of Kennesaw
Community Development Dept.
3080 Moon Station Rd.
Kennesaw, GA 30144

USPS TRACKING #

9590 9402 9664 5199 7250 89

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

RZ2025-03
City of Kennesaw
Community Development Dept.
3080 Moon Station Rd.
Kennesaw, GA 30144

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

20014001090
OVERSTREET MARY
2058 DOUBLE CREEK DR
POWDER SPRINGS GA 30127

9590 9402 9664 5199 7250 65

2. Article Number *(Transfer from service label)*
9589 0710 5270 2632 2246 22

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

20014001450
AERO GROUP MOTORSPORTS LLC
2700 DELK RD SE STE 100
MARIETTA GA 30067

9590 9402 9664 5199 7251 64

2. Article Number *(Transfer from service label)*
9589 0710 5270 2632 2247 21

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Taylor Klippel ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* Taylor Klippel | C. Date of Delivery 12/16/25

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

20014000910
MERVAR THOMAS M
598 OWL CREEK DR
POWDER SPRINGS GA 30127

9590 9402 9731 5199 8716 71

2. Article Number *(Transfer from service label)*
9589 0710 5270 2035 3721 42

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Tom Mervar ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

20014001030
PAYNE FAMILY TRUST
4359 WALNUT CREEK DR NW
KENNESAW GA 30152 7332

9590 9402 9664 5199 7250 89

2. Article Number *(Transfer from service label)*
9589 0710 5270 2632 2246 46

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* Connor Heffron | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

USPS TRACKING #

9590 9402 9664 5199 7257 06

First-Class Mail
Postage & Fees Paid
USPS
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United States
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RZ2025-03
City of Kennesaw
Community Development Dept.
3080 Moon Station Rd.
Kennesaw, GA 30144

USPS TRACKING #

9590 9402 9664 5199 7256 52

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

RZ2025-03
City of Kennesaw
Community Development Dept.
3080 Moon Station Rd.
Kennesaw, GA 30144

44-27180

USPS TRACKING #

9590 9402 9664 5199 7256 69

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

RZ2025-03
City of Kennesaw
Community Development Dept.
3080 Moon Station Rd.
Kennesaw, GA 30144

44-27180

USPS TRACKING #

9590 9402 9731 5199 8693 95

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

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RZ2025-03
City of Kennesaw
Community Development Dept.
3080 Moon Station Rd.
Kennesaw, GA 30144

44-27180

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

20014000920
PHILLIPS PEGGY A &
CAMP SUSAN P & STEPHEN V
2654 LAURAL LN
KENNESAW GA 30152

9590 9402 9731 5199 8693 95

2. Article Number *(Transfer from service label)*
9589 0710 5270 2632 2245 61

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

20014001300
MCDONALD MARY F
2659 LAUREL LN
KENNESAW GA 30152

9590 9402 9664 5199 7256 69

2. Article Number *(Transfer from service label)*
9589 0710 5270 2632 2243 94

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

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- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

20014001190
FONNEGRA EDBER L & YVONNE Y
3201 CHIPPEWA RUN NW
KENNESAW GA 30152

9590 9402 9664 5199 7256 52

2. Article Number *(Transfer from service label)*
9589 0710 5270 2632 2243 87

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* | C. Date of Delivery

D. Is delivery address different from item 1? ☑ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

20014001390
REM REAL ESTATE LLC
6095 PINE MOUNTAIN RD UNIT 101
KENNESAW GA 30152

9590 9402 9664 5199 7257 06

2. Article Number *(Transfer from service label)*
9589 0710 5270 2632 2244 31

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* ALEXANDRA HIATT | C. Date of Delivery 12/16/25

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☒ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

USPS TRACKING #

9590 9402 9731 5199 8694 49

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

RZ2025-03
City of Kennesaw
Community Development Dept.
3080 Moon Station Rd.
Kennesaw, GA 30144

USPS TRACKING #

9590 9402 9664 5199 7251 71

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

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RZ2025-03
City of Kennesaw
Community Development Dept.
3080 Moon Station Rd.
Kennesaw, GA 30144

USPS TRACKING #

9590 9402 9664 5199 7251 40

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

RZ2025-03
City of Kennesaw
Community Development Dept.
3080 Moon Station Rd.
Kennesaw, GA 30144

USPS TRACKING #

9590 9402 9664 5199 7250 96

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

RZ2025-03
City of Kennesaw
Community Development Dept.
3080 Moon Station Rd.
Kennesaw, GA 30144

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

20014001130
PINE MOUNTAIN HOMEOWNERS ASSOC INC
120 ARNOLD MILL PARK STE 400
WOODSTOCK GA 30188

9590 9402 9731 5199 8694 49

2. Article Number *(Transfer from service label)*
9589 0710 5270 2632 2245 30

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Tammy King ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* Tammy King C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

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- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

20016503110
SANCHEZ JAYME
3751 TEMPLE CITY BLVD
ROSEMEAD CA 91770

9590 9402 9664 5199 7251 71

2. Article Number *(Transfer from service label)*
9589 0710 5270 2632 2247 38

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

20014001420
AERO GROUP MOTORSPORTS LLC
2700 DELK RD SE STE 100
MARIETTA GA 30067

9590 9402 9664 5199 7251 40

Article Number *(Transfer from service label)*
9589 0710 5270 2632 2247 [illegible]

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Taylor Klippel ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* Taylor Klippel C. Date of Delivery 12/16/25

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

20014001100
MOWEN KEVIN B & MELANIE E
2690 LAUREL LN NW
KENNESAW GA 30152

9590 9402 9664 5199 7250 96

2. Article Number *(Transfer from service label)*
9589 0710 5270 2632 2246 53

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X R Mowen ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

USPS TRACKING #

9590 9402 9664 5199 7255 39

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

RZ2025-03
City of Kennesaw
Community Development Dept.
3080 Moon Station Rd.
Kennesaw, GA 30144

USPS TRACKING #

9590 9402 9664 5199 7256 21

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

RZ2025-03
City of Kennesaw
Community Development Dept.
3080 Moon Station Rd.
Kennesaw, GA 30144

USPS TRACKING #

9590 9402 9664 5199 7255 84

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

RZ2025-03
City of Kennesaw
Community Development Dept.
3080 Moon Station Rd.
Kennesaw, GA 30144

USPS TRACKING #

9590 9402 9664 5199 7251 19

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

RZ2025-03
City of Kennesaw
Community Development Dept.
3080 Moon Station Rd.
Kennesaw, GA 30144

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

20014000060
6205 PINE MOUNTAIN ROAD LLC
2774 COBB PKWY SUITE 109-166
KENNESAW GA 30152

9590 9402 9664 5199 7255 39

2. Article Number *(Transfer from service label)*
9589 0710 5270 2632 2243 56

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☑ Agent ☐ Addressee

B. Received by *(Printed Name)* [illegible] C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

20014001460
INNOVATION COMPOUNDING INC
6095 PINE MOUNTAIN RD SUITE 108
KENNESAW GA 30144

9590 9402 9664 5199 7256 21

2. Article Number *(Transfer from service label)*
9589 0710 5270 2632 2244 62

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* Receptionist C. Date of Delivery 12/15/25

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☑ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

20014000950
GREEN DAVID M & ELIZABETH A
10 ALLATOONA TRACE DR SE
ACWORTH GA 30102

9590 9402 9664 5199 7255 84

2. Article Number *(Transfer from service label)*
9589 0710 5270 2632 2245 09

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

20014001200
ABRAMS HOLLY
2814 PINE VALLEY WAY NW
KENNESAW GA 30152 6046

9590 9402 9664 5199 7251 19

2. Article Number *(Transfer from service label)*
9589 0710 5270 2632 2246 77

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Holly Abrams ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* Holly Abrams C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☒ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

USPS TRACKING #

9590 9402 9664 5199 7251 57

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

RZ2025-03
City of Kennesaw
Community Development Dept.
3080 Moon Station Rd.
Kennesaw, GA 30144

USPS TRACKING #

9590 9402 9664 5199 7251 33

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

RZ2025-03
City of Kennesaw
Community Development Dept.
3080 Moon Station Rd.
Kennesaw, GA 30144

USPS TRACKING #

9590 9402 9664 5199 7250 27

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

RZ2025-03
City of Kennesaw
Community Development Dept.
3080 Moon Station Rd.
Kennesaw, GA 30144

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

20014001400
AERO GROUP MOTORSPORTS LLC
2700 DELK RD SE SUITE 100
MARIETTA GA 30067

9590 9402 9664 5199 7251 33

2. Article Number *(Transfer from service label)*
9589 0710 5270 2632 2246 91

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Renae Oldham ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* Renae Oldham | C. Date of Delivery 12/15/2

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

20014001430
AERO GROUP MOTORSPORTS LLC
2700 DELK RD SE STE 100
MARIETTA GA 30067

9590 9402 9664 5199 7251 57

2. Article Number *(Transfer from service label)*
9589 0710 5270 2632 2247 14

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Renae Oldham ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* Renae Oldham | C. Date of Delivery 12/15/

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

20014000980
MCGEE WILLIAM M
2666 LAUREL LN NW
KENNESAW GA 30152

9590 9402 9664 5199 7250 27

2. Article Number *(Transfer from service label)*
9589 0710 5270 2632 2245 85

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* WM MCGee | C. Date of Delivery 12/15/2025

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

USPS TRACKING #

9590 9402 9664 5199 7250 10

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

RZ2025-03
City of Kennesaw
Community Development Dept.
3080 Moon Station Rd.
Kennesaw, GA 30144

USPS TRACKING #

9590 9402 9664 5199 7250 41

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

RZ2025-03
City of Kennesaw
Community Development Dept.
3080 Moon Station Rd.
Kennesaw, GA 30144

USPS TRACKING #

9590 9402 9664 5199 7255 53

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

RZ2025-03
City of Kennesaw
Community Development Dept.
3080 Moon Station Rd.
Kennesaw, GA 30144

USPS TRACKING #

9590 9402 9664 5199 7250 58

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

RZ2025-03
City of Kennesaw
Community Development Dept.
3080 Moon Station Rd.
Kennesaw, GA 30144

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

20014000940
GRACE REALTY OF GEORGIA LLC
25 HARRIS DR
MARIETTA GA 30067

9590 9402 9664 5199 7250 10

2. Article Number *(Transfer from service label)*
9589 0710 5270 2632 2245 78

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Mail
☐ Mail Restricted Delivery
(over $500)
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

20014001020
ALBERT ALEXANDER SEGUIN REV LIVING TR
2021 RENFORD POINTE
MARIETTA GA 30062 1891

9590 9402 9664 5199 7250 41

2. Article Number *(Transfer from service label)*
9589 0710 5270 2632 2245 92

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* LMK | C. Date of Delive 12/18

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restric Delivery
☐ Signature Confirmation
☐ Signature Confirmation Restricted Delivery

Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receic

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

20014000100
YES WOODLANDS OF KENNESAW LLC
ATTN PROPERTY ACCOUNTING
5050 S SYRACUSE ST STE 1200
DENVER CO 80237

9590 9402 9664 5199 7255 53

2. Article Number *(Transfer from service label)*
9589 0710 5270 2632 2243 63

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* Gillian Baker | C. Date of Delivery 12/16/25

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

20014001050
HARVEY RICHARD C & MARY SHIELDA
129 RAMBLEWOOD DR
STATESBORO GA 30458

9590 9402 9664 5199 7250 58

2. Article Number *(Transfer from service label)*
9589 0710 5270 2632 2246 15

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Mary Shielda Harvey ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* Mary Shielda Harvey | C. Date of Delivery DEC 17 2025

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricte Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

estricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

USPS TRACKING #

9590 9402 9664 5199 7250 72

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

RZ2025-03

City of Kennesaw
Community Development Dept.
3080 Moon Station Rd.
Kennesaw, GA 30144

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

2001 1000050
BANK OF AMERICA NA
C/O CORP REAL ESTATE ASSESSMENTS
PO BOX 32547
CHARLOTTE NC 28232

9590 9402 9664 5199 7250 72

2. Article Number *(Transfer from service label)*

9589 0710 5270 2632 2246 39

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x Lavonis Little ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* Lavons Little | C. Date of Delivery 12/16/23

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

9589 0710 5270 2632 2242 88

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees *(check box, add fee as appropriate)*
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Sent To THE WHITMER FAMILY TRUST
Street and Apt. 3660 ADAMSVILLE AVE
City, State, ZIP+4® THE VILLAGES FL 32163

GRESHAM ROAD STA USPS MARIETTA GA 30062 Postmark Here 12 2022

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 2632 2242 95

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees *(check box, add fee as appropriate)*
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Sent To BENSON ROBERT EDWARD &
Street and Apt. JOYCE E TRUSTEES TRUST
City, State, ZIP+4® AGREEMENT
2664 LAUREL LN NW
KENNESAW, GA 30152

GRESHAM ROAD STA USPS MARIETTA GA 30062 Postmark Here DEC 12 2022

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 2632 2247 38

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees *(check box, add fee as appropriate)*
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Sent To SANCHEZ JAYME
Street and Apt. 3751 TEMPLE CITY BLVD
City, State, ZIP+4® ROSEMEAD CA 91770

GRESHAM ROAD STA USPS MARIETTA GA 30062 Postmark Here DEC 12 2022

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 2632 2243 87

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees *(check box, add fee as appropriate)*
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Sent To FONNEGRA EDBER L & YVONNE Y
Street and Apt. 3201 CHIPPEWA RUN NW
City, State, ZIP+4® KENNESAW GA 30152

GRESHAM ROAD STA USPS MARIETTA GA 30062 Postmark Here DEC 12 2022

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 2632 2243 63

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees *(check box, add fee as appropriate)*
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Sent To YES WOODLANDS OF K'SAW LLC
Street and Apt. ATTN PROPERTY ACCOUNTING
City, State, ZIP+4® 5050 S SYRACUSE ST STE 1200
DENVER CO 80237

GRESHAM ROAD STA USPS MARIETTA GA 30062 Postmark Here 12 2022

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 2632 2243 56

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees *(check box, add fee as appropriate)*
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Sent To 6205 PINE MOUNTAIN ROAD LLC
Street and Apt. 2774 COBB PKWY SUITE 109-166
City, State, ZIP+4® KENNESAW GA 30152

GRESHAM ROAD STA USPS MARIETTA GA 30062 Postmark Here DEC 12 2022

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 2632 2243 94

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees *(check box, add fee as appropriate)*
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Sent To
Street a
City, Sta

MCDONALD MARY F
2659 LAUREL LN
KENNESAW GA 30152

GRESHAM ROAD STA MARIETTA GA 30062 USPS
Postmark Here
DEC 12 2023

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 2632 2245 23

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees *(check box, add fee as appropriate)*
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Sent To
Street and
City, State

RUSH1 LLC
419 MORGAN FALLS CHASE
CANTON GA 0

GRESHAM ROAD STA MARIETTA GA 30062 USPS
Postmark Here
DEC 12 2023

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 2632 2247 21

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees *(check box, add fee as appropriate)*
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Sent To
Street and Apt.
City, State, ZIP+4

AERO GRP MOTORSPORTS LLC
2700 DELK RD SE STE 100
MARIETTA GA 30067

GRESHAM ROAD STA MARIETTA GA 30062 USPS
Postmark Here
DEC 12 2023

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 2632 2244 62

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees *(check box, add fee as appropriate)*
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Sent To
Street a
City, Sta

INNOVATION COMPOUNDING
INC
6095 PINE MOUNTAIN RD STE 108
KENNESAW GA 30144

GRESHAM ROAD STA MARIETTA GA 30062 USPS
Postmark Here
DEC 12 2023

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 2632 2243 49

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees *(check box, add fee as appropriate)*
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Sent
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CHAU DUNG A
2692 LAUREL LN NW
KENNESAW GA 30152

GRESHAM ROAD STA MARIETTA GA 30062 USPS
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- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
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Total Postage and Fees
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Sent To
Street and Apt. No.
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CALBERT ZACHARY & VILLARREAL
VANESSA GISSEL
2644 LAUREL LN NW
KENNESAW GA 0

GRESHAM ROAD STA MARIETTA GA 30062 USPS
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Street and Apt. No.
City, State, ZIP+4

RAFFI MASOUND
3339 EAGLE WATCH DR
WOODSTOCK GA 30189

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LOWERY RITA MAY
2686 LAUREL LN NW
KENNESAW GA 30152

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Street and Apt. No.
City, State, ZIP+4

RAFIEE MOHAMMAD
255 HIGH BRANCH WAY
ROSWELL, GA 30075

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Total Postage and Fees
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Sen
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WHITE VALERIE L
2672 LAUREL LN NW
KENNESAW GA 30152

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MERVAR THOMAS M
598 OWL CREEK DR
POWDER SPRINGS GA 30127

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- ☐ Adult Signature Restricted Delivery $

Postage
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Total Postage and Fees
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Sen
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City,

FARRAR RICHARD W II &
RODRIGUEZ FARRAR DIANA
50 S YORK DR
NEWNAN GA 30265

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- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
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Total Postage and Fees
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Sent To / Street and / City, S
COVALASCO PROPERTIES LLC
2721 COTTESFORD DR SE
SMYRNA GA 30080

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GRESHAM ROAD STA 30062 MARIETTA GA

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- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
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Total Postage and Fees
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Sent To / Street and / City, State,
WESTBROOKE FINANCIAL LLC
5146 BURNT HICKORY RD
KENNESAW GA 30152

Postmark Here
GRESHAM ROAD STA 30062 USPS MARIETTA GA

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- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
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Total Postage and Fees
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Sent / Stree / City,
CEDAR CREEK PROFESSIONAL
OFFICE INC
2700 DELK RD SUITE 100
MARIETTA GA 30067

Postmark Here
DEC 12 2023
GRESHAM ROAD STA 30062 MARIETTA GA

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

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- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
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Total Postage and Fees
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Sent To / Street and Apt / City, State, Zip
REM REAL ESTATE LLC
6095 PINE MOUNTAIN RD UNIT
101
KENNESAW GA 30152

Postmark Here
DEC 12
GRESHAM ROAD STA 30062 MARIETTA GA

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GMI 3 INC.
1876 INDEPENDENCE SQ SUITE D
DUNWOODY GA 30338

Postmark Here
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- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
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Total Postage and Fees
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Sent To / Street and / City, State,
WESTBROOKE FINANCIAL LLC
5146 BURNT HICKORY RD NW
KENNESAW GA 30152

Postmark Here
DEC
GRESHAM ROAD STA 30062 GA

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- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
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Total Postage and Fees
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Sent To: PINE MOUNTAIN HOA INC
Street and: 120 ARNOLD MILL PARK STE 400
City, State, ZIP: WOODSTOCK GA 30188

Postmark Here: USPS MARIETTA GA 30062 DEC 12

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- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
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Total Postage and Fees
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Sent To: THE WHITMER FAMILY TRUST
Street and Ap: 3660 ADAMSVILLE AVE
City, State, Zi: THE VILLAGES FL 32163

Postmark Here: USPS MARIETTA

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- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
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Total Postage and Fees
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Sent To: ST AMAND RACHELLE M
Street and: 6490 WILDWOOD TRL
City, State, ZIP: FLOWERY BRANCH GA 30542

Postmark Here: USPS GRESHAM ROAD STA MARIETTA

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- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
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Total Postage and Fees
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Sent To: CWI CONSTRUCTION INC
Street and: 6095 PINE MOUNTIAN RD STE 106
City, State, ZIP: KENNESAW GA 30152

Postmark Here: GRESHAM ROAD STA USPS MARIETTA GA 30062 DEC 12

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- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
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Total Postage and Fees
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Sent To: GREEN DAVID M & ELIZABETH A
Street and: 10 ALLATOONA TRACE DR SE
City, State, ZIP+4®: ACWORTH GA 30102

Postmark Here: USPS GRESHAM ROAD STA

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- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
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Total Postage and Fees
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Sent To: AERO GROUP MOTORSPORTS LLC
Street and: 2700 DELK RD SE SUITE 100
City, State, ZIP: MARIETTA GA 30067

Postmark Here: GRESHAM ROAD STA MARIETTA GA 30062 DEC 12

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- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
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Total Postage and Fees
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Sent To: ALBERT ALEXANDER SEGUIN REV LIVING TR
Street and Apt.: 2021 RENFORD POINTE
City, State, ZIP: MARIETTA GA 0

Postmark Here: GRESHAM ROAD STA USPS MARIETTA GA 30062 DEC 12 2023

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Postage
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Total Postage and Fees
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Sent To: MCGEE WILLIAM M
Street and Apt.: 2666 LAUREL LN NW
City, State, ZIP: KENNESAW GA 30152

Postmark Here: GRESHAM ROAD STA USPS MARIETTA GA 30062 12 2023

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- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
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Total Postage and Fees
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Sent To: GRACE REALTY OF GEORGIA LLC
Street and Apt.: 25 HARRIS DR
City, State, ZIP: MARIETTA GA 30067

Postmark Here: GRESHAM ROAD STA USPS MARIETTA GA 30062 12 2023

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Sent To: PHILLIPS PEGGY A & CAMP SUSAN P & STEPHEN V
Street and Apt.: 2654 LAURAL LN
City, State, ZIP: KENNESAW GA 30152

Postmark Here: GRESHAM ROAD STA USPS MARIETTA GA 30062 12 2023

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- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
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Total Postage and Fees
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Sent To: WESTBROOKE FINANCIAL LLC
Street and Apt.: 5146 BURNT HICKORY RD
City, State, ZIP: KENNESAW GA 30152

Postmark Here: GRESHAM ROAD STA USPS MARIETTA GA 30062 DEC 12 2023

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Sent To: CIMARON AVIS
Street and Apt.: 2650 LAUREL LN
City, State, ZIP: KENNESAW GA 0

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- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
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Total Postage and Fees
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Sent To MOWEN KEVIN B & MELANIE E
Street and A 2690 LAUREL LN NW
City, State, Z KENNESAW GA 30152

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- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
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Total Postage and Fees
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Sent To PAYNE FAMILY TRUST
Street and Apt. 4359 WALNUT CREEK DR NW
City, State, ZIP KENNESAW GA 0

GRESHAM ROAD STA USPS MARIETTA GA 30062 DEC 12 2022 Postmark Here

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- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
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Total Postage and Fees
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Sen BANK OF AMERICA NA C/O CORP
Stre REAL ESTATE ASSESSMENTS
PO BOX 32547
City, CHARLOTTE NC 28232

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- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
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Total Postage and Fees
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Sent To OVERSTREET MARY
Street and A 2058 DOUBLE CREEK DR
City, State, Z POWDER SPRINGS GA 30127

GRESHAM ROAD STA USPS MARIETTA GA 30062 Postmark Here

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- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
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Total Postage and Fees
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Sent To HARVEY RICHARD C & MARY
SHIELDA
Street and A 129 RAMBLEWOOD DR
City, State, Z STATESBORO GA 30458

GRESHAM ROAD STA USPS MARIETTA GA 30062 Postmark Here

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- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
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Total Postage and Fees
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Sent To MCEACHERN JILL
Street ar 2678 LAUREL LN NW
City, Stat KENNESAW GA 30152

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MARIETTA GA 30067

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VICTOR NELSON HOLDINGS LLC
3124 KATES CT NW
KENNESAW GA 0

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2700 DELK RD SE STE 100
MARIETTA GA 30067

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City, State, Z

ABRAMS HOLLY
2814 PINE VALLEY WAY NW
KENNESAW GA 0

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2700 DELK RD SE SUITE 100
MARIETTA GA 30067

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City, Sta

ELLIS JAMES A & ANN T
2505 RETREAT DR
MARIETTA GA 30066

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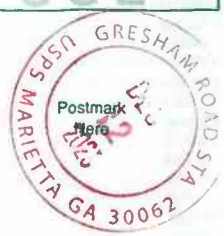

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ROME GA 30162-1633
(770)795-3050

ORDER CONFIRMATION

Salesperson: KELLY HICKS — Printed at 12/09/25 16:48 by khick-tj

Acct #: 110016 — Ad #: 525050 — Status: New

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

Start: 12/12/2025 — Stop: 12/12/2025
Times Ord: 1 — Times Run: ***
LEG 1.00 X 2.79 Words: 200
Total LEG 2.79
Class: 8003 PUBLIC HEARING
Rate: LEGL — Cost: 30.00
Ad Descrpt: PH-8593 6095 PINE MTN RD
Descr Cont: MDJ-8593 GPN-16 CITY OF K
Given by: REBECCA GOLDSTEIN
P.O. #: 6095 PINE MTN RD
Created: khick 12/09/25 14:59
Last Changed: khick 12/09/25 16:48

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

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

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-8593
GPN-16
CITY OF KENNESAW
PUBLIC NOTICE

Notice is hereby given that the City of Kennesaw shall hold public hearings to give consideration for a rezoning request submitted by DRB Group Georgia, LLC. Said request is to rezone the parcel located at 6095 Pine Mountain Road (20014001380) from Highway General Business (HGB) to Planned Unit Development-Residential (PUD-R) to develop fee simple residential townhomes. The parcels lie in Land Lot 140, Tax Parcels 138 of the 20th District, 2 nd Section, Cobb County Georgia.

Said meetings shall be held before the Planning Commission on January 7, 2026, at 6:30 p.m. with a final scheduled hearing and adoption by the Mayor and Council to be considered on January 20, 2026, at 6:30 p.m. Meetings will be held in the Kennesaw City Council Chambers, 2529 J.O. Stephenson Avenue, Kennesaw, GA. 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/

12:12-2025

CITY OF KENNESAW
LAND USE NOTICE

APPLICATION # RZ2025-03

PURPOSE Rezone from Highway General Business (HGB) to Planned Unit Development - Residential (PUD-R) to develop two simple residential townhomes.

DATE OF PUBLIC MEETING: 1/7/2026 TIME: 6:30PM

DATE OF PUBLIC MEETING: 1/20/2026 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

WARNING Security Cameras In Use

KEEP OUT

PRIVATE

POSTED KEEP OUT

UNDER CONTRACT

NO TRESPASSING

12.12.2025 10:22

CITY OF KENNESAW
LAND USE NOTICE

APPLICATION # RZ2025-03

PURPOSE Rezone from Highway General Business (HGB) to Planned Unit Development - Residential (PUD-R) to develop fee simple residential townhomes.

DATE OF PUBLIC MEETING: 1/7/2026 TIME: 6:30PM

DATE OF PUBLIC MEETING: 1/20/2026 TIME: 6:30PM

PLACE: CITY HALL KENNESAW, GA

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HTTP://WWW.KENNESAW-GA.GOV

FOR FURTHER INFORMATION PLEASE CALL:

PLANNING AND ZONING DEPARTMENT 770-590-8268

12.12.2025 10:24

CITY OF KENNESAW
LAND USE NOTICE

APPLICATION # RZ2025-03

PURPOSE Rezone from Highway General Business (HGB) to Planned Unit Development - Residential (PUD-R) to develop fee simple residential townhomes.

DATE OF PUBLIC MEETING: 1/7/2026 TIME: 6:30PM

DATE OF PUBLIC MEETING: 1/20/2026 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

KEEP OUT

12.12.2025 10:29

CITY OF KENNESAW
LAND USE NOTICE

APPLICATION # RZ2025-03

PURPOSE Rezone from Highway General Business (HGB) to Planned Unit Development - Residential (PUD-R) to develop fee simple residential townhomes.

DATE OF PUBLIC MEETING: 1/7/2026 TIME: 6:30PM

DATE OF PUBLIC MEETING: 1/20/2026 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

12.12.2025 10:32

MAYOR
Derek Easterling

City Manager
Jeff Drobney, ICMA-CM

City Clerk
Lea Alvarez, CMC

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

COUNCIL
Mayor Pro Tem Pat Ferris
Antonio Jones
Madelyn Orochena
Tracey Viars
Anthony Gutierrez

December 29, 2025

Pamela Mabry, County Clerk
Cobb County
100 Cherokee Street, #355
Marietta, Georgia 30090-9679

Subject: City of Kennesaw Zoning Applications (Case #RZ2025-03)
6095 Pine Mountain Rd, Kennesaw, GA – Parcel ID 20014001380

Dear Ms. Mabry,

Attached, please find a rezoning application submitted by Rozen, Rozen & Reilly, LLP – Adam Rozen, requesting to rezone approximately 8.823 +/- acres from Highway General Business (HGB) to Planned Unit Development- Residential (PUD-R). The proposed rezoning would allow for the development of a townhome community at the subject property. Because this case is within a half-mile from unincorporated Cobb County, this letter and enclosed application are being provided in accordance with the House Bill 489 Intergovernmental Agreement on Services Delivery Strategy, Land Use section.

These cases are set to go before the Kennesaw Planning Commission on Wednesday, January 7, 2026 at 6:30 p.m. for public hearing and Mayor and Council on Tuesday, January 20, 2026 at 6:30 p.m. for public hearing as well.

Thank you for your attention. Should you have any questions, please feel free to contact Planning and Zoning at 770-590-8268 or send an e-mail to ccampbell@kennesaw-ga.gov.

Sincerely,

Chanelle Campbell

Chanelle Campbell
Planning and Zoning Administrator

Enclosure: Zoning Application

cc: **Jessica Guinn, AICP, Community Development Agency Director (Via E-mail)**
Dr. Jackie McMorris, Cobb County Manager (Via E-mail)
Phillip Westbrook, Senior Planner, Cobb County Community Development (Via E-mail)
Donald Wells, Intergovernmental Coordinator/Planner III, Cobb County Community Dev. (Via E-mail)
Dr. Jeff Drobney, City Manager, City of Kennesaw (Via E-mail)
Rebecca Goldstein, Administrative Assistant (Via E-mail)



CASE NUMBER		LAND USE OR ZONING FROM	TO
AV	LU		
AX	RZ 2025-003	HGB	PUD-R
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

6095 Pine Mountain Rd

Land Lot 140, Tax Parcel 138

Subject Property

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

Derek Easterling MAYOR
Jan Alvarez CITY CLERK

Scale: 1" = 334 '
Print Date: 11/5/2025
RZ2025_003

ROZEN, ROZEN & REILLY, LLP
248 Roswell Street, SE
Marietta, Georgia 30060
(770) 427-7004 (T)
(770) 426-9584 (F)

ROGER J. ROZEN
[redacted]
ADAM J. ROZEN
[redacted]
JEFFREY M. REILLY, JR.
[redacted]

Injury, Land Use,
Criminal Defense,
Domestic
& Business

October 17, 2025

VIA EMAIL: dsimmons@kennesaw-ga.gov

Darryl Simmons
Planning & Zoning Manager
City of Kennesaw

Re: Rezoning Application of DRB Group Georgia, LLC to rezone from HGB to PUD for fee simple residential townhomes on an approximately 8.828 acre tract known as 6095 Pine Mountain Road, City of Kennesaw, Cobb County, Georgia

Dear Darryl:

This firm represents DRB Group Georgia, LLC ("DRB") as it relates to its Rezoning Application regarding the above-captioned property ("Subject Property") (hereinafter collectively the "Application"). On behalf of DRB, please accept and find the Application and the following:

1. Application forms signed by the Property Owner and Applicant.

2. Application fee to be submitted electronically following receipt of City electronic invoice after filing.

3. Copies of the deed reflecting the record titleholder and a current legal description of the subject property.

4. Copies of the paid tax receipt for 2024.

5. Copy of the site plan drawn to scale and survey of the property.

6. A Constitutional Challenge.

REZONING WRITTEN DESCRIPTION/LETTER OF INTENT

The Subject Property is zoned HGB in a commercialized corridor of the City of Kennesaw along US Hwy 41 near its intersection with Jiles Road/Pine Mountain Road. The Subject Property is one parcel removed from and without frontage on US Hwy 41 situated behind retail commercial parcels fronting on the highway on one side and situated behind additional retail and professional office uses fronting on Pine Mountain Road. The Subject Property is partially developed for an assisted living facility but left incomplete after horizontal development was halted due to bankruptcy.

The Applicant proposes rezoning to PUD for the development of fee simple residential townhomes providing an additional and needed residential development alongside an existing residential townhome development and mobile home park before transitioning to additional residential uses zoned R-10 and R-20. The development is proposed under the maximum allowed PUD density of 12 UPA at 10.08 UPA yielding 89 units.

For these reasons, the intent and purpose of the Ordinance and applicable Sections are not frustrated by the Applicant's request, but their strict application and retention of the existing HGB zoning district would create a hardship for the Applicant without gain or benefit to the public for strict enforcement.

For all the reasons stated herein above and with all of the information and documentation which is before you, we respectfully request that the Rezoning Application be approved. Prior to the final hearing of the Application, I will be providing you and your staff with any necessary additional information, documentation and stipulations in order to facilitate the approval of this Application.

VIA EMAIL: dsimmons@kennesaw-ga.gov

Darryl Simmons
Planning & Zoning Manager
City of Kennesaw

Thank you.

Sincerely,

ROZEN, ROZEN & REILLY, LLP

/s/ Adam J. Rozen

Adam J. Rozen
[redacted]

AJR/srb
Enclosures/Attachments

REZONING APPLICATION

Date Received_____
Staff's Initials_____

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

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

Date of Consultation _____ Staff's Initials _____

REZONING PROPERTY ADDRESS 6095 Pine Mountain Road

Land Lot 140 Tax Parcel 20014001380 Lot Size 8.823

Resident Population_____ Housing Units_____ Other Buildings_____

Zoning Request from:

Present Zoning HGB To: PUD

For the purpose of: Fee simple residential townhomes

APPLICANT EMAIL [redacted] for DRB Group Georgia, LLC

Applicant Address 248 Roswell Street, Marietta, GA 30060

(Phone #) [redacted]

Applicant Signature _____ Date _____

Signed, sealed and delivered in presence of: Cam Hutch 10/15/25
Notary **Date**

CAMERON HEATH NOTARY PUBLIC FULTON COUNTY, GEORGIA Exp. 6/9/

REPRESENTIVE Adam J. Rozen, Rozen, Rozen & Reilly, LLP

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

Representative Signature _____ Date _____

Signed, sealed and delivered in presence of: _____
Notary **Date**

TITLEHOLDER: A P Real Estate Georgia, LLC **(Phone #)** _____

Signature: _____ **Address** _____

Signed, sealed and delivered in presence of: _____
Notary **Date**

REZONING APPLICATION

Date Received _____
Staff's Initials _____

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

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

Date of Consultation _____ Staff's Initials _____

REZONING PROPERTY ADDRESS 6095 Pine Mountain Road

Land Lot 140 Tax Parcel 20014001380 Lot Size 8.823

Resident Population _____ Housing Units _____ Other Buildings _____

Zoning Request from:

Present Zoning HGB To: PUD

For the purpose of: Fee simple residential townhomes

APPLICANT EMAIL [redacted] for DRB Group Georgia, LLC

Applicant Address 248 Roswell Street, Marietta, GA 30060

(Phone #) [redacted]

Applicant Signature _____ Date 10/17/25

Signed, sealed and delivered in presence of: _____ _____
Notary **Date**

SUSEANN R BRISTOW NOTARY PUBLIC COBB COUNTY, GEORGIA MY COMMISSION EXPIRES OCTOBER 04, 2028

REPRESENTIVE Adam J. Rozen, Rozen, Rozen & Reilly, LLP

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

Representative Signature _____ Date _____

Signed, sealed and delivered in presence of: _____
Notary **Date**

TITLEHOLDER: A P Real Estate Georgia, LLC **(Phone #)** _____

Signature: _____ **Address** _____

Signed, sealed and delivered in presence of: _____
Notary **Date**

REZONING APPLICATION

Date Received_____
Staff's Initials_____

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

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

Date of Consultation _____ Staff's Initials _____

REZONING PROPERTY ADDRESS 6095 Pine Mountain Road

Land Lot 140 Tax Parcel 20014001380 Lot Size 8.823

Resident Population_____ Housing Units_____ Other Buildings_____

Zoning Request from:

Present Zoning HGB To: PUD

For the purpose of: Fee simple residential townhomes

APPLICANT EMAIL [redacted] for DRB Group Georgia, LLC

Applicant Address 248 Roswell Street, Marietta, GA 30060

(Phone #) [redacted]

Applicant Signature _____ Date _____

Signed, sealed and delivered in presence of: _____
Notary **Date**

REPRESENTIVE Adam J. Rozen, Rozen, Rozen & Reilly, LLP

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

Representative Signature _____ Date _____

Signed, sealed and delivered in presence of: _____
Notary **Date**

TITLEHOLDER: A P Real Estate Georgia, LLC **(Phone #)** (404) 525-4000

Signature: Kathleen Steil as Trustee **Address** P.O. Box 1547, Decatur, GA 30031
Kathleen Steil as and only as Chapter 7 Trustee for the Bankruptcy Estate of A P Real Estate Georgia, LLC (Case No. 23-57890-JWC ND GA)

Signed, sealed and delivered in presence of: _____ 10/15/2025
Notary **Date**

TERESA PANTALEON NOTARY PUBLIC CHEROKEE COUNTY GEORGIA EXPIRES January 24, 2029

ZONING STANDARDS RESPONSE AND ZONING IMPACT STATEMENT FOR THE REZONING APPLICATION OF DRB GROUP GEORGIA, LLC

COMES NOW, APPLICATION OF DRB GROUP GEORGIA, LLC, and pursuant to Section 1908 of the Kennesaw Zoning Code, files this its Zoning Impact Statement and Zoning Standards Response, as follows:

(1) Would the proposed amendment be consistent and compatible with the City's land use and development, plans, goals and objectives? *Yes, the Subject Property is within a Community Activity Center ("CAC") without frontage but one parcel removed from US Hwy 41 and adjoining existing residential ranging from townhomes to single family detached homes of varying zoning districts and a mobile home park.*

(2) Would the proposed amendment tend to increase, decrease, or have no impact on traffic safety and congestion in the streets? *The proposed amendment would increase traffic in its provision of additional homes but would do so in an appropriate manner and without congestion through US Hwy 41 access and additional access to Pine Mountain Road.*

(3) Would the proposed amendment tend to increase, decrease, or have no relationship to safety from fire and other dangers? *The amendment would increase by providing occupied homes on an otherwise vacant and partially developed parcel and will be developed with implementation and adherence to current fire safety standards.*

(4) Would the proposed amendment tend to promote, diminish, or have no influence on the public health and general welfare of the city? *The proposed amendment will promote public health and welfare by providing active*

development on an otherwise partially developed parcel and provide needed housing opportunities.

(5) Would the proposed amendment tend to increase, decrease, or have no influence on the adequate (provisions) of light or air? *The proposed amendment will not negatively impact provisions of light and air being developed alongside similar residential uses and adjacent to existing retail commercial uses.*

(6) Would the proposed amendment tend to cause, prevent or have no influence on the overcrowding of land? *The proposed amendment will not overcrowd land being below the maximum allowed density but provide an efficient use of the land in its provision of an additional 89 residential homes.*

(7) Would the proposed amendment tend to cause, prevent or have no relationship on the population distribution within the city creating any area as dense in population as to adversely affect the health, safety, and general welfare of the city? *The proposed amendment will have a positive relationship on population distribution being below the maximum allowed density but provide an efficient use of the land in its provision of an additional 89 residential homes.*

(8) Would the proposed amendment tend to impede, facilitate, or have no impact on the adequate provision of transportation, water, sewage, other public services, utilities or facilities? *The proposed amendment will facilitate the aforementioned utilities and facilities by efficiently providing 89 residential homes developed with and served by such utilities.*

(9) Would the proposed amendment tend to be compatible with environmental conditions in light of surrounding developments? If compatible, what factors, if any, would diminish the value, use and enjoyment of surrounding properties? *The proposed amendment will be compatible with and enhance environmental conditions through best management practices stormwater facilities, erosion and environmental controls.*

(10) Would the proposed amendment tend to require only reasonable expenditures of public funds, or would the amendment tend to require an excessive or premature expenditure of public funds? *The proposed amendment would only require a reasonable expenditure of public funds.*

(11) Would the proposed amendment tend to promote, diminish or have no influence upon the aesthetic effect of existing and future uses of property and the surrounding area? *The proposed amendment will promote the aesthetics of the existing and future uses by eliminating a blighted and partially developed site but provide residential homes to support the existing adjacent and nearby retail and professional uses.*

(12) Would the proposed amendment have measurable adverse economic effect of on the value of the surrounding or adjacent properties? The proposed amendment *promote a positive economic effect on surrounding properties by eliminating a blighted and partially developed site and instead provide residential homes to support the existing adjacent and nearby retail and professional uses.*

Respectfully submitted, this the 17th day of October, 2025.

ROZEN, ROZEN & REILLY, LLP

By: */s/ Adam J. Rozen*
ADAM J. ROZEN
Attorney for Applicant
Ga. Bar No. 161610

CAMPAIGN DISCLOSURE REPORT[1] BY APPLICANT[2]

Each applicant must complete a separate form

TITLEHOLDER

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 The Bankruptcy Estate of A P. Real Estate Georgia, LLC has not made any campaign contributions.

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:

N/A

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:

N/A

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 _____d ay of _____, 20_____

TITLEHOLDER

~~Applicants~~ Signature

Kathleen Steil as Trustee

Signed by:

Kathleen Steil as and only as Chapter 7 Trustee for the Bankruptcy Estate of A P Real Estate Georgia, LLC (Case No. 23-57890 ND GA)

[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.

CAMPAIGN DISCLOSURE REPORT[1] BY APPLICANT[2]

Each applicant must complete a separate form

Has the applicant made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating two hundred fifty dollars ($250.00) or more or made gifts having in the aggregate a value of two hundred fifty dollars ($250.00) or more to a member or members of the Mayor and Council or Planning Commission who will consider the application? No

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

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

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

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

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

I certify that the foregoing information is true and correct, this 15th day of October, 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.

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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:

NO

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 17th day of OCTOBER, 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.

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FOR NOTICE OF LIS PENDENS SEE
LB Book 114 Page 1438

FOR ML SEE
LB Book 132 Page 1752
LB Book 133 Page 4994
LB Book 150 Page 3319

BK: 15033 PG: 3374-3379
Filed and Recorded Feb-20-2013 11:46:38AM
DOC#: D2013-018250
Real Estate Transfer Tax Paid $426.10
0332013006163

REBECCA KEATON
CLERK OF SUPERIOR COURT Cobb Cty. GA.

(Space above is for Recorder's use)

FOR NOTICE SEE
LB Book 134 Page 5367
LB Book 134 Page 6285
LB Book 135 Page 173
LB Book 135 Page 5339
LB Book 137 Page 3926

~~When Recorded Mail To~~:

Prepared By:
Vanessa A. Orta, Esq.
ANDERSON, MCCOY & ORTA
100 North Broadway, Suite 2600
Oklahoma City, OK 73102
Telephone: (888) 236-0007

When Recorded Return to:
Title Source, Inc. -
Commercial Team
662 Woodward Avenue
Detroit, MI 48226
TSI#: 574407-280

FOR ML SEE
LB Book 137 Page 2703

LIMITED WARRANTY DEED

THIS INDENTURE, made as of the 22 day of January, 2013, between **CRIMSON CEDAR CREEK, LLC**, a Georgia limited liability company (hereinafter called "Grantor"), whose address is 4675 MacArthur Court, Suite 1550, Newport Beach, California 92660, and **A P REAL ESTATE GEORGIA, LLC**, a Georgia limited liability company (hereinafter called "Grantee").

WITNESSETH THAT: Grantor, for and in consideration of the sum of Ten and No/100 ($10.00) Dollars, and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt, adequacy and sufficiency of which being hereby acknowledged by Grantor, 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 more particularly described in Exhibit "A" attached hereto and by this reference made a part hereof.

TO HAVE AND TO HOLD the said tract or parcel of land, together 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.

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.

The conveyance and warranty of title hereunder are expressly subject to those matters shown on Exhibit "B," attached hereto and made a part hereof by reference.

FOR LIEN CANC SEE
LB Book 151 Page 2897

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

Signed, Sealed and Delivered
in the presence of:

GRANTOR:

CRIMSON CEDAR CREEK, LLC, a
Georgia limited liability company

By: _____
Name: R. Patterson Jackson
Title: Authorized Signatory

_____
Name: Valerie Hill

_____
Name: ~~Amy O'Donnell~~
nora castellon

ACKNOWLEDGMENT

STATE OF _____)
) ss:
COUNTY OF _____)

Before me, _____ in and for said County and State, on this ___ day of _____, 2013, personally appeared _____, to me known to be the identical person who subscribed the name of the Grantor to the foregoing instrument as its _____ and acknowledged before me that he executed the same as his free and voluntary act and deed, and as the free and voluntary act and deed of CRIMSON CEDAR CREEK, LLC, for the uses and purposes therein set forth.

See Attached

_____
Notary Public

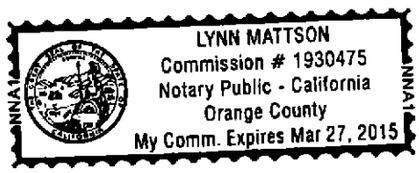
[SEAL]

STATE OF CALIFORNIA)
COUNTY OF ORANGE)

On January 22, 2013, before me, Lynn Mattson, Notary Public, personally appeared R. Patterson Jackson, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature _____ (SEAL)
Signature of Notary Public

EXHIBIT "A"

All THAT TRACT OR PARCEL OF LAND lying and being In Land Lot 140 of the 20th District. 2nd Section, City of Kennesaw. Cobb County, Georgia, and being 11.70 acres, more or less, as shown on plat for Pebblebrook Development, LLC, Bank of North Georgia. and Ticor Title Insurance Company, dated September 19, 1006, prepared by Centerline Surveying Systems, Inc., Charles C. Franklin, GRLS #2143,and being more particularly described as follows:

BEGINNING at the common comer of Land Lots 139, 140, 165, and 166 said district and section; thence running North 78 degrees 50 minutes 25 seconds West for a distance of 293.34 feet to a #4 rebar found and corner; thence running North 10 degrees 03 minutes 54 seconds East for a distance of 178.00 feet to a #4 rebar found and corner; thence running North 72 degrees 08 minutes 21 seconds West for a distance of 946.96 feet to an Iron pin; thence running North 72 degrees 08 minutes 21 seconds West for a distance of 31.32 feet, more or less, to a point and corner at the centerline of a creek; thence running in a Northeasterly direction as measured along the centerline of said creek and following the meanderings thereof, the following courses and distances: North 80 degrees 38 minutes 20 seconds East for a distance of 22.96 feet to a point; North 31 degrees 10 minutes 56 seconds East for a distance of 29.47 feet to a point; North 53 degrees 58 minutes 46 seconds East for a distance of 46.85 feet to a point; North 20 degrees 45 minutes 17 seconds East for a distance of 116.55 feet to a point; North 38 degrees 01 minutes. 21 seconds East for a distance of 56.03 feet to a point; North 32 degrees 09 minutes 53 seconds East for a distance of 156.05 feet to a point; North 29 degrees 35 minutes 43 seconds East for a distance of 35.91 feet to a point; North 29 degrees 35 minutes 43 seconds East for a distance of 46.28 feet to a point and corner; thence leaving the centerline of said creek and running thence South 63 degrees 52 minutes 15 seconds East for a distance of 373.05 feet, more or less, to a point; thence running South 62 degrees 46 minutes 55 seconds East for a distance of 59.00 feet to a point and corner; thence running South 27 degrees 13 minutes 05 seconds West for a distance of 21.63 feet to a point and comer; thence running South 63 degrees 52 minutes 15 seconds East for a distance of 333.41 feet to a point and corner; thence running South 00 degrees 24 minutes 49 seconds East for a distance of 168.42 feet to a point; thence running South 06 degrees 59 minutes 47 seconds West for a distance 21.33 feet to a point and comer; thence running South 76 degrees 34 minutes 50 seconds East for a distance of 148.14 feet to a point; thence running along the arc of a curve, an arc distance of 93.57 feet (said arc being subtended by a chord bearing South 89 degrees 58 minutes 59 seconds East, a chord distance of 92.72 feet and having a radius of 200.00 feet) to a point; thence running North 76 degrees 36 minutes 52 seconds East for a distance of 23.90 feet to a point and comer located on the Southwesterly right of way of Pine Mountain Road (having a variable right of way); thence running In a Southeasterly direction as measured along the Southwesterly right of way of Pine Mountain Road, the following courses and distances: South 21 degrees 04 minutes 38 seconds East, a distance of 28.29 feet to a Point; South 22 degrees 21 minutes 26 seconds East a distance of 70.07 feet to a point and corner located at the intersection of the Southwesterly right of way of Pine Mountain Road with the Easterly land lot line of land Lot 140, said district and section; thence running South 00 degrees 28 minutes 12 seconds West as measured along the Easterly land lot line of Land Lot 140, said district and section, for a distance of 306.85 feet to the Point of Beginning.

Appurtenant Easement Area No. 1:
Together with all right, title and interest in real estate created by virtue of Declaration of Easements and Agreement to Share Costs (the "Declaration") by King's Crossing Management, LLC and Bank of America, N.A., recorded in Deed Book 14015, Page 5160, Cobb County, Georgia Records; as amended by First Amendment to Declaration of Easements and Agreement to Share Costs, filed and recorded January 10, 2005 in Deed Book 14095, Page 6231, aforesaid records.

Appurtenant Easement Area No. 2:
Together with all right, title and interest in real estate created by virtue of Restrictive Covenant Agreement (the "Restrictive Covenant") dated January 31, 1991 by Southern Forty-Four L.P., Ltd., a Georgia limited partnership and Columbia Homes, L.P., recorded February 1, 1991, in Deed Book 6000, Page 1, Cobb County, Georgia.

Appurtenant Easement Area No. 3:
Together with all right, title and interest in real estate created by virtue of Reciprocal Easement Agreement ("Reciprocal Easement") between Kings Crossing Investments, LLC and Kings Crossing Management, LLC, dated October 6, 2005, recorded October 12, 2005 in Deed Book 14233, Page 4595, Cobb County, Georgia Records.

Less and Except the property conveyed in the following Deeds:
Limited Warranty Deed from Pebblebrook Development, LLC to Southcore Cedar Creek, LLC, filed and recorded December 10, 2008 at Deed Book 14653, Page 2194, Cobb County, Georgia Records, conveying Unit 101 of Building 100.

Limited Warranty Deed from Pebblebrook Development, LLC to William A. Phillips and Martha S. Phillips, filed July 16, 2006 at Deed Book 14624, Page 5063, Georgia Records, and as described in that Quit Claim Deed from Bank of North Georgia to Pebblebrook Development, LLC, dated July 15, 2008, filed and recorded July 25, 2008 at Deed Book 14626, Page 5054, aforesaid records, conveying Unit 104 of Building 100.
Quit Claim Deed from Bank of North Georgia to Cedar Creek Professional Office Association, Inc, filed December 29, 2011 at Deed Book 14907, Page 95, Cobb County, Georgia Records.

Exhibit "B"

(Permitted Exceptions)

1. All current taxes and assessments relating to the Property which are not yet due and payable, current assessments or liens for assessments under any homeowners association which are not yet due and payable or any agreements of record which are not yet due and payable and all current utility charges or liens for utility charges which are not yet due and payable.

2. Zoning and other ordinances affecting the Property.

3. All matters which would be shown by current accurate survey and inspection of the Property.

4. The rights of any parties in possession.

5. Any and all redemption rights.

6. Applicable matters of public record.

FOR NOTICE OF LIS PENDENS SEE
LB Book 114 Page 1438

FOR ML SEE
LB Book 132 Page 1752
LB Book 133 Page 4994
LB Book 150 Page 3319

BK: 15033 PG: 3374-3379
Filed and Recorded Feb-20-2013 11:46:38AM
DOC#: D2013-018250
Real Estate Transfer Tax Paid $426.10
0332013006163

REBECCA KEATON
CLERK OF SUPERIOR COURT Cobb Cty. GA.

(Space above is for Recorder's use)

FOR NOTICE SEE
LB Book 134 Page 5367
LB Book 134 Page 6285
LB Book 135 Page 173
LB Book 135 Page 5339
LB Book 137 Page 3926

~~When Recorded Mail To~~:
Prepared By:
Vanessa A. Orta, Esq.
ANDERSON, MCCOY & ORTA, P.C.
100 North Broadway, Suite 2600
Oklahoma City, OK 73102
Telephone: (888) 236-0007

When Recorded Return to:
Title Source, Inc. -
Commercial Team
662 Woodward Avenue
Detroit, MI 48226
TSI#: 574407-30

FOR NOTICE SEE
DE Book 16162 Page 2550

LIMITED WARRANTY DEED

FOR ML SEE
LB Book 137 Page 2703

THIS INDENTURE, made as of the 22 day of January, 2013, between **CRIMSON CEDAR CREEK, LLC**, a Georgia limited liability company (hereinafter called "Grantor"), whose address is 4675 MacArthur Court, Suite 1550, Newport Beach, California 92660, and **A P REAL ESTATE GEORGIA, LLC**, a Georgia limited liability company (hereinafter called "Grantee").

WITNESSETH THAT: Grantor, for and in consideration of the sum of Ten and No/100 ($10.00) Dollars, and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt, adequacy and sufficiency of which being hereby acknowledged by Grantor, 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 more particularly described in Exhibit "A" attached hereto and by this reference made a part hereof.

TO HAVE AND TO HOLD the said tract or parcel of land, together 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.

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.

The conveyance and warranty of title hereunder are expressly subject to those matters shown on Exhibit "B," attached hereto and made a part hereof by reference.

FOR LIEN CANC SEE
LB Book 151 Page 2897

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

Signed, Sealed and Delivered
in the presence of:

GRANTOR:

CRIMSON CEDAR CREEK, LLC, a
Georgia limited liability company

By: _____
Name: R. Patterson Jackson
Title: Authorized Signatory

_____
Name: Valerie Hill

_____
Name: ~~Amy O'Donnell~~
nora castellon

ACKNOWLEDGMENT

STATE OF _____)
) ss:
COUNTY OF _____)

Before me, _____ in and for said County and State, on this ___ day of _____, 2013, personally appeared _____, to me known to be the identical person who subscribed the name of the Grantor to the foregoing instrument as its _____ and acknowledged before me that he executed the same as his free and voluntary act and deed, and as the free and voluntary act and deed of CRIMSON CEDAR CREEK, LLC, for the uses and purposes therein set forth.

See Attached

_____
Notary Public

[SEAL]

STATE OF CALIFORNIA)
COUNTY OF ORANGE)

On January 22, 2013, before me, Lynn Mattson, Notary Public, personally appeared R. Patterson Jackson, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature _____ (SEAL)
Signature of Notary Public

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(Permitted Exceptions)

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thence running along the arc of a curve, an arc distance of 93.57 feet (said arc being subtended by a chord bearing South 89 degrees 58 minutes 59 seconds East, a chord distance of 92.72 feet and having a radius of 200.00 feet) to a point; thence running North 76 degrees 36 minutes 52 seconds East for a distance of 23.90 feet to a point and comer located on the Southwesterly right of way of Pine Mountain Road (having a variable right of way); thence running In a Southeasterly direction as measured along the Southwesterly right of way of Pine Mountain Road, the following courses and distances: South 21 degrees 04 minutes 38 seconds East, a distance of 28.29 feet to a Point; South 22 degrees 21 minutes 26 seconds East a distance of 70.07 feet to a point and corner located at the intersection of the Southwesterly right of way of Pine Mountain Road with the Easterly land lot line of land Lot 140, said district and section; thence running South 00 degrees 28 minutes 12 seconds West as measured along the Easterly land lot line of Land Lot 140, said district and section, for a distance of 306.85 feet to the Point of Beginning.

Printed: 9/8/2025

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:
GEORGIA CONSTRUCTION MANAGEMENT LLC

A P REAL ESTATE GEORGIA LLC

Payment Date: 10/15/2024

Tax Year	Parcel ID	Due Date		Appeal Amount		Taxes Due
2024	20014001380	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	$6,711.75	**$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 #
20014001380	3/3-BOND - KENNESAW CITY	257839

Property Owner/Location/Description	Fair Market Value	Taxable Value
A P REAL ESTATE GEORGIA LLC 6095 PINE MOUNTAIN RD	556,530	222,612

Levies	Taxable Value	-	Exemptions	=	Net Assessment	X	Tax Rate	=	Net Tax
CITY OF KENNESAW	222,612		0		222,612		7.7500000000		$1,725.24
BOND	222,612		0		222,612		1.5000000000		$333.92
2024-BLIGHTED PROPERTY-13									$12,354.96

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	$14,414.12
Interest	$1,091.56
Penalty	$1,235.50
Other Fees	$0.00
Payments Received	$2,059.16
Other Amounts Due	$2,036.90
Total Due	$16,718.92
Due Date	12/01/2024

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

Parcel ID:	20014001380
Amount Due:	$16,718.92
Bill#:	257839
Due Date:	12/01/2024
	AMOUNT PAID

A P REAL ESTATE GEORGIA LLC
C/O DEVIKA PATEL
6095 PINE MOUNTAIN RD
KENNESAW, GA 30152

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

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 #
20014001380	3/3-BOND - KENNESAW CITY	257839

Property Owner/Location/Description	Fair Market Value	Taxable Value
A P REAL ESTATE GEORGIA LLC 6095 PINE MOUNTAIN RD	556,530	222,612

Levies	Taxable Value	-	Exemptions	=	Net Assessment	X	Tax Rate	=	Net Tax
CITY OF KENNESAW	222,612		0		222,612		7.7500000000		$1,725.24
BOND	222,612		0		222,612		1.5000000000		$333.92
2024-BLIGHTED PROPERTY-13									$12,354.96

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.

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C/O DEVIKA PATEL
6095 PINE MOUNTAIN RD
KENNESAW, GA 30152

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

CERTIFICATE REGARDING CORPORATE AUTHORITY TO PURSUE REZONING APPLICATION

1.

My name is William Cutler. I am the officer who is delegated the responsibility for authenticating records of DRB GROUP GEORGIA, LLC, a Foreign Limited Liability Company which entity is the applicant in the Rezoning Application to which this Certificate is attached (the Applicant). I am of legal age and suffer from no disabilities which would affect my competence to give this Certificate which is being given on my own personal knowledge for use with respect to the Applicant's Rezoning Application regarding certain real property owned by AP Real Estate Georgia, LLC located in Cobb County, Georgia.

2.

In accordance with the Requirements for completing a City of Kennesaw Rezoning Application, I hereby attest on behalf of the Applicant Company that I have reviewed the Rezoning Application and related documents which are being filed simultaneously therewith on behalf of the Applicant (collectively, the "Rezoning") to which this Certificate is attached and hereby certify:

(a) That corporate seal or facsimile affixed to the Rezoning Application is in fact the seal of the Applicant Company or a true facsimile thereof; and

(b) That the officer or other representative of the Applicant Company who executed the Rezoning Application does in fact occupy the official position indicated, that the position that the signer occupies has the authority to execute the Rezoning Application on behalf of the Applicant Company, and that the signature of said officer or other representative is genuine; and

(c) That the execution of the Rezoning Application and the filing of the Rezoning Application on behalf of the Applicant Company by the officer or other representative of the Applicants has been duly authorized by the Applicant Company.

DRB GROUP GEORGIA, LLC

By: _____ (CORPORATE SEAL)

Print Name: William Cutler

Its: Vice President
Title

CERTIFICATE REGARDING COMPANY AUTHORITY TO PURSUE REZONING APPLICATION

1.

My name is Kathleen Steil and I am the Chapter 7 Trustee for the Estate of AP Real Estate Georgia, LLC, Case No. 23-57890-JWC, pending in the Northern District of Georgia. As such, I am the only person authorized to act for or on behalf of AP Real Estate Georgia, LLC, a Domestic Limited Liability Company which entity is the titleholder in the Rezoning Application to which this Certificate is attached (the Titleholder). A true and correct copy of the Notice of Appointment of Interim Trustee and Section 341(a) Meeting of Creditors [Docket No. 64] is attached hereto. I am of legal age and suffer from no disabilities which would affect my competence to give this Certificate which is being given for use with respect to the Applicant's Rezoning Application regarding certain real property owned by the Titleholder Company located in Cobb County, Georgia.

2.

In accordance with the Requirements for completing a City of Kennesaw Rezoning Application, I hereby attest on behalf of the Titleholder Company that I have reviewed the Rezoning Application and related documents which are being filed simultaneously therewith on behalf of the Titleholder (collectively, the "Rezoning") to which this Certificate is attached and hereby certify:

(a) That, by virtue of the bankruptcy filing, I am the sole representative of the Titleholder Company. I have executed the Rezoning Application, I do in fact occupy the official position indicated, I have the authority to execute the Rezoning Application on behalf of the Titleholder Company, and my signature is genuine; and

(b) That the execution of the Rezoning Application and the filing of the Rezoning Application on behalf of the Titleholder Company has been duly authorized by the Bankruptcy Court's *Order Granting Trustee's Motion for Entry of An Order Authorizing the Sale of Debtor's Property Free and Clear of Liens, Claims, Interests, and Encumbrances entered on March 31, 2025* [Docket No. 93] ("Bankruptcy Court Order"). A true and correct copy of the Bankruptcy Court's Order is attached hereto and incorporated herein by reference.

A P REAL ESTATE GEORGIA, LLC,
Case No. 23-57890-JWC, pending in the Northern District of Georgia

By: _____
Kathleen Steil as and only as Chapter 7 Trustee

(A) 25' STATE UNDISTURBED STREAM BUFFER (AS MEASURED FROM POINT OF WRESTED VEGETATION)

(B) 50' CITY UNDISTURBED STREAM BUFFER (AS MEASURED FROM POINT OF WRESTED VEGETATION)

(C) 75' CITY IMPERVIOUS SETBACK (AS MEASURED FROM POINT OF WRESTED VEGETATION)

COBB PARKWAY
200' PUBLIC R/W
(DB 16514, PG 927)

N/F
COVALASCO PROPERTIES LLC.
DB:15514; PG:925
HGB ZONING

TAX PARCEL: 20014001370

UNNAMED TRIBUTARY OF BUTLER CREEK

BLOCK WALL

S63°35'52"E
373.05

25' BUILDING SETBACK

KINGS CROSSING COURT
PRIVATE DRIVE & ACCESS EASEMENT
DB 15514, PG 925
DB 14231, PG 4895

GATED ENTRY (RESIDENTS ONLY)

RETAINING WALL B (MODULAR)
130 LF
4'H MAX

ROAD A
ROAD B
ROAD C
ALLEY D
ALLEY E
ALLEY F

50' AE/UE
27' BOC
22' BOC
20'
40'
22'
10'
31.5'
13.5'
10'
18'
6'
18'
2'
22'
25'
11.5'
13.5'
27' BOC
50' AE/UE
25'
11.5'
18'
6'
18'
22'
25'
13.5'
27' BOC
50' AE/UE
10'
8'
13.5'
50' AE/UE
27' BOC
22'
20'
40'
22'
10'
31.5'
27' BOC
50' AE/UE
10'
8'
13.5'
50' AE/UE
27' BOC
22'
20'
40'
22'
10'
31.5'
27' BOC

24" ROLL-TYPE C&G IN ALLEYS

CONCRETE APRON AT ALLEYS

MAIL KIOSK

EXISTING STORMWATER MANAGEMENT POND (TO REMAIN)

RETAINING WALL A (MODULAR)
306 LF
8'H MAX

S63°35'52"E
333.41

N/F
BANK OF AMERICA NA
C/O CORPORATE REAL ESTATE ASSESSMENTS
DB:14690; PG:510
HGB ZONING

TAX PARCEL: 20014000050

S00°08'26"E
168.42

N/F
6205 PINE MOUNTAIN ROAD LLC.
DB:15342; PG:2318
HGB ZONING

TAX PARCEL: 20014000060

GATED ENTRY

R30'

ENTRY LAWN

CALL BOX

PRIVATE DRIVE
30' INGRESS/EGRESS EASEMENT
267' TO PINE MOUNTAIN ROAD

S10°43'22"W
218.94

25' BUILDING SETBACK

N/F
CEDAR CREEK
PROFESSIONAL OFFICE INC.
DB:14766; PG:4019
CONDO PB:18; PG:45
HGB ZONING

TAX PARCEL: 20014001470

RETAINING WALL C (MODULAR)
306 LF
5'H MAX

N/F
YES WOODLANDS OF KENNESAW LLC.
DB:15055; PG:4936
MHP ZONING

TAX PARCEL: 20014000100

FEMA FLOOD ZONE (0.2% ANNUAL CHANCE FLOOD HAZARD)

L1 N02°39'16"E 166.05
L2 N09°04'40"E 116.85
L3
L4
L5
L6
L7

N71°51'58"W
946.96

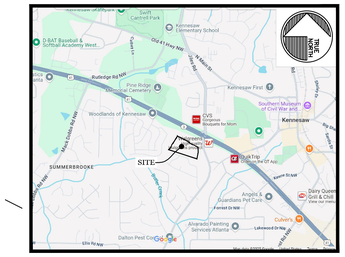
N/F
THE VILLAGE AT PINE MOUNTAIN S/D
FST ZONING

178.00

N10°20'17"E

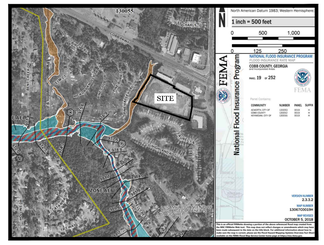
ZONING PLAN NOTES:

1. SURVEY INFORMATION TAKEN AS-BUILT SURVEY BY GOODWIN MILLS CAWOOD SURVEYING DATED APRIL 29, 2025.
2. EXISTING ZONING: HGB
   PROPOSED ZONING: PUD
3. SUBJECT PROPERTY IS LOCATED 6095 PINE MOUNTAIN ROAD IN LAND LOT 140, 20TH DISTRICT, 2ND SECTION, CITY OF KENNESAW, COBB COUNTY, GEORGIA.
4. APPLICANT: DRB GROUP GEORGIA, LLC
   55 IVAN ALLEY JR. BLVD, SUITE 400
   ATLANTA, GEORGIA 30313
   CONTACT: MS. CARI SMITH 770.471.4751
   carismith@drbgroup.com
5. ENGINEER: CHRISTOPHER PLANNING & ENGINEERING, INC.
   12460 CRABAPPLE ROAD, SUITE 202-612
   ALPHARETTA, GEORGIA 30004
   CONTACT: MR. SOTIR J. CHRISTOPHER 770.331.7303
6. UPON EXAMINATION OF FEMA FLOOD INSURANCE RATE MAPS OF COBB COUNTY, GEORGIA, FIRM MAPS #13067C0019H (PANELS 19 OF 252), DATED OCTOBER 5, 2018, IT HAS BEEN DETERMINED THAT NO PORTION OF THE SUBJECT PROPERTY LIES WITHIN A FLOOD HAZARD AREA (ZONE X).
7. JURISDICTIONAL BUFFERED STATE WATERS AND WETLANDS HAVE BEEN FIELD DELINEATED BY CORBLU ECOLOGY GROUP AS SHOWN ON PLANS.
8. WATER & SEWER TO BE PROVIDED BY COBB COUNTY.
9. PROPOSED ROADWAYS AND ALLEYS TO BE PRIVATE WITH AE/UE. ROADWAYS TO BE 27' BOC-BOC WITH 50' AE/UE. ALLEYS TO BE 20' BOC-BOC WITH 40' AE/UE.
10. PROPOSED TOWNHOMES TO BE FEE-SIMPLE FOOTPRINT (ALL SURROUNDING AREAS TO BE OPEN SPACE CONTROLLED BY THE HOA/COVENANTS).
11. EXISTING DETENTION POND TO BE USED FOR STORMWATER MANAGEMENT.



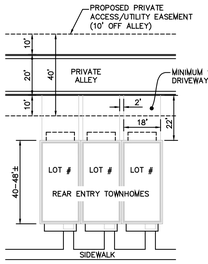
VICINITY MAP

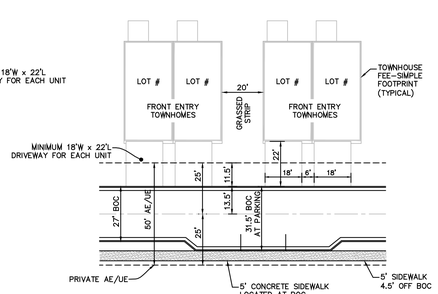
SCALE 1"=2,000'



FEMA MAP

SCALE 1" = 1,000'





1 / Z.1 TYPICAL LOT DETAILS

SCALE: 1" = 30'

SITE ANALYSIS

SITE AREA		8.83 AC±
PROPOSED YIELD	(A) 20' REAR ENTRY TOWNHOMES	37 UNITS
	(B) 24' FRONT ENTRY TOWNHOMES	52 UNITS
	TOTAL	89 UNITS
PROPOSED DENSITY		10.08 UNITS/AC
PROPOSED ZONING CRITERIA (PUD)		
MAXIMUM DENSITY PERMITTED		12 UNITS/AC
MAXIMUM DENSITY PER BUILDING		6 UNITS/BUILDING
PROPOSED MAXIMUM IMPERVIOUS COVERAGE		55%
MAXIMUM BUILDING HEIGHT		2 STORY
MINIMUM FLOOR AREA		1,000 S.F. (2 BEDROOM UNIT)
PROPOSED PERIMETER SETBACK		25 FEET
MINIMUM BUILDING SEPARATION		20 FEET
PARKING REQUIRED (0.5 SPACES/LOT)		45 SPACES**
PARKING PROVIDED		45 SPACES

* TOWNHOMES ARE TO BE SOLD FEE-SIMPLE FOOTPRINT
** EACH LOT TO PROVIDE MINIMUM 22'L x 18'W DRIVEWAY WITH TWO-CAR GARAGE (SEE TYPICAL LOT DETAIL FOR MORE INFORMATION)

0 15' 30' 60' 120'

SCALE: 1"= 30'

CP&E
CHRISTOPHER PLANNING & ENGINEERING

GEORGIA REGISTERED PROFESSIONAL SOTIR J. CHRISTOPHER No. 029999

10/14/2025

GSWCC LEVEL II CERTIFIED
DESIGN PROFESSIONAL #05744
(EXP. 03.21.2027)

12460 CRABAPPLE ROAD, SUITE 202-612
ALPHARETTA, GA 30004
PHONE 770.331.7303
schristopher@christopherplanning.com

THESE PLANS ARE THE PROPERTY OF CHRISTOPHER PLANNING & ENGINEERING (CP&E). THESE DOCUMENTS MAY NOT BE COPIED, REPRODUCED, USED OR IMPLEMENTED IN ANY WAY, IN PART OR IN WHOLE, WITHOUT THE WRITTEN CONSENT OF CP&E. ALL COMMON LAW RIGHTS OF COPYRIGHT ARE HEREBY SPECIFICALLY RESERVED.

ZONING SITE PLAN

FOR:

6095 PINE MOUNTAIN ROAD

LAND LOT 140
20TH DISTRICT, 2ND SECTION
CITY OF KENNESAW
COBB COUNTY, GEORGIA

PARCEL ID: 20014001380

FOR:

DRB GROUP

DRB GROUP GEORGIA, LLC

55 IVAN ALLEN JR. BLVD
SUITE 400
ATLANTA, GA 30313
PHONE 770.471.4751

PRIMARY PERMITTEE &
24HR EMERGENCY CONTACT:
MR. ANDREW BURK 770.615.0711
GSWCC #96351 (EXP. 12.29.2027)
aburk@drbgroup.com

REVISIONS

DATE: OCTOBER 14, 2025

CP&E DRAWING NO: 2024164.10c.dwg

ZONING SITE PLAN

SHEET NO. Z.1

TO THE MAYOR & CITY COUNCIL

KENNESAW, GEORGIA

CONSTITUTIONAL CHALLENGE

COMES NOW, *DRB GROUP GEORGIA, LLC,* hereinafter referred to as the "Applicant", and asserts the following, to wit:

1.

By application to which this exhibit relates, the Applicant has applied for a rezoning of certain real property lying and being in Kennesaw, Georgia, a more particular description and delineation of the subject property, hereinafter referred to as the "Property", being set forth in said Application.

2.

The Application for Zoning of the property seeks a rezoning from the existing category of HGB as established by the governing authority of Kennesaw, Georgia to the zoning category of PUD for residential townhomes.

3.

The current HGB zoning classification of the property and all intervening classifications between same and PUD are unconstitutional in that they deprive the Applicant under and pursuant to Article 1, Section I, Paragraphs I and II of the Georgia Constitution of 1983 and the Equal Protection and Due Process clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States. This deprivation of property without due process violates constitutional prohibitions against the taking of private property without just compensation.

4.

The zoning classification of HGB and all intervening classifications between same and PUD as they presently exist violate the Applicant's right to the unfettered use of the property in that the existing zoning classification does not bear a substantial relation to the public health, safety, morality or general welfare and is, therefore, confiscatory and void. Further, said classifications are unconstitutional in that they are arbitrary and unreasonable, resulting in relatively little gain or benefit to the public, while inflicting serious injury and loss upon the Applicant.

5.

The Kennesaw Zoning Ordinance is further unconstitutional in that the procedures contained therein pertaining to the public hearing held in connection with zoning applications also violates the aforementioned constitutional provisions in that said procedures contain the lack of procedural and evidentiary safeguards, do not restrict evidence received to the issues at hand and are controlled wholly and solely by political considerations rather than the facts and considerations required by law.

Respectfully submitted, this the 17th day of October, 2025.

ROZEN, ROZEN & REILLY, LLP

By: */s/ Adam J. Rozen*
ADAM J. ROZEN
Attorney for Applicant
Ga. Bar No. 161610

CITY OF KENNESAW
LAND USE NOTICE

APPLICATION # RZ2025-03

PURPOSE Rezone from Highway General Business (HGB) to Planned Unit Development - Residential (PUD-R) to develop fee simple residential townhomes.

DATE OF PUBLIC MEETING: 2/4/2026 TIME: 6:30PM

DATE OF PUBLIC MEETING: 2/16/2026 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 770-590-6268

01.21.2026 09:23

CITY OF KENNESAW
LAND USE NOTICE

APPLICATION # RZ2025-03

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HTTP://WWW.KENNESAW-GA.GOV

FOR FURTHER INFORMATION PLEASE CALL :

PLANNING AND ZONING DEPARTMENT 770-590-8268

01.21.2026 09:26


POSTED
KEEP OUT
KEEP
OUT
UNDER CONTRACT
KEEP
OUT
CITY OF KENNESAW
LAND USE NOTICE
APPLICATION # RZ2025-03
PURPOSE Rezone from Highway General Business (HGB) to Planned Unit Development - Residential (PUD-R) to develop fee simple residential townhomes.
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PLANNING AND ZONING DEPARTMENT 770-590-8268
01.21.2026 09:30

CITY OF KENNESAW
LAND USE NOTICE

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HTTP://WWW.KENNESAW-GA.GOV

FOR FURTHER INFORMATION PLEASE CALL:

PLANNING AND ZONING DEPARTMENT 770-590-8268

01.21.2026 09:32

TRAFFIC IMPACT STUDY
FOR
PROPOSED RESIDENTIAL DEVELOPMENT
AT 6095 PINE MOUNTAIN ROAD

CITY OF KENNESAW, GEORGIA



Prepared for:

DRB Group
55 Ivan Allen Jr. Blvd, Suite 400
Atlanta, GA 30313

Prepared By:

A&R Engineering Inc.
2160 Kingston Court, Suite O
Marietta, GA 30067
Tel: (770) 690-9255 Fax: (770) 690-9210
www.areng.com

December 05, 2025
A & R Project # 25-214

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1.0 INTRODUCTION

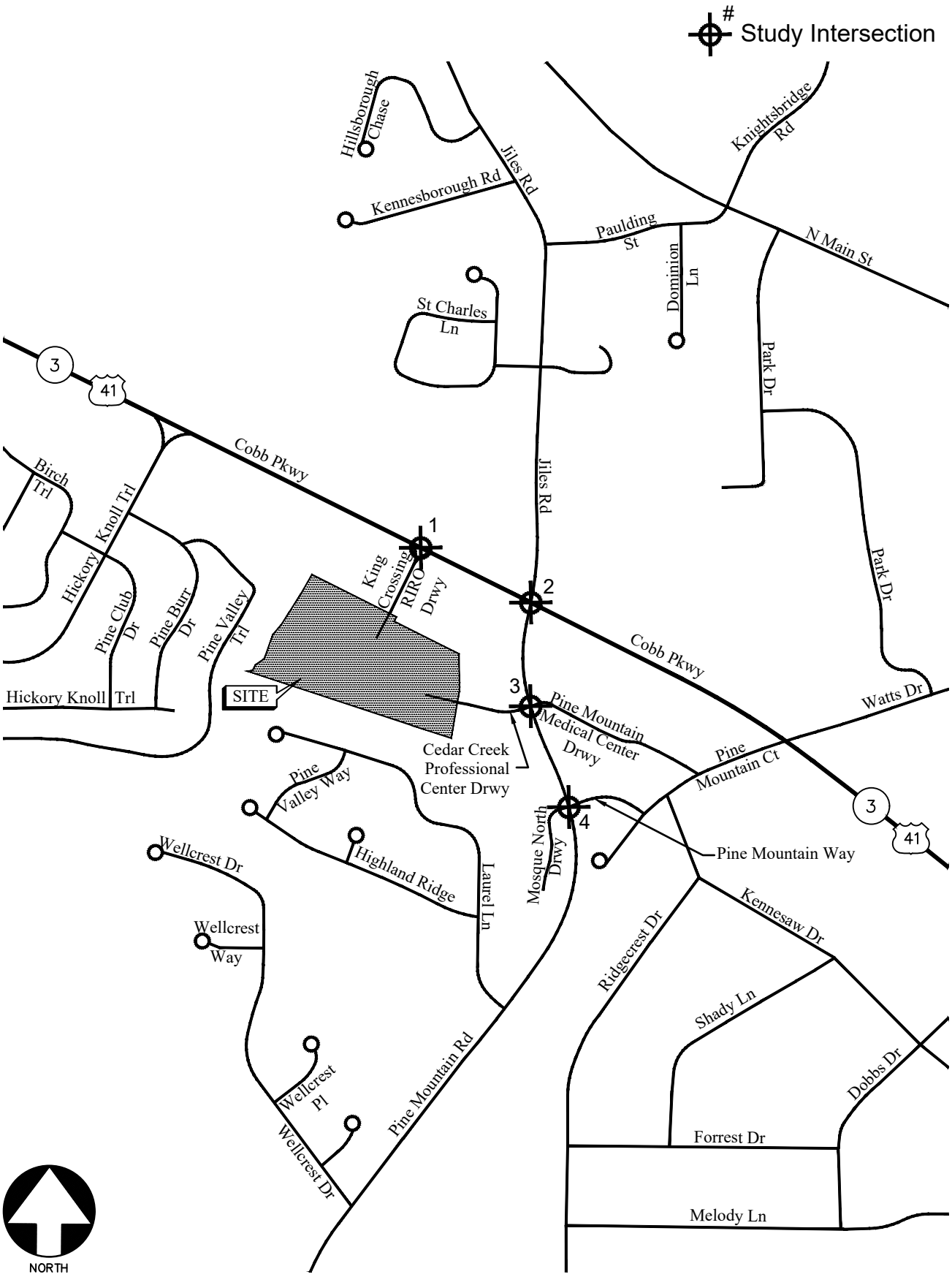
The purpose of this study is to determine the traffic impact from the proposed residential development that will be located at 6095 Pine Mountain Road in the City of Kennesaw, Georgia. The traffic analysis evaluates the current operations and the future conditions with the traffic generated by the development. The proposed residential development will consist of 89 townhomes and will have two access connections, one to the north on the existing right-in/right-out driveway on SR 3/US 41 (Cobb Parkway) and another to the east on the existing full access driveway on Pine Mountain Road.



The AM and PM peak hours have been analyzed in this study, which includes the evaluation of traffic operations at the intersections of:

1. SR 3/US 41 (Cobb Parkway) at King Crossing II Driveway (Right-In/Right-Out)
2. SR 3/US 41 (Cobb Parkway) at Jiles Road / Pine Mountain Road
3. Pine Mountain Road at Cedar Creek Professional Center Driveway / Pine Mountain Medical Center Driveway
4. Pine Mountain Road at Pine Mountain Way

Recommendations to improve traffic operations have been identified as appropriate and are discussed in detail in the following sections of the report. The location of the development and the surrounding roadway network are shown in Figure 1.



LOCATION MAP FIGURE 1

A&R Engineering Inc.

2.0 EXISTING FACILITIES / CONDITIONS

2.1 Roadway Facilities

The following is a brief description of each of the roadway facilities located in proximity to the site:

2.1.1 SR 3/US 41 (Cobb Parkway)

SR 3/US 41 (Cobb Parkway) is an east-west, four-lane, median divided roadway with a posted speed limit of 45 mph in the vicinity of the site. Georgia Department of Transportation (GDOT) traffic counts (Station ID: 067-0013) indicate that the daily traffic volume on SR 3/US 41 (Cobb Parkway) in 2024 was 35,200 vehicles per day east of Jiles Road / Pine Mountain Road. Cobb County classifies SR 3/US 41 (Cobb Parkway) as an arterial roadway.

2.1.2 Pine Mountain Road

Pine Mountain Road is a north-south, two-lane roadway with a posted speed limit of 40 mph in the vicinity of the site. Georgia Department of Transportation (GDOT) traffic counts (Station ID: 067-3005) indicate that the daily traffic volume on Pine Mountain Road in 2024 was 12,600 vehicles per day north of Shillings Road. Cobb County classifies Pine Mountain Road as an arterial roadway.

2.1.3 Jiles Road

Jiles Road is a north-south roadway with a two-way left-turn lane and a posted speed limit of 35 mph in the vicinity of the site. Georgia Department of Transportation (GDOT) traffic counts (Station ID: 067-0647) indicate that the daily traffic volume on Jiles Road in 2024 was 17,000 vehicles per day south of Legacy Park Boulevard. Cobb County classifies Jiles Road as an arterial roadway.

2.1.4 Pine Mountain Way

Pine Mountain Way is an east–west, two-lane roadway in the vicinity of the site.

3.0 STUDY METHODOLOGY

In this study, the methodology used for evaluating traffic operations at each of the subject intersections is based on the criteria set forth in the Transportation Research Board Highway Capacity Manual, 6th edition (HCM 6). Synchro 11 software, which utilizes the HCM methodology, was used for analysis. The following is a description of the methodology employed for the analysis of unsignalized and signalized intersections.

3.1 Unsignalized Intersections

For unsignalized intersections controlled by a stop sign on minor streets, the level of service (LOS) for motor vehicles with controlled movements is determined by the computed control delay according to the thresholds stated in Table 1 below. LOS is determined for each minor street movement (or shared movement), as well as major street left turns. LOS is not defined for the intersection as a whole or for major street approaches. The LOS of any controlled movement which experiences a volume-to-capacity ratio greater than 1 is designed as "F" regardless of the control delay.

Control delay for unsignalized intersections includes initial deceleration delay, queue move-up time, stopped delay and final acceleration delay. Several factors affect the control delay for unsignalized intersections, such as the availability and distribution of gaps in the conflicting traffic stream, critical gaps, and follow-up time for a vehicle in the queue.

Level of service is assigned a letter designation from "A" through "F". Level of service "A" indicates excellent operations with little delay to motorists, while level of service "F" exists when there are insufficient gaps of acceptable size to allow vehicles on the side street to cross the main road without experiencing long delays.

TABLE 1 – LEVEL OF SERVICE CRITERIA FOR UNSIGNALIZED INTERSECTIONS

Control Delay (sec/vehicle)	LOS by Volume-to-Capacity Ratio*	
	v/c ≤ 1.0	**v/c > 1.0**
≤ 10	A	F
> 10 and ≤ 15	B	F
> 15 and ≤ 25	C	F
> 25 and ≤ 35	D	F
> 35 and ≤ 50	E	F
> 50	F	F

*The LOS criteria apply to each lane on a given approach and to each approach on the minor street. LOS is not calculated for major-street approaches or for the intersection.

Source: Highway Capacity Manual, 6th edition, Exhibit 20-2 *LOS Criteria: Motorized Vehicle Mode*

3.2 Signalized Intersections

According to HCM procedures, LOS can be calculated for the entire intersection, each intersection approach, and each lane group. HCM uses control delay alone to characterize LOS for the entire intersection or an approach. Control delay per vehicle is composed of initial deceleration delay, queue move-up time, stopped delay and final acceleration delay. Both control delay and volume-to-capacity ratio are used to characterize LOS for a lane group. A volume-to-capacity ratio greater than 1.0 for a lane group indicates failure from capacity perspective. Therefore, such a lane group is assigned LOS F regardless of the amount of control delay.

Table 2 below summarizes the LOS criteria from HCM for motorized vehicles at signalized intersections.

TABLE 2 – LEVEL OF SERVICE CRITERIA FOR SIGNALIZED INTERSECTIONS

Control Delay (sec/vehicle) *	LOS for Lane Group by Volume-to-Capacity Ratio*	
	v/c ≤ 1.0	**v/c > 1.0**
≤ 10	A	F
> 10 and ≤ 20	B	F
> 20 and ≤ 35	C	F
> 35 and ≤ 55	D	F
> 55 and ≤ 80	E	F
> 80	F	F

*For approach-based and intersection wide assessments, LOS is defined solely by control delay

Source: Highway Capacity Manual, 6th edition, Exhibit 19-8 *LOS Criteria: Motorized Vehicle Mode*

LOS A is typically assigned when the volume-to-capacity (v/c) ratio is low and either progression is exceptionally favorable, or the cycle length is very short. LOS B is typically assigned when the v/c ratio is low and either progression is highly favorable, or the cycle length is short. However, more vehicles are stopped than with LOS A. LOS C is typically assigned when progression is favorable, or the cycle length is moderate. Individual cycle failures (one or more queued vehicles cannot depart because of insufficient capacity during the cycle) may begin to appear at this level. Many vehicles still pass through the intersection without stopping, but the number of vehicles stopping is significant. LOS D is typically assigned when the v/c ratio is high and either progression is ineffective, or the cycle length is long. There are many vehicle-stops and individual cycle failures are noticeable. LOS E is typically assigned when the v/c ratio is high, progression is very poor, the cycle length is long, and individual cycle failures are frequent. LOS F is typically assigned when the v/c ratio is very high, progression is very poor, the cycle length is long, and most cycles fail to clear the queue.

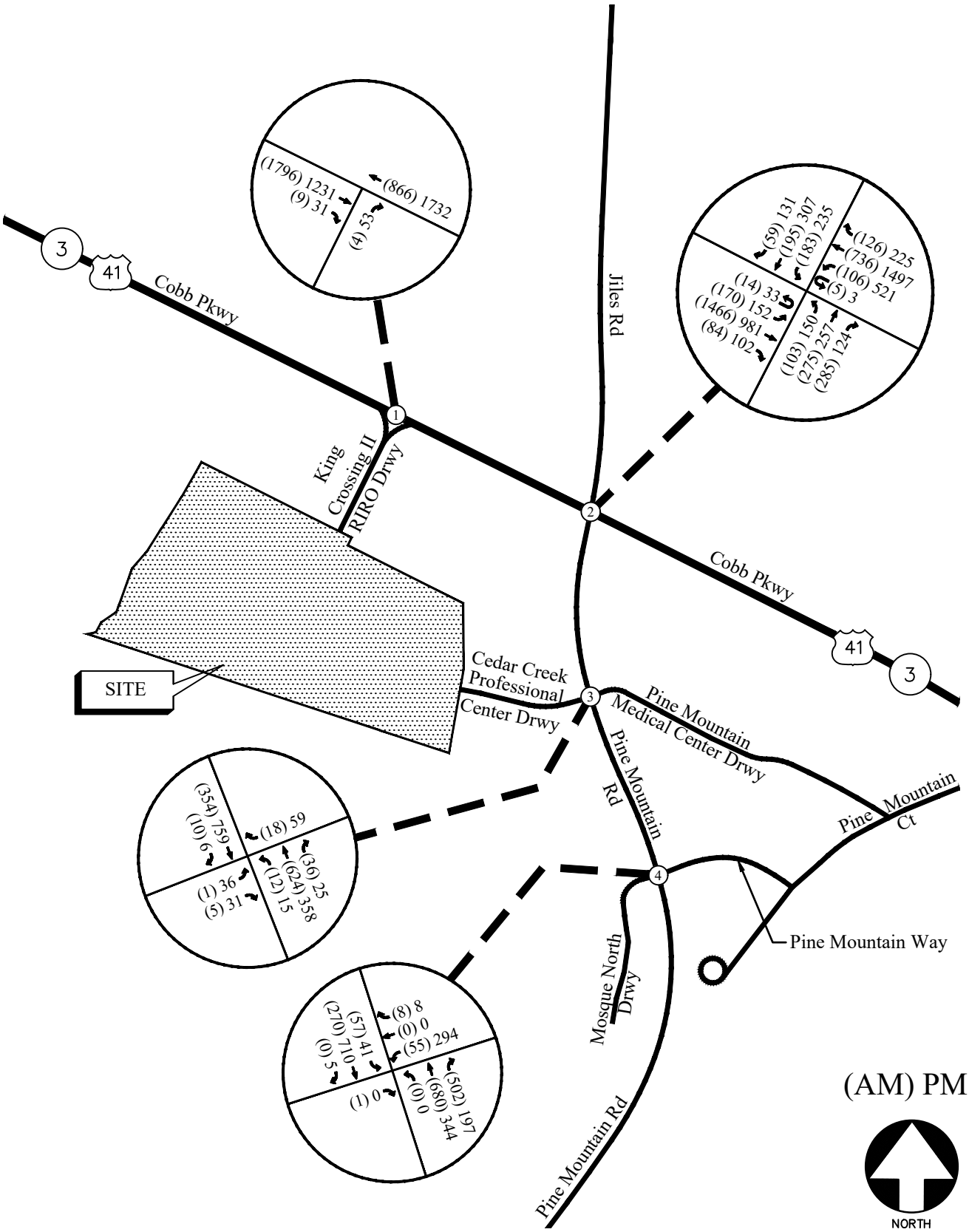
4.0 EXISTING 2025 TRAFFIC ANALYSIS

4.1 Existing Traffic Volumes

Existing traffic counts were obtained at the following study intersections:

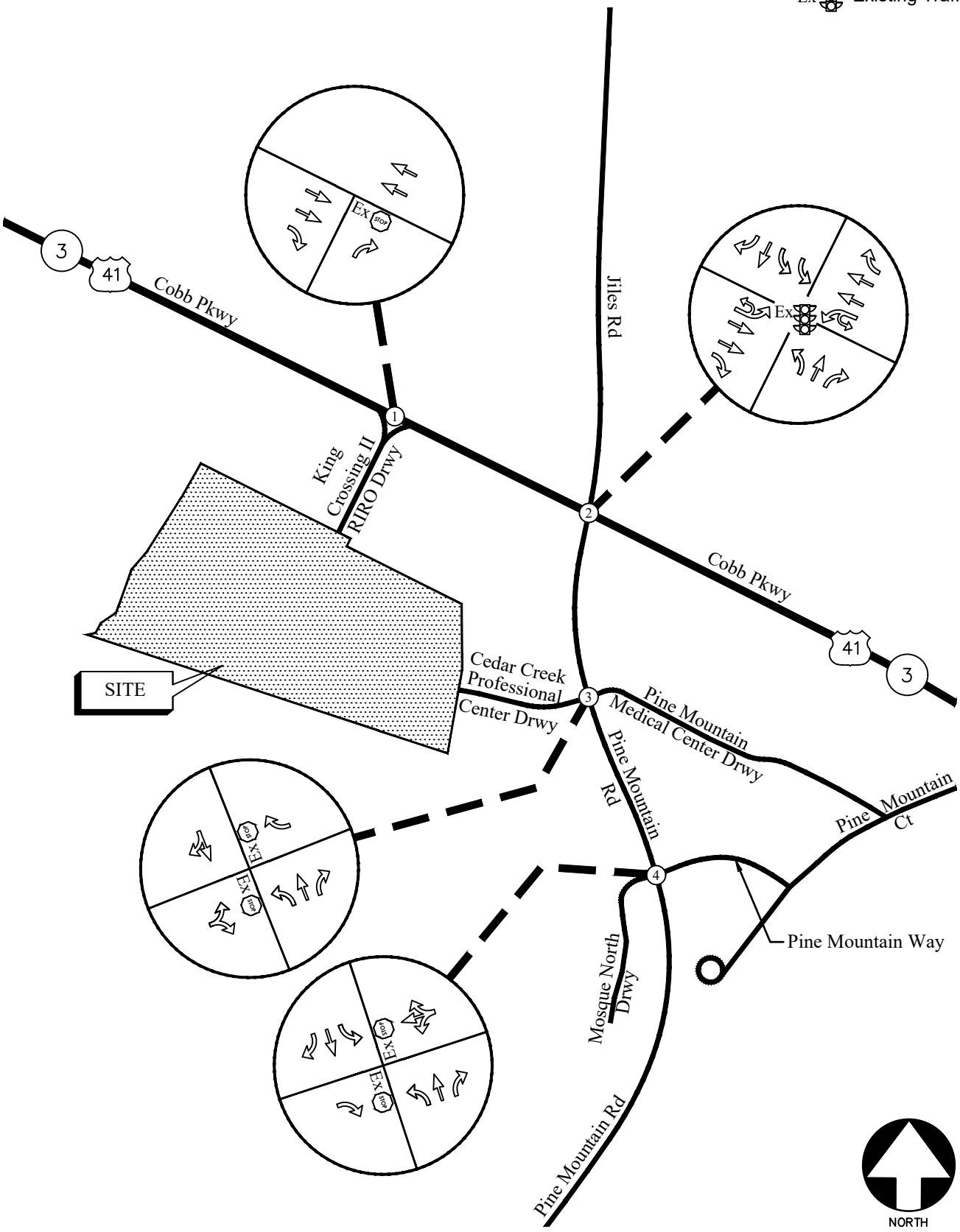
1. SR 3/US 41 (Cobb Parkway) at King Crossing II Driveway (Right-In/Right-Out)
2. SR 3/US 41 (Cobb Parkway) at Jiles Road / Pine Mountain Road
3. Pine Mountain Road at Cedar Creek Professional Center Driveway / Pine Mountain Medical Center Driveway
4. Pine Mountain Road at Pine Mountain Way

Turning movement counts were collected on Tuesday, November 18, 2025. All turning movement counts were recorded during the AM and PM peak hours between 7:00 AM to 9:00 AM and 4:00 PM to 6:00 PM, respectively. The four consecutive 15-minute interval volumes that produced the highest volume at the intersections were then determined. These volumes make up the peak hour traffic volumes for the intersections counted and are shown in Figure 2. The existing traffic control and lane geometry for the study intersections are shown in Figure 3.



EXISTING WEEKDAY PEAK-HOUR VOLUMES FIGURE 2

A&R Engineering Inc.



EXISTING TRAFFIC CONTROL AND LANE GEOMETRY FIGURE 3

A&R Engineering Inc.

4.2 Existing Traffic Operations

Existing traffic operations were analyzed at the study intersections in accordance with the HCM methodology. The results of the analysis are shown in Table 3.

TABLE 3 – EXISTING INTERSECTION OPERATIONS

	Intersection	Traffic Control	LOS (Delay)	
			AM Peak Hour	PM Peak Hour
1	**SR 3/US 41 (Cobb Parkway) @ King Crossing II Driveway (Right-In/Right-Out)** -Northbound Approach	Stop Controlled on Northbound Approach	C (19.4)	C (15.1)
2	**SR 3/US 41 (Cobb Parkway) @ Jiles Road / Pine Mountain Road** -Eastbound Approach -Westbound Approach -Northbound Approach -Southbound Approach	Signalized	**D (37.1)** C (24.5) C (20.4) F (85.2) F (83.8)	**E (61.3)** D (50.5) D (54.3) F (84.0) F (94.9)
3	**Pine Mountain Road @ Cedar Creek Professional Center Driveway / Pine Mountain Medical Center Driveway** -Eastbound Approach -Westbound Approach -Northbound Left	Stop Controlled on EB and WB Approaches	B (12.8) B (13.1) A (8.1)	D (31.6) B (10.9) A (9.4)
4	**Pine Mountain Road @ Pine Mountain Way / Mosque North Driveway** -Eastbound Approach -Westbound Approach -Northbound Left -Southbound Approach	Stop Controlled on EB and WB Approaches	A (9.7) D (32.7) A (7.8) B (11.9)	B (13.5) F (*) A (9.1) A (8.7)

*Delay exceeds 300s

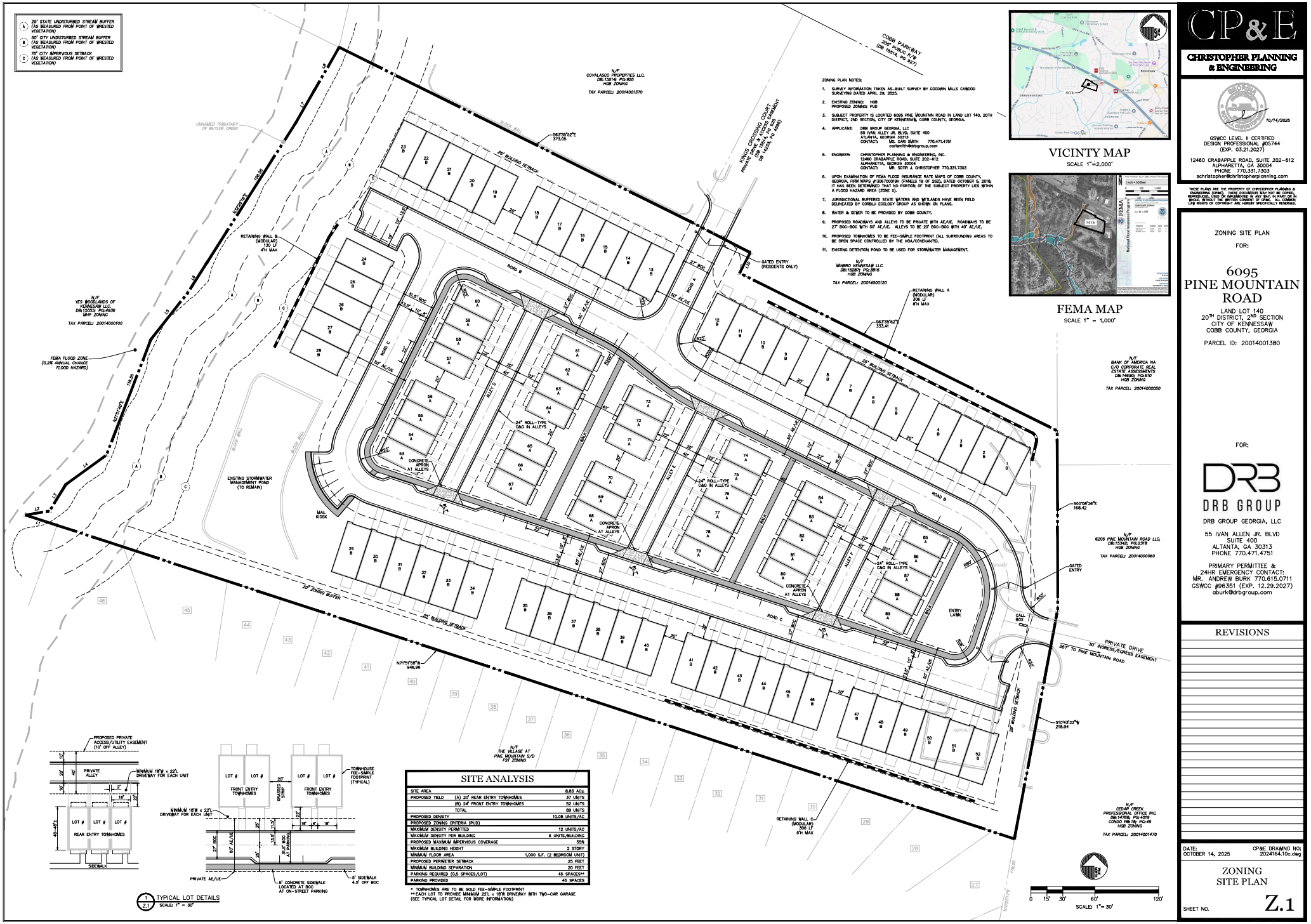
The results of the existing traffic operations analysis indicate that the signalized study intersection of Cobb Parkway at Jiles Road / Pine Mountain Road (intersection 1) is operating at an overall level of service "D" in the AM peak hour and a level of service "E" in the PM peak hour. The stop-controlled approaches at the unsignalized study intersections are operating at a level of service "D" or better with peak hour traffic, except for the westbound (Pine Mountain Way) approach at intersection 4, which is operating at a level of service "F" in the PM peak hour. The high estimated delay time at this approach can be primarily attributed to the heavy left-turning volume out of Pine Mountain Way, which is shown to exceed 290 vehicles during the PM peak hour in Figure 2. Northbound drivers going south on Pine Mountain Road use this route as a cut-through route, instead of turning left at the signalized intersection of Cobb Parkway and Pine Mountain Road/Jiles Road.

5.0 PROPOSED DEVELOPMENT

The proposed residential development will be located at 6095 Pine Mountain Road in the City of Kennesaw, Georgia. The proposed development will consist of 89 townhomes and will have two access connections, one to the north on the existing right-in/right-out driveway on SR 3/US 41 (Cobb Parkway) and another to the east on the existing full access driveway on Pine Mountain Road.



A site plan is shown in Figure 4.



ZONING PLAN NOTES:

1. SURVEY INFORMATION TAKEN AS-BUILT SURVEY BY GOODWIN MILLS CAWOOD SURVEYING DATED APRIL 29, 2025.
2. EXISTING ZONING: HGB
   PROPOSED ZONING: PUD
3. SUBJECT PROPERTY IS LOCATED 6095 PINE MOUNTAIN ROAD IN LAND LOT 140, 20TH DISTRICT, 2ND SECTION, CITY OF KENNESSAW, COBB COUNTY, GEORGIA.
4. APPLICANT: DRB GROUP GEORGIA, LLC
   55 IVAN ALLEY JR. BLVD, SUITE 400
   ATLANTA, GEORGIA 30313
   CONTACT: MS. CARI SMITH 770.471.4751
   carismith@drbgroup.com
5. ENGINEER: CHRISTOPHER PLANNING & ENGINEERING, INC.
   12460 CRABAPPLE ROAD, SUITE 202-612
   ALPHARETTA, GEORGIA 30004
   CONTACT: MR. SOTIR J. CHRISTOPHER 770.331.7303
6. UPON EXAMINATION OF FEMA FLOOD INSURANCE RATE MAPS OF COBB COUNTY, GEORGIA, FIRM MAPS #13067C0019H (PANELS 19 OF 252), DATED OCTOBER 5, 2018, IT HAS BEEN DETERMINED THAT NO PORTION OF THE SUBJECT PROPERTY LIES WITHIN A FLOOD HAZARD AREA (ZONE X).
7. JURISDICTIONAL BUFFERED STATE WATERS AND WETLANDS HAVE BEEN FIELD DELINEATED BY CORBLU ECOLOGY GROUP AS SHOWN ON PLANS.
8. WATER & SEWER TO BE PROVIDED BY COBB COUNTY.
9. PROPOSED ROADWAYS AND ALLEYS TO BE PRIVATE WITH AE/UE. ROADWAYS TO BE 27' BOC-BOC WITH 50' AE/UE. ALLEYS TO BE 20' BOC-BOC WITH 40' AE/UE.
10. PROPOSED TOWNHOMES TO BE FEE-SIMPLE FOOTPRINT (ALL SURROUNDING AREAS TO BE OPEN SPACE CONTROLLED BY THE HOA/COVENANTS).
11. EXISTING DETENTION POND TO BE USED FOR STORMWATER MANAGEMENT.

VICINITY MAP
SCALE 1"=2,000'

FEMA MAP
SCALE 1" = 1,000'

SITE ANALYSIS

SITE AREA		8.83 AC±
PROPOSED YIELD	(A) 20' REAR ENTRY TOWNHOMES	37 UNITS
	(B) 24' FRONT ENTRY TOWNHOMES	52 UNITS
	TOTAL	89 UNITS
PROPOSED DENSITY		10.08 UNITS/AC
PROPOSED ZONING CRITERIA (PUD)		
MAXIMUM DENSITY PERMITTED		12 UNITS/AC
MAXIMUM DENSITY PER BUILDING		6 UNITS/BUILDING
PROPOSED MAXIMUM IMPERVIOUS COVERAGE		55%
MAXIMUM BUILDING HEIGHT		2 STORY
MINIMUM FLOOR AREA		1,000 S.F. (2 BEDROOM UNIT)
PROPOSED PERIMETER SETBACK		25 FEET
MINIMUM BUILDING SEPARATION		20 FEET
PARKING REQUIRED (0.5 SPACES/LOT)		45 SPACES**
PARKING PROVIDED		46 SPACES

* TOWNHOMES ARE TO BE SOLD FEE-SIMPLE FOOTPRINT
** EACH LOT TO PROVIDE MINIMUM 22'L x 18'W DRIVEWAY WITH TWO-CAR GARAGE (SEE TYPICAL LOT DETAIL FOR MORE INFORMATION)

1 / Z.1 TYPICAL LOT DETAILS
SCALE: 1" = 30'

CP&E
CHRISTOPHER PLANNING & ENGINEERING

10/14/2025
GSWCC LEVEL II CERTIFIED DESIGN PROFESSIONAL #05744 (EXP. 03.21.2027)
12460 CRABAPPLE ROAD, SUITE 202-612
ALPHARETTA, GA 30004
PHONE 770.331.7303
schristopher@christopherplanning.com

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ZONING SITE PLAN
FOR:

6095 PINE MOUNTAIN ROAD

LAND LOT 140
20TH DISTRICT, 2ND SECTION
CITY OF KENNESSAW
COBB COUNTY, GEORGIA

PARCEL ID: 20014001380

FOR:

DRB GROUP

DRB GROUP GEORGIA, LLC
55 IVAN ALLEN JR. BLVD
SUITE 400
ALTANTA, GA 30313
PHONE 770.471.4751

PRIMARY PERMITTEE & 24HR EMERGENCY CONTACT:
MR. ANDREW BURK 770.615.0711
GSWCC #96351 (EXP. 12.29.2027)
aburk@drbgroup.com

REVISIONS

DATE: OCTOBER 14, 2025
CP&E DRAWING NO: 2024164.10c.dwg

ZONING SITE PLAN

SHEET NO. Z.1

Figure 4 – Site Plan

5.1 Trip Generation

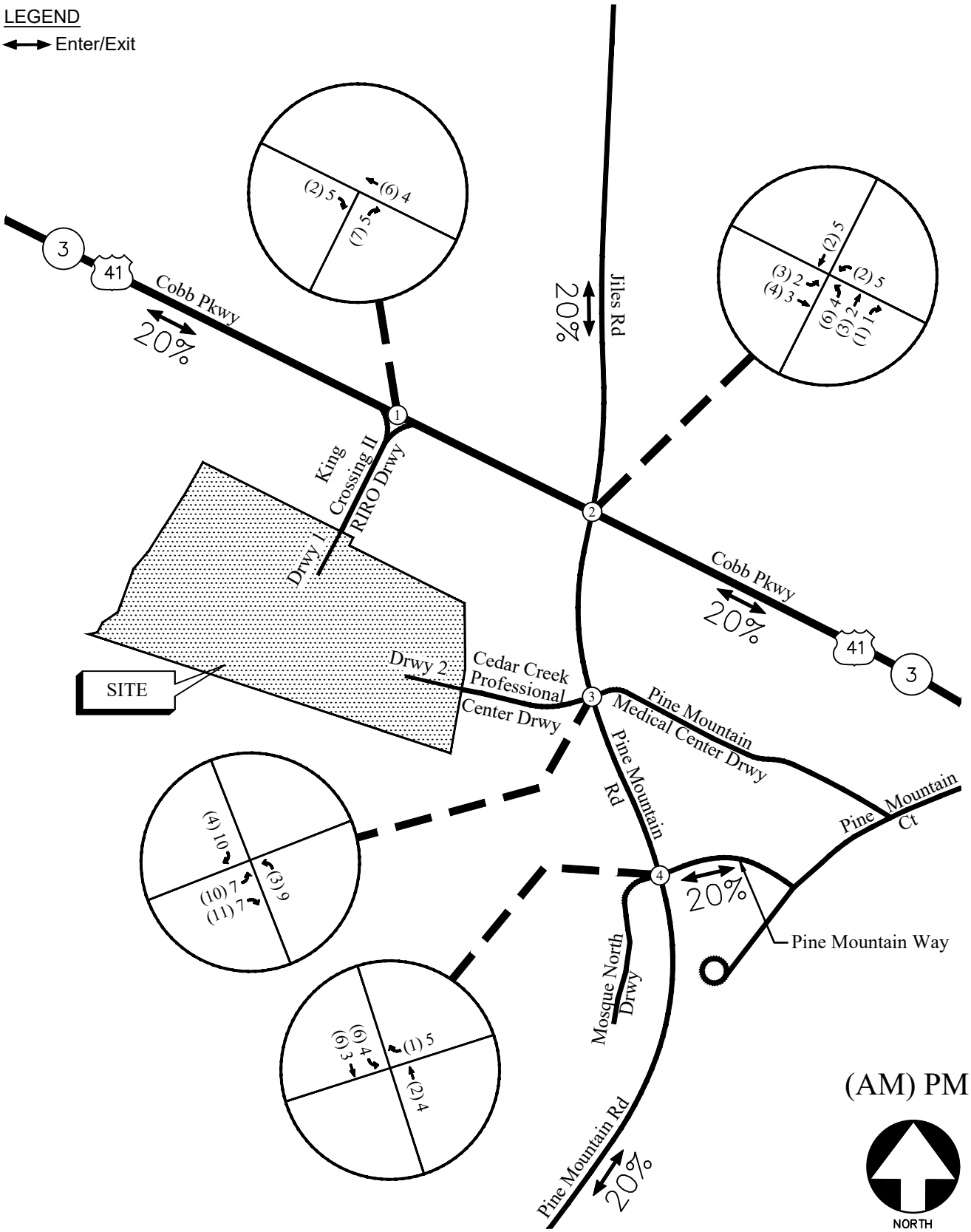
Trip generation estimates were based on the rates and equations published in the 12th edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual. This reference contains traffic volume count data collected at similar facilities nationwide. The trip generation for this project was based on the ITE land use category *215 - Single-Family Attached Housing.* The calculated trip generation volumes for the proposed development are shown in Table 4.

TABLE 4 – TRIP GENERATION

Land Use	Size	AM Peak Hour			PM Peak Hour			24 Hour
		Enter	Exit	Total	Enter	Exit	Total	Two-Way
ITE 215 – Single-Family Attached Housing	89 Units	9	28	37	24	19	43	584

5.2 Trip Distribution

The trip distribution describes how traffic arrives and departs from the site. An overall trip distribution was developed for the site based on a review of the existing travel patterns in the area and the locations of major roadways and highways that will serve the development. The site-generated peak hour traffic volumes, shown in Table 4, were assigned to the study area intersections based on this distribution. The outer-leg distribution along with the AM and PM peak hour traffic generated by the site are shown in Figure 5.



TRIP DISTRIBUTION AND NEW SITE-GENERATED WEEKDAY PEAK HOUR VOLUMES

FIGURE 5

A&R Engineering Inc.

6.0 FUTURE 2027 TRAFFIC ANALYSIS

The future 2027 traffic operations are analyzed for the “Build” and “No-Build” conditions.

6.1 Future “No-Build” Conditions

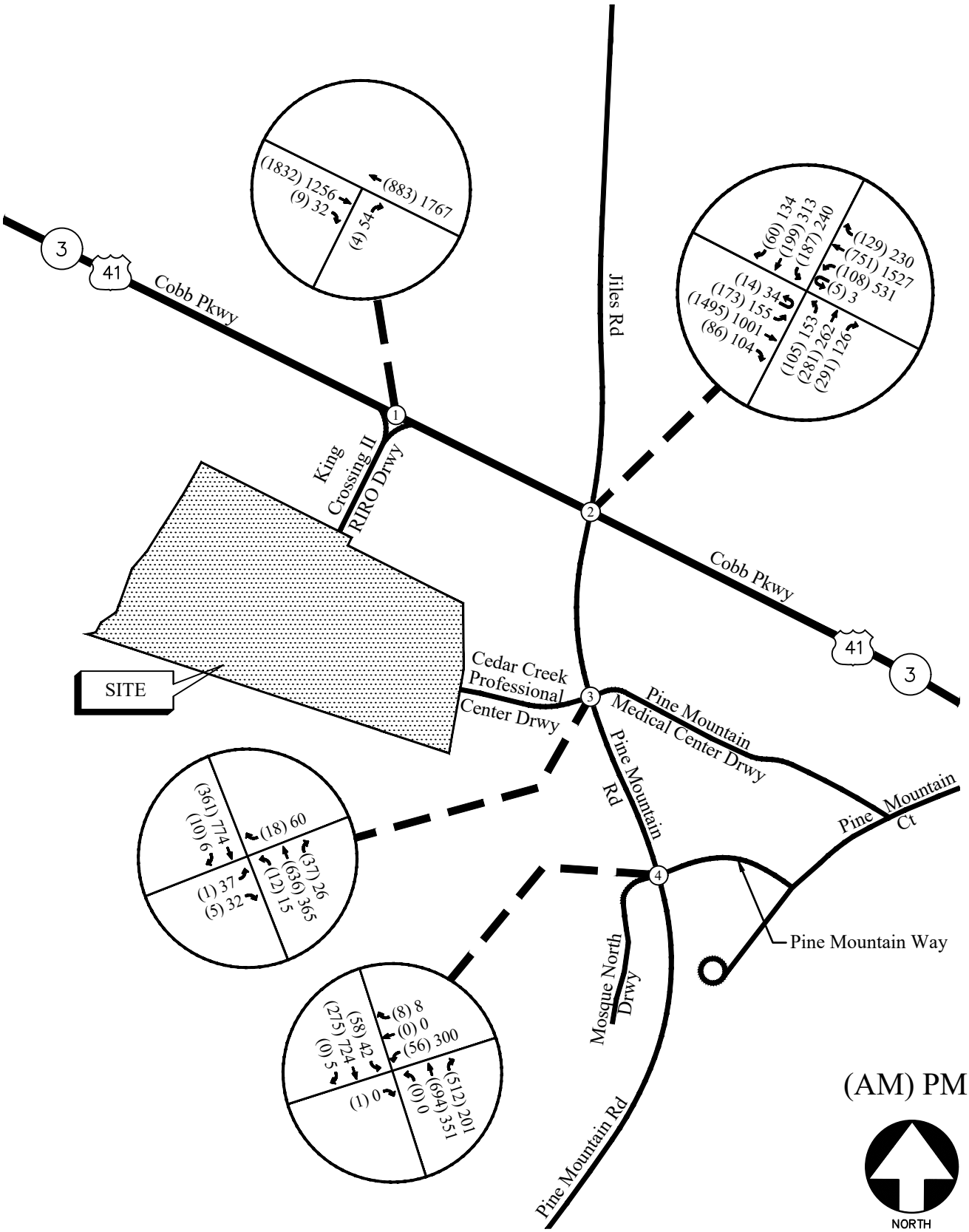
The “No-Build” (or background) conditions provide an assessment of how traffic will operate in the study horizon year without the study site being developed as proposed, with projected increases in through traffic volumes due to normal annual growth. The future “No-Build” volumes consist of the existing traffic volumes (Figure 2) plus increases due to the annual growth of traffic.

6.1.1 Annual Traffic Growth

To evaluate future traffic operations in this area, a projection of normal traffic growth was applied to the existing volumes. The Georgia Department of Transportation recorded average daily traffic volumes at several locations in the vicinity of the site. Reviewing the growth over the last three years (2022-2024) revealed a traffic volume increase of approximately 1% in the area. This growth factor was applied to the existing traffic volumes to estimate the future year traffic volumes prior to the addition of site-generated traffic. The resulting future “No-Build” volumes on the roadway are shown in Figure 6.

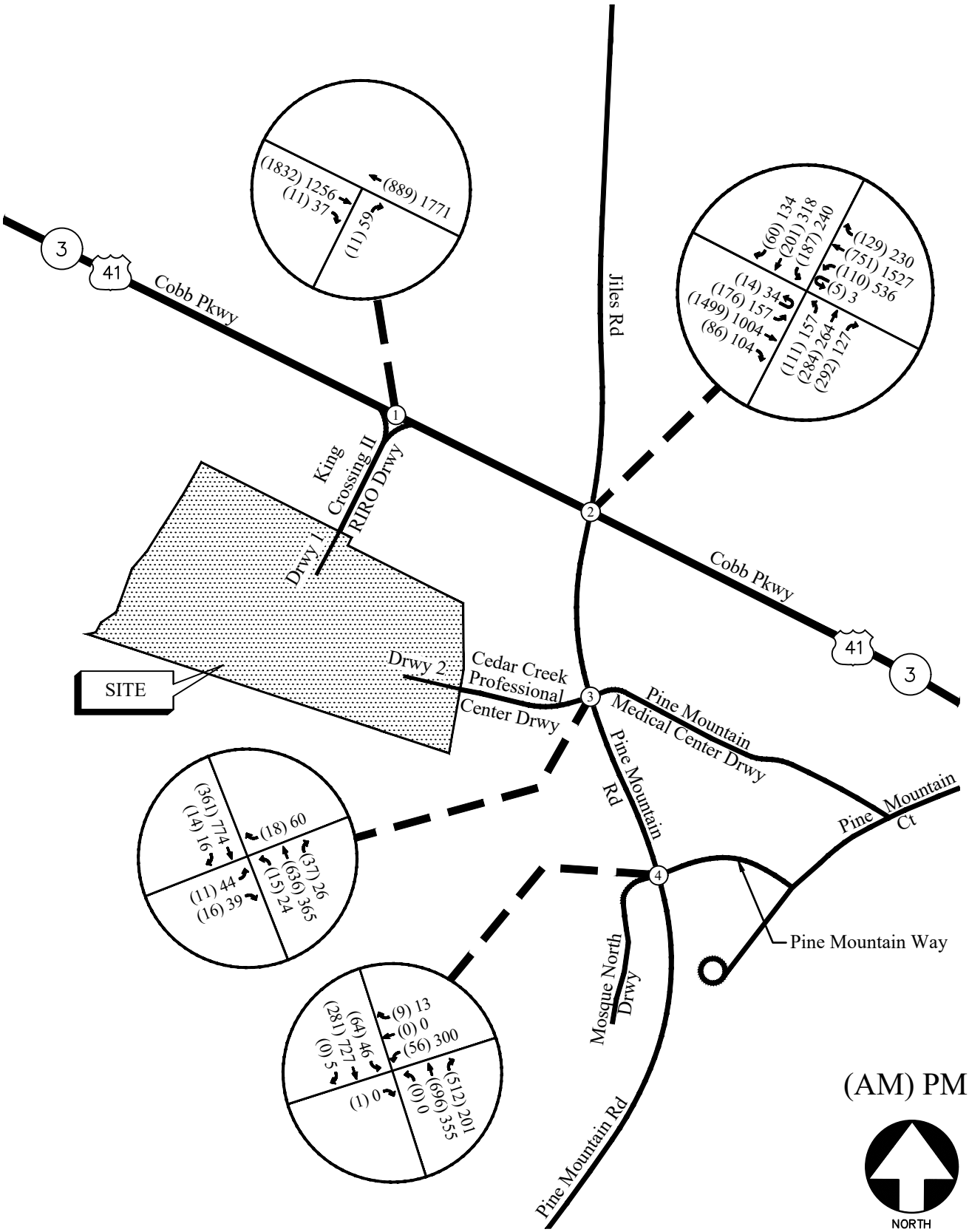
6.2 Future “Build” Conditions

The “Build” or development conditions include the estimated background traffic from the “No-Build” conditions plus the traffic from the proposed development. To evaluate the future traffic operations in this area, the additional traffic volumes from the site (Figure 5) were added to the base traffic volumes (Figure 6) to calculate the future traffic volumes after the construction of the development. These total future “Build” traffic volumes are shown in Figure 7.



FUTURE (NO-BUILD) WEEKDAY PEAK HOUR VOLUMES FIGURE 6

A&R Engineering Inc.



FUTURE (BUILD) WEEKDAY PEAK HOUR VOLUMES FIGURE 7

A&R Engineering Inc.

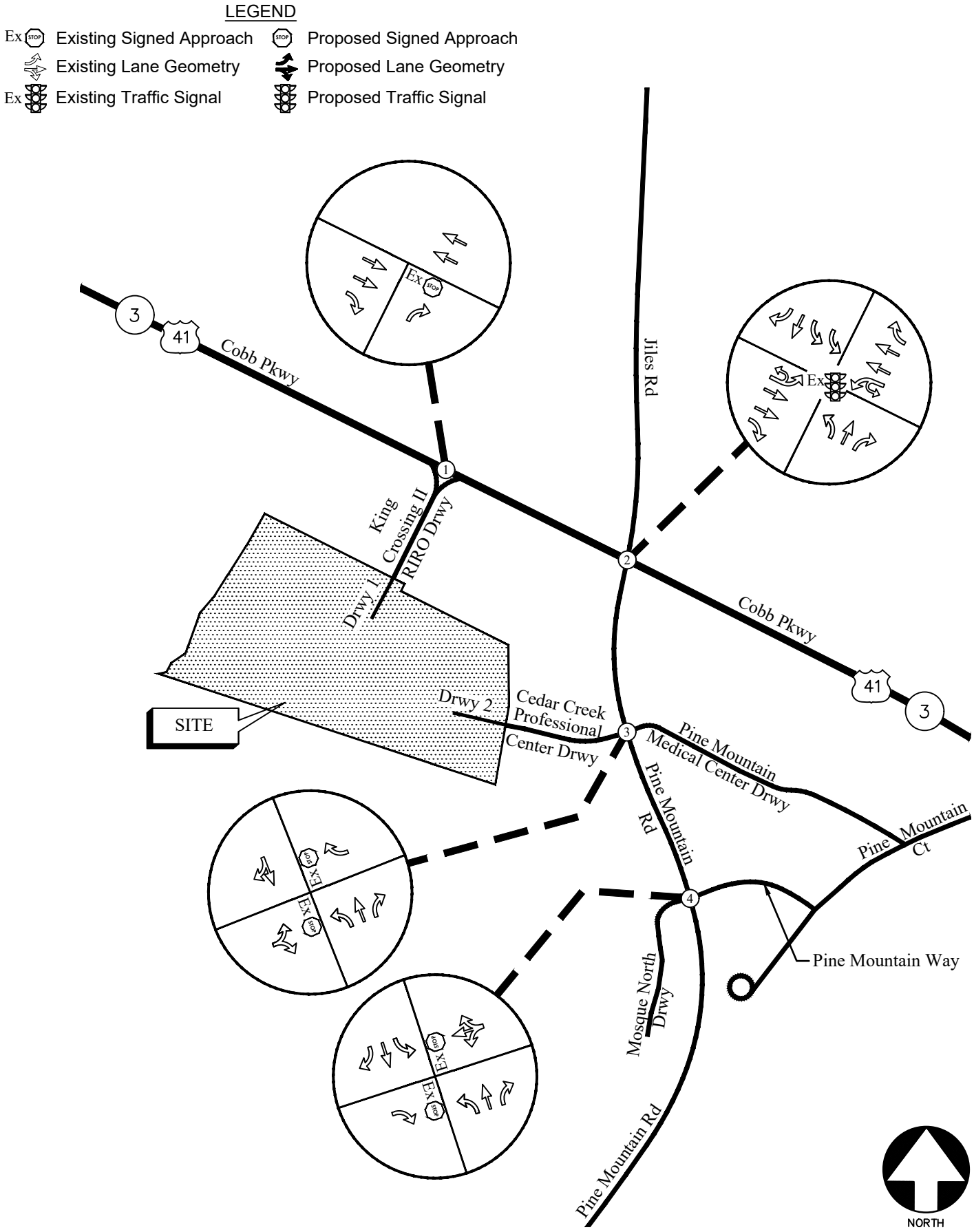
6.3 Future Traffic Operations

The future "No-Build" and "Build" traffic operations were analyzed using the volumes in Figure 6 and Figure 7, respectively. The results of the future traffic operations analysis are shown below in Table 5. Recommendations on traffic control and lane geometry are shown graphically in Figure 8.

TABLE 5 – FUTURE 2027 INTERSECTION OPERATIONS

	Intersection	LOS (Delay)			
		NO-BUILD		BUILD	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
1	**SR 3/US 41 (Cobb Parkway) @ King Crossing II Driveway (Right-In/Right-Out)**				
	-Northbound Approach	C (19.8)	C (15.3)	C (20.3)	C (15.5)
2	**SR 3/US 41 (Cobb Parkway) @ Jiles Road / Pine Mountain Road**	**D (38.0)**	**E (64.2)**	**D (38.4)**	**E (65.9)**
	-Eastbound Approach	C (25.7)	D (52.4)	C (26.1)	D (53.5)
	-Westbound Approach	C (21.3)	E (59.3)	C (21.7)	E (62.1)
	-Northbound Approach	F (85.5)	F (83.8)	F (85.4)	F (82.9)
	-Southbound Approach	F (83.7)	F (94.9)	F (83.6)	F (95.0)
3	**Pine Mountain Road @ Cedar Creek Professional Center Driveway / Pine Mountain Medical Center Driveway**				
	-Eastbound Approach	B (13.0)	D (33.2)	C (17.6)	E (38.3)
	-Westbound Approach	B (13.3)	B (11.0)	B (13.3)	B (11.0)
	-Northbound Left	A (8.1)	A (9.5)	A (8.1)	A (9.6)
4	**Pine Mountain Road @ Pine Mountain Way**				
	-Eastbound Approach	A (9.8)	B (13.7)	A (9.8)	B (13.7)
	-Westbound Approach	D (34.5)	F (*)	E (36.2)	F (*)
	-Northbound Left	A (7.8)	A (9.2)	A (7.8)	A (9.2)
	-Southbound Approach	B (12.1)	A (8.7)	B (12.2)	A (8.8)

The results of the future "No-Build" and "Build" condition traffic operations analyses indicate that the signalized study intersection of Cobb Parkway at Jiles Road / Pine Mountain Road (intersection 1) will continue to operate at an overall level of service "D" in the AM peak hour and a level of service "E" in the PM peak hour. The stop-controlled approaches at the unsignalized study intersections will operate at a level of service "D" or better with peak hour traffic, except for the westbound (Pine Mountain Way) approach at intersection 4, which will continue to operate at a level of service "F" in the PM peak hour. It is not unusual for minor side streets that stop-controlled at arterial roadways to experience elevated delays during peak periods due to the time gap required for vehicles to make turning movements onto the mainline. It is recommended that in the future, the City of Kennesaw should perform a 12-hour analysis for the intersection of Pine Mountain Road at Pine Mountain Way to determine if its traffic volumes turning out of Pine Mountain Way are sufficient to warrant a traffic signal as a system improvement.



FUTURE TRAFFIC CONTROL AND LANE GEOMETRY FIGURE 8

A&R Engineering Inc.

7.0 CONCLUSIONS AND RECOMMENDATIONS

Traffic impacts were evaluated for the proposed residential development that will be located at 6095 Pine Mountain Road in the City of Kennesaw, Georgia. The proposed development will consist of 89 townhomes and will have two access connections, one to the north on the existing right-in/right-out driveway on SR 3/US 41 (Cobb Parkway) and another to the east on the existing full access driveway on Pine Mountain Road.

Existing and future operations after completion of the project were analyzed at the intersections of:

1. SR 3/US 41 (Cobb Parkway) at King Crossing II Driveway (Right-In/Right-Out)
2. SR 3/US 41 (Cobb Parkway) at Jiles Road / Pine Mountain Road
3. Pine Mountain Road at Cedar Creek Professional Center Driveway / Pine Mountain Medical Center Driveway
4. Pine Mountain Road at Pine Mountain Way

The analysis included the evaluation of future traffic operations for "No-Build" and "Build" conditions, with the differences between "No-Build" and "Build" accounting for increases in traffic due to the proposed site. The results of the future "No-Build" and "Build" condition traffic operations analyses indicate that the signalized study intersection of Cobb Parkway at Jiles Road / Pine Mountain Road (intersection 1) will continue to operate at an overall level of service "D" in the AM peak hour and a level of service "E" in the PM peak hour. The stop-controlled approaches at the unsignalized study intersections will operate at a level of service "D" or better with peak hour traffic, except for the westbound (Pine Mountain Way) approach at intersection 4, which will continue to operate at a level of service "F" in the PM peak hour. Northbound drivers going south on Pine Mountain Road use this route as a cut-through route, instead of turning left at the signalized intersection of Cobb Parkway and Pine Mountain Road/Jiles Road. It is not unusual for stop-controlled minor side streets at arterial roadways to experience elevated delays during peak periods due to the time gap required for vehicles to make turning movements onto the mainline. It is recommended that in the future, the City of Kennesaw may perform a 12-hour analysis for the intersection of Pine Mountain Road at Pine Mountain Way to determine if its traffic volumes turning out of Pine Mountain Way are sufficient to warrant a traffic signal as a system improvement.

7.1 Recommendations for Site Access Configuration

The following access configurations are recommended for the proposed site driveway connections:

- <u>Site Driveway 1: Connecting to Existing Right-In/Right Out King Crossing II Driveway on SR 3/US 41 (Cobb Parkway)</u>
    - Retain one entering lane and one exiting lane
    - Retain yield sign control on the driveway approach with Cobb Parkway remaining free flow
    - A deceleration turn lane already exists.

- Site Driveway 2: Connecting to the Existing Cedar Creek Professional Center Driveway on Pine Mountain Road
    - Retain one entering lane and one exiting lane
    - Retain stop sign control on the driveway approach with Pine Mountain Road remaining free flow
    - A northbound left turn lane already exists.

Appendix

Existing Intersection Traffic Counts .....
Linear Regression of Daily Traffic.....
Existing Intersection Analysis.....
Future “No-Build” Intersection Analysis.....
Future “Build” Intersection Analysis.....
Traffic Volume Worksheets .....

EXISTING INTERSECTION TRAFFIC COUNTS

A & R Engineering, Inc.

2160 Kingston Court Suite 'O'
Marietta, GA 30067

TMC Data
US 41 (Cobb Pkwy) @ 2851 King Crossing
II RIRO Drwy
7-9 am | 4-6 pm

File Name : 20250410
Site Code : 20250410
Start Date : 11-18-2025
Page No : 1

Groups Printed- Cars, Buses & Trucks

	2851 King Crossing II RIRO Drwy Northbound				Southbound				US 41 (Cobb Pkwy) Eastbound				US 41 (Cobb Pkwy) Westbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
07:00 AM	0	0	0	0	0	0	0	0	0	514	1	515	0	141	0	141	656
07:15 AM	0	0	3	3	0	0	0	0	0	413	1	414	0	169	0	169	586
07:30 AM	0	0	1	1	0	0	0	0	0	478	1	479	0	243	0	243	723
07:45 AM	0	0	1	1	0	0	0	0	0	451	4	455	0	243	0	243	699
Total	0	0	5	5	0	0	0	0	0	1856	7	1863	0	796	0	796	2664
08:00 AM	0	0	1	1	0	0	0	0	0	457	1	458	0	185	0	185	644
08:15 AM	0	0	1	1	0	0	0	0	0	410	3	413	0	195	0	195	609
08:30 AM	0	0	2	2	0	0	0	0	0	471	9	480	0	185	0	185	667
08:45 AM	0	0	3	3	0	0	0	0	0	440	2	442	0	221	0	221	666
Total	0	0	7	7	0	0	0	0	0	1778	15	1793	0	786	0	786	2586
*** BREAK ***																	
04:00 PM	0	0	14	14	0	0	0	0	0	217	4	221	0	425	0	425	660
04:15 PM	0	0	12	12	0	0	0	0	0	275	11	286	0	443	0	443	741
04:30 PM	0	0	10	10	0	0	0	0	0	285	9	294	0	433	0	433	737
04:45 PM	0	0	13	13	0	0	0	0	0	339	5	344	0	410	0	410	767
Total	0	0	49	49	0	0	0	0	0	1116	29	1145	0	1711	0	1711	2905
05:00 PM	0	0	17	17	0	0	0	0	0	264	6	270	0	404	0	404	691
05:15 PM	0	0	14	14	0	0	0	0	0	318	10	328	0	448	0	448	790
05:30 PM	0	0	9	9	0	0	0	0	0	310	10	320	0	470	0	470	799
05:45 PM	0	0	9	9	0	0	0	0	0	313	5	318	0	437	0	437	764
Total	0	0	49	49	0	0	0	0	0	1205	31	1236	0	1759	0	1759	3044
Grand Total	0	0	110	110	0	0	0	0	0	5955	82	6037	0	5052	0	5052	11199
Apprch %	0	0	100		0	0	0		0	98.6	1.4		0	100	0		
Total %	0	0	1	1	0	0	0	0	0	53.2	0.7	53.9	0	45.1	0	45.1	

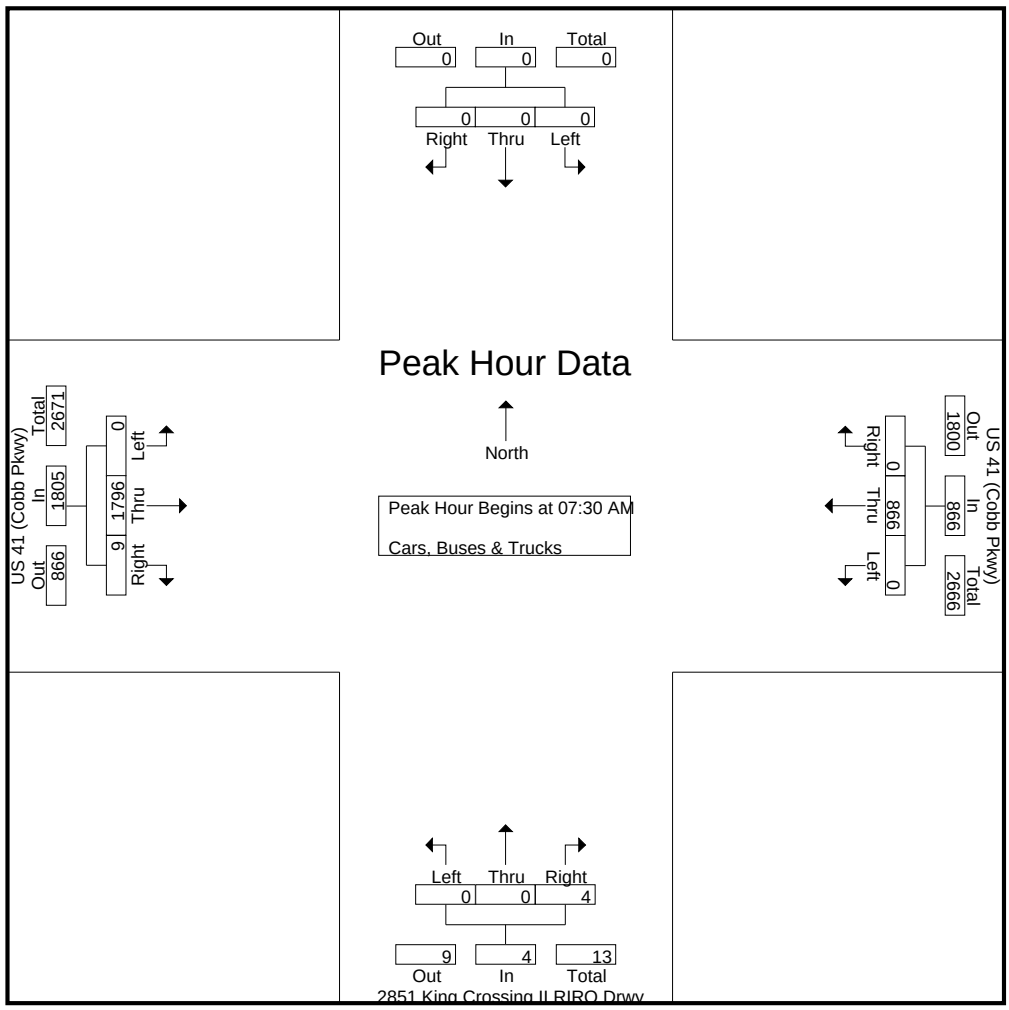
A & R Engineering, Inc.

2160 Kingston Court Suite 'O'
Marietta, GA 30067

TMC Data
US 41 (Cobb Pkwy) @ 2851 King Crossing II RIRO Drwy
7-9 am | 4-6 pm

File Name : 20250410
Site Code : 20250410
Start Date : 11-18-2025
Page No : 2

	2851 King Crossing II RIRO Drwy Northbound				Southbound				US 41 (Cobb Pkwy) Eastbound				US 41 (Cobb Pkwy) Westbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:30 AM																	
07:30 AM	0	0	**1**	**1**	0	0	0	0	0	**478**	1	**479**	0	**243**	0	**243**	**723**
07:45 AM	0	0	1	1	0	0	0	0	0	451	**4**	455	0	243	0	243	699
08:00 AM	0	0	1	1	0	0	0	0	0	457	1	458	0	185	0	185	644
08:15 AM	0	0	1	1	0	0	0	0	0	410	3	413	0	195	0	195	609
Total Volume	0	0	4	4	0	0	0	0	0	1796	9	1805	0	866	0	866	2675
% App. Total	0	0	100		0	0	0		0	99.5	0.5		0	100	0		
PHF	.000	.000	1.00	1.00	.000	.000	.000	.000	.000	.939	.563	.942	.000	.891	.000	.891	.925



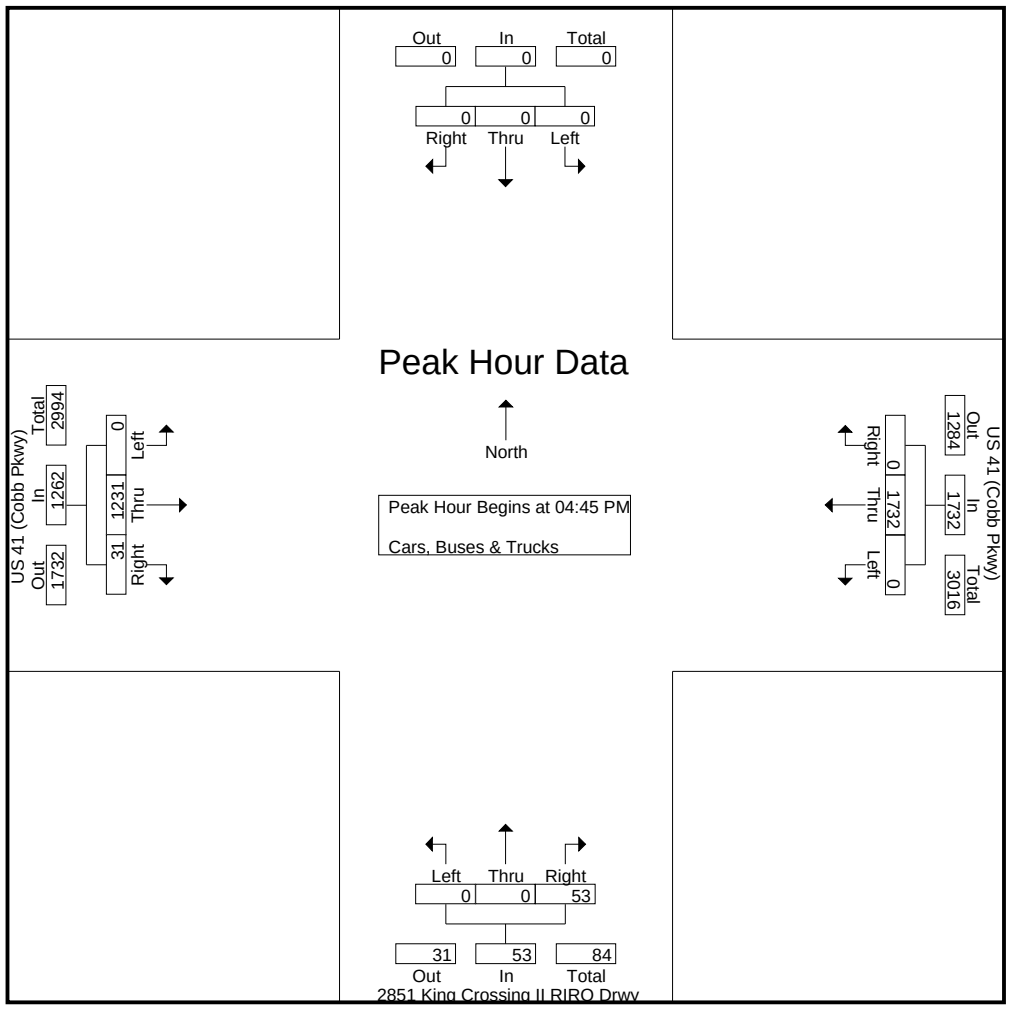
A & R Engineering, Inc.

2160 Kingston Court Suite 'O'
Marietta, GA 30067

TMC Data
US 41 (Cobb Pkwy) @ 2851 King Crossing II RIRO Drwy
7-9 am | 4-6 pm

File Name : 20250410
Site Code : 20250410
Start Date : 11-18-2025
Page No : 3

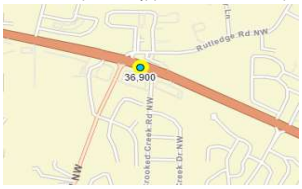
	2851 King Crossing II RIRO Drwy Northbound				Southbound				US 41 (Cobb Pkwy) Eastbound				US 41 (Cobb Pkwy) Westbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:45 PM																	
04:45 PM	0	0	13	13	0	0	0	0	0	**339**	5	**344**	0	410	0	410	767
05:00 PM	0	0	**17**	**17**	0	0	0	0	0	264	6	270	0	404	0	404	691
05:15 PM	0	0	14	14	0	0	0	0	0	318	**10**	328	0	448	0	448	790
05:30 PM	0	0	9	9	0	0	0	0	0	310	10	320	0	**470**	0	**470**	**799**
Total Volume	0	0	53	53	0	0	0	0	0	1231	31	1262	0	1732	0	1732	3047
% App. Total	0	0	100		0	0	0		0	97.5	2.5		0	100	0		
PHF	.000	.000	.779	.779	.000	.000	.000	.000	.000	.908	.775	.917	.000	.921	.000	.921	.953

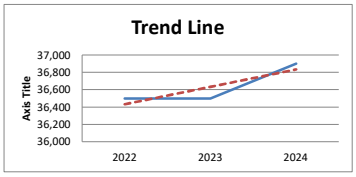


LINEAR REGRESSION OF DAILY TRAFFIC

Location	Growth Rate	R Squared	Station ID	Route	2022	2023	2024
SR 3/US 41 (Cobb Pkwy) (W of Pine Mountain Rd)	0.5%	0.75	067-0012	00000003	36,500	36,500	36,900
Kennesaw Due West Rd (N of Westover Way)	-7.1%	0.63	067-3003	00012200	12,700	13,000	10,900
Pine Mountain Rd (N of Shillings Rd)	3.7%	0.83	067-3005	00012300	11,700	12,500	12,600
N Main St (E of Jills Rd)	6.2%	0.86	067-0634	00452000	7,500	7,640	8,450
Cherokee St (N of Big Shanty Dr)	2.5%	0.96	067-0865	00439600	11,900	12,100	12,500
Weighted Average	**0.6%**	0.50	Sum of Count Stations =		80,300	81,740	81,350

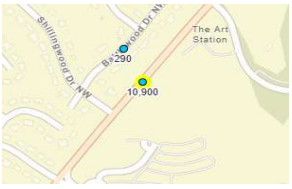
Location	Traffic Counter	RCLINK	2022	2023	2024
SR 3/US 41 (Cobb Pkwy) (W of Pine Mountain Rd)	067-0012	00000003	36,500	36,500	36,900

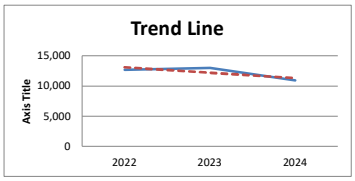




Growth Rate	0.5%	Intercept	-367,967	Slope	200.00
Trend Line			36,433	36,633	36,833

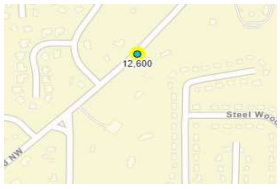
Location	Traffic Counter	RCLINK	2022	2023	2024
Kennesaw Due West Rd (N of Westover Way)	067-3003	00012200	12,700	13,000	10,900

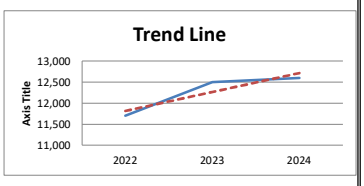




Growth Rate	-7.1%	Intercept	1,832,900	Slope	-900.00
Trend Line			13,100	12,200	11,300

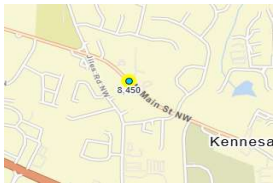
Location	Traffic Counter	RCLINK	2022	2023	2024
Pine Mountain Rd (N of Shillings Rd)	067-3005	00012300	11,700	12,500	12,600

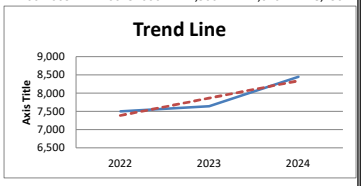




Growth Rate	3.7%	Intercept	-898,083	Slope	450.00
Trend Line			11,817	12,267	12,717

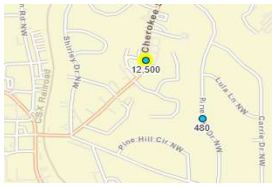
Location	Traffic Counter	RCLINK	2022	2023	2024
N Main St (E of Jills Rd)	067-0634	00452000	7,500	7,640	8,450

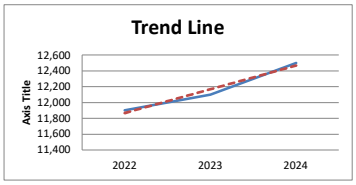




Growth Rate	6.2%	Intercept	-953,062	Slope	475.00
Trend Line			7,388	7,863	8,338

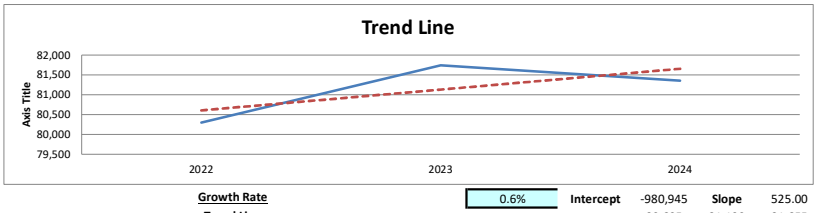
Location	Traffic Counter	RCLINK	2022	2023	2024
Cherokee St (N of Big Shanty Dr)	067-0865	00439600	11,900	12,100	12,500





Growth Rate	2.5%	Intercept	-594,733	Slope	300.00
Trend Line			11,867	12,167	12,467

Weighted Average	2022	2023	2024
Sum of Count Stations	80,300	81,740	81,350



Growth Rate	0.6%	Intercept	-980,945	Slope	525.00
Trend Line			80,605	81,130	81,655

EXISTING INTERSECTION ANALYSIS

Intersection	
Int Delay, s/veh	0

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	1796	9	0	866	0	4
Future Vol, veh/h	1796	9	0	866	0	4
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	Free	-	None	-	Yield
Storage Length	-	210	-	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	93	93	93	93	93	93
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	1931	10	0	931	0	4

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	-	-	-	-	966
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-
Critical Hdwy	-	-	-	-	-	6.94
Critical Hdwy Stg 1	-	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	-	-	-
Follow-up Hdwy	-	-	-	-	-	3.32
Pot Cap-1 Maneuver	-	0	0	-	0	254
Stage 1	-	0	0	-	0	-
Stage 2	-	0	0	-	0	-
Platoon blocked, %	-			-		
Mov Cap-1 Maneuver	-	-	-	-	-	254
Mov Cap-2 Maneuver	-	-	-	-	-	-
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0	19.4
HCM LOS			C

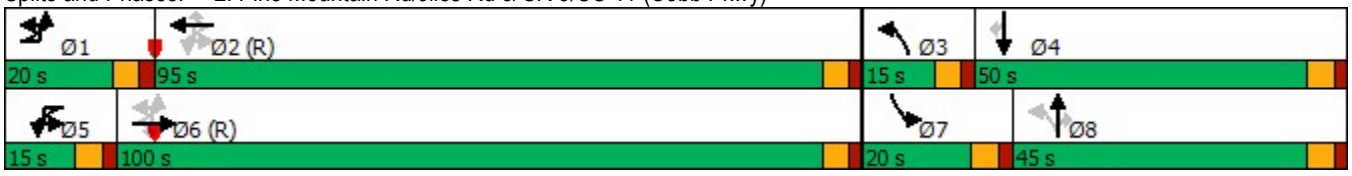
Minor Lane/Major Mvmt	NBLn1	EBT	WBT
Capacity (veh/h)	254	-	-
HCM Lane V/C Ratio	0.017	-	-
HCM Control Delay (s)	19.4	-	-
HCM Lane LOS	C	-	-
HCM 95th %tile Q(veh)	0.1	-	-

Lane Group	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (vph)	14	170	1466	84	5	106	736	126	103	275	285	183
Future Volume (vph)	14	170	1466	84	5	106	736	126	103	275	285	183
Lane Group Flow (vph)	0	192	1527	88	0	115	767	131	107	286	297	191
Turn Type	pm+pt	pm+pt	NA	Perm	pm+pt	pm+pt	NA	Perm	pm+pt	NA	Perm	Prot
Protected Phases	1	1	6		5	5	2		3	8		7
Permitted Phases	6	6		6	2	2		2	8		8	
Detector Phase	1	1	6	6	5	5	2	2	3	8	8	7
Switch Phase												
Minimum Initial (s)	4.0	4.0	15.0	15.0	4.0	4.0	15.0	15.0	4.0	6.0	6.0	4.0
Minimum Split (s)	15.0	15.0	25.5	25.5	15.0	15.0	25.5	25.5	15.0	40.5	40.5	15.0
Total Split (s)	20.0	20.0	100.0	100.0	15.0	15.0	95.0	95.0	15.0	45.0	45.0	20.0
Total Split (%)	11.1%	11.1%	55.6%	55.6%	8.3%	8.3%	52.8%	52.8%	8.3%	25.0%	25.0%	11.1%
Yellow Time (s)	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Lost Time Adjust (s)		0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)		5.5	5.5	5.5		5.5	5.5	5.5	5.5	5.5	5.5	5.5
Lead/Lag	Lead	Lead	Lag	Lag	Lead	Lead	Lag	Lag	Lead	Lag	Lag	Lead
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Recall Mode	None	None	C-Min	C-Min	None	None	C-Min	C-Min	None	None	None	None
v/c Ratio		0.45	0.76	0.09		0.66	0.40	0.14	0.43	0.85	0.79	0.73
Control Delay		16.7	34.5	4.7		39.5	25.5	6.6	53.5	93.0	58.4	98.1
Queue Delay		0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay		16.7	34.5	4.7		39.5	25.5	6.6	53.5	93.0	58.4	98.1
Queue Length 50th (ft)		88	746	3		50	277	15	95	329	219	115
Queue Length 95th (ft)		140	881	34		#142	358	57	145	430	329	163
Internal Link Dist (ft)			435				711			257		
Turn Bay Length (ft)		395		335		300		175				400
Base Capacity (vph)		442	1998	929		178	1931	910	251	408	433	276
Starvation Cap Reductn		0	0	0		0	0	0	0	0	0	0
Spillback Cap Reductn		0	0	0		0	0	0	0	0	0	0
Storage Cap Reductn		0	0	0		0	0	0	0	0	0	0
Reduced v/c Ratio		0.43	0.76	0.09		0.65	0.40	0.14	0.43	0.70	0.69	0.69

Intersection Summary

Cycle Length: 180
Actuated Cycle Length: 180
Offset: 0 (0%), Referenced to phase 2:WBTL and 6:EBTL, Start of Green
Natural Cycle: 130
Control Type: Actuated-Coordinated
95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 2: Pine Mountain Rd/Jiles Rd & SR 3/US 41 (Cobb Pkwy)



Lane Group	SBT	SBR
Lane Configurations		
Traffic Volume (vph)	195	59
Future Volume (vph)	195	59
Lane Group Flow (vph)	203	61
Turn Type	NA	Perm
Protected Phases	4	
Permitted Phases		4
Detector Phase	4	4
Switch Phase		
Minimum Initial (s)	6.0	6.0
Minimum Split (s)	40.5	40.5
Total Split (s)	50.0	50.0
Total Split (%)	27.8%	27.8%
Yellow Time (s)	3.5	3.5
All-Red Time (s)	2.0	2.0
Lost Time Adjust (s)	0.0	0.0
Total Lost Time (s)	5.5	5.5
Lead/Lag	Lag	Lag
Lead-Lag Optimize?	Yes	Yes
Recall Mode	None	None
v/c Ratio	0.53	0.16
Control Delay	68.1	4.9
Queue Delay	0.0	0.0
Total Delay	68.1	4.9
Queue Length 50th (ft)	214	0
Queue Length 95th (ft)	293	22
Internal Link Dist (ft)	593	
Turn Bay Length (ft)		
Base Capacity (vph)	460	453
Starvation Cap Reductn	0	0
Spillback Cap Reductn	0	0
Storage Cap Reductn	0	0
Reduced v/c Ratio	0.44	0.13

Intersection Summary

Movement	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (veh/h)	14	170	1466	84	5	106	736	126	103	275	285	183
Future Volume (veh/h)	14	170	1466	84	5	106	736	126	103	275	285	183
Initial Q (Qb), veh		0	0	0		0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)		1.00		1.00		1.00		1.00	1.00		1.00	1.00
Parking Bus, Adj		1.00	1.00	1.00		1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach			No				No			No		
Adj Sat Flow, veh/h/ln		1870	1870	1870		1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h		177	1527	88		110	767	0	107	286	0	191
Peak Hour Factor		0.96	0.96	0.96		0.96	0.96	0.96	0.96	0.96	0.96	0.96
Percent Heavy Veh, %		2	2	2		2	2	2	2	2	2	2
Cap, veh/h		468	2161	964		202	2105		230	313		230
Arrive On Green		0.05	0.61	0.61		0.04	0.59	0.00	0.05	0.17	0.00	0.07
Sat Flow, veh/h		1781	3554	1585		1781	3554	1585	1781	1870	1585	3456
Grp Volume(v), veh/h		177	1527	88		110	767	0	107	286	0	191
Grp Sat Flow(s),veh/h/ln		1781	1777	1585		1781	1777	1585	1781	1870	1585	1728
Q Serve(g_s), s		7.1	53.1	4.1		4.4	20.2	0.0	9.0	27.1	0.0	9.8
Cycle Q Clear(g_c), s		7.1	53.1	4.1		4.4	20.2	0.0	9.0	27.1	0.0	9.8
Prop In Lane		1.00		1.00		1.00		1.00	1.00		1.00	1.00
Lane Grp Cap(c), veh/h		468	2161	964		202	2105		230	313		230
V/C Ratio(X)		0.38	0.71	0.09		0.55	0.36		0.47	0.91		0.83
Avail Cap(c_a), veh/h		520	2161	964		232	2105		230	410		278
HCM Platoon Ratio		1.00	1.00	1.00		1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)		1.00	1.00	1.00		1.00	1.00	0.00	1.00	1.00	0.00	1.00
Uniform Delay (d), s/veh		14.2	24.2	14.6		24.1	19.1	0.0	59.0	73.7	0.0	83.0
Incr Delay (d2), s/veh		0.5	2.0	0.2		2.3	0.5	0.0	1.5	20.8	0.0	16.1
Initial Q Delay(d3),s/veh		0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln		2.9	22.1	1.6		1.9	8.4	0.0	4.1	14.7	0.0	4.9
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh		14.7	26.2	14.8		26.4	19.6	0.0	60.4	94.5	0.0	99.1
LnGrp LOS		B	C	B		C	B		E	F		F
Approach Vol, veh/h			1792				877			393		
Approach Delay, s/veh			24.5				20.4			85.2		
Approach LOS			C				C			F		

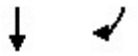
Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	14.8	112.1	15.0	38.1	11.9	115.0	17.5	35.6
Change Period (Y+Rc), s	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5
Max Green Setting (Gmax), s	14.5	89.5	9.5	44.5	9.5	94.5	14.5	39.5
Max Q Clear Time (g_c+I1), s	9.1	22.2	11.0	19.9	6.4	55.1	11.8	29.1
Green Ext Time (p_c), s	0.2	12.4	0.0	1.1	0.1	27.6	0.1	1.1

Intersection Summary	
HCM 6th Ctrl Delay	37.1
HCM 6th LOS	D

Notes

User approved ignoring U-Turning movement.

Unsignalized Delay for [NBR, WBR, SBR] is excluded from calculations of the approach delay and intersection delay.



Movement	SBT	SBR
Lane Configurations		
Traffic Volume (veh/h)	195	59
Future Volume (veh/h)	195	59
Initial Q (Qb), veh	0	0
Ped-Bike Adj(A_pbT)		1.00
Parking Bus, Adj	1.00	1.00
Work Zone On Approach	No	
Adj Sat Flow, veh/h/ln	1870	1870
Adj Flow Rate, veh/h	203	0
Peak Hour Factor	0.96	0.96
Percent Heavy Veh, %	2	2
Cap, veh/h	339	
Arrive On Green	0.18	0.00
Sat Flow, veh/h	1870	1585
Grp Volume(v), veh/h	203	0
Grp Sat Flow(s),veh/h/ln	1870	1585
Q Serve(g_s), s	17.9	0.0
Cycle Q Clear(g_c), s	17.9	0.0
Prop In Lane		1.00
Lane Grp Cap(c), veh/h	339	
V/C Ratio(X)	0.60	
Avail Cap(c_a), veh/h	462	
HCM Platoon Ratio	1.00	1.00
Upstream Filter(I)	1.00	0.00
Uniform Delay (d), s/veh	67.7	0.0
Incr Delay (d2), s/veh	1.7	0.0
Initial Q Delay(d3),s/veh	0.0	0.0
%ile BackOfQ(50%),veh/ln	8.8	0.0
Unsig. Movement Delay, s/veh		
LnGrp Delay(d),s/veh	69.4	0.0
LnGrp LOS	E	
Approach Vol, veh/h	394	
Approach Delay, s/veh	83.8	
Approach LOS	F	
Timer - Assigned Phs		

Intersection	
Int Delay, s/veh	0.4

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	1	0	5	0	0	18	12	624	36	0	354	10
Future Vol, veh/h	1	0	5	0	0	18	12	624	36	0	354	10
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	Yield	-	-	Free	-	-	None
Storage Length	-	-	-	-	-	0	60	-	180	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	94	94	94	94	94	94	94	94	94	94	94	94
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	1	0	5	0	0	19	13	664	38	0	377	11

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1073	1073	383	-	-	664	388	0	-	-	-	0
Stage 1	383	383	-	-	-	-	-	-	-	-	-	-
Stage 2	690	690	-	-	-	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	-	-	6.22	4.12	-	-	-	-	-
Critical Hdwy Stg 1	6.12	5.52	-	-	-	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	-	-	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	-	-	3.318	2.218	-	-	-	-	-
Pot Cap-1 Maneuver	198	220	664	0	0	461	1170	-	0	0	-	-
Stage 1	640	612	-	0	0	-	-	-	0	0	-	-
Stage 2	435	446	-	0	0	-	-	-	0	0	-	-
Platoon blocked, %								-			-	-
Mov Cap-1 Maneuver	188	218	664	-	-	461	1170	-	-	-	-	-
Mov Cap-2 Maneuver	188	218	-	-	-	-	-	-	-	-	-	-
Stage 1	633	612	-	-	-	-	-	-	-	-	-	-
Stage 2	412	441	-	-	-	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	12.8	13.1	0.2	0
HCM LOS	B	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	WBLn1	SBT	SBR
Capacity (veh/h)	1170	-	467	461	-	-
HCM Lane V/C Ratio	0.011	-	0.014	0.042	-	-
HCM Control Delay (s)	8.1	-	12.8	13.1	-	-
HCM Lane LOS	A	-	B	B	-	-
HCM 95th %tile Q(veh)	0	-	0	0.1	-	-

Intersection	
Int Delay, s/veh	1.8

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	0	0	1	55	0	8	1	680	502	57	270	0
Future Vol, veh/h	0	0	1	55	0	8	1	680	502	57	270	0
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	Yield	-	-	None	-	-	None	-	-	None
Storage Length	-	-	0	-	-	-	50	-	180	185	-	60
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	98	98	98	98	98	98	98	98	98	98	98	98
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	0	1	56	0	8	1	694	512	58	276	0

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	-	-	276	1088	1088	694	276	0	0	1206	0	0
Stage 1	-	-	-	696	696	-	-	-	-	-	-	-
Stage 2	-	-	-	392	392	-	-	-	-	-	-	-
Critical Hdwy	-	-	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	-	-	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	-	-	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	0	0	763	193	216	443	1287	-	-	579	-	-
Stage 1	0	0	-	432	443	-	-	-	-	-	-	-
Stage 2	0	0	-	633	606	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	-	-	763	178	194	443	1287	-	-	579	-	-
Mov Cap-2 Maneuver	-	-	-	178	194	-	-	-	-	-	-	-
Stage 1	-	-	-	432	443	-	-	-	-	-	-	-
Stage 2	-	-	-	569	545	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	9.7	32.7	0	2.1
HCM LOS	A	D		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1287	-	-	763	193	579	-	-
HCM Lane V/C Ratio	0.001	-	-	0.001	0.333	0.1	-	-
HCM Control Delay (s)	7.8	-	-	9.7	32.7	11.9	-	-
HCM Lane LOS	A	-	-	A	D	B	-	-
HCM 95th %tile Q(veh)	0	-	-	0	1.4	0.3	-	-

Intersection	
Int Delay, s/veh	0.3

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	1231	31	0	1732	0	53
Future Vol, veh/h	1231	31	0	1732	0	53
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	Free	-	None	-	Yield
Storage Length	-	210	-	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	1296	33	0	1823	0	56

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	-	-	-	-	648
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-
Critical Hdwy	-	-	-	-	-	6.94
Critical Hdwy Stg 1	-	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	-	-	-
Follow-up Hdwy	-	-	-	-	-	3.32
Pot Cap-1 Maneuver	-	0	0	-	0	413
Stage 1	-	0	0	-	0	-
Stage 2	-	0	0	-	0	-
Platoon blocked, %	-			-		
Mov Cap-1 Maneuver	-	-	-	-	-	413
Mov Cap-2 Maneuver	-	-	-	-	-	-
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0	15.1
HCM LOS			C

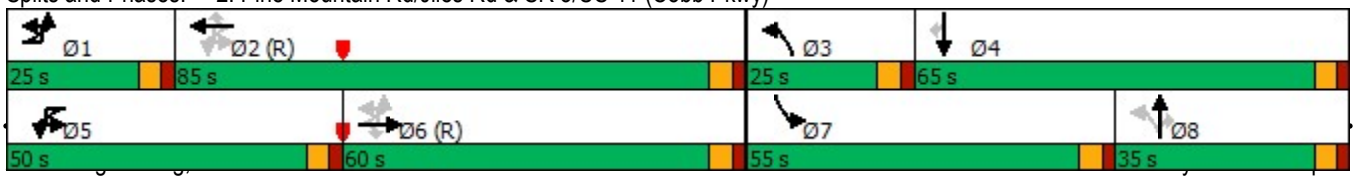
Minor Lane/Major Mvmt	NBLn1	EBT	WBT
Capacity (veh/h)	413	-	-
HCM Lane V/C Ratio	0.135	-	-
HCM Control Delay (s)	15.1	-	-
HCM Lane LOS	C	-	-
HCM 95th %tile Q(veh)	0.5	-	-

Lane Group	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (vph)	33	152	981	102	3	521	1497	225	150	257	124	235
Future Volume (vph)	33	152	981	102	3	521	1497	225	150	257	124	235
Lane Group Flow (vph)	0	193	1011	105	0	540	1543	232	155	265	128	242
Turn Type	pm+pt	pm+pt	NA	Perm	pm+pt	pm+pt	NA	Perm	pm+pt	NA	Perm	Prot
Protected Phases	1	1	6		5	5	2		3	8		7
Permitted Phases	6	6		6	2	2		2	8		8	
Detector Phase	1	1	6	6	5	5	2	2	3	8	8	7
Switch Phase												
Minimum Initial (s)	4.0	4.0	15.0	15.0	4.0	4.0	15.0	15.0	4.0	6.0	6.0	4.0
Minimum Split (s)	15.0	15.0	25.5	25.5	15.0	15.0	25.5	25.5	15.0	40.5	40.5	15.0
Total Split (s)	25.0	25.0	60.0	60.0	50.0	50.0	85.0	85.0	25.0	35.0	35.0	55.0
Total Split (%)	12.5%	12.5%	30.0%	30.0%	25.0%	25.0%	42.5%	42.5%	12.5%	17.5%	17.5%	27.5%
Yellow Time (s)	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Lost Time Adjust (s)		0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)		5.5	5.5	5.5		5.5	5.5	5.5	5.5	5.5	5.5	5.5
Lead/Lag	Lead	Lead	Lag	Lag	Lead	Lead	Lag	Lag	Lead	Lag	Lag	Lead
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Recall Mode	None	None	C-Min	C-Min	None	None	C-Min	C-Min	None	None	None	None
v/c Ratio		0.76	1.05	0.20		0.87	0.91	0.29	0.72	0.75	0.31	0.72
Control Delay		82.4	110.4	3.6		68.6	56.6	19.7	69.0	89.5	9.3	99.9
Queue Delay		0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay		82.4	110.4	3.6		68.6	56.6	19.7	69.0	89.5	9.3	99.9
Queue Length 50th (ft)		196	~757	0		616	991	98	154	334	0	162
Queue Length 95th (ft)		291	#900	25		#972	#1335	192	205	432	56	211
Internal Link Dist (ft)			435				711			257		
Turn Bay Length (ft)		395		335		300		175				400
Base Capacity (vph)		256	964	528		621	1698	813	233	354	409	849
Starvation Cap Reductn		0	0	0		0	0	0	0	0	0	0
Spillback Cap Reductn		0	0	0		0	0	0	0	0	0	0
Storage Cap Reductn		0	0	0		0	0	0	0	0	0	0
Reduced v/c Ratio		0.75	1.05	0.20		0.87	0.91	0.29	0.67	0.75	0.31	0.29

Intersection Summary

Cycle Length: 200
Actuated Cycle Length: 200
Offset: 0 (0%), Referenced to phase 2:WBTL and 6:EBTL, Start of Green
Natural Cycle: 150
Control Type: Actuated-Coordinated
~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.
95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 2: Pine Mountain Rd/Jiles Rd & SR 3/US 41 (Cobb Pkwy)



Lane Group	SBT	SBR
Lane Configurations		
Traffic Volume (vph)	307	131
Future Volume (vph)	307	131
Lane Group Flow (vph)	316	135
Turn Type	NA	Perm
Protected Phases	4	
Permitted Phases		4
Detector Phase	4	4
Switch Phase		
Minimum Initial (s)	6.0	6.0
Minimum Split (s)	40.5	40.5
Total Split (s)	65.0	65.0
Total Split (%)	32.5%	32.5%
Yellow Time (s)	3.5	3.5
All-Red Time (s)	2.0	2.0
Lost Time Adjust (s)	0.0	0.0
Total Lost Time (s)	5.5	5.5
Lead/Lag	Lag	Lag
Lead-Lag Optimize?	Yes	Yes
Recall Mode	None	None
v/c Ratio	0.85	0.33
Control Delay	97.1	14.2
Queue Delay	0.0	0.0
Total Delay	97.1	14.2
Queue Length 50th (ft)	410	16
Queue Length 95th (ft)	503	79
Internal Link Dist (ft)	593	
Turn Bay Length (ft)		
Base Capacity (vph)	554	555
Starvation Cap Reductn	0	0
Spillback Cap Reductn	0	0
Storage Cap Reductn	0	0
Reduced v/c Ratio	0.57	0.24

Intersection Summary

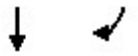
Movement	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (veh/h)	33	152	981	102	3	521	1497	225	150	257	124	235
Future Volume (veh/h)	33	152	981	102	3	521	1497	225	150	257	124	235
Initial Q (Qb), veh		0	0	0		0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)		1.00		1.00		1.00		1.00	1.00		1.00	1.00
Parking Bus, Adj		1.00	1.00	1.00		1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach			No				No			No		
Adj Sat Flow, veh/h/ln		1870	1870	1870		1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h		157	1011	105		537	1543	0	155	265	0	242
Peak Hour Factor		0.97	0.97	0.97		0.97	0.97	0.97	0.97	0.97	0.97	0.97
Percent Heavy Veh, %		2	2	2		2	2	2	2	2	2	2
Cap, veh/h		223	1428	637		515	1996		200	341		288
Arrive On Green		0.06	0.40	0.40		0.22	0.56	0.00	0.08	0.18	0.00	0.08
Sat Flow, veh/h		1781	3554	1585		1781	3554	1585	1781	1870	1585	3456
Grp Volume(v), veh/h		157	1011	105		537	1543	0	155	265	0	242
Grp Sat Flow(s),veh/h/ln		1781	1777	1585		1781	1777	1585	1781	1870	1585	1728
Q Serve(g_s), s		10.3	47.6	8.5		44.5	67.3	0.0	14.0	27.0	0.0	13.8
Cycle Q Clear(g_c), s		10.3	47.6	8.5		44.5	67.3	0.0	14.0	27.0	0.0	13.8
Prop In Lane		1.00		1.00		1.00		1.00	1.00		1.00	1.00
Lane Grp Cap(c), veh/h		223	1428	637		515	1996		200	341		288
V/C Ratio(X)		0.70	0.71	0.16		1.04	0.77		0.77	0.78		0.84
Avail Cap(c_a), veh/h		285	1428	637		515	1996		230	341		855
HCM Platoon Ratio		1.00	1.00	1.00		1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)		1.00	1.00	1.00		1.00	1.00	0.00	1.00	1.00	0.00	1.00
Uniform Delay (d), s/veh		37.3	50.0	38.3		53.1	34.0	0.0	62.5	77.9	0.0	90.4
Incr Delay (d2), s/veh		5.4	3.0	0.6		51.1	3.0	0.0	13.3	10.8	0.0	6.6
Initial Q Delay(d3),s/veh		0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln		4.8	21.6	3.5		33.3	29.2	0.0	7.1	14.0	0.0	6.5
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh		42.7	53.0	38.9		104.2	36.9	0.0	75.9	88.7	0.0	96.9
LnGrp LOS		D	D	D		F	D		E	F		F
Approach Vol, veh/h			1273				2080			420		
Approach Delay, s/veh			50.5				54.3			84.0		
Approach LOS			D				D			F		

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	18.1	117.8	21.7	42.5	50.0	85.9	22.1	42.0
Change Period (Y+Rc), s	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5
Max Green Setting (Gmax), s	19.5	79.5	19.5	59.5	44.5	54.5	49.5	29.5
Max Q Clear Time (g_c+I1), s	12.3	69.3	16.0	35.1	46.5	49.6	15.8	29.0
Green Ext Time (p_c), s	0.2	8.8	0.1	1.8	0.0	3.8	0.8	0.1

Intersection Summary	
HCM 6th Ctrl Delay	61.3
HCM 6th LOS	E

Notes

User approved pedestrian interval to be less than phase max green.
User approved ignoring U-Turning movement.
Unsignalized Delay for [NBR, WBR, SBR] is excluded from calculations of the approach delay and intersection delay.



Movement	SBT	SBR
Lane Configurations		
Traffic Volume (veh/h)	307	131
Future Volume (veh/h)	307	131
Initial Q (Qb), veh	0	0
Ped-Bike Adj(A_pbT)		1.00
Parking Bus, Adj	1.00	1.00
Work Zone On Approach	No	
Adj Sat Flow, veh/h/ln	1870	1870
Adj Flow Rate, veh/h	316	0
Peak Hour Factor	0.97	0.97
Percent Heavy Veh, %	2	2
Cap, veh/h	346	
Arrive On Green	0.18	0.00
Sat Flow, veh/h	1870	1585
Grp Volume(v), veh/h	316	0
Grp Sat Flow(s),veh/h/ln	1870	1585
Q Serve(g_s), s	33.1	0.0
Cycle Q Clear(g_c), s	33.1	0.0
Prop In Lane		1.00
Lane Grp Cap(c), veh/h	346	
V/C Ratio(X)	0.91	
Avail Cap(c_a), veh/h	556	
HCM Platoon Ratio	1.00	1.00
Upstream Filter(I)	1.00	0.00
Uniform Delay (d), s/veh	80.0	0.0
Incr Delay (d2), s/veh	13.3	0.0
Initial Q Delay(d3),s/veh	0.0	0.0
%ile BackOfQ(50%),veh/ln	17.3	0.0
Unsig. Movement Delay, s/veh		
LnGrp Delay(d),s/veh	93.3	0.0
LnGrp LOS	F	
Approach Vol, veh/h	558	
Approach Delay, s/veh	94.9	
Approach LOS	F	
Timer - Assigned Phs		

Intersection	
Int Delay, s/veh	2.3

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	36	0	31	0	0	59	15	358	25	0	759	6
Future Vol, veh/h	36	0	31	0	0	59	15	358	25	0	759	6
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	Yield	-	-	Free	-	-	None
Storage Length	-	-	-	-	-	0	60	-	180	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	96	96	96	96	96	96	96	96	96	96	96	96
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	38	0	32	0	0	61	16	373	26	0	791	6

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1199	1199	794	-	-	373	797	0	-	-	-	0
Stage 1	794	794	-	-	-	-	-	-	-	-	-	-
Stage 2	405	405	-	-	-	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	-	-	6.22	4.12	-	-	-	-	-
Critical Hdwy Stg 1	6.12	5.52	-	-	-	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	-	-	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	-	-	3.318	2.218	-	-	-	-	-
Pot Cap-1 Maneuver	162	185	388	0	0	673	825	-	0	0	-	-
Stage 1	381	400	-	0	0	-	-	-	0	0	-	-
Stage 2	622	598	-	0	0	-	-	-	0	0	-	-
Platoon blocked, %								-			-	-
Mov Cap-1 Maneuver	145	181	388	-	-	673	825	-	-	-	-	-
Mov Cap-2 Maneuver	145	181	-	-	-	-	-	-	-	-	-	-
Stage 1	374	400	-	-	-	-	-	-	-	-	-	-
Stage 2	554	587	-	-	-	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	31.6	10.9	0.4	0
HCM LOS	D	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	WBLn1	SBT	SBR
Capacity (veh/h)	825	-	204	673	-	-
HCM Lane V/C Ratio	0.019	-	0.342	0.091	-	-
HCM Control Delay (s)	9.4	-	31.6	10.9	-	-
HCM Lane LOS	A	-	D	B	-	-
HCM 95th %tile Q(veh)	0.1	-	1.4	0.3	-	-

Intersection	
Int Delay, s/veh	84

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	0	0	1	294	0	8	1	344	197	41	710	5
Future Vol, veh/h	0	0	1	294	0	8	1	344	197	41	710	5
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	Yield	-	-	None	-	-	None	-	-	None
Storage Length	-	-	0	-	-	-	50	-	180	185	-	60
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	98	98	98	98	98	98	98	98	98	98	98	98
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	0	1	300	0	8	1	351	201	42	724	5

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	-	-	724	1164	1166	351	729	0	0	552	0	0
Stage 1	-	-	-	353	353	-	-	-	-	-	-	-
Stage 2	-	-	-	811	813	-	-	-	-	-	-	-
Critical Hdwy	-	-	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	-	-	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	-	-	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	0	0	426	~ 171	194	692	875	-	-	1018	-	-
Stage 1	0	0	-	664	631	-	-	-	-	-	-	-
Stage 2	0	0	-	373	392	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	-	-	426	~ 165	186	692	875	-	-	1018	-	-
Mov Cap-2 Maneuver	-	-	-	~ 165	186	-	-	-	-	-	-	-
Stage 1	-	-	-	663	630	-	-	-	-	-	-	-
Stage 2	-	-	-	357	376	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	13.5	$ 444.2	0	0.5
HCM LOS	B	F		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	875	-	-	426	168	1018	-	-
HCM Lane V/C Ratio	0.001	-	-	0.002	1.834	0.041	-	-
HCM Control Delay (s)	9.1	-	-	13.5	$ 444.2	8.7	-	-
HCM Lane LOS	A	-	-	B	F	A	-	-
HCM 95th %tile Q(veh)	0	-	-	0	22.6	0.1	-	-

Notes			
~: Volume exceeds capacity	$: Delay exceeds 300s	+: Computation Not Defined	*: All major volume in platoon

FUTURE "NO-BUILD" INTERSECTION ANALYSIS

Intersection	
Int Delay, s/veh	0

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	1832	9	0	883	0	4
Future Vol, veh/h	1832	9	0	883	0	4
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	Free	-	None	-	Yield
Storage Length	-	210	-	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	93	93	93	93	93	93
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	1970	10	0	949	0	4

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	-	-	-	-	985
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-
Critical Hdwy	-	-	-	-	-	6.94
Critical Hdwy Stg 1	-	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	-	-	-
Follow-up Hdwy	-	-	-	-	-	3.32
Pot Cap-1 Maneuver	-	0	0	-	0	247
Stage 1	-	0	0	-	0	-
Stage 2	-	0	0	-	0	-
Platoon blocked, %	-			-		
Mov Cap-1 Maneuver	-	-	-	-	-	247
Mov Cap-2 Maneuver	-	-	-	-	-	-
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0	19.8
HCM LOS			C

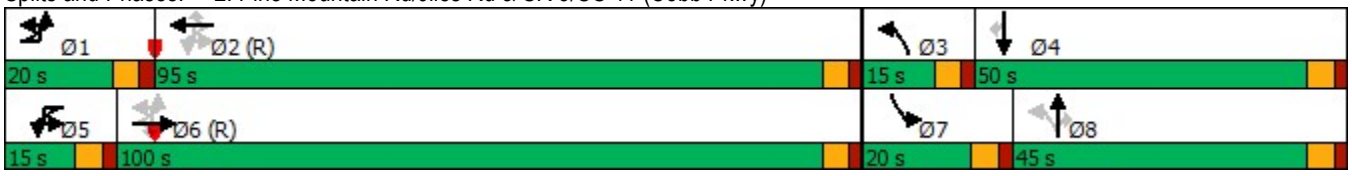
Minor Lane/Major Mvmt	NBLn1	EBT	WBT
Capacity (veh/h)	247	-	-
HCM Lane V/C Ratio	0.017	-	-
HCM Control Delay (s)	19.8	-	-
HCM Lane LOS	C	-	-
HCM 95th %tile Q(veh)	0.1	-	-

Lane Group	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (vph)	14	173	1495	86	5	108	751	129	105	281	291	187
Future Volume (vph)	14	173	1495	86	5	108	751	129	105	281	291	187
Lane Group Flow (vph)	0	195	1557	90	0	118	782	134	109	293	303	195
Turn Type	pm+pt	pm+pt	NA	Perm	pm+pt	pm+pt	NA	Perm	pm+pt	NA	Perm	Prot
Protected Phases	1	1	6		5	5	2		3	8		7
Permitted Phases	6	6		6	2	2		2	8		8	
Detector Phase	1	1	6	6	5	5	2	2	3	8	8	7
Switch Phase												
Minimum Initial (s)	4.0	4.0	15.0	15.0	4.0	4.0	15.0	15.0	4.0	6.0	6.0	4.0
Minimum Split (s)	15.0	15.0	25.5	25.5	15.0	15.0	25.5	25.5	15.0	40.5	40.5	15.0
Total Split (s)	20.0	20.0	100.0	100.0	15.0	15.0	95.0	95.0	15.0	45.0	45.0	20.0
Total Split (%)	11.1%	11.1%	55.6%	55.6%	8.3%	8.3%	52.8%	52.8%	8.3%	25.0%	25.0%	11.1%
Yellow Time (s)	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Lost Time Adjust (s)		0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)		5.5	5.5	5.5		5.5	5.5	5.5	5.5	5.5	5.5	5.5
Lead/Lag	Lead	Lead	Lag	Lag	Lead	Lead	Lag	Lag	Lead	Lag	Lag	Lead
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Recall Mode	None	None	C-Min	C-Min	None	None	C-Min	C-Min	None	None	None	None
v/c Ratio		0.46	0.79	0.10		0.69	0.41	0.15	0.43	0.85	0.80	0.74
Control Delay		17.2	36.2	4.9		46.7	26.0	6.8	53.5	93.5	60.1	99.0
Queue Delay		0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay		17.2	36.2	4.9		46.7	26.0	6.8	53.5	93.5	60.1	99.0
Queue Length 50th (ft)		90	795	4		53	287	17	97	337	228	118
Queue Length 95th (ft)		141	911	36		#170	366	58	147	442	341	165
Internal Link Dist (ft)			435				711			257		
Turn Bay Length (ft)		395		335		300		175				400
Base Capacity (vph)		435	1976	920		172	1920	906	251	408	431	276
Starvation Cap Reductn		0	0	0		0	0	0	0	0	0	0
Spillback Cap Reductn		0	0	0		0	0	0	0	0	0	0
Storage Cap Reductn		0	0	0		0	0	0	0	0	0	0
Reduced v/c Ratio		0.45	0.79	0.10		0.69	0.41	0.15	0.43	0.72	0.70	0.71

Intersection Summary

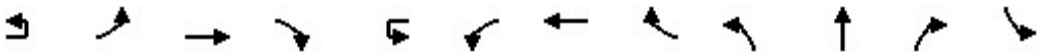
Cycle Length: 180
Actuated Cycle Length: 180
Offset: 0 (0%), Referenced to phase 2:WBTL and 6:EBTL, Start of Green
Natural Cycle: 130
Control Type: Actuated-Coordinated
95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 2: Pine Mountain Rd/Jiles Rd & SR 3/US 41 (Cobb Pkwy)



Lane Group	SBT	SBR
Lane Configurations		
Traffic Volume (vph)	199	60
Future Volume (vph)	199	60
Lane Group Flow (vph)	207	63
Turn Type	NA	Perm
Protected Phases	4	
Permitted Phases		4
Detector Phase	4	4
Switch Phase		
Minimum Initial (s)	6.0	6.0
Minimum Split (s)	40.5	40.5
Total Split (s)	50.0	50.0
Total Split (%)	27.8%	27.8%
Yellow Time (s)	3.5	3.5
All-Red Time (s)	2.0	2.0
Lost Time Adjust (s)	0.0	0.0
Total Lost Time (s)	5.5	5.5
Lead/Lag	Lag	Lag
Lead-Lag Optimize?	Yes	Yes
Recall Mode	None	None
v/c Ratio	0.54	0.16
Control Delay	67.8	5.3
Queue Delay	0.0	0.0
Total Delay	67.8	5.3
Queue Length 50th (ft)	218	0
Queue Length 95th (ft)	299	25
Internal Link Dist (ft)	593	
Turn Bay Length (ft)		
Base Capacity (vph)	460	453
Starvation Cap Reductn	0	0
Spillback Cap Reductn	0	0
Storage Cap Reductn	0	0
Reduced v/c Ratio	0.45	0.14

Intersection Summary



Movement	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (veh/h)	14	173	1495	86	5	108	751	129	105	281	291	187
Future Volume (veh/h)	14	173	1495	86	5	108	751	129	105	281	291	187
Initial Q (Qb), veh		0	0	0		0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)		1.00		1.00		1.00		1.00	1.00		1.00	1.00
Parking Bus, Adj		1.00	1.00	1.00		1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach			No				No			No		
Adj Sat Flow, veh/h/ln		1870	1870	1870		1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h		180	1557	90		112	782	0	109	293	0	195
Peak Hour Factor		0.96	0.96	0.96		0.96	0.96	0.96	0.96	0.96	0.96	0.96
Percent Heavy Veh, %		2	2	2		2	2	2	2	2	2	2
Cap, veh/h		459	2141	955		194	2084		233	320		234
Arrive On Green		0.05	0.60	0.60		0.04	0.59	0.00	0.05	0.17	0.00	0.07
Sat Flow, veh/h		1781	3554	1585		1781	3554	1585	1781	1870	1585	3456
Grp Volume(v), veh/h		180	1557	90		112	782	0	109	293	0	195
Grp Sat Flow(s),veh/h/ln		1781	1777	1585		1781	1777	1585	1781	1870	1585	1728
Q Serve(g_s), s		7.3	55.8	4.3		4.6	21.0	0.0	9.1	27.7	0.0	10.0
Cycle Q Clear(g_c), s		7.3	55.8	4.3		4.6	21.0	0.0	9.1	27.7	0.0	10.0
Prop In Lane		1.00		1.00		1.00		1.00	1.00		1.00	1.00
Lane Grp Cap(c), veh/h		459	2141	955		194	2084		233	320		234
V/C Ratio(X)		0.39	0.73	0.09		0.58	0.38		0.47	0.92		0.83
Avail Cap(c_a), veh/h		508	2141	955		223	2084		233	410		278
HCM Platoon Ratio		1.00	1.00	1.00		1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)		1.00	1.00	1.00		1.00	1.00	0.00	1.00	1.00	0.00	1.00
Uniform Delay (d), s/veh		14.7	25.3	15.1		26.0	19.7	0.0	58.5	73.3	0.0	82.9
Incr Delay (d2), s/veh		0.5	2.2	0.2		2.7	0.5	0.0	1.5	21.6	0.0	16.8
Initial Q Delay(d3),s/veh		0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln		3.0	23.3	1.6		2.1	8.7	0.0	4.2	15.2	0.0	5.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh		15.2	27.5	15.3		28.7	20.3	0.0	60.0	94.9	0.0	99.7
LnGrp LOS		B	C	B		C	C		E	F		F
Approach Vol, veh/h			1827				894			402		
Approach Delay, s/veh			25.7				21.3			85.5		
Approach LOS			C				C			F		

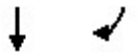
Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	15.0	111.0	15.0	39.0	12.1	114.0	17.7	36.3
Change Period (Y+Rc), s	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5
Max Green Setting (Gmax), s	14.5	89.5	9.5	44.5	9.5	94.5	14.5	39.5
Max Q Clear Time (g_c+I1), s	9.3	23.0	11.1	20.2	6.6	57.8	12.0	29.7
Green Ext Time (p_c), s	0.2	12.7	0.0	1.1	0.1	26.7	0.1	1.1

Intersection Summary	
HCM 6th Ctrl Delay	38.0
HCM 6th LOS	D

Notes

User approved ignoring U-Turning movement.

Unsignalized Delay for [NBR, WBR, SBR] is excluded from calculations of the approach delay and intersection delay.



Movement	SBT	SBR
Lane Configurations		
Traffic Volume (veh/h)	199	60
Future Volume (veh/h)	199	60
Initial Q (Qb), veh	0	0
Ped-Bike Adj(A_pbT)		1.00
Parking Bus, Adj	1.00	1.00
Work Zone On Approach	No	
Adj Sat Flow, veh/h/ln	1870	1870
Adj Flow Rate, veh/h	207	0
Peak Hour Factor	0.96	0.96
Percent Heavy Veh, %	2	2
Cap, veh/h	348	
Arrive On Green	0.19	0.00
Sat Flow, veh/h	1870	1585
Grp Volume(v), veh/h	207	0
Grp Sat Flow(s),veh/h/ln	1870	1585
Q Serve(g_s), s	18.2	0.0
Cycle Q Clear(g_c), s	18.2	0.0
Prop In Lane		1.00
Lane Grp Cap(c), veh/h	348	
V/C Ratio(X)	0.60	
Avail Cap(c_a), veh/h	462	
HCM Platoon Ratio	1.00	1.00
Upstream Filter(I)	1.00	0.00
Uniform Delay (d), s/veh	67.1	0.0
Incr Delay (d2), s/veh	1.6	0.0
Initial Q Delay(d3),s/veh	0.0	0.0
%ile BackOfQ(50%),veh/ln	8.9	0.0
Unsig. Movement Delay, s/veh		
LnGrp Delay(d),s/veh	68.7	0.0
LnGrp LOS	E	
Approach Vol, veh/h	402	
Approach Delay, s/veh	83.7	
Approach LOS	F	
Timer - Assigned Phs		

Intersection	
Int Delay, s/veh	0.4

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	1	0	5	0	0	18	12	636	37	0	361	10
Future Vol, veh/h	1	0	5	0	0	18	12	636	37	0	361	10
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	Yield	-	-	Free	-	-	None
Storage Length	-	-	-	-	-	0	60	-	180	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	94	94	94	94	94	94	94	94	94	94	94	94
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	1	0	5	0	0	19	13	677	39	0	384	11

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1093	1093	390	-	-	677	395	0	-	-	-	0
Stage 1	390	390	-	-	-	-	-	-	-	-	-	-
Stage 2	703	703	-	-	-	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	-	-	6.22	4.12	-	-	-	-	-
Critical Hdwy Stg 1	6.12	5.52	-	-	-	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	-	-	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	-	-	3.318	2.218	-	-	-	-	-
Pot Cap-1 Maneuver	192	214	658	0	0	453	1164	-	0	0	-	-
Stage 1	634	608	-	0	0	-	-	-	0	0	-	-
Stage 2	428	440	-	0	0	-	-	-	0	0	-	-
Platoon blocked, %								-			-	-
Mov Cap-1 Maneuver	182	212	658	-	-	453	1164	-	-	-	-	-
Mov Cap-2 Maneuver	182	212	-	-	-	-	-	-	-	-	-	-
Stage 1	627	608	-	-	-	-	-	-	-	-	-	-
Stage 2	405	435	-	-	-	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	13	13.3	0.2	0
HCM LOS	B	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	WBLn1	SBT	SBR
Capacity (veh/h)	1164	-	458	453	-	-
HCM Lane V/C Ratio	0.011	-	0.014	0.042	-	-
HCM Control Delay (s)	8.1	-	13	13.3	-	-
HCM Lane LOS	A	-	B	B	-	-
HCM 95th %tile Q(veh)	0	-	0	0.1	-	-

Intersection	
Int Delay, s/veh	1.8

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	0	0	1	56	0	8	1	694	512	58	275	0
Future Vol, veh/h	0	0	1	56	0	8	1	694	512	58	275	0
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	Yield	-	-	None	-	-	None	-	-	None
Storage Length	-	-	0	-	-	-	50	-	180	185	-	60
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	98	98	98	98	98	98	98	98	98	98	98	98
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	0	1	57	0	8	1	708	522	59	281	0

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	-	-	281	1109	1109	708	281	0	0	1230	0	0
Stage 1	-	-	-	710	710	-	-	-	-	-	-	-
Stage 2	-	-	-	399	399	-	-	-	-	-	-	-
Critical Hdwy	-	-	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	-	-	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	-	-	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	0	0	758	187	210	435	1282	-	-	567	-	-
Stage 1	0	0	-	424	437	-	-	-	-	-	-	-
Stage 2	0	0	-	627	602	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	-	-	758	172	188	435	1282	-	-	567	-	-
Mov Cap-2 Maneuver	-	-	-	172	188	-	-	-	-	-	-	-
Stage 1	-	-	-	424	437	-	-	-	-	-	-	-
Stage 2	-	-	-	561	539	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	9.8	34.5	0	2.1
HCM LOS	A	D		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1282	-	-	758	186	567	-	-
HCM Lane V/C Ratio	0.001	-	-	0.001	0.351	0.104	-	-
HCM Control Delay (s)	7.8	-	-	9.8	34.5	12.1	-	-
HCM Lane LOS	A	-	-	A	D	B	-	-
HCM 95th %tile Q(veh)	0	-	-	0	1.5	0.3	-	-

Intersection	
Int Delay, s/veh	0.3

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	1256	32	0	1767	0	54
Future Vol, veh/h	1256	32	0	1767	0	54
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	Free	-	None	-	Yield
Storage Length	-	210	-	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	1322	34	0	1860	0	57

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	-	-	-	-	661
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-
Critical Hdwy	-	-	-	-	-	6.94
Critical Hdwy Stg 1	-	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	-	-	-
Follow-up Hdwy	-	-	-	-	-	3.32
Pot Cap-1 Maneuver	-	0	0	-	0	405
Stage 1	-	0	0	-	0	-
Stage 2	-	0	0	-	0	-
Platoon blocked, %	-			-		
Mov Cap-1 Maneuver	-	-	-	-	-	405
Mov Cap-2 Maneuver	-	-	-	-	-	-
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0	15.3
HCM LOS			C

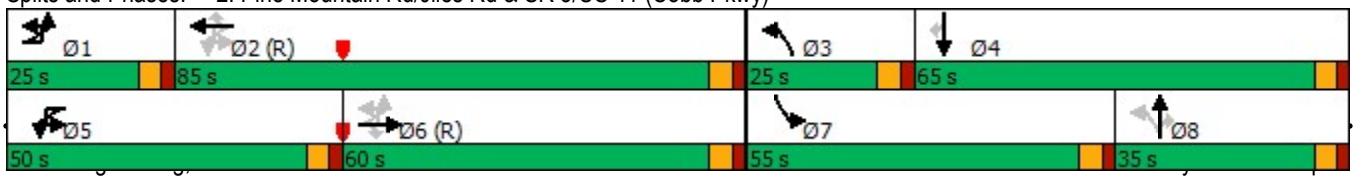
Minor Lane/Major Mvmt	NBLn1	EBT	WBT
Capacity (veh/h)	405	-	-
HCM Lane V/C Ratio	0.14	-	-
HCM Control Delay (s)	15.3	-	-
HCM Lane LOS	C	-	-
HCM 95th %tile Q(veh)	0.5	-	-

Lane Group	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (vph)	34	155	1001	104	3	531	1527	230	153	262	126	240
Future Volume (vph)	34	155	1001	104	3	531	1527	230	153	262	126	240
Lane Group Flow (vph)	0	197	1032	107	0	550	1574	237	158	270	130	247
Turn Type	pm+pt	pm+pt	NA	Perm	pm+pt	pm+pt	NA	Perm	pm+pt	NA	Perm	Prot
Protected Phases	1	1	6		5	5	2		3	8		7
Permitted Phases	6	6		6	2	2		2	8		8	
Detector Phase	1	1	6	6	5	5	2	2	3	8	8	7
Switch Phase												
Minimum Initial (s)	4.0	4.0	15.0	15.0	4.0	4.0	15.0	15.0	4.0	6.0	6.0	4.0
Minimum Split (s)	15.0	15.0	25.5	25.5	15.0	15.0	25.5	25.5	15.0	40.5	40.5	15.0
Total Split (s)	25.0	25.0	60.0	60.0	50.0	50.0	85.0	85.0	25.0	35.0	35.0	55.0
Total Split (%)	12.5%	12.5%	30.0%	30.0%	25.0%	25.0%	42.5%	42.5%	12.5%	17.5%	17.5%	27.5%
Yellow Time (s)	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Lost Time Adjust (s)		0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)		5.5	5.5	5.5		5.5	5.5	5.5	5.5	5.5	5.5	5.5
Lead/Lag	Lead	Lead	Lag	Lag	Lead	Lead	Lag	Lag	Lead	Lag	Lag	Lead
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Recall Mode	None	None	C-Min	C-Min	None	None	C-Min	C-Min	None	None	None	None
v/c Ratio		0.77	1.07	0.20		0.90	0.95	0.30	0.72	0.74	0.31	0.73
Control Delay		82.4	116.2	3.8		73.6	62.1	20.5	68.1	88.1	9.5	99.8
Queue Delay		0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay		82.4	116.2	3.8		73.6	62.1	20.5	68.1	88.1	9.5	99.8
Queue Length 50th (ft)		200	~787	0		639	1042	104	157	341	0	165
Queue Length 95th (ft)		300	#928	27		#1013	#1379	198	207	439	59	214
Internal Link Dist (ft)			435				711			257		
Turn Bay Length (ft)		395		335		300		175				400
Base Capacity (vph)		259	964	528		608	1664	799	236	364	417	849
Starvation Cap Reductn		0	0	0		0	0	0	0	0	0	0
Spillback Cap Reductn		0	0	0		0	0	0	0	0	0	0
Storage Cap Reductn		0	0	0		0	0	0	0	0	0	0
Reduced v/c Ratio		0.76	1.07	0.20		0.90	0.95	0.30	0.67	0.74	0.31	0.29

Intersection Summary

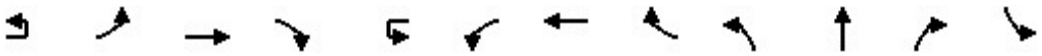
Cycle Length: 200
Actuated Cycle Length: 200
Offset: 0 (0%), Referenced to phase 2:WBTL and 6:EBTL, Start of Green
Natural Cycle: 150
Control Type: Actuated-Coordinated
~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.
95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 2: Pine Mountain Rd/Jiles Rd & SR 3/US 41 (Cobb Pkwy)



Lane Group	SBT	SBR
Lane Configurations		
Traffic Volume (vph)	313	134
Future Volume (vph)	313	134
Lane Group Flow (vph)	323	138
Turn Type	NA	Perm
Protected Phases	4	
Permitted Phases		4
Detector Phase	4	4
Switch Phase		
Minimum Initial (s)	6.0	6.0
Minimum Split (s)	40.5	40.5
Total Split (s)	65.0	65.0
Total Split (%)	32.5%	32.5%
Yellow Time (s)	3.5	3.5
All-Red Time (s)	2.0	2.0
Lost Time Adjust (s)	0.0	0.0
Total Lost Time (s)	5.5	5.5
Lead/Lag	Lag	Lag
Lead-Lag Optimize?	Yes	Yes
Recall Mode	None	None
v/c Ratio	0.84	0.33
Control Delay	95.0	14.7
Queue Delay	0.0	0.0
Total Delay	95.0	14.7
Queue Length 50th (ft)	419	20
Queue Length 95th (ft)	511	83
Internal Link Dist (ft)	593	
Turn Bay Length (ft)		
Base Capacity (vph)	554	555
Starvation Cap Reductn	0	0
Spillback Cap Reductn	0	0
Storage Cap Reductn	0	0
Reduced v/c Ratio	0.58	0.25

Intersection Summary



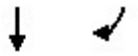
Movement	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (veh/h)	34	155	1001	104	3	531	1527	230	153	262	126	240
Future Volume (veh/h)	34	155	1001	104	3	531	1527	230	153	262	126	240
Initial Q (Qb), veh		0	0	0		0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)		1.00		1.00		1.00		1.00	1.00		1.00	1.00
Parking Bus, Adj		1.00	1.00	1.00		1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach			No				No			No		
Adj Sat Flow, veh/h/ln		1870	1870	1870		1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h		160	1032	107		547	1574	0	158	270	0	247
Peak Hour Factor		0.97	0.97	0.97		0.97	0.97	0.97	0.97	0.97	0.97	0.97
Percent Heavy Veh, %		2	2	2		2	2	2	2	2	2	2
Cap, veh/h		216	1411	629		507	1974		202	347		293
Arrive On Green		0.06	0.40	0.40		0.22	0.56	0.00	0.08	0.19	0.00	0.08
Sat Flow, veh/h		1781	3554	1585		1781	3554	1585	1781	1870	1585	3456
Grp Volume(v), veh/h		160	1032	107		547	1574	0	158	270	0	247
Grp Sat Flow(s),veh/h/ln		1781	1777	1585		1781	1777	1585	1781	1870	1585	1728
Q Serve(g_s), s		10.6	49.3	8.7		44.5	70.7	0.0	14.3	27.5	0.0	14.1
Cycle Q Clear(g_c), s		10.6	49.3	8.7		44.5	70.7	0.0	14.3	27.5	0.0	14.1
Prop In Lane		1.00		1.00		1.00		1.00	1.00		1.00	1.00
Lane Grp Cap(c), veh/h		216	1411	629		507	1974		202	347		293
V/C Ratio(X)		0.74	0.73	0.17		1.08	0.80		0.78	0.78		0.84
Avail Cap(c_a), veh/h		275	1411	629		507	1974		230	347		855
HCM Platoon Ratio		1.00	1.00	1.00		1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)		1.00	1.00	1.00		1.00	1.00	0.00	1.00	1.00	0.00	1.00
Uniform Delay (d), s/veh		39.4	51.2	39.0		54.6	35.5	0.0	62.1	77.5	0.0	90.2
Incr Delay (d2), s/veh		7.6	3.4	0.6		63.2	3.5	0.0	14.2	10.7	0.0	6.6
Initial Q Delay(d3),s/veh		0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln		5.1	22.4	3.6		34.5	30.8	0.0	7.3	14.2	0.0	6.6
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh		47.0	54.6	39.6		117.8	38.9	0.0	76.3	88.1	0.0	96.8
LnGrp LOS		D	D	D		F	D		E	F		F
Approach Vol, veh/h			1299				2121			428		
Approach Delay, s/veh			52.4				59.3			83.8		
Approach LOS			D				E			F		

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	18.3	116.6	21.9	43.2	50.0	84.9	22.4	42.6
Change Period (Y+Rc), s	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5
Max Green Setting (Gmax), s	19.5	79.5	19.5	59.5	44.5	54.5	49.5	29.5
Max Q Clear Time (g_c+I1), s	12.6	72.7	16.3	35.9	46.5	51.3	16.1	29.5
Green Ext Time (p_c), s	0.2	6.1	0.1	1.8	0.0	2.5	0.9	0.0

Intersection Summary	
HCM 6th Ctrl Delay	64.2
HCM 6th LOS	E

Notes

User approved pedestrian interval to be less than phase max green.
User approved ignoring U-Turning movement.
Unsignalized Delay for [NBR, WBR, SBR] is excluded from calculations of the approach delay and intersection delay.



Movement	SBT	SBR
Lane Configurations		
Traffic Volume (veh/h)	313	134
Future Volume (veh/h)	313	134
Initial Q (Qb), veh	0	0
Ped-Bike Adj(A_pbT)		1.00
Parking Bus, Adj	1.00	1.00
Work Zone On Approach	No	
Adj Sat Flow, veh/h/ln	1870	1870
Adj Flow Rate, veh/h	323	0
Peak Hour Factor	0.97	0.97
Percent Heavy Veh, %	2	2
Cap, veh/h	353	
Arrive On Green	0.19	0.00
Sat Flow, veh/h	1870	1585
Grp Volume(v), veh/h	323	0
Grp Sat Flow(s),veh/h/ln	1870	1585
Q Serve(g_s), s	33.9	0.0
Cycle Q Clear(g_c), s	33.9	0.0
Prop In Lane		1.00
Lane Grp Cap(c), veh/h	353	
V/C Ratio(X)	0.92	
Avail Cap(c_a), veh/h	556	
HCM Platoon Ratio	1.00	1.00
Upstream Filter(I)	1.00	0.00
Uniform Delay (d), s/veh	79.6	0.0
Incr Delay (d2), s/veh	13.9	0.0
Initial Q Delay(d3),s/veh	0.0	0.0
%ile BackOfQ(50%),veh/ln	17.7	0.0
Unsig. Movement Delay, s/veh		
LnGrp Delay(d),s/veh	93.5	0.0
LnGrp LOS	F	
Approach Vol, veh/h	570	
Approach Delay, s/veh	94.9	
Approach LOS	F	
Timer - Assigned Phs		

Intersection	
Int Delay, s/veh	2.4

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	37	0	32	0	0	60	15	365	26	0	774	6
Future Vol, veh/h	37	0	32	0	0	60	15	365	26	0	774	6
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	Yield	-	-	Free	-	-	None
Storage Length	-	-	-	-	-	0	60	-	180	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	96	96	96	96	96	96	96	96	96	96	96	96
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	39	0	33	0	0	63	16	380	27	0	806	6

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1221	1221	809	-	-	380	812	0	-	-	-	0
Stage 1	809	809	-	-	-	-	-	-	-	-	-	-
Stage 2	412	412	-	-	-	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	-	-	6.22	4.12	-	-	-	-	-
Critical Hdwy Stg 1	6.12	5.52	-	-	-	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	-	-	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	-	-	3.318	2.218	-	-	-	-	-
Pot Cap-1 Maneuver	157	180	380	0	0	667	814	-	0	0	-	-
Stage 1	374	394	-	0	0	-	-	-	0	0	-	-
Stage 2	617	594	-	0	0	-	-	-	0	0	-	-
Platoon blocked, %								-			-	-
Mov Cap-1 Maneuver	140	176	380	-	-	667	814	-	-	-	-	-
Mov Cap-2 Maneuver	140	176	-	-	-	-	-	-	-	-	-	-
Stage 1	367	394	-	-	-	-	-	-	-	-	-	-
Stage 2	548	582	-	-	-	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	33.2	11	0.4	0
HCM LOS	D	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	WBLn1	SBT	SBR
Capacity (veh/h)	814	-	198	667	-	-
HCM Lane V/C Ratio	0.019	-	0.363	0.094	-	-
HCM Control Delay (s)	9.5	-	33.2	11	-	-
HCM Lane LOS	A	-	D	B	-	-
HCM 95th %tile Q(veh)	0.1	-	1.6	0.3	-	-

Intersection	
Int Delay, s/veh	93

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	0	0	1	300	0	8	1	351	201	42	724	5
Future Vol, veh/h	0	0	1	300	0	8	1	351	201	42	724	5
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	Yield	-	-	None	-	-	None	-	-	None
Storage Length	-	-	0	-	-	-	50	-	180	185	-	60
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	98	98	98	98	98	98	98	98	98	98	98	98
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	0	1	306	0	8	1	358	205	43	739	5

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	-	-	739	1188	1190	358	744	0	0	563	0	0
Stage 1	-	-	-	360	360	-	-	-	-	-	-	-
Stage 2	-	-	-	828	830	-	-	-	-	-	-	-
Critical Hdwy	-	-	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	-	-	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	-	-	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	0	0	417	~ 165	188	686	864	-	-	1008	-	-
Stage 1	0	0	-	658	626	-	-	-	-	-	-	-
Stage 2	0	0	-	365	385	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	-	-	417	~ 159	180	686	864	-	-	1008	-	-
Mov Cap-2 Maneuver	-	-	-	~ 159	180	-	-	-	-	-	-	-
Stage 1	-	-	-	657	625	-	-	-	-	-	-	-
Stage 2	-	-	-	349	368	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	13.7	$ 492	0	0.5
HCM LOS	B	F		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	864	-	-	417	162	1008	-	-
HCM Lane V/C Ratio	0.001	-	-	0.002	1.94	0.043	-	-
HCM Control Delay (s)	9.2	-	-	13.7	$ 492	8.7	-	-
HCM Lane LOS	A	-	-	B	F	A	-	-
HCM 95th %tile Q(veh)	0	-	-	0	24	0.1	-	-

Notes			
~: Volume exceeds capacity	$: Delay exceeds 300s	+: Computation Not Defined	*: All major volume in platoon

FUTURE "BUILD" INTERSECTION ANALYSIS

Intersection	
Int Delay, s/veh	0.1

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	1832	11	0	889	0	11
Future Vol, veh/h	1832	11	0	889	0	11
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	Free	-	None	-	Yield
Storage Length	-	210	-	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	93	93	93	93	93	93
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	1970	12	0	956	0	12

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	-	-	-	-	985
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-
Critical Hdwy	-	-	-	-	-	6.94
Critical Hdwy Stg 1	-	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	-	-	-
Follow-up Hdwy	-	-	-	-	-	3.32
Pot Cap-1 Maneuver	-	0	0	-	0	247
Stage 1	-	0	0	-	0	-
Stage 2	-	0	0	-	0	-
Platoon blocked, %	-			-		
Mov Cap-1 Maneuver	-	-	-	-	-	247
Mov Cap-2 Maneuver	-	-	-	-	-	-
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0	20.3
HCM LOS			C

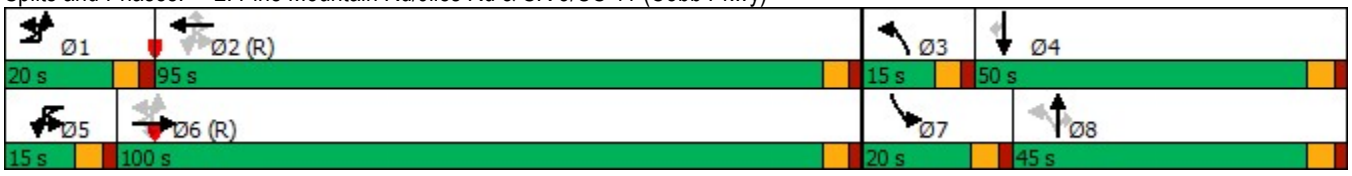
Minor Lane/Major Mvmt	NBLn1	EBT	WBT
Capacity (veh/h)	247	-	-
HCM Lane V/C Ratio	0.048	-	-
HCM Control Delay (s)	20.3	-	-
HCM Lane LOS	C	-	-
HCM 95th %tile Q(veh)	0.1	-	-

Lane Group	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (vph)	14	176	1499	86	5	110	751	129	111	284	292	187
Future Volume (vph)	14	176	1499	86	5	110	751	129	111	284	292	187
Lane Group Flow (vph)	0	198	1561	90	0	120	782	134	116	296	304	195
Turn Type	pm+pt	pm+pt	NA	Perm	pm+pt	pm+pt	NA	Perm	pm+pt	NA	Perm	Prot
Protected Phases	1	1	6		5	5	2		3	8		7
Permitted Phases	6	6		6	2	2		2	8		8	
Detector Phase	1	1	6	6	5	5	2	2	3	8	8	7
Switch Phase												
Minimum Initial (s)	4.0	4.0	15.0	15.0	4.0	4.0	15.0	15.0	4.0	6.0	6.0	4.0
Minimum Split (s)	15.0	15.0	25.5	25.5	15.0	15.0	25.5	25.5	15.0	40.5	40.5	15.0
Total Split (s)	20.0	20.0	100.0	100.0	15.0	15.0	95.0	95.0	15.0	45.0	45.0	20.0
Total Split (%)	11.1%	11.1%	55.6%	55.6%	8.3%	8.3%	52.8%	52.8%	8.3%	25.0%	25.0%	11.1%
Yellow Time (s)	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Lost Time Adjust (s)		0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)		5.5	5.5	5.5		5.5	5.5	5.5	5.5	5.5	5.5	5.5
Lead/Lag	Lead	Lead	Lag	Lag	Lead	Lead	Lag	Lag	Lead	Lag	Lag	Lead
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Recall Mode	None	None	C-Min	C-Min	None	None	C-Min	C-Min	None	None	None	None
v/c Ratio		0.47	0.79	0.10		0.71	0.41	0.15	0.46	0.86	0.80	0.74
Control Delay		17.5	36.7	4.9		49.5	26.2	6.8	54.5	93.7	60.1	99.0
Queue Delay		0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay		17.5	36.7	4.9		49.5	26.2	6.8	54.5	93.7	60.1	99.0
Queue Length 50th (ft)		92	807	4		59	288	17	103	341	229	118
Queue Length 95th (ft)		144	916	36		#183	366	58	155	448	342	165
Internal Link Dist (ft)			435				711			257		
Turn Bay Length (ft)		395		335		300		175				400
Base Capacity (vph)		433	1967	916		171	1914	904	251	408	431	276
Starvation Cap Reductn		0	0	0		0	0	0	0	0	0	0
Spillback Cap Reductn		0	0	0		0	0	0	0	0	0	0
Storage Cap Reductn		0	0	0		0	0	0	0	0	0	0
Reduced v/c Ratio		0.46	0.79	0.10		0.70	0.41	0.15	0.46	0.73	0.71	0.71

Intersection Summary

Cycle Length: 180
Actuated Cycle Length: 180
Offset: 0 (0%), Referenced to phase 2:WBTL and 6:EBTL, Start of Green
Natural Cycle: 130
Control Type: Actuated-Coordinated
95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 2: Pine Mountain Rd/Jiles Rd & SR 3/US 41 (Cobb Pkwy)



Lane Group	SBT	SBR
Lane Configurations		
Traffic Volume (vph)	201	60
Future Volume (vph)	201	60
Lane Group Flow (vph)	209	63
Turn Type	NA	Perm
Protected Phases	4	
Permitted Phases		4
Detector Phase	4	4
Switch Phase		
Minimum Initial (s)	6.0	6.0
Minimum Split (s)	40.5	40.5
Total Split (s)	50.0	50.0
Total Split (%)	27.8%	27.8%
Yellow Time (s)	3.5	3.5
All-Red Time (s)	2.0	2.0
Lost Time Adjust (s)	0.0	0.0
Total Lost Time (s)	5.5	5.5
Lead/Lag	Lag	Lag
Lead-Lag Optimize?	Yes	Yes
Recall Mode	None	None
v/c Ratio	0.54	0.16
Control Delay	67.7	5.3
Queue Delay	0.0	0.0
Total Delay	67.7	5.3
Queue Length 50th (ft)	220	0
Queue Length 95th (ft)	301	25
Internal Link Dist (ft)	593	
Turn Bay Length (ft)		
Base Capacity (vph)	460	453
Starvation Cap Reductn	0	0
Spillback Cap Reductn	0	0
Storage Cap Reductn	0	0
Reduced v/c Ratio	0.45	0.14

Intersection Summary

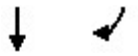
Movement	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (veh/h)	14	176	1499	86	5	110	751	129	111	284	292	187
Future Volume (veh/h)	14	176	1499	86	5	110	751	129	111	284	292	187
Initial Q (Qb), veh		0	0	0		0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)		1.00		1.00		1.00		1.00	1.00		1.00	1.00
Parking Bus, Adj		1.00	1.00	1.00		1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach			No				No			No		
Adj Sat Flow, veh/h/ln		1870	1870	1870		1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h		183	1561	90		115	782	0	116	296	0	195
Peak Hour Factor		0.96	0.96	0.96		0.96	0.96	0.96	0.96	0.96	0.96	0.96
Percent Heavy Veh, %		2	2	2		2	2	2	2	2	2	2
Cap, veh/h		458	2133	951		194	2075		234	323		234
Arrive On Green		0.05	0.60	0.60		0.04	0.58	0.00	0.05	0.17	0.00	0.07
Sat Flow, veh/h		1781	3554	1585		1781	3554	1585	1781	1870	1585	3456
Grp Volume(v), veh/h		183	1561	90		115	782	0	116	296	0	195
Grp Sat Flow(s),veh/h/ln		1781	1777	1585		1781	1777	1585	1781	1870	1585	1728
Q Serve(g_s), s		7.5	56.4	4.3		4.7	21.1	0.0	9.5	28.0	0.0	10.0
Cycle Q Clear(g_c), s		7.5	56.4	4.3		4.7	21.1	0.0	9.5	28.0	0.0	10.0
Prop In Lane		1.00		1.00		1.00		1.00	1.00		1.00	1.00
Lane Grp Cap(c), veh/h		458	2133	951		194	2075		234	323		234
V/C Ratio(X)		0.40	0.73	0.09		0.59	0.38		0.50	0.92		0.83
Avail Cap(c_a), veh/h		506	2133	951		221	2075		234	410		278
HCM Platoon Ratio		1.00	1.00	1.00		1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)		1.00	1.00	1.00		1.00	1.00	0.00	1.00	1.00	0.00	1.00
Uniform Delay (d), s/veh		14.9	25.7	15.3		26.6	20.0	0.0	58.8	73.2	0.0	82.9
Incr Delay (d2), s/veh		0.6	2.3	0.2		3.3	0.5	0.0	1.6	21.9	0.0	16.8
Initial Q Delay(d3),s/veh		0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln		3.0	23.5	1.6		2.3	8.8	0.0	4.5	15.3	0.0	5.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh		15.4	27.9	15.5		29.9	20.5	0.0	60.5	95.1	0.0	99.7
LnGrp LOS		B	C	B		C	C		E	F		F
Approach Vol, veh/h			1834				897			412		
Approach Delay, s/veh			26.1				21.7			85.4		
Approach LOS			C				C			F		

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	15.2	110.6	15.0	39.2	12.2	113.5	17.7	36.6
Change Period (Y+Rc), s	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5
Max Green Setting (Gmax), s	14.5	89.5	9.5	44.5	9.5	94.5	14.5	39.5
Max Q Clear Time (g_c+I1), s	9.5	23.1	11.5	20.4	6.7	58.4	12.0	30.0
Green Ext Time (p_c), s	0.2	12.7	0.0	1.1	0.1	26.5	0.1	1.1

Intersection Summary	
HCM 6th Ctrl Delay	38.4
HCM 6th LOS	D

Notes

User approved pedestrian interval to be less than phase max green.
User approved ignoring U-Turning movement.
Unsignalized Delay for [NBR, WBR, SBR] is excluded from calculations of the approach delay and intersection delay.



Movement	SBT	SBR
Lane Configurations		
Traffic Volume (veh/h)	201	60
Future Volume (veh/h)	201	60
Initial Q (Qb), veh	0	0
Ped-Bike Adj(A_pbT)		1.00
Parking Bus, Adj	1.00	1.00
Work Zone On Approach	No	
Adj Sat Flow, veh/h/ln	1870	1870
Adj Flow Rate, veh/h	209	0
Peak Hour Factor	0.96	0.96
Percent Heavy Veh, %	2	2
Cap, veh/h	351	
Arrive On Green	0.19	0.00
Sat Flow, veh/h	1870	1585
Grp Volume(v), veh/h	209	0
Grp Sat Flow(s),veh/h/ln	1870	1585
Q Serve(g_s), s	18.4	0.0
Cycle Q Clear(g_c), s	18.4	0.0
Prop In Lane		1.00
Lane Grp Cap(c), veh/h	351	
V/C Ratio(X)	0.60	
Avail Cap(c_a), veh/h	462	
HCM Platoon Ratio	1.00	1.00
Upstream Filter(I)	1.00	0.00
Uniform Delay (d), s/veh	66.9	0.0
Incr Delay (d2), s/veh	1.6	0.0
Initial Q Delay(d3),s/veh	0.0	0.0
%ile BackOfQ(50%),veh/ln	9.0	0.0
Unsig. Movement Delay, s/veh		
LnGrp Delay(d),s/veh	68.5	0.0
LnGrp LOS	E	
Approach Vol, veh/h	404	
Approach Delay, s/veh	83.6	
Approach LOS	F	
Timer - Assigned Phs		

Intersection	
Int Delay, s/veh	0.8

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	11	0	16	0	0	18	15	636	37	0	361	14
Future Vol, veh/h	11	0	16	0	0	18	15	636	37	0	361	14
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	Yield	-	-	Free	-	-	None
Storage Length	-	-	-	-	-	0	60	-	180	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	94	94	94	94	94	94	94	94	94	94	94	94
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	12	0	17	0	0	19	16	677	39	0	384	15

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1101	1101	392	-	-	677	399	0	-	-	-	0
Stage 1	392	392	-	-	-	-	-	-	-	-	-	-
Stage 2	709	709	-	-	-	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	-	-	6.22	4.12	-	-	-	-	-
Critical Hdwy Stg 1	6.12	5.52	-	-	-	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	-	-	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	-	-	3.318	2.218	-	-	-	-	-
Pot Cap-1 Maneuver	189	212	657	0	0	453	1160	-	0	0	-	-
Stage 1	633	606	-	0	0	-	-	-	0	0	-	-
Stage 2	425	437	-	0	0	-	-	-	0	0	-	-
Platoon blocked, %								-			-	-
Mov Cap-1 Maneuver	179	209	657	-	-	453	1160	-	-	-	-	-
Mov Cap-2 Maneuver	179	209	-	-	-	-	-	-	-	-	-	-
Stage 1	624	606	-	-	-	-	-	-	-	-	-	-
Stage 2	401	431	-	-	-	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	17.6	13.3	0.2	0
HCM LOS	C	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	WBLn1	SBT	SBR
Capacity (veh/h)	1160	-	315	453	-	-
HCM Lane V/C Ratio	0.014	-	0.091	0.042	-	-
HCM Control Delay (s)	8.1	-	17.6	13.3	-	-
HCM Lane LOS	A	-	C	B	-	-
HCM 95th %tile Q(veh)	0	-	0.3	0.1	-	-

Intersection	
Int Delay, s/veh	1.9

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	0	0	1	56	0	9	1	696	512	64	281	0
Future Vol, veh/h	0	0	1	56	0	9	1	696	512	64	281	0
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	Yield	-	-	None	-	-	None	-	-	None
Storage Length	-	-	0	-	-	-	50	-	180	185	-	60
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	98	98	98	98	98	98	98	98	98	98	98	98
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	0	1	57	0	9	1	710	522	65	287	0

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	-	-	287	1129	1129	710	287	0	0	1232	0	0
Stage 1	-	-	-	712	712	-	-	-	-	-	-	-
Stage 2	-	-	-	417	417	-	-	-	-	-	-	-
Critical Hdwy	-	-	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	-	-	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	-	-	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	0	0	752	181	204	434	1275	-	-	566	-	-
Stage 1	0	0	-	423	436	-	-	-	-	-	-	-
Stage 2	0	0	-	613	591	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	-	-	752	165	180	434	1275	-	-	566	-	-
Mov Cap-2 Maneuver	-	-	-	165	180	-	-	-	-	-	-	-
Stage 1	-	-	-	423	436	-	-	-	-	-	-	-
Stage 2	-	-	-	542	523	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	9.8	36.2	0	2.3
HCM LOS	A	E		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1275	-	-	752	180	566	-	-
HCM Lane V/C Ratio	0.001	-	-	0.001	0.368	0.115	-	-
HCM Control Delay (s)	7.8	-	-	9.8	36.2	12.2	-	-
HCM Lane LOS	A	-	-	A	E	B	-	-
HCM 95th %tile Q(veh)	0	-	-	0	1.6	0.4	-	-

Intersection	
Int Delay, s/veh	0.3

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	1256	37	0	1771	0	59
Future Vol, veh/h	1256	37	0	1771	0	59
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	Free	-	None	-	Yield
Storage Length	-	210	-	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	1322	39	0	1864	0	62

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	-	-	-	-	661
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-
Critical Hdwy	-	-	-	-	-	6.94
Critical Hdwy Stg 1	-	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	-	-	-
Follow-up Hdwy	-	-	-	-	-	3.32
Pot Cap-1 Maneuver	-	0	0	-	0	405
Stage 1	-	0	0	-	0	-
Stage 2	-	0	0	-	0	-
Platoon blocked, %	-			-		
Mov Cap-1 Maneuver	-	-	-	-	-	405
Mov Cap-2 Maneuver	-	-	-	-	-	-
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0	15.5
HCM LOS			C

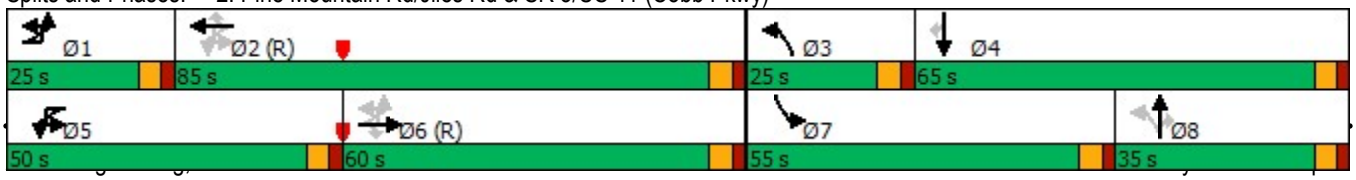
Minor Lane/Major Mvmt	NBLn1	EBT	WBT
Capacity (veh/h)	405	-	-
HCM Lane V/C Ratio	0.153	-	-
HCM Control Delay (s)	15.5	-	-
HCM Lane LOS	C	-	-
HCM 95th %tile Q(veh)	0.5	-	-

Lane Group	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (vph)	34	157	1004	104	3	536	1527	230	157	264	127	240
Future Volume (vph)	34	157	1004	104	3	536	1527	230	157	264	127	240
Lane Group Flow (vph)	0	199	1035	107	0	556	1574	237	162	272	131	247
Turn Type	pm+pt	pm+pt	NA	Perm	pm+pt	pm+pt	NA	Perm	pm+pt	NA	Perm	Prot
Protected Phases	1	1	6		5	5	2		3	8		7
Permitted Phases	6	6		6	2	2		2	8		8	
Detector Phase	1	1	6	6	5	5	2	2	3	8	8	7
Switch Phase												
Minimum Initial (s)	4.0	4.0	15.0	15.0	4.0	4.0	15.0	15.0	4.0	6.0	6.0	4.0
Minimum Split (s)	15.0	15.0	25.5	25.5	15.0	15.0	25.5	25.5	15.0	40.5	40.5	15.0
Total Split (s)	25.0	25.0	60.0	60.0	50.0	50.0	85.0	85.0	25.0	35.0	35.0	55.0
Total Split (%)	12.5%	12.5%	30.0%	30.0%	25.0%	25.0%	42.5%	42.5%	12.5%	17.5%	17.5%	27.5%
Yellow Time (s)	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Lost Time Adjust (s)		0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)		5.5	5.5	5.5		5.5	5.5	5.5	5.5	5.5	5.5	5.5
Lead/Lag	Lead	Lead	Lag	Lag	Lead	Lead	Lag	Lag	Lead	Lag	Lag	Lead
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Recall Mode	None	None	C-Min	C-Min	None	None	C-Min	C-Min	None	None	None	None
v/c Ratio		0.77	1.07	0.20		0.92	0.96	0.30	0.73	0.73	0.31	0.73
Control Delay		82.2	117.1	3.8		76.9	64.3	20.8	68.6	86.8	9.5	99.8
Queue Delay		0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay		82.2	117.1	3.8		76.9	64.3	20.8	68.6	86.8	9.5	99.8
Queue Length 50th (ft)		203	~792	0		656	1057	106	160	342	0	165
Queue Length 95th (ft)		303	#934	27		#1037	#1379	198	211	439	60	214
Internal Link Dist (ft)			435				711			257		
Turn Bay Length (ft)		395		335		300		175				400
Base Capacity (vph)		260	964	528		602	1646	792	236	371	422	849
Starvation Cap Reductn		0	0	0		0	0	0	0	0	0	0
Spillback Cap Reductn		0	0	0		0	0	0	0	0	0	0
Storage Cap Reductn		0	0	0		0	0	0	0	0	0	0
Reduced v/c Ratio		0.77	1.07	0.20		0.92	0.96	0.30	0.69	0.73	0.31	0.29

Intersection Summary

Cycle Length: 200
Actuated Cycle Length: 200
Offset: 0 (0%), Referenced to phase 2:WBTL and 6:EBTL, Start of Green
Natural Cycle: 150
Control Type: Actuated-Coordinated
~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.
95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 2: Pine Mountain Rd/Jiles Rd & SR 3/US 41 (Cobb Pkwy)



Lane Group	SBT	SBR
Lane Configurations		
Traffic Volume (vph)	318	134
Future Volume (vph)	318	134
Lane Group Flow (vph)	328	138
Turn Type	NA	Perm
Protected Phases	4	
Permitted Phases		4
Detector Phase	4	4
Switch Phase		
Minimum Initial (s)	6.0	6.0
Minimum Split (s)	40.5	40.5
Total Split (s)	65.0	65.0
Total Split (%)	32.5%	32.5%
Yellow Time (s)	3.5	3.5
All-Red Time (s)	2.0	2.0
Lost Time Adjust (s)	0.0	0.0
Total Lost Time (s)	5.5	5.5
Lead/Lag	Lag	Lag
Lead-Lag Optimize?	Yes	Yes
Recall Mode	None	None
v/c Ratio	0.84	0.32
Control Delay	94.6	14.8
Queue Delay	0.0	0.0
Total Delay	94.6	14.8
Queue Length 50th (ft)	425	21
Queue Length 95th (ft)	518	84
Internal Link Dist (ft)	593	
Turn Bay Length (ft)		
Base Capacity (vph)	554	554
Starvation Cap Reductn	0	0
Spillback Cap Reductn	0	0
Storage Cap Reductn	0	0
Reduced v/c Ratio	0.59	0.25

Intersection Summary

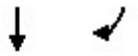
Movement	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (veh/h)	34	157	1004	104	3	536	1527	230	157	264	127	240
Future Volume (veh/h)	34	157	1004	104	3	536	1527	230	157	264	127	240
Initial Q (Qb), veh		0	0	0		0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)		1.00		1.00		1.00		1.00	1.00		1.00	1.00
Parking Bus, Adj		1.00	1.00	1.00		1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach			No				No			No		
Adj Sat Flow, veh/h/ln		1870	1870	1870		1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h		162	1035	107		553	1574	0	162	272	0	247
Peak Hour Factor		0.97	0.97	0.97		0.97	0.97	0.97	0.97	0.97	0.97	0.97
Percent Heavy Veh, %		2	2	2		2	2	2	2	2	2	2
Cap, veh/h		215	1396	623		503	1955		205	355		293
Arrive On Green		0.07	0.39	0.39		0.22	0.55	0.00	0.08	0.19	0.00	0.08
Sat Flow, veh/h		1781	3554	1585		1781	3554	1585	1781	1870	1585	3456
Grp Volume(v), veh/h		162	1035	107		553	1574	0	162	272	0	247
Grp Sat Flow(s),veh/h/ln		1781	1777	1585		1781	1777	1585	1781	1870	1585	1728
Q Serve(g_s), s		10.8	49.9	8.8		44.5	71.5	0.0	14.5	27.6	0.0	14.1
Cycle Q Clear(g_c), s		10.8	49.9	8.8		44.5	71.5	0.0	14.5	27.6	0.0	14.1
Prop In Lane		1.00		1.00		1.00		1.00	1.00		1.00	1.00
Lane Grp Cap(c), veh/h		215	1396	623		503	1955		205	355		293
V/C Ratio(X)		0.75	0.74	0.17		1.10	0.80		0.79	0.77		0.84
Avail Cap(c_a), veh/h		272	1396	623		503	1955		230	355		855
HCM Platoon Ratio		1.00	1.00	1.00		1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)		1.00	1.00	1.00		1.00	1.00	0.00	1.00	1.00	0.00	1.00
Uniform Delay (d), s/veh		40.3	52.0	39.5		55.1	36.3	0.0	61.5	76.8	0.0	90.2
Incr Delay (d2), s/veh		8.7	3.6	0.6		70.0	3.6	0.0	15.4	9.6	0.0	6.6
Initial Q Delay(d3),s/veh		0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln		5.2	22.7	3.6		35.2	31.3	0.0	7.5	14.2	0.0	6.6
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh		48.9	55.6	40.1		125.1	40.0	0.0	76.9	86.4	0.0	96.8
LnGrp LOS		D	E	D		F	D		E	F		F
Approach Vol, veh/h			1304				2127			434		
Approach Delay, s/veh			53.5				62.1			82.9		
Approach LOS			D				E			F		

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	18.5	115.5	22.2	43.8	50.0	84.1	22.4	43.5
Change Period (Y+Rc), s	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5
Max Green Setting (Gmax), s	19.5	79.5	19.5	59.5	44.5	54.5	49.5	29.5
Max Q Clear Time (g_c+I1), s	12.8	73.5	16.5	36.4	46.5	51.9	16.1	29.6
Green Ext Time (p_c), s	0.2	5.4	0.1	1.9	0.0	2.1	0.9	0.0

Intersection Summary	
HCM 6th Ctrl Delay	65.9
HCM 6th LOS	E

Notes

User approved pedestrian interval to be less than phase max green.
User approved ignoring U-Turning movement.
Unsignalized Delay for [NBR, WBR, SBR] is excluded from calculations of the approach delay and intersection delay.



Movement	SBT	SBR
Lane Configurations		
Traffic Volume (veh/h)	318	134
Future Volume (veh/h)	318	134
Initial Q (Qb), veh	0	0
Ped-Bike Adj(A_pbT)		1.00
Parking Bus, Adj	1.00	1.00
Work Zone On Approach	No	
Adj Sat Flow, veh/h/ln	1870	1870
Adj Flow Rate, veh/h	328	0
Peak Hour Factor	0.97	0.97
Percent Heavy Veh, %	2	2
Cap, veh/h	358	
Arrive On Green	0.19	0.00
Sat Flow, veh/h	1870	1585
Grp Volume(v), veh/h	328	0
Grp Sat Flow(s),veh/h/ln	1870	1585
Q Serve(g_s), s	34.4	0.0
Cycle Q Clear(g_c), s	34.4	0.0
Prop In Lane		1.00
Lane Grp Cap(c), veh/h	358	
V/C Ratio(X)	0.92	
Avail Cap(c_a), veh/h	556	
HCM Platoon Ratio	1.00	1.00
Upstream Filter(I)	1.00	0.00
Uniform Delay (d), s/veh	79.3	0.0
Incr Delay (d2), s/veh	14.3	0.0
Initial Q Delay(d3),s/veh	0.0	0.0
%ile BackOfQ(50%),veh/ln	18.1	0.0
Unsig. Movement Delay, s/veh		
LnGrp Delay(d),s/veh	93.6	0.0
LnGrp LOS	F	
Approach Vol, veh/h	575	
Approach Delay, s/veh	95.0	
Approach LOS	F	
Timer - Assigned Phs		

Intersection	
Int Delay, s/veh	3.1

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	44	0	39	0	0	60	24	365	26	0	774	16
Future Vol, veh/h	44	0	39	0	0	60	24	365	26	0	774	16
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	Yield	-	-	Free	-	-	None
Storage Length	-	-	-	-	-	0	60	-	180	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	96	96	96	96	96	96	96	96	96	96	96	96
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	46	0	41	0	0	63	25	380	27	0	806	17

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1245	1245	815	-	-	380	823	0	-	-	-	0
Stage 1	815	815	-	-	-	-	-	-	-	-	-	-
Stage 2	430	430	-	-	-	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	-	-	6.22	4.12	-	-	-	-	-
Critical Hdwy Stg 1	6.12	5.52	-	-	-	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	-	-	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	-	-	3.318	2.218	-	-	-	-	-
Pot Cap-1 Maneuver	151	174	377	0	0	667	807	-	0	0	-	-
Stage 1	371	391	-	0	0	-	-	-	0	0	-	-
Stage 2	603	583	-	0	0	-	-	-	0	0	-	-
Platoon blocked, %								-			-	-
Mov Cap-1 Maneuver	134	169	377	-	-	667	807	-	-	-	-	-
Mov Cap-2 Maneuver	134	169	-	-	-	-	-	-	-	-	-	-
Stage 1	359	391	-	-	-	-	-	-	-	-	-	-
Stage 2	530	565	-	-	-	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	38.3	11	0.6	0
HCM LOS	E	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	WBLn1	SBT	SBR
Capacity (veh/h)	807	-	192	667	-	-
HCM Lane V/C Ratio	0.031	-	0.45	0.094	-	-
HCM Control Delay (s)	9.6	-	38.3	11	-	-
HCM Lane LOS	A	-	E	B	-	-
HCM 95th %tile Q(veh)	0.1	-	2.1	0.3	-	-

Intersection	
Int Delay, s/veh	98.4

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	0	0	1	300	0	13	1	355	201	46	727	5
Future Vol, veh/h	0	0	1	300	0	13	1	355	201	46	727	5
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	Yield	-	-	None	-	-	None	-	-	None
Storage Length	-	-	0	-	-	-	50	-	180	185	-	60
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	98	98	98	98	98	98	98	98	98	98	98	98
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	0	1	306	0	13	1	362	205	47	742	5

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	-	-	742	1203	1205	362	747	0	0	567	0	0
Stage 1	-	-	-	364	364	-	-	-	-	-	-	-
Stage 2	-	-	-	839	841	-	-	-	-	-	-	-
Critical Hdwy	-	-	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	-	-	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	-	-	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	0	0	416	~ 161	184	683	861	-	-	1005	-	-
Stage 1	0	0	-	655	624	-	-	-	-	-	-	-
Stage 2	0	0	-	360	380	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	-	-	416	~ 155	175	683	861	-	-	1005	-	-
Mov Cap-2 Maneuver	-	-	-	~ 155	175	-	-	-	-	-	-	-
Stage 1	-	-	-	654	623	-	-	-	-	-	-	-
Stage 2	-	-	-	342	362	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	13.7	$ 517.1	0	0.5
HCM LOS	B	F		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	861	-	-	416	160	1005	-	-
HCM Lane V/C Ratio	0.001	-	-	0.002	1.996	0.047	-	-
HCM Control Delay (s)	9.2	-	-	13.7	$ 517.1	8.8	-	-
HCM Lane LOS	A	-	-	B	F	A	-	-
HCM 95th %tile Q(veh)	0	-	-	0	24.8	0.1	-	-

Notes			
~: Volume exceeds capacity	$: Delay exceeds 300s	+: Computation Not Defined	*: All major volume in platoon

TRAFFIC VOLUME WORKSHEETS

25-214 6095 Pine Mountain Road Residential Development – Kennesaw, GA - TIS
Traffic Volumes

A&R Engineering
December 2025

1.Cobb Pkwy@ King Crossing Drwy

A.M. Peak Hour

	King Crossing II Driveway (RIRO)/ Site Driveway 1 Northbound					- Southbound					SR 3/US 41 (Cobb Parkway) Eastbound					SR 3/US 41 (Cobb Parkway) Westbound				
Condition	U	L	T	R	Tot	U	L	T	R	Tot	U	L	T	R	Tot	U	L	T	R	Tot
Existing 2025 Traffic Counts:	0	0	0	4	4	0	0	0	0	0	0	0	1796	9	1805	0	0	866	0	866
Growth Factor (%):	1	1	1	1		1	1	1	1		1	1	1	1		1	1	1	1	
No-Build 2027 Volumes:	0	0	0	4	4	0	0	0	0	0	0	0	1832	9	1841	0	0	883	0	883
Total New Trips:	0	0	0	7	7	0	0	0	0	0	0	0	0	2	2	0	0	6	0	6
Future 2027 Traffic Volumes:	0	0	0	11	11	0	0	0	0	0	0	0	1832	11	1843	0	0	889	0	889

P.M. Peak Hour

	King Crossing II Driveway (RIRO)/ Site Driveway 1 Northbound					- Southbound					SR 3/US 41 (Cobb Parkway) Eastbound					SR 3/US 41 (Cobb Parkway) Westbound				
Condition	U	L	T	R	Tot	U	L	T	R	Tot	U	L	T	R	Tot	U	L	T	R	Tot
Existing 2025 Traffic Counts:	0	0	0	53	53	0	0	0	0	0	0	0	1231	31	1262	0	0	1732	0	1732
Growth Factor (%):	1	1	1	1		1	1	1	1		1	1	1	1		1	1	1	1	
No-Build 2027 Volumes:	0	0	0	54	54	0	0	0	0	0	0	0	1256	32	1288	0	0	1767	0	1767
Total New Trips:	0	0	0	5	5	0	0	0	0	0	0	0	0	5	5	0	0	4	0	4
Future 2027 Traffic Volumes:	0	0	0	59	59	0	0	0	0	0	0	0	1256	37	1293	0	0	1771	0	1771

25-214 6095 Pine Mountain Road Residential Development – Kennesaw, GA - TIS
Traffic Volumes

A&R Engineering
December 2025

2.Cobb Pkwy@ Jiles-Pine Mtn Rd

A.M. Peak Hour

	Pine Mountain Road Northbound					Jiles Road Southbound					SR 3/US 41 (Cobb Parkway) Eastbound					SR 3/US 41 (Cobb Parkway) Westbound				
Condition	U	L	T	R	Tot	U	L	T	R	Tot	U	L	T	R	Tot	U	L	T	R	Tot
Existing 2025 Traffic Counts:	0	103	275	285	663	0	183	195	59	437	14	170	1466	84	1734	5	106	736	126	973
Growth Factor (%):	1	1	1	1		1	1	1	1		1	1	1	1		1	1	1	1	
No-Build 2027 Volumes:	0	105	281	291	677	0	187	199	60	446	14	173	1495	86	1768	5	108	751	129	993
Total New Trips:	0	6	3	1	10	0	0	2	0	2	0	3	4	0	7	0	2	0	0	2
Future 2027 Traffic Volumes:	0	111	284	292	687	0	187	201	60	448	14	176	1499	86	1775	5	110	751	129	995

P.M. Peak Hour

	Pine Mountain Road Northbound					Jiles Road Southbound					SR 3/US 41 (Cobb Parkway) Eastbound					SR 3/US 41 (Cobb Parkway) Westbound				
Condition	U	L	T	R	Tot	U	L	T	R	Tot	U	L	T	R	Tot	U	L	T	R	Tot
Existing 2025 Traffic Counts:	0	150	257	124	531	0	235	307	131	673	33	152	981	102	1268	3	521	1497	225	2246
Growth Factor (%):	1	1	1	1		1	1	1	1		1	1	1	1		1	1	1	1	
No-Build 2027 Volumes:	0	153	262	126	541	0	240	313	134	687	34	155	1001	104	1294	3	531	1527	230	2291
Total New Trips:	0	4	2	1	7	0	0	5	0	5	0	2	3	0	5	0	5	0	0	5
Future 2027 Traffic Volumes:	0	157	264	127	548	0	240	318	134	692	34	157	1004	104	1299	3	536	1527	230	2296

25-214 6095 Pine Mountain Road Residential Development – Kennesaw, GA - TIS
Traffic Volumes

A&R Engineering
December 2025

3.Pine Mtn Rd@Medical Ctr Drwy

A.M. Peak Hour

	Pine Mountain Road Northbound					Pine Mountain Road Southbound					Cedar Creek Professional Center Driveway/ Site Driveway 2 Eastbound					Pine Mountain Medical Center Driveway Westbound				
Condition	U	L	T	R	Tot	U	L	T	R	Tot	U	L	T	R	Tot	U	L	T	R	Tot
Existing 2025 Traffic Counts:	0	12	624	36	672	0	0	354	10	364	0	1	0	5	6	0	0	0	18	18
Growth Factor (%):	1	1	1	1		1	1	1	1		1	1	1	1		1	1	1	1	
No-Build 2027 Volumes:	0	12	636	37	685	0	0	361	10	371	0	1	0	5	6	0	0	0	18	18
Total New Trips:	0	3	0	0	3	0	0	0	4	4	0	10	0	11	21	0	0	0	0	0
Future 2027 Traffic Volumes:	0	15	636	37	688	0	0	361	14	375	0	11	0	16	27	0	0	0	18	18

P.M. Peak Hour

	Pine Mountain Road Northbound					Pine Mountain Road Southbound					Cedar Creek Professional Center Driveway/ Eastbound					Pine Mountain Medical Center Driveway Westbound				
Condition	U	L	T	R	Tot	U	L	T	R	Tot	U	L	T	R	Tot	U	L	T	R	Tot
Existing 2025 Traffic Counts:	0	15	358	25	398	0	0	759	6	765	0	36	0	31	67	0	0	0	59	59
Growth Factor (%):	1	1	1	1		1	1	1	1		1	1	1	1		1	1	1	1	
No-Build 2027 Volumes:	0	15	365	26	406	0	0	774	6	780	0	37	0	32	69	0	0	0	60	60
Total New Trips:	0	9	0	0	9	0	0	0	10	10	0	7	0	7	14	0	0	0	0	0
Future 2027 Traffic Volumes:	0	24	365	26	415	0	0	774	16	790	0	44	0	39	83	0	0	0	60	60

25-214 6095 Pine Mountain Road Residential Development – Kennesaw, GA - TIS
Traffic Volumes

A&R Engineering
December 2025

4.Pine Mtn Rd@Pine Mtn Way

A.M. Peak Hour

	Pine Mountain Road Northbound					Pine Mountain Road Southbound					Suffah Mosque North Driveway Eastbound					Pine Mountain Way Westbound				
Condition	U	L	T	R	Tot	U	L	T	R	Tot	U	L	T	R	Tot	U	L	T	R	Tot
Existing 2025 Traffic Counts:	0	0	680	502	1182	0	57	270	0	327	0	0	0	1	1	0	55	0	8	63
Growth Factor (%):	1	1	1	1		1	1	1	1		1	1	1	1		1	1	1	1	
No-Build 2027 Volumes:	0	0	694	512	1206	0	58	275	0	333	0	0	0	1	1	0	56	0	8	64
Total New Trips:	0	0	2	0	2	0	6	6	0	12	0	0	0	0	0	0	0	0	1	1
Future 2027 Traffic Volumes:	0	0	696	512	1208	0	64	281	0	345	0	0	0	1	1	0	56	0	9	65

P.M. Peak Hour

	Pine Mountain Road Northbound					Pine Mountain Road Southbound					Suffah Mosque North Driveway Eastbound					Pine Mountain Way Westbound				
Condition	U	L	T	R	Tot	U	L	T	R	Tot	U	L	T	R	Tot	U	L	T	R	Tot
Existing 2025 Traffic Counts:	0	0	344	197	541	0	41	710	5	756	0	0	0	0	0	0	294	0	8	302
Growth Factor (%):	1	1	1	1		1	1	1	1		1	1	1	1		1	1	1	1	
No-Build 2027 Volumes:	0	0	351	201	552	0	42	724	5	771	0	0	0	0	0	0	300	0	8	308
Total New Trips:	0	0	4	0	4	0	4	3	0	7	0	0	0	0	0	0	0	0	5	5
Future 2027 Traffic Volumes:	0	0	355	201	556	0	46	727	5	778	0	0	0	0	0	0	300	0	13	313

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Injury, Land Use,
Criminal Defense,
Domestic
& Business

December 31, 2025

VIA EMAIL: ccampbell@kennesaw-ga.gov

Ms. Chanelle Campbell
Director of Planning & Zoning
City of Kennesaw

Re: Rezoning Application of DRB Group Georgia, LLC, 6095 Pine Mountain Road
RZ2025-03

Dear Darryl:

This firm represents DRB Group Georgia, LLC ("DRB") as it relates to its Rezoning Application known as RZ2025-03 regarding the above-captioned property. We are requesting that the application be tabled from the January hearing dates until the February hearing dates to allow additional time for the Applicant to continue working with the City and community. Thank you.

Sincerely,

ROZEN, ROZEN & REILLY, LLP

/s/ Adam J. Rozen

Adam J. Rozen
ajrozen@rozenandrozen.com

AJR/srb

Stephen T. Snow, Esq.
Partner

DD: 404.671.3107
SSnow@bsllaw.net

January 16, 2026

Via E-Mail
CCampbell@kennesaw-ga.gov

City of Kennesaw Planning and Zoning
c/o Chanelle Campbell, Director
3080 Moon Station Road
Kennesaw, GA 30144

RE: Cedar Creek Professional Office Association, Inc.'s Opposition to Rezoning Application #RZ2025-3 for 6095 Pine Mountain Road, Kennesaw, GA 30152

Dear Ms. Campbell,

This law firm and the undersigned represent Cedar Creek Professional Office Association, Inc. ("CCPOA"). Since May 17, 2010, CCPOA has owned the common area of the Cedar Creek Professional Center located at 6095 Pine Mountain Road, Kennesaw, GA 30152. (**Exhibit 1**). CCPOA submits this letter to formally express its opposition to Rezoning Application #RZ2025-3 submitted by DRB Group Georgia, LLC for the purpose of constructing an 89-unit townhome community on the property owned by AP Real Estate Georgia, LLC, situated immediately adjacent to the Cedar Creek Professional Center.

The City of Kennesaw recently updated and approved its Future Land Use Map in 2023. (**Exhibit 2**). The proposed townhome development contradicts the Community Activity Center designation established by the City less than three (3) years ago, and it is not in harmony with the single-family detached homes situated adjacent to the property. The proposed townhome development also violates no less than five (5) of the express stipulations set forth in City of Kennesaw Ordinance No. 2006-20, 2006 (the "Ordinance," (**Exhibit 3**)). The Ordinance contains multiple stipulations that specifically apply to and restrict the manner in which DRB may develop the subject property. DRB's proposed townhome development cannot be constructed as shown on the plans submitted by DRB because it would violate the express zoning requirements set forth in Ordinance 2006-20.

The ~2.84-acre parcel on which CCPOA's property and Building 100 lie was originally part of a larger ~11.7-acre development project involving three (3) small office buildings. In 2006, as part of its acquisition of the ~11.7 acres from King's Crossing Management, LLC (**Exhibit 4**), Pebblebrook Development, LLC rezoned (#RZ2006-11) the ~2.84-acre parcel from GC (General Commercial) and R-20 to match the HGB (Highway General Business) zoning designation that

already existed for the other ~8.83 acres "for the purpose of a general business/office development" encompassing all ~11.7 acres "with reference to that Rezoning Drawing prepared for Pebblebrook Development, LLC dated April 24, 2006." (Ordinance, Stipulation #2; see also Rezoning Drawing (**Exhibit 5**)). As noted throughout the Ordinance, the "proposed development" referred to "a general business/office development" including "all proposed office buildings" located not only on the rezoned ~2.84-acre parcel, but also on the adjoining ~8.83-acre property. (See e.g. Ordinance, Stipulation #2, #4, #5, #6, #7, #8, #11, #14, and #15).

The City approved Pebblebrook's rezoning application following extensive negotiations with adjacent property owners and residents, which resulted in numerous stipulations being imposed upon the proposed development on the subject property "and the adjacent property also to be developed," referring to the ~8.83 acres on which Pebblebrook intended to construct Buildings 200 and 300, and on which DRB now seeks to construct 89 townhomes. (See Kennesaw Planning Commission meeting minutes for July, 10, 2006 (**Exhibit 6**); Mayor and Council meeting minutes for September 5, 2006 (**Exhibit 7**); Mayor and Council Agenda Packet for September 5, 2006 (**Exhibit 8**)).The Ordinance's zoning stipulations specifically reference "the proposed buildings, both within the Subject Property and on adjoining property, which will be part of the proposed development." (Ordinance, Stipulation #7).

As depicted on its rezoning application materials, DRB's proposed 89-unit townhome development would violate at least the following five (5) zoning stipulations set forth in the Ordinance:

Stipulation #4:

Applicant agrees that the architectural style for the proposed development shall be consistent with all architectural photographs submitted to City staff during the zoning process and presented to the City of Kennesaw during the respective public hearings. In that regard, the exterior elevations of the proposed buildings shall consist of brick, stone, stacked stone, stucco, and other masonry materials.

The 89 townhomes proposed by DRB are not consistent with the three (3) small office buildings shown on the development plan that Pebblebrook submitted to the City during the zoning process. Not only does DRB intend to change the entire character of the proposed development from three (3) office buildings to 89 townhomes, but the proposed townhomes do not comply with any of the Ordinance's exterior elevation requirements. The elevation details submitted by DRB indicate the townhomes will consist of lapped panel siding and board and

batten siding, not brick, stone, stacked stone, stucco, and other masonry materials as required by the ordinance. As such, the proposed development is in direct violation of this stipulation.

Stipulation #6:

Applicant agrees to establish and maintain a permanent, minimum forty (40) foot buffer along the entire southern boundary of the Subject Property, as well as, the adjacent property also to be developed, which buffer shall be adjacent to a development known as "The Village at Pine Lake Mountain." Such forty foot buffer shall not include any drives or other paved areas; but rather, shall be utilized for landscaping, screening materials, and fencing subject to a landscape plan to incorporate such features subject to City of Kennesaw staff approval during the plan review process.

According to the materials submitted by DRB, the proposed townhome development would only have a 20-foot landscape strip on the southern boundary. This is only half of the minimum 40-foot landscape buffer required by the Ordinance. Moreover, the site plan submitted by Pebblebrook for the original zoning, with which the "proposed development shall be consistent" (Ordinance, Stipulation #4 and #11), provided for a 35-foot rear setback for the buildings, compared to the only 25-foot setback specified for DRB's proposed townhomes. Because the townhomes lack the minimum required landscaped buffer and the minimum required setback, the proposed development is in violation of this stipulation.

Stipulation #11:

Applicant agrees that the future development shall be consistent with the general layout and design as shown and reflected on the submitted site plan.

As noted above, the Ordinance provides that the adjoining property "will be part of the proposed development" (Stipulation #7). The "future development" in this stipulation references Buildings 200 and 300, identified as Tract 2 on the Rezoning Drawing submitted by Pebblebrook and relied upon by the City, Pebblebrook, and the local residents as the basis for the prior zoning approval. (**Exhibit 5**). The 89 townhomes proposed by DRB are in no way consistent with what is shown on the Rezoning Drawing. As such, the proposed development is in violation of this stipulation.

Stipulation #13:

Applicant agrees to coordinate and seek approval from the City of Kennesaw on final layout of access drive to the proposed development from Pine Mountain Road that will reduce stacking and promote better traffic flow for egress and ingress.

As noted in this stipulation, traffic congestion on Pine Mountain Road was already a concern for the City and the local businesses and residents when the zoning Ordinance was passed back in 2006. The proposed development consisting of 89 townhomes is contrary to the City's directive to reduce stacking and promote better traffic flow to and from Pine Mountain Road.

DRB's site plan shows two (2) points of ingress/egress. The first is to Hwy 41 (Cobb Parkway) to the north via King Crossing Court. The second is to Pine Mountain Road to the east via the unnamed private drive serving the CCPOA property. As part of its zoning application, DRB submitted a Traffic Impact Study[1] which relied upon the assumption that the future townhome residents would have two (2) points of ingress/egress. However, in a meeting with the City and CCPOA on January 12, 2026, DRB represented to the City and to CCPOA that it is "landlocked" and is seeking an easement of necessity through CCPOA's private drive because the current owner does not have the legal right to use King Crossing Court as shown on DRB's site plan and as indicated in its Traffic Impact Study. DRB makes this assertion despite the fact that the current owner's deed, and all relevant prior deeds, specifically include an easement appurtenant granting the owner "all right, title and interest in real estate [King Crossing Court] by virtue of the Reciprocal Easement Agreement" recorded by the original owner of the full ~11.7-acre parcel. (See **Exhibit 4**; AP Real Estate Georgia, LLC's Limited Warranty Deed (**Exhibit 9**); and Reciprocal Easement Agreement (**Exhibit 10**)). It is noteworthy that the current owner of the proposed development property has used King Crossing Court as its exclusive point of ingress/egress since 2019. It is also noteworthy that the Rezoning Drawing submitted by Pebblebrook in 2006 as part of its acquisition and future development of the ~11.7 acre property, as well as its rezoning of the ~2.84-acre parcel, specifically shows that that grantor of the Reciprocal Easement Agreement intended to have the future development access Hwy 41 via King Crossing Court. (**Exhibit 5**). It is also noteworthy that DRB acknowledges that no one claiming an ownership or other interest in King Crossing Court has objected to its proposed use

[1] CCPOA questions the validity of the traffic study submitted by DRB. It seems highly unlikely that an 89-unit residential townhome community would only generate 28 exit trips during the peak morning hours of 7:00 am – 9:00 am.

of King Crossing Court to access the proposed development or has otherwise claimed that the current owner lacks the legal right to do so.

CCPOA disputes DRB's position that it is landlocked or that the current owner has no legal right to use King Crossing Court. The recorded Reciprocal Easement Agreement was created for the specific purpose of providing "a perpetual and non-exclusive permanent easement and right of way appurtenant" to give access to the development property. (**Exhibit 10**). Moreover, the current owner's deed specifically references that same Reciprocal Easement Agreement as "Appurtenant Easement Area No. 3" benefiting the subject property. (**Exhibit 9**; see also **Exhibit 4**). In light of DRB's representations to the City in its site plan and Traffic Impact Study that the proposed development will access Hwy 41 via King Crossing Court, the fact that the current owner's deed specifically references the Reciprocal Easement Agreement over King Crossing Court as an easement appurtenant benefitting the development property, and the fact that the current owner has exclusively used King Crossing Court to access the development property since 2019, it appears that DRB's current position is merely a strategy to support its effort to seize access to CCPOA's private drive and secure a second access point for its proposed townhomes.

However, assuming *arguendo* that the proposed development truly has no legal right to use King Crossing Court, that would mean that DRB's site plan falsely represents that the 89-unit townhome development would have two (2) points of ingress/egress. Moreover, it would also mean that, contrary to what is represented in DRB's Traffic Impact Study, 100% of the traffic to/from the proposed 89-unit townhome development would be forced to use CCPOA's private drive. Relying upon DRB's own traffic calculations, that would mean the proposed townhome development would result in 584 additional vehicles passing through CCPOA's private drive every day, and 584 additional vehicles attempting to enter and exit a highly congested section of Pine Mountain Road every day. This would be incredibly harmful to the interests of CCPOA, its unit owners, their customers, and the general public. In addition, this would be incredibly harmful to the local businesses and residents in the community since this increased traffic would overwhelm the already problematic traffic situation on Pine Mountain Road.

Although the Ordinance requires CCPOA's private drive to be designed in a manner that would reduce stacking and promote better traffic flow for ingress and egress, the proposed townhome development would do the opposite. As such, the proposed development is in direct violation of this stipulation.

Stipulation #14:

Interparcel access and shared access drive shall be designed with adjoining vacant property once future development of adjoining parcel is pursued.

DRB relies upon this stipulation to support its contention that the Ordinance requires CCPOA to allow the residents of its proposed 89-unit townhome development to use CCPOA's private drive as a secondary (or primary, as it now alleges) point of ingress/egress. However, the Ordinance and this stipulation were based on the assumption that the future development would be two (2) additional office buildings, as specifically shown on Pebblebrook's Rezoning Drawing. Neither Pebblebrook, nor the City, nor the residents who collectively negotiated the terms and stipulations of the Ordinance contemplated that the adjoining property would be developed into 89 townhomes. CCPOA is confident that Pebblebrook and the local residents would never have agreed to this stipulation if it were possible for the adjoining property to be developed in a completely different manner than what was shown in Pebblebrook's Rezoning Drawing, such as replacing the two (2) office buildings with 89 townhomes all using the private drive to access Pine Mountain Road. In light of DRB's intent to change the nature of the development on the adjacent property, CCPOA has submitted a rezoning application contemporaneously with this letter in which it requests that the City remove this Stipulation #14 from the Ordinance.

CCPOA strongly objects to DRB's rezoning application for the reasons stated above. The site plan submitted by DRB does not accurately reflect the access road(s) DRB's application and proposed development project rely upon. DRB seeks to use CCPOA's private drive for a purpose that was not contemplated or approved in the Ordinance and that will result in irreparable harm to CCPOA and the community who already struggle with traffic problems on Pine Mountain Road. Moreover, the proposed townhome development violates no less than five (5) stipulations within the existing Ordinance that expressly apply to the proposed development property. For these reasons, CCPOA respectfully requests that the City of Kennesaw deny DRB's rezoning request.

In the event the City is inclined to grant DRB's rezoning request despite its many violations of an existing Ordinance, CCPOA respectfully requests that the City impose the following conditions on its approval:

1. Require DRB to modify its site plan to eliminate the proposed use of CCPOA's private drive as an access road and delete Condition #14 from City of Kennesaw Ordinance 2006-20.

2. Restrict development to single-family detached homes in harmony with the adjacent subdivisions.

3. Require DRB to establish and maintain a permanent, minimum 40-foot landscape buffer along the entire southern and eastern boundaries of the subject property.

4. Require DRB to install a continuous, eight (8) foot tall wood privacy fence along the entire southern and eastern boundaries of the subject property.

5. If DRB is permitted to proceed with the construction of single-family attached homes, require DRB to include a deed restriction preventing future unit owners from renting or leasing their units.

We appreciate the opportunity to submit this formal objection to Rezoning Application #RZ2025-3. If you need any further information or documentation related to this matter, please do not hesitate to contact me.

Sincerely,



Stephen T. Snow

CC: Cedar Creek Professional Office Association, Inc.

Deed Book 14772 Pg 4032
Filed and Recorded May-18-2010 01:08pm
2010-0068710
Real Estate Transfer Tax $0.00

Jay C. Stephenson
Clerk of Superior Court Cobb Cty. Ga.

Re-Record to add Exhibit "A".

Upon recording return to:
Lisa A. Crawford
Dorough & Dorough, LLC
160 Clairemont Avenue
Suite 650
Decatur, Georgia 30030
(404) 687-9977

FIRST AMERICAN TITLE INSURANCE COMPANY
Six Concourse Parkway, Suite 2000
Atlanta, GA 30328
FILE NO: NCS 512099 103
Attn: Jeni Brown

Deed Book 14907 Pg 95
Filed and Recorded Dec-29-2011 12:15pm
2011-0163804
Real Estate Transfer Tax $0.00

Jay C. Stephenson
Clerk of Superior Court Cobb Cty. Ga.

QUITCLAIM DEED

THIS INDENTURE, made this 17th day of May, 2010, by and between **BANK OF NORTH GEORGIA**, a Georgia banking association, party of the first part (hereinafter referred to as "Grantor"), and **CEDAR CREEK PROFESSIONAL OFFICE ASSOCIATION, INC.**, a Georgia nonprofit corporation, party of the second part (hereinafter referred to as "Grantee") (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH:

WHEREAS, Grantor is the owner of certain real property located in Land Lot 140 of the 20th District, City of Kennesaw, Cobb County, Georgia, which is the common area of the Cedar Creek Professional Center, as the same is more particularly described on Exhibit "A" attached hereto and by this reference incorporated herein (said property is hereinafter referred to as the "Cedar Creek Professional Center Common Area"); and

WHEREAS, Grantor desires to ratify and affirm the provisions of that certain Declaration of Covenants, Conditions, and Restrictions for Cedar Creek Professional Center, recorded April 11, 2008 at Deed Book 14598, Page 5608, *et seq.*, Cobb County, Georgia land records (hereinafter as amended and/or supplemented from time to time, referred to as the "Declaration"), as the same applies to the Cedar Creek Professional Center Common Area; and

WHEREAS, Grantor desires to convey the Cedar Creek Professional Center Common Area to the Association subject to all of the covenants, conditions, restrictions and easements contained in the Declaration such that from and after the date of this conveyance, the Cedar Creek Professional Center Common Area shall be subject to the jurisdiction of the Association

and bound by provisions of the Declaration and shall constitute Common Area as such term is defined in the Declaration;

NOW THEREFORE, Grantor, for and in consideration of the sum of **TEN AND NO/100 ($10.00) DOLLARS** and other good and valuable considerations 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 quitclaimed, and by these presents does grant, bargain, sell, alien, convey and QUITCLAIM unto the said Grantee the Cedar Creek Professional Center Common Area as the same is more particularly described on Exhibit "A", attached hereto and by this reference incorporated herein.

TO HAVE AND TO HOLD the said described premises to Grantee, so that neither Grantor nor any person or persons claiming under Grantor shall at any time, by any means or ways, have, claim or demand any right or title to said premises or appurtenances, or any rights thereof.

[SIGNATURES BEGIN ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Grantor has caused this Quitclaim Deed to be executed under seal as of the day, month and year first above written.

GRANTOR: **BANK OF NORTH GEORGIA**, a Georgia banking association

By: Sara Delgado
Name: Sara Delgado
Title: Bank Officer

[AFFIX BANK SEAL]

Signed, sealed, and delivered
in the presence of:

WITNESS

NOTARY PUBLIC

My Commission Expires: 10.19.13

[AFFIX NOTARY SEAL]

CORPORATE SEAL

DENISE WISNIEWSKI NOTARY PUBLIC CHEROKEE COUNTY GEORGIA EXPIRES OCT. 19, 2013

P:\Clients\3121\Cedar Creek\Quitclaim Deed.do

EXHIBIT "A"

Property Description

All that tract or parcel of land lying and being in Land Lot 140 of the 20th District, City of Kennesaw, Cobb County, Georgia, containing approximately 2.877 acres, as more particularly shown on that certain **Final Plat for Cedar Creek Professional Center "Building 100"**, prepared by Southland Engineering, dated February 4, 2008, last revised March 20, 2008, containing the seal of Kevin N. Cooney., G.R.L.S. No. 2980, recorded April 11, 2008 in Condominium Plat Book 18, Page 45, *et seq*., Cobb County, Georgia records, reference to said plat of survey and the record thereof being hereby made for a more complete description.

LESS AND EXCEPT THEREFROM:

All that tract or parcel of land lying and being in Land Lot 140 of the 20th District, City of Kennesaw, Cobb County, Georgia, being designated as Building 100, containing approximately 19,180 square feet or 0.440 acres, as more particularly shown on that certain **Final Plat for Cedar Creek Professional Center "Building 100"**, prepared by Southland Engineering, dated February 4, 2008, last revised March 20, 2008, containing the seal of Kevin N. Cooney., G.R.L.S. No. 2980, recorded April 11, 2008 in Condominium Plat Book 18, Page 45, *et seq*., Cobb County, Georgia records, reference to said plat of survey and the record thereof being hereby made for a more complete description.

DISCLAIMER:
Unshaded property within the city limits will be updated in the 2027 Comprehensive Plan. The Future Land Use Map does not categorize land use as Undeveloped or Agricultural/Forestry; development is anticipated throughout the City of Kennesaw.

Future Land Use

- NAC - Neighborhood Activity Center
- CAC - Community Activity Center
- DAC - Downtown Activity Center
- RAC - Regional Activity Center
- I - Industrial
- PI - Public Service/Institutional
- PRC - Park/Recreation/Conservation
- RL - Residential Low/Medium
- RH - Residential High
- PUD - Planned Unit Development
- TCU - Transportation Communication Utilities

- Kennesaw City Limits
- Airport
- Lakes & Ponds
- Rivers & Streams

2023 Future Land Use Amendment Map

CITY OF KENNESAW
PLANNING & ZONING DEPT.
"ALWAYS PLANNING FORWARD"

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

Derek Easterling
MAYOR
Lea Alvarez
CITY CLERK

Revised: Aug 22, 2023
File: FutureLandUse_2023_ep

1" = 700'

CITY OF KENNESAW, GEORGIA

ORDINANCE NO. 2006-20, 2006

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF KENNESAW, GEORGIA SO AS TO CHANGE THE ZONING DISTRICT DESIGNATION FROM CITY GC(General Commercial) & R20 TO CITY HGB (Highway General Business) FOR PROPERTY LOCATED AT SOUTHWESTERLY SIDE OF PINE MOUNTAIN ROAD, WESTERLY SIDE OF COBB PARKWAY (U.S. HIGHWAY 41)

WHEREAS, PEBBLEBROOK DEVELOPMENT, LLC has made application to amend the Official Zoning Map of the City of Kennesaw, Georgia so as to change the zoning designation from City GC (General Commercial) & R20 to City HGB (Highway General Business) on 2.88 acre+/- parcel located at Southwesterly side of Pine Mountain Road, westerly side of Cobb Parkway (U.S. Highway 41) (as more particularly described below); and

WHEREAS, notice was advertised in the Marietta Daily Journal on June 23, 2006,of a public hearing before the Kennesaw Planning Commission held on July 10, 2006 and the Mayor and Council on August 7, 2006; and

WHEREAS, the Kennesaw Planning Commission held a public hearing on this proposal on July 10, 2006; and

WHEREAS, the Mayor and Council held a public hearing to consider this proposal on August 7, 2006; 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 GC (General Commercial) & R20 to City HGB (Highway General Business) for the following described property:

ALL OF THAT TRACT OR PARCEL OF LAND Lying And Being In Land Lot 140 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia, And Being 2.88 acres as shown on plat for King's Crossing, prepared by Centerline Surveying Systems, Inc. and being more particularly described as follows:

BEGINNING at the common corner of Land Lots 139, 140, 165 and 166, said district and section; thence running north 89 degrees 23 minutes 09 seconds west as measured along the southerly land lot line of Land Lot 140, said district and section for a distance of 74.82 feet to a point; thence running north 78 degrees 50 minutes 24 seconds west for a distance of 293.34 feet to a point and corner; thence running north 10 degrees 03 minutes

54 seconds east for a distance of 178.00 feet to an iron pin found; thence running north 01 degrees 27 minutes 26 seconds east for a distance of 197.63 to a point and corner; thence running south 76 degrees 34 minutes 50 seconds east for a distance of 148.14 feet to a point thence running along the arc of a curve to the left, an arc distance of 93.57 feet on a radius of 200.00 feet to a point; thence running north 76 degrees 36 minutes 52 seconds east for a distance of 24.21 feet to a point and corner located on the southwesterly right of way of Pine Mountain Road (having a variable right of way); thence running south 22 degrees 21 minutes 21 seconds east as measured along the southwesterly right of way of Pine Mountain Road for a distance of 70.07 feet to an iron pin found at the intersection of the southwesterly right of way of Pine Mountain Road with the easterly land lot line of Land Lot 140, said district and section; thence running south 00 degrees 28 minutes 32 seconds west as measured along the easterly land lot line of Land Lot 140, said district and section, for a distance of 306.85 feet to the point of BEGINNING.

SECTION 2. BE IT FURTHER ORDAINED THAT that the Planning Commission makes recommendation to rezone the property to City HGB (Highway General Business) with the following conditions of approval:

This letter dated August 30, 2006 shall supersede and replace in full those certain letters of agreeable stipulations and conditions dated and submitted July 7, 2006, and July 10, 2006. The referenced stipulations are as follows:

(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 on the Subject Property.

(2) Rezoning of the Subject Property shall be from the existing R-20 and General Commercial ("GC") zoning categories to Highway General Business ("HGB") zoning category for the purpose of a general business/office development, with reference to that Rezoning Drawing prepared for Pebblebrook Development, LLC dated April 24, 2006.

(3) Applicant shall submit a site plan for the development which complies with all City of Kennesaw development standards and ordinances for approval by City staff during the plan review process and prior to the issuance of any building or development permits.

(4) Applicant agrees that the architectural style for the proposed development shall be consistent with all architectural photographs submitted to City staff during the zoning process and presented to the City of Kennesaw during the respective public hearings. In that regard, the exterior elevations of the proposed buildings shall consist of brick, stone, stacked stone, stucco, and other masonry materials.

(5) Applicant agrees that with respect to the proposed rezoning of the subject 2.64 acres, the proposed rezoning shall be "use specific" to general business/office as presented by Applicant.

(6) Applicant agrees to establish and maintain a permanent, minimum forty (40) foot buffer along the entire southern boundary of the Subject Property, as well as, the adjacent property also to be developed, which buffer shall be adjacent to a development known as "The Village at Pine Lake Mountain." Such forty foot buffer shall not include any drives or other paved areas; but rather, shall be utilized for landscaping, screening materials, and fencing subject to a landscape plan to incorporate such features subject to City of Kennesaw staff approval during the plan review process.

(7) Applicant agrees that all lighting located to the front or sides of the proposed buildings, both within the Subject Property and on adjoining property which will be part of the proposed development, shall be period or themed lighting to the architecture of the proposed development; and further, lighting located to the rear will be directional or hooded such that all beams or glare will be contained within the bounds of the proposed development.

(8) Dumpster locations shall be as shown on the submitted site plan for the rezoned parcel, as well as, adjoining parcel to be included as part of the subject development. Dumpster pick-up shall be limited to Monday through Friday, between the hours of 7:00 a.m. and 7:00 p.m.

(9) There shall be no overnight parking of vehicles in the rear of the subject development; and such restriction shall be included in the operating covenants for the subject development.

(10) Applicant agrees to the installation of an eight (8) foot wood privacy fence along that portion of the rezoned parcel adjacent to existing residential properties.

(11) Applicant agrees that the future development shall be consistent with the general layout and design as shown and reflected on the submitted site plan.

(12) The areas identified as undisturbed buffer to the southernmost boundary of tract will be binding and preserved as such with the developer being responsible to supplement additional trees if visual gaps are identified and field verified by the City of Kennesaw.

(13) Applicant agrees to coordinate and seek approval from the City of Kennesaw on final layout of access drive to the proposed development from Pine Mountain Road that will reduce stacking and promote better traffic flow for egress and ingress.

(14) Interparcel access and shared access drive shall be designed with adjoining vacant property once future development of adjoining vacant parcel is pursued.

(15) The rear portion of all proposed office buildings that will be facing adjoining residential property will not be cinderblock but will match the building material and quality of the front and side facades of the buildings.

(16) All HVAC units and utilities will be designed to be placed away from the adjoining residential properties to reduce any secondary noise from the units being heard by adjoining properties. Sound baffling materials can be incorporated into construction as long as the materials are consistent with the architectural quality for the building.

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 5th day of September, 2006.

ATTEST:

Debra Taylor, City Clerk

CITY OF KENNESAW:

Leonard Church, Mayor

Regular Council Agenda
9/5/2006 6:30:00 PM
0000 Pine Moutain - Rezoning
Community Development

Title of Agenda Item:	Authorization for approval of ORDINANCE rezoning request submitted by Pebblebrook Development, LLC for property located at 0000 Pine Mountain Road (southwesterly side of Pine Mountain)
Title of Agenda Item:	Property located in Land Lot 140, Tax Parcel 6. Said request to rezoned property from City GC/R-20 to City HGB (Highway General Business) for proposed office condo development with inside storage on property with 2.84+/- total acres. Application was advertised on June 23, 2006 in the Marietta Daily Journal. Planning Commission at a meeting held on July 10, 2006 recommended tabling this application to the next scheduled Planning Commission of August 14, 2006. At their August 7, 2006 meeting, Mayor and Council continued this item to September 5, 2006. Planning Commission motioned to approve the rezoning request with conditions at their regular scheduled meeting August 14, 2006 vote 5-0. Darryl Simmons, Zoning Administrator recommends approval of the rezoning request with conditions as per attorney's letter dated August 30, 2006.
Funding Line(s)	

Deed Book 14395 Pg 749
Filed and Recorded Oct-02-2006 04:51pm
2006-0167032
Real Estate Transfer Tax $2,457.00

Jay C. Stephenson
Clerk of Superior Court Cobb Cty. Ga.

RETURN TO:
MOORE INGRAM JOHNSON & STEELE, LLP
192 ANDERSON ST.
MARIETTA GA 30060

LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF COBB

THIS INDENTURE, made the 21st day of September, in the year TWO THOUSAND SIX, between

KING'S CROSSING MANAGEMENT, LLC,
a Georgia limited liability company

of the County of Cobb, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and

PEBBLEBROOK DEVELOPMENT, 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,

See Exhibit "A", attached hereto and made apart hereof by 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.

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: _____
[NOTARY SEAL]

J. KEVIN MOORE NOTARY PUBLIC GEORGIA EXPIRES NOV. 1, 2007

KING'S CROSSING MANAGEMENT, LLC

By: _____ (Seal)
Richard Tuley, Jr., Manager

4/95

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 140 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia, and being 11.70 acres, more or less, as shown on plat for Pebblebrook Development, LLC, Bank of North Georgia, and Ticor Title Insurance Company, dated September 19, 2006, prepared by Centerline Surveying Systems, Inc., Charles C. Franklin, GRLS #2143, and being more particularly described as follows:

BEGINNING at the common corner of Land Lots 139, 140, 165, and 166, said district and section; thence running north 78 degrees 50 minutes 25 seconds west for a distance of 293.34 feet to a #4 rebar found and corner; thence running north 10 degrees 03 minutes 54 seconds east for a distance of 178.00 feet to a #4 rebar found and corner; thence running north 72 degrees 08 minutes 21 seconds west for a distance of 946.96 feet to an iron pin; thence running north 72 degrees 08 minutes 21 seconds west for a distance of 31.32 feet, more or less, to a point and corner at the centerline of a creek; thence running in a northeasterly direction as measured along the centerline of said creek and following the meanderings thereof, the following courses and distances: north 80 degrees 38 minutes 20 seconds east for a distance of 22.96 feet to a point; north 31 degrees 10 minutes 56 seconds east for a distance of 29.47 feet to a point; north 53 degrees 58 minutes 46 seconds east for a distance of 46.85 feet to a point; north 20 degrees 45 minutes 17 seconds east for a distance of 116.55 feet to a point; north 38 degrees 01 minutes 21 seconds east for a distance of 56.03 feet to a point; north 32 degrees 09 minutes 53 seconds east for a distance of 156.05 feet to a point; north 29 degrees 35 minutes 43 seconds east for a distance of 35.91 feet to a point; north 29 degrees 35 minutes 43 seconds east for a distance of 46.28 feet to a point and corner; thence leaving the centerline of said creek and running thence south 63 degrees 52 minutes 15 seconds east for a distance of 373.05 feet, more or less, to a point; thence running south 62 degrees 46 minutes 55 seconds east for a distance of 59.00 feet to a point and corner; thence running south 27 degrees 13 minutes 05 seconds west for a distance of 21.63 feet to a point and corner; thence running south 63 degrees 52 minutes 15 seconds east for a distance of 333.47 feet to a point and corner; thence running south 00 degrees 24 minutes 49 seconds east for a distance of 168.42 feet to a point; thence running south 06 degrees 59 minutes 47 seconds west for a distance of 21.33 feet to a point and corner; thence running south 76 degrees 34 minutes 50 seconds east for a distance of 148.14 feet to a point; thence running along the arc of a curve, an arc distance of 93.57 feet (said arc being subtended by a chord bearing south 89 degrees 58 minutes 59 seconds east, a chord distance of 92.72 feet, and having a radius of 200.00 feet) to a point; thence running north 76 degrees 36 minutes 52 seconds east for a distance of 23.90 feet to a point and corner located on the southwesterly right of way of Pine Mountain Road (having a variable right of way); thence running in a southeasterly direction as measured along the southwesterly right of way of Pine Mountain Road, the following courses and distances: south 21 degrees 04 minutes 38 seconds east, a distance of 28.29 feet to a point; south 22 degrees 21 minutes 26 seconds east a distance of 70.07 feet to a point and corner located at the intersection of the southwesterly right of way of Pine

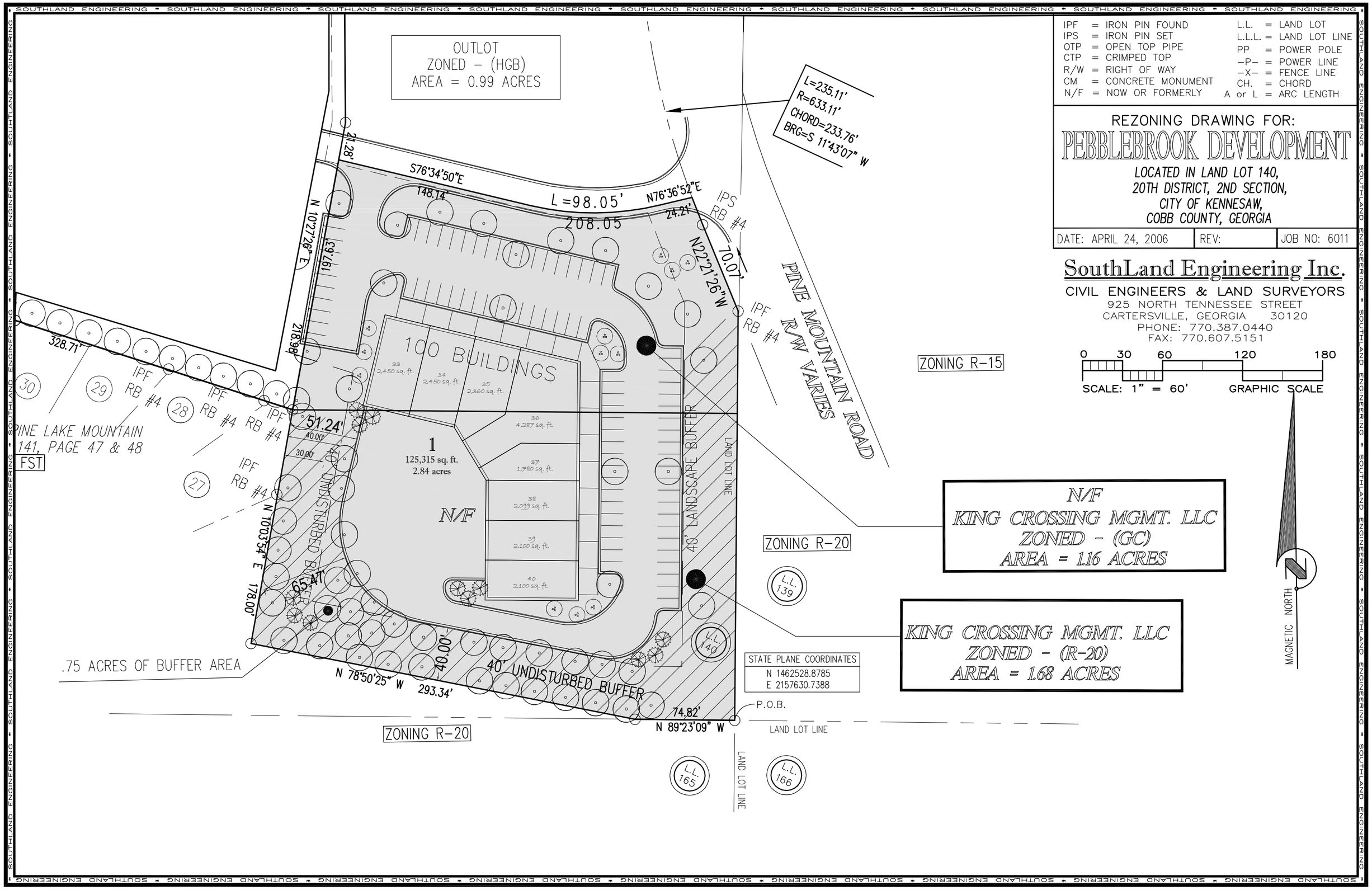
Mountain Road with the easterly land lot line of Land Lot 140, said district and section; thence running south 00 degrees 28 minutes 32 seconds west as measured along the easterly land lot line of Land Lot 140, said district and section, for a distance of 306.85 feet to the point of BEGINNING.

TOGETHER WITH rights and privileges under the following:

Declaration of Easements and Agreement to Share Costs (the "Declaration") by King's Crossing Management, LLC and Bank of America, N. A., recorded in Deed Book 14015, Page 5160, Records of Cobb County, Georgia; as amended by instrument recorded in Deed Book 14095, Page 6231, aforesaid records.

Restrictive Covenant Agreement dated January 31, 1991, by Southern Forty-Four II, Ltd., a Georgia limited partnership and Columbia Homes, L.P., recorded February 1, 1991, in Deed Book 6000, Page 1, Records of Cobb County, Georgia.

Reciprocal Easement Agreement ("Reciprocal Easement") between Kings Crossing Investments, LLC and Kings Crossing Management, LLC, dated October 6, 2005, recorded October 12, 2005, in Deed Book 14233, Page 4595, Records of Cobb County, Georgia.



IPF = IRON PIN FOUND
IPS = IRON PIN SET
OTP = OPEN TOP PIPE
CTP = CRIMPED TOP
R/W = RIGHT OF WAY
CM = CONCRETE MONUMENT
N/F = NOW OR FORMERLY

L.L. = LAND LOT
L.L.L. = LAND LOT LINE
PP = POWER POLE
-P- = POWER LINE
-X- = FENCE LINE
CH. = CHORD
A or L = ARC LENGTH

REZONING DRAWING FOR:

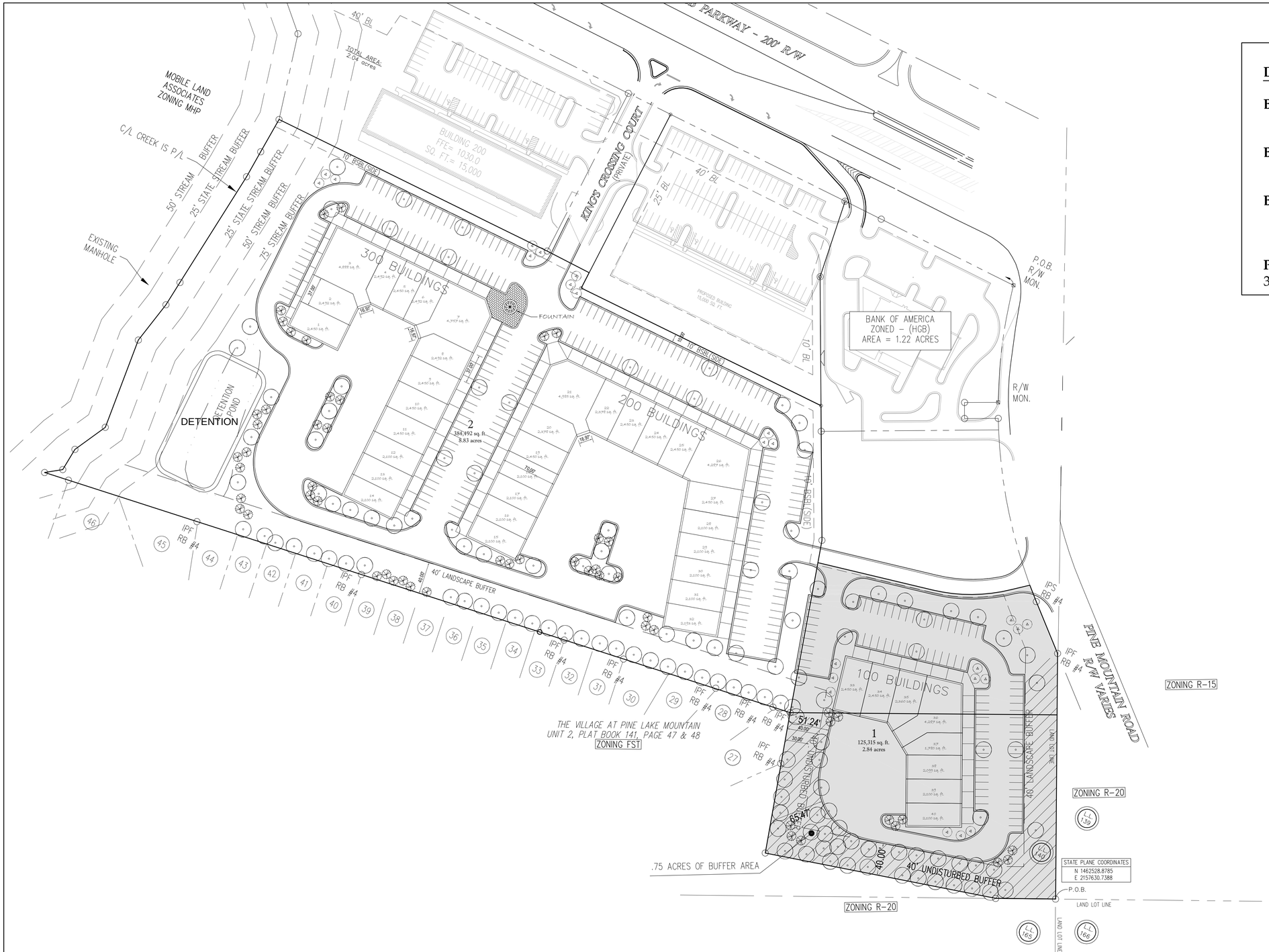
PEBBLEBROOK DEVELOPMENT

LOCATED IN LAND LOT 140,
20TH DISTRICT, 2ND SECTION,
CITY OF KENNESAW,
COBB COUNTY, GEORGIA

DATE: APRIL 24, 2006	REV:	JOB NO: 6011

SouthLand Engineering Inc.
CIVIL ENGINEERS & LAND SURVEYORS
925 NORTH TENNESSEE STREET
CARTERSVILLE, GEORGIA 30120
PHONE: 770.387.0440
FAX: 770.607.5151

0 30 60 120 180
SCALE: 1" = 60' GRAPHIC SCALE



DEVELOPMENT SUMMARY

BUILDING 100
8 UNITS - 19,626 SF (FOOT PRINT)

BUILDING 200
18 UNITS - 45,271 SF (FOOT PRINT)

BUILDING 300
14 UNITS - 38,162 SF (FOOT PRINT)
TOTAL 40 UNITS - 103,059 SF

PARKING PROVIDED
314 SPACES

ZONING SUMMARY

TRACT 1

ZONING - R-20(CURRENT) - HGB(PROPOSED)
AREA - 2.84 ACRE
SETBACKS:
FRONT - 40' (PROPOSED)
SIDE - 10' (PROPOSED)
REAR - 30' (PROPOSED)
BUFFERS:
40' ADJACENT TO RESIDENTIAL - 15' (PROPOSED)

TRACT 2

ZONING - HGB(CURRENT)
AREA - 8.83 ACRE
SETBACKS:
FRONT - 40' (CURRENT)
SIDE - 10' (CURRENT)
REAR - 30' (CURRENT)
BUFFERS:
40' ADJACENT TO RESIDENTIAL - 15' (PROPOSED)
25' AND 50' STREAM BUFFERS (CURRENT)

CONCEPTUAL SITE PLAN "C"

SouthLand Engineering Inc.
925 NORTH TENNESSEE STREET
CARTERSVILLE, GEORGIA 30120
PHONE: 770.387.0440 FAX: 770.607.5151

King's Crossing Site

KENNESAW , GEORGIA

MARCH 28, 2006
REVISED AUGUST 3 2006

NORTH

GRAPHIC SCALE
60 0 30 60 120 240
(IN FEET)
1 inch = 60 ft.

PLANNING COMMISSION
July 10, 2006
Minutes
7:00p.m.

Fred Moore, Chairman called the meeting to order at 7:00P.M. in the Council Chambers, 2529 J.O. Stephenson Avenue. Roll call was taken and the following members were present: Fred Moore, Alan Davis, Doug Rhodes, Pat Ferris, Jeff Miller and Richard Anderson.

City Staff representative, Darryl Simmons, Zoning Administrator was present.

The public was advised that the Planning Commission serves as an Advisory Board that makes recommendations to the Mayor and Council to be heard on August 7, 2006, unless otherwise noted. Chairman Moore instructed anyone giving comments in the public session to please sign in and noted that limitation of 10 minutes per side would be given.

Action on Minutes – June 12, 2006

Richard Anderson requested that a noted be made to correct the minutes reflecting that he abstained from action on the May 8, 2006, meeting due to his absence. The minutes looked as if he voted against the minutes.

> "Jeff Miller made motion, seconded by Pat Ferris to approve the minutes of the May 8, 2006, as submitted. Vote 5-1 (Richard Anderson was absent from the 5-8-06 meeting)"

Richard Anderson made motion, seconded by Alan Davis to approve the minutes of the June 12, 2006, as amended. Vote 5-0

Letter of resignation – Received

Chairman Moore read into the record a letter received from Planning Commission member, Gurdon Counts tending his resignation as member of the Planning Commission. The Chairman and Board members accepted his resignation with heartfelt thanks for his services to the City and this Board.

Old Business:

(A) Annexation Request (AX2006-1) Consideration to approve an annexation request submitted by Seth Crawford on behalf of owner, Ken Smathers. Said request to annex property located at 4048 Ayers Drive and identified as Land Lot 60, Tax Parcel 26, 20th District, 2nd Section consisting of 1+/- acres from County R-20 to City UVC for proposed mixed use development. (Mayor and Council 8-7-06) ****Request to table to August agenda from applicant was received**

(B) Rezoning Request (RZ2006-8) Consideration to approve a rezoning request submitted by Seth Crawford on behalf of owner, Ken Smathers, for property

located at 4048 Ayers Drive. Said request to rezone from County R-20 to City UVC for proposed mixed use development. Land Lot 60, Tax Parcel 26, 20th District, 2nd Section, consisting of 1+/- acres. (Mayor and Council 8-7-06) ****Request to table to August agenda from applicant was received

(C) Rezoning Request (RZ2006-8A, B, C) Consideration to approve a rezoning request submitted by Seth Crawford on behalf of owners, Robert Ellison, for property located at 4058 Ayers Drive and Dale Burrell for property located at 4068 Ayers and Ken Smathers, for property located at 1465 Shiloh Road. Said request to rezone from City R-20 to City UVC for proposed mixed use development. Land Lot 60, Tax Parcels 27, 28 and 31, 20th District, 2nd Section, consisting of 7.76+/- acres. (Mayor and Council 8-7-06) ****Request to table to August agenda from applicant was received

(D) Variance Request (ZV2006-9 A,B,C) Consideration to approve a variance request submitted by Seth Crawford on behalf of owners, Robert Ellison, for property located at 4058 Ayers Drive and Dale Burrell for property located at 4068 Ayers and Ken Smathers, for property located at 1465 Shiloh Road. Said request is to increase the unit density for the proposed project from 8 units per acre to 8.89 units per acre, in addition requesting a 0' front setback for all interior residential units to accommodate rear alley access design. Properties located in Land Lot 60, and identified as Tax Parcels 26, 27, 28 & 31, 20th District, 2nd Section. (Mayor and Council 8-7-06) ****Request to table to August agenda from applicant was received

Staff presented agenda items identified as A-D for annexation, rezoning and variance together. Mr. Simmons noted that the applicant has made notification via letter dated, July 6, 2006 requesting that this matter be tabled to the August Planning Commission agenda. The purpose of the request to table is based on substantial modifications to the proposed site plan for development, which have not been completed.

The request allows the applicant to work with staff and Cobb County residents and allow time for Cobb County Board to review the submitted modifications made to the site plan pursuant to the City-County House Bill 489 Intergovernmental Land Use and Annexation Agreement.

Attorney, John Moore came forward to represent the applicant for annexation and rezoning as set forth in the applications. Mr. Moore referenced the letter dated July 6, 2006, which was submitted to the board and reviewed with them the modifications to the proposed site plan for development – including the following:

- Elimination of access from the proposed development to Ayers Drive
- A decrease in the proposed density from 69 homes to 54 homes, thereby resulting in a proposed density of 6.9 unites per acre – eliminating the variance being requested
- Elimination of a row of proposed town homes adjacent to the existing single-family residential properties; and
- To establish a minimum forty (40) foot buffer adjacent to the existing single-family residential properties

The proposed changes is to orient the project more towards Shiloh Road and provide a better buffer and transition to existing single-family residential properties.

Floor opened to public comment.

Mary Malone asked about the elimination of the access on Ayers Drive. Are you moving or completely eliminating this access.

Attorney Moore responded that the access would be eliminated.

Floor closed to public comment.

Doug Rhodes made motion; seconded by Richard Anderson to accept the letter from the applicant's attorney (Moore Ingram Johnson & Steele) dated July 6, 2006, requesting to table the above noted applications to the August 14, 2006, Planning Commission agenda.

Motion carried. Vote 5-0.

(E) Rezoning Request (RZ2006-6) Consideration to approve a rezoning request submitted by Piedmont Properties for property located at 3051 N. Main Street. Said request to rezone from City R-20 & FST to City NRC (Neighborhood Retail Commercial) for a proposed shopping center. Land Lot 127, Tax Parcels 06 & 142, 20th District, 2nd Section, (Mayor and Council 8-7-06)

Darryl Simmons, Zoning Administrator, came forward to present this application for rezoning of property located along the southeast corner of Jiles Road and Main Street intersection. He indicated that staff was just presented a letter of stipulations, dated July 10, 2006.

Staff has not had time to review the letter and will have the applicant's attorney go over those stipulations when he comes forward. Mr. Simmons noted that the applicant is requesting a rezoning of 3.1+/- acres incorporating two parcels from R-20 and FST to City NRC (Neighborhood Retail Commercial for a retail center. The Future Land Use Map supports the NRC zoning district requested on the corner parcel.

Staff stated that this property is located near the entrance of Kennesaw's Historic District. So the site layout and architectural design expectation is higher for this project due to its location. The rear of the proposed development abuts a single-family residential housing development and will require the applicant to comply with the 35-foot buffer as is illustrated on the site plan.

Mr. Simmons noted that staff has concern on the visual impact of the parking being created with this project and recommends some kind of landscaping that will soften this area to those residential development areas and the general public. Overall the parking meets and exceeds the requirements of the zoning district.

Mr. Simmons also discussed other conditions that could be incorporated including, period lighting, fencing and landscaping along Jiles Road and Main Street, building elevations to be approved by Planning Commission and Mayor and Council, permanent signage to be monument in style, the park area proposed to incorporate elements in downtown Kennesaw, such as benches, and lighting.

This project represents an opportunity to increase the architectural standard for the Main Street gateway corridor. Staff recommends approval with conditions as discussed above.

Mr. Parks Huff, attorney for the applicant came forward. He stated that this application was requested to be tabled from last month to allow time for the applicant to work with staff on concerns for the proposed project.

The proposed project is being created to be pedestrian friendly throughout the development. Piedmont Properties entered into dialogue with the Kennesborough Square neighborhood to address their concerns and the letter of stipulations submitted to staff, dated July 10, 2006 was the

outcome of those dialogues. The applicant has agreed to those conditions being made part of the granting of their rezoning request.

Mr. Huff continued to discuss the project as to the building architecture, which is to be approved by the Planning Commission and Mayor and Council. Discussion on the 35-foot undisturbed buffer to the east, fencing along Jiles Road, dumpster will be contained in a three sided masonry structure, with limited pick-up times between 7am and 9 pm. The retail center shall not be opened later than 10:00p.m. Citizens had some concern about deceleration lanes and these will be addressed along Jiles Road and Main Street.

Lighting included environmentally sensitive design scaled period fixtures similar to the downtown lighting. As Mr. Simmons discussed the applicant will agree to soften the impact of the open parking area by incorporating a landscape plan along the perimeter of the property subject to staff approval.

All of the items discussed are a result of the dialogue and made part of the stipulation letter, which the applicant would be agreeable to part of any granted approval for the requested rezoning.

Planning members had general questions with the dumpster, landscaping and building design**.** Mr. Ferris commented that he had concern about possible cut-through to Main or Jiles.

Attorney Huff commented about the cut-through and will have some research and possible direction as to how this can be addressed prior to the Mayor and Council meeting.

Floor opened to public comment.

Member of the Home Owners Association of Kennesborough Square neighborhood came forward and discussed the agreement/letter of stipulations. They as a group had been working with the developer and voiced their concerns about traffic (cut-through), square footage (expansion) they would not like to see any expansion of the proposed development take place. They are in acceptance of the letter of stipulations, which has addressed a lot of the concerns they have including fencing along the residential properties adjacent to this project.

Floor closed to public comment.

Doug Rhodes made motion, seconded by Alan Davis to approve the rezoning from **City R-20/FST to City NRC (Neighborhood Retail Commercial)** subject to staff conditions as follows:

- Applicant must incorporate low fencing and landscaping along Jiles Road and Main Street in combination with landscaping to soften visual impact to parking area
- Final building elevations to be approved by Planning Commission and Mayor and Council
- Period lighting to be utilized on site similar to downtown Kennesaw design
- If undisturbed buffer is utilized, applicant must supplement with additional trees where visual gaps are identified
- Park area near top corner of development and Gazebo to incorporate elements in downtown Kennesaw as pertaining to benches, lighting
- Permanent signage to be monument in style and incorporate architectural elements of development

In addition to staff conditions members included the letter of stipulations from Parks Huff of Sams, Larkin & Huff dated July 10, 2006 with 12 stipulations, also in addition to those stipulations a condition that there would be no further expansion of the 32,500 proposed development.

Motion carried. Vote 5-0.

New Business

(F) Variance Request (ZV2006-11) Consideration to approve a variance request submitted by Fuller's Chase Downtown Inc. (Frank Boone) for property located at 2950 Cherokee Street. Said request amend building height to 45 feet for proposed town home development as per the Historic Design Review Guidelines. Land Lot 138, Tax Parcel 10, 20th District, 2nd Section, Cobb County is zoned **CBD/HKHD.** (Mayor and Council 7-17-06)

Member, Pat Ferris removed himself from participating on this application as he is an adjoining property owner to the subject property.

Staff presented the application for variances for the proposed Central Business District project Fuller's Chase, Phase II development, which is established as mixed-use development. The applicant requests approval to increase proposed structures height to 45 feet, allow a three story residential unit design and the allowance of front garage access and parking areas.

The Phase II Development proposes 28 single family attached homes on 6.6 acres.

This project requires CBD concept approval process before the Historic Preservation Commission, the KDDA and Mayor and Council. The HPC heard and approved the concept at a meeting held on June 20, 2006. The KDDA is scheduled to hear the matter on July 11, 2006.

The applicants' request involves increasing the height of the proposed town homes to 42 feet six inches. Staff review with members the scaling and heights of adjoining properties. Members reviewed the site plan, which showed these dimensions.

The adopted Design Review Standards for the Historic District states that all new structures should be within 10% of the average of the two adjacent buildings.

Adjoining tracts inside Historic District
2910-2914 Cherokee Street,
2904 Cherokee Street (Testa House),
2886 Cherokee Street (Ecclectic Living),
2080 Big Shanty Road (Ferris House)
2934 Cherokee Street (Bobby Grant Center)

Adjoining tracts outside of Historic District
2052, 2060 and 2076 Pine Hill Circle

The applicant submitted overall building heights of two of the adjacent buildings and the following findings were discovered:

The Testa house located at 2904 Cherokee Street has an height of 19 feet
Compared to proposed town home height of 42'-6" **the height difference would be 23'-6".**

- Proposed building placement measured from centerline of Cherokee Street would be just over 270 feet

The Ferris house located on Big Shanty Road abuts this tract. The single family home is measured at 24' compared to the proposed town home height of 42'-6"; **the height difference equals 18'-5"**

- Proposed building placement measured from centerline of Big Shanty Road would be slightly over 170 feet.

City staff as part of analyzing the request conducted site visits and concluded the following based on the submitted proposal:

1. The visual exposure of the proposed town homes if constructed as submitted would be greatest along Cherokee Street at the 2904 Cherokee Street location (Testa House) and on Big Shanty Road location (Ferris House)
2. The visual impact would decrease as you travel north along Cherokee Street towards 2910-2914 Cherokee Street, which contains approved two-story office structures.
3. Other considerations include existing water tower.

Staff conclusion of the project was that the location of the town home elements will be over 200 feet from centerline of Cherokee Street and over 175 feet from centerline of Big Shanty Road. The intended land uses are appropriate and the building placement will lessen the visual impact from Cherokee street. The development will incorporate a second tier street away from Cherokee Street.

The previous approved two story office buildings along Cherokee Street are not compatible with the district requirements and intent. Phase II of Fullers Chase design approach is to be compatible with the Historic District Standards as far as the placement of the development and the incorporation of landscaping and period lighting to ensure compatibility to adjoining structures.

Staff concludes that a hardship was shown for this property based on the variance standards under section 1909.

Staff concluded that there would be a visual impact to adjoining properties identified and additional landscaping, lighting and material choices can assist in minimizing the impact.

Dr. Jeff Drobney submitted a letter/analysis recommending the granting of the variances requested by the applicant on behalf of the Historic Preservation Committee.

Staff recommends approval of the variances to increase proposed structures height to 45 feet, allow a three story residential unit design and the allowance of front garage access and parking areas with condition:

1. That the developer will be required to present a complete landscaping and lighting plan to the HPC for Certificate of appropriateness prior to any development permits being issued.

The applicant came forward. Mr. Frank Boone recognized Mr. Gurdon Counts and Pam Carter present with regards to the application for Fuller's Chase Development Phase II.

He commented that staff presented his request completely and that he only wanted members to be made aware that the entrance off Cherokee Street identified as Carrie Drive would meet the development standards for a two way entrance and that the mature trees along this route will be maintained.

Floor opened to public comment.

Mr. J.O. Stephenson came forward and directed his comments to the committee. He voiced his concern with fencing and directed questions regarding the underground piping for the detention pond and wanted to understand how this worked in maintaining any kind of drainage problems.

The matter of design was briefly discussed and explained to Mr. Stephenson who appeared to accept the explanation.

Pat Ferris also came forward. He stated that he had no real problem with the proposed development; however, wanting to make sure that his privacy would be protected. He addressed the fencing along his property to help retain his privacy and briefly voiced his concern to save as many of the mature trees along the two properties as well.

Floor closed to public comment.

Doug Rhodes made motion, seconded by Richard Anderson to approve the requested variances to increase proposed structures height to 45 feet, allow a three story residential unit design and the allowance of front garage access and parking areas with staff's recommended condition:

1. That the developer will be required to present a complete landscaping and lighting plan to the HPC for Certificate of appropriateness prior to any development permits being issued.

Motion carried. Vote 4-0.

Member Pat Ferris returned to the board.

(G) Annexation Request (AX2006-2) Consideration to approve an annexation request submitted by TBKP. Said request to annex property located at 0000 Ben King Road (intersection of the northerly side of Ben King Road with the westerly side of Chalker Road) Land Lot 131, Tax Parcel 40 (portion of), 20th District, 2nd Section consisting of 5.65+/- acres from County R-20 to City FST (Fee Simple Town Home) for proposed senior age-restricted detached home development. (Mayor and Council 8-7-06) ****Request to table to August agenda from applicant was received**

(a) Rezoning Request (RZ2006-12) Consideration to approve a rezoning request submitted by TBKP. Said request to rezone from County R-20 to City FST (Fee Simple Town Home) for proposed senior age-restricted detached home development., Land Lot 131, Tax Parcel 40 (portion of) consisting of 5.85+/- acres. (Mayor and Council 8-7-06) ****Request to table to August agenda from applicant was received**

Staff presented agenda item identified as A-B for annexation and rezoning together. Mr. Simmons noted that the applicant has made notification via letter dated, July 7, 2006 requesting that this matter be tabled to the August Planning Commission agenda. The purpose of the request to table is to allow the applicant time and the opportunity to address concerns raised by staff and Cobb County. Specifically, the applicant intends to revise its proposed site plan for development to lower the density and to provide a system of streets and/or alleys that comply with City of Kennesaw Public Works standards.

Staff accepted a petition via emails received by surrounding property owners objecting to the request for annexation and rezoning (approximately 100).

Floor opened to public comment.

Don Korach of 1465 Tributary Court came forward. He represented home owners opposed to the annexation and zone change. He explained that there had been other attempts to rezone the property, which failed and would like the property to retain what the Future Land Use Map has for

that area being R-20. Keep the property in the zone designation of low density and not try to put as many small lots on the requested 5+/- acres. The home owners would like to voice their request for the city to deny the annexation and rezoning of the property as there has been a history on this property for request to rezone, which have in the past been denied.

Richard Taylor of 1510 Ben King Road and others voiced objection to the annexation and rezoning of the property for high density development, which is not appropriate for this area. There is controversy within the Pine Tree Country Club on the matter of selling and rezoning of this property. Other concern is water run-off/drainage in this area that needs to be addressed prior to any development being considered in this area.

Holly Martin of 3333 Timber Lake Road raised concern over the density, which would go against County land use for that area. She also commented that she had concern about age discrimination with the senior restricted development being proposed. Traffic is already a problem along that area and with increase development would only bring more.

Member, Mr. Parnell of the Pine Tree County Club came forward giving the commission some general facts on the selling of the property. He also commented that there has been a change to the proposed site plan from 26 lots down to 20 single-family lots and that all members are not opposed to the request for annexation and rezoning as it is being made apparent here tonight. As to the senior age restriction this would be made part of any covenants for the development.

Connie Johnson also voiced concern on the density being proposed for the project and voices her concern on the water issue as well.

Karen Stockwell once again stated the density issue and voiced her opinion on wanting to see larger lots be proposed as well as placement on some design restrictions on the project as she stated four-sided pretty.

Others (Mr. Dave Waples) came forward and voiced their concerns on the density issue, water and strongly opposing the request to rezone and annex the property.

Floor closed to public comment.

Staff commented briefly that there has been no submitted plan showing the reduction of lots as stated by one of the residents. Concern about water issues is an item to be addressed at plan review for the project. Staff does recommend tabling this matter as requested by the applicant.

Jeff Miller made motion, seconded by Alan Davis to accept the letter from the applicant to table this request to the August 14, 2006, meeting.

Motion carried. Vote 5-0

(H) Rezoning Request (RZ2006-10) Consideration to approve a rezoning request submitted by MC Edwards for property located at 2689 S. Main Street. Said request to rezone from City R-15 to City NRC (Neighborhood Retail Commercial) for proposed retail/marital arts development. Land Lot 167, Tax Parcel 15, 20th District, 2nd Section, consisting of .71+/- acres. (Mayor and Council 8-7-06)

Darryl Simmons, Zoning Administrator, came forward and presented the application of rezoning of property located along the westerly side of S. Main Street right-of-way. The applicant is seeking to rezone property from City GR-15 to City Neighborhood Retail Commercial (NRC) for expansion of martial arts business.

Subject property is currently located along S. Main Street across from the Duncan Street Post Office. This portion of Main Street has transitional zoning. The existing single family house is currently unoccupied. The adjoining tract is utilized by a church with a cemetery that wraps around subject parcel to the rear. The property south of subject parcel is an existing mobile home park. The City identified the corridor as a gateway corridor with the CBD District beginning near the intersection of Sardis Street.

City staff met with applicant who agrees that the architectural elements will be important if the property is redeveloped. The applicant wishes to rezone the property and utilize the existing structure. Further redevelopment of site may occur in the future and the applicant is fully aware of the development standards that would have to be met including but not limited to the following:

Parking plan
Storm water management
Buffer requirements
Architectural standards

ETO studio is an existing business located in the Summer Street/Main Street shopping center. The applicant wished to utilize this property as the business expands.

The application being considered is for the rezoning of subject property. The final site layout and design is still being considered by applicant who must present to staff to identify any development standards conflicts.

Staff identified large mature trees on site that can be part of tree preservation plan when redevelopment plans are finalized.

Staff Concludes that

- This project represents an opportunity to increase the architectural standard for the Main Street gateway corridor.
- Business expansion and retention is very important
- Coordinated site planning with City staff will be required for future development

Staff recommends approval with the following conditions:

1. Applicant will present final site plan layout and elevations for review and approval by Planning Commission and Mayor and Council when redevelopment plans are finalized
2. This rezoning approval is for the use only. All development standards will be met by design and any variances required will be responsibility of the property owner.
3. The subject parcel will not incorporate any use that involves the selling of alcohol.
4. Eating and drinking establishments will be prohibited as a permitted use.

Floor opened to public comment.

Floor closed to public comment.

Brief discussion by the board regarding stipulations took place.

Pat Ferris made motion, seconded by Richard Anderson to approve the rezoning for the property from City R-15 to City NRC (Neighborhood Retail Commercial) subject to staff's conditions as follows:

1. Applicant will present final site plan layout and elevations for review and approval by Planning Commission and Mayor and Council when redevelopment plans are finalized
2. This rezoning approval is for the use only. All development standards will be met by design and any variances required will be responsibility of the property owner.
3. The subject parcel will not incorporate any use that involves the selling of alcohol.
4. Eating and drinking establishments will be prohibited as a permitted use.

Motion carried. Vote 5-0

(l) Rezoning Request (RZ2006-11) Consideration to approve a rezoning request submitted by Pebblebrook Development, LLC, for property located at 0000 Pine Mountain Road (southwesterly side of Pine Mountain Road and the westerly side of Cobb Parkway (US Highway 41) Said request to rezone from City GC, R-20 to City HGB for proposed office condos development w/indoor storage. Land Lot 140, Tax Parcel 6, 20th District, 2nd Section, consisting of 2.84+/- acres. (Mayor and Council 8-7-06)

Darryl Simmons, Zoning Administrator, came forward and presented the application of rezoning of property located along the westerly side of Pine Mountain Road right-of-way. The applicant is seeking to rezone property from City GC (General Commercial) and R-20 to City HGB (Highway General Business) for an office condo development with indoor storage.

The proposed development will incorporate three buildings with rear service access and architectural elements complimentary to area. The subject tract is designated on the Future Land Use Map as Community Activity Center. The request is compatible with the FLUM designation.

Staff noted the proximity of the adjoining single family residential subdivision identified as the Villages at Pine Lake Mountain. The staff's analysis and recommendations incorporated code regulated protection. There is to be a 40 foot undisturbed buffer along the rear.

Brief discussion regarding the stream buffer on the western side of the property, which currently is shown on the site plan as 50 feet needs to be 75 feet according to standards currently adopted by the City. An accurate site plan was not received by staff.

Mr. Simmons gave a history on the property and how it is was developed up to today and the proposed elevation of the project being considered. Staff requires that an updated site plan in compliance with standards be submitted, which would show all architectural style – brick, stone stucco, shows the lighting proposed for the project along with landscaping including the required buffer.

Mr. Simmons recommends the use being proposed for the project to head off other intrusive uses allowed in the HGB district. Staff recommends approval with the following conditions:

1. Incorporate letter of stipulation from Attorney Kevin Moore, updated letter of July 10, 2006 with the change to strike all references of the term warehouse from description of the intended use.
2. Item 2 will be altered to reference a compliant site plan versus the submitted plan, dated April 24, 2006.

There was a power failure and equipment stopped recording.

The member of the commission discussed the plan and challenging site and how best to promote the best uses for the area. The members felt that it would be of a benefit to the applicant if they would supply a better site plan and address some of the concerns with buffering, parking, architectural style etc.

The attorney for the applicant, Mr. John Moore, came forward. He presented the application for rezoning of the property to Highway General Business. The applicant proposes two story buildings, which will be owed by individuals for professional use. The building would have four-sided brick with no loading zones. (Elevations were shown). The plan is to reduce the drive area to enlarge the buffer along the residential properties to the rear, which would also reduce the building sizes.

The letter of stipulation submitted would address the proposed uses zoned for the area and the applicant would also address those concerns about water and drainage on the property. The request from the applicant is to table this matter to allow them time to address concerns and submit a compliant site plan and to allow staff and members to visit site of West Oak in Sandy Springs, which is a project similar to what the applicant proposes for this area.

Floor opened to public comments.

Faye McColloch came forward and directs general questions concerning the site plan and voiced her objection to the rezoning.

Mr. Hyre of 2634 Laurel Lane asked that the commission consider denying the request to rezone the property to Highway General Business; however, he would trust the commission in whatever decision they make on the matter and work with staff and the developer to develop the best project on the site. Brief discussion regarding traffic concerns egress and decel lanes. Mr. Hyre voiced his concern on decrease in property values to the residential properties in the rear.

Floor closed to public comments.

Due to the power failure and recording equipment failure the best decision on this application was to accept at the applicant's request to table to the next agenda of the Planning Commission.

Alan Davis made motion, seconded by Richard Anderson to table the meeting and this application to the August 14, 2006, meeting of the Board.

Motion carried. Vote 5-0

Adjournment

Due to power failure the meeting of the Planning Commission was called and adjourned at 10:00pm

Respectfully submitted

Diane Wrobleski, Assistant Zoning Administrator

MINUTES OF MAYOR & COUNCIL
CITY OF KENNESAW
City Council Chambers
Monday, September 5, 2006
6:30 p.m.

Mayor Church opened the meeting at 6:30 p.m.

Present: Mayor Leonard Church
Mayor Pro-tem Mark Mathews
Councilmember John Dowdy
Councilmember Cindy Giles
Councilmember Bruce Jenkins
Councilmember Bill Thrash
City Clerk Debra Taylor
City Manager Steve Kennedy
City Attorney Fred Bentley, Jr.

I. INVOCATION

Fred Bentley, Jr. led the invocation.

II. PLEDGE OF ALLEGIANCE

Police Chief Callahan led the Pledge of Allegiance.

III. CALL TO ORDER

IV. ANNOUNCEMENTS

Mayor Church recognized Judge Jim Bodiford and Helen Gorham as being present at tonight's meeting.

JUDGE BODIFORD: He is running for Chief Superior Court Judge for the sixth time and encouraged the public to vote. Even though he is running unopposed, he asked the public to exercise their right to vote.

V. PRESENTATIONS

A. Mayor Church and Councilmember Jenkins presented Police Chief Callahan with the Kennesaw Proclamation declaring September as National Preparedness Month. September has been declared National Preparedness Month by the U.S. Department of Homeland Security. This is a nationwide effort held each September to encourage Americans to take simple steps to prepare for emergencies in their homes, businesses and schools. The goal of the month is to increase public awareness about the importance of being prepared for emergencies and to encourage individuals to take action. More information regarding emergency preparedness is available at www.georgia911.org; www.ready.gov; www.citizencorps.gov.

VI. OLD BUSINESS

No items.

VII. NEW BUSINESS

No items.

VIII. PUBLIC HEARING(S)

A. Authorization for approval of **ORDINANCE NO. 2006-20, 2006** rezoning request submitted by Pebblebrook Development, LLC for property located at 0000 Pine Mountain Road (southwesterly side of Pine Mountain). Property located in Land Lot 140, Tax Parcel 6. Said request to rezoned property from City GC/R-20 to City HGB (Highway General Business) for proposed office condo development with inside storage on property with 2.84+/- total acres. Application was advertised on June 23, 2006 in the Marietta Daily Journal. Planning Commission at a meeting held on July 10, 2006 recommended tabling this application to the next scheduled Planning Commission of August 14, 2006. At their August 7, 2006 meeting, Mayor and Council continued this item to September 5, 2006. Planning Commission motioned to approve the rezoning request with conditions at their regular scheduled meeting August 14, 2006 vote 5-0. Darryl Simmons, Zoning Administrator recommends approval of the rezoning request with conditions as per attorney's letter dated August 30, 2006.

Zoning Administrator Simmons distributed a new rendering of the property and read the following stipulations into the record: (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 on the Subject Property; (2) Rezoning of the Subject Property shall be from the existing R-20 and General Commercial ("GC") zoning categories to Highway General Business ("HGB") zoning category for the purpose of a general business/office development, with reference to that Rezoning Drawing prepared for Pebblebrook Development, LLC dated April 24, 2006; (3) Applicant shall submit a site plan for the development which complies with all City of Kennesaw development standards and ordinances for approval by City staff during the plan review process and prior to the issuance of any building or development permits; (4) Applicant agrees that the architectural style for the proposed development shall be consistent with all architectural photographs submitted to City staff during the zoning process and presented to the City of Kennesaw during the respective public hearings. In that regard, the exterior elevations of the proposed buildings shall consist of brick, stone, stacked stone, stucco, and other masonry materials; (5) Applicant agrees that with respect to the proposed rezoning of the subject 2.64 acres, the proposed rezoning shall be "use specific" to general business/office as presented by Applicant; (6) Applicant agrees to establish and maintain a permanent, minimum forty (40) foot buffer along the entire southern boundary of the Subject Property, as well as, the adjacent property also to be developed, which buffer shall be adjacent to a development known as "The Village at Pine Lake Mountain." Such forty foot buffer shall not include any drives or other paved areas; but rather, shall be utilized for landscaping, screening materials, and fencing subject to a landscape plan to incorporate such features subject to City of Kennesaw staff approval during the plan review process; (7) Applicant agrees that all lighting located to the front or sides of the proposed buildings, both within the Subject Property and on adjoining property which will be part of the proposed

development, shall be period or themed lighting to the architecture of the proposed development; and further, lighting located to the rear will be directional or hooded such that all beams or glare will be contained within the bounds of the proposed development; (8) Dumpster locations shall be as shown on the submitted site plan for the rezoned parcel, as well as, adjoining parcel to be included as part of the subject development. Dumpster pick-up shall be limited to Monday through Friday, between the hours of 7:00 a.m. and 7:00 p.m.; (9) There shall be no overnight parking of vehicles in the rear of the subject development; and such restriction shall be included in the operating covenants for the subject development; (10)Applicant agrees to the installation of an eight (8) foot wood privacy fence along that portion of the rezoned parcel adjacent to existing residential properties; (11) Applicant agrees that the future development shall be consistent with the general layout and design as shown and reflected on the submitted site plan; (12) The areas identified as undisturbed buffer to the southernmost boundary of tract will be binding and preserved as such with the developer being responsible to supplement additional trees if visual gaps are identified and field verified by the City of Kennesaw; (13) Applicant agrees to coordinate and seek approval from the City of Kennesaw on final layout of access drive to the proposed development from Pine Mountain Road that will reduce stacking and promote better traffic flow for egress and ingress; (14) Inter-parcel access and shared access drive shall be designed with adjoining vacant property once future development of adjoining vacant parcel is pursued; (15) The rear portion of all proposed office buildings that will be facing adjoining residential property will not be cinderblock but will match the building material and quality of the front and side facades of the buildings; (16) All HVAC units and utilities will be designed to be placed away from the adjoining residential properties to reduce any secondary noise from the units being heard by adjoining properties. Sound baffling materials can be incorporated into construction as long as the materials are consistent with the architectural quality for the building.

6:42 PM Floor Opened for Public Comment

KEVIN MOORE (on behalf on Pebblebrook Development): The stipulations mentioned by Mr. Simmons covered everything from them working in concert with adjoining neighbors, staff and the Planning Commission. He requests Council approval for what he believes to be a quality development and will be for General Business use. They are addressing the buffer issues as part of the stipulations. There will be a good downtown feel to the project. He requests approval of this 2.84+/- acres as part of the entire 11 acre tract to solve a problem with this property behind the shopping center which will be a project to be proud of.

6:44 PM Floor Closed to Public Comment

Mayor Church called for a vote on the implied motion to approve Ordinance No. 2006-20 to rezone Pebblebrook Development at 0000 Pine Mountain Road, with stipulations. Vote taken, approved unanimously 5-0. Motion carried.

[Agenda items VIII-B and C were presented concurrently.]

B. Authorization to approve ORDINANCE for annexation submitted by TBKP Development, LLC for property located on Ben King Road - intersection of the

northerly side of Ben King Road and the westerly side of McCollum Parkway. Property located in Land Lot 131, portion of Tax Parcel 40. Said request to annex 5.65+/- acres property for proposed senior age-restricted detached home development. Application was advertised on June 23, 2006 in the Marietta Daily Journal. Planning Commission at a meeting held on July 10, 2006 recommended tabling this application to the next scheduled Planning Commission meeting of August 14, 2006. Mayor & Council continued the item until September 5, 2006. At the August 14 meeting the Planning Commission motioned to deny rezoning and annexation requests, vote was 5-0. Darryl Simmons, Zoning Administrator recommends approval with conditions of annexation and RA-4 rezoning application with conditions: 1) Incorporate engineering conditions that address drainage, water retention and safe access for public vehicles and emergency services; 2) Developer to submit the engineering study, all approved drainage easements and drawings as part of the site plan review process to the Planning Commission and Mayor and Council; 3) Approve rezoning to RA-4 with a maximum of 3.53 density as submitted; 4) Developer will develop covenants that will be compatible with Pinetree CC covenants in function; 5) Proper landscaping and safety controls for proposed housing will be incorporated along golf course; 6) Provide a private road width of a minimum 24' bc; 7) Period lighting will be incorporated into the development which matches downtown Kennesaw design.

Zoning Administrator Simmons said this annexation and rezoning process started in June/July and there have been several recommended changes and revisions to the site plan. Staff is now recommending tabling this for 30-days based upon correspondence received today from Cobb County Planning Department regarding their objection letter. Mr. Simmons wants to go through the process with the County regarding the validity of some of their objections and look at HB 49 aspects and process.

6:47 PM Floor Open for Public Comments

Swearing-in of any witnesses or individuals offering comments on any of the following items.

JIM NAY (100 Galleria Parkway): He's here tonight representing adjoining property owner Richard Taylor and 257 neighbors who live in the immediate area where the property is located. They are strongly opposed to this rezoning and annexation. He feels anyone affiliated with the country club or TBKP Development should be disqualified to take part in, or consideration in this matter – he feels it constitutes a conflict. The Planning Commission unanimously opposed the project and then changed to approve. He distributed summary of his argument notes and a copy of Exhibit A from the City's Intergovernmental Agreement with Cobb County. He presented his arguments about zoning allowances as mentioned in the Intergovernmental Agreement. There should only be 0-2 dwellings units per acre to meet the land use standards. The County can change their land use plan when they want, but the City's Intergovernmental Agreement states we are bound to rezone only to unobjectionable districts and the City must comply with the agreed upon zoning classifications. This does not include the RA-4 category and would be a violation of the agreement. The plans call for 20 units with 3.53 dwelling units per acre which is far above the 2 units per acre as allowed by

Cobb County. RA-4 zoning is prohibited, there are issues regarding drainage and detention, cul-de-sac layouts and widths not in compliance, emergency services and vehicles which does not comply with the existing site plan. He feels five to six other variances would be required for this awkward shaped parcel. These private, undersized streets are inadequate and unsafe. The planning map clearly shows the proposed use is inconsistent with the surroundings, areas, patterns that surrounds it on all four sides. The City has already received two letters from the County objecting to this rezoning. It's a completely unsuitable development and allows the developer to make money for a project that does not fit. Mr. Nay distributed petitions from 257 people that are opposed to this development. He raised and imposes his constitutional challenge, and expressly maintain his constitutional rights in regards to the request that is before the Mayor and Council tonight. Please deny the annexation and rezoning.

HOLLY MARTIN (3333 Timberlake Road): She knows this project is on the FST zoning and not RA-4. Pinetree is a wonderful neighborhood of R-20 zoning. Cobb County spent an enormous about of time, effort, planning and tax dollars for future land use in this area. She knows the Mayor has worked hard on a better relationship with the County. There are storm water runoff problems and there is an area on Kings Drive that has had storm water problems for six years already and this project will seriously impact those people even further. Please don't go against the future land use plan.

CONNIE JOHNSON (37 Dekayne Drive): There is a serious drainage issue and the creek needs to be cleaned out. Nothing has been done and more development will be devastating to the existing homeowners. She distributed photos of past drainage problems in the area.

DAVID CONDON (3210 Wimbleton Court, Fairway 2): He is a country club member. He distributed photographs showing flooding that has occurred in his rear yard. He has lived in this area for 23 years and can attest to damage caused by mother nature and has concerns of "opening Pandora's box." The finished portion of the creek/natural ditch is approximately 45' and 150' (natural ditch) which is about 16' across and 4'-5' deep – this has flooded twice in 23 years that he knows of. There is 6,300 sq ft of hard surface along the path. If you do the math – 2,000 sq ft per unit minimum times 20 units creates almost an acre of asphalt and concrete – not counting the street surface, for an overall effect of eight times more asphalt than exists now. He brought up the "Katrina factor" regarding flooding potentials due to heavy rains. He recommends rejecting the proposal and keep the County Club estates the residential area it's supposed to be – keep the lid on Pandora's box.

KEVIN MOORE: Not everyone here opposes this project. He wants to separate fact from fiction. He disagrees with Mr. Nays comments, especially the Intergovernmental Agreement, as the County does not dictate rules on how cities run themselves – they are not prohibited from acting and disputes can be resolved. He agrees it is good to hold off for 30 days. The project will be an age-restricted, low density community limited to people 55 years and over with a maximum of 20 homes. The City does not have any such facilities/residential senior living. Certain land use categories as appropriate - one which is low density residential. The County allows five units per acre. He gave an example of another County project which included townhomes and it's a resounding success. Costs for the project units being discussed tonight will be $400,000/$450,000

average. Regarding stormwater: this project is part of Pinetree's renovation of it's golf course (hole #2) and involves the creek, ponds and stormwater facilities. This project can tie into that existing system and newly renovated stormwater design. There will not be water towards Ben King or McCullum. He will submit a respond to the County letter received this morning.

JERRY PERNELL (President, Pinetree County Club): Their membership voted by over 2/3s majority to sell the property. The entire 10-member Board support TBKP to build this quality project on this property. Asked Mayor and Council to see the merits of this development and approve the annexation in 30-days.

7:20 PM Floor Closed to Public Comment

Councilmember Mathews said there appears to be controversy on his involvement because he is a member of the country club, a call of notice was given to the City Attorney saying there could be a potential conflict of interest. He asks the City Attorney to review the information and resolve this possible conflict. He does not see this as a conflict of interest – there is no monetary advantages and he cannot even sell his membership. City Attorney Bentley said his research proved Pinetree Country Club is a non-profit organization. Bylaws were not specific on asset disposal. O.C.G.A. Code addresses if the club closed, members would receive nothing. Under Kennesaw Ethic Code 2-95: A member of the governing authority shall disqualify himself from participating in any official act or action of the city which results in a pecuniary benefit to the member or a business or activity in which he has an interest, when such benefit is not available to the public at large. There is no direct benefit to members and is offered to the public. This non-profit is not a 501(c)(3), but a 501(c)(7) and Councilmember Mathews holds less than 5% of the beneficial ownership. Dick v. Williams was a standard in ethic case and is the "appearance of impropriety" and that has to be determined by Council. There is an affidavit on file at the Clerk's office. He sees no legal impediment for Mr. Mathews to participate.

Request by Councilmember Thrash to adjourn to Executive Session to discuss legal, seconded by Councilmember Dowdy. Vote taken, approved unanimously 5-0. Motion carried.

Motion by Councilmember Thrash to enter into Executive Session as allowed by O.C.G.A. Sec. 50-14-4 and pursuant to advice by the City Attorney, for the purpose of discussing legal, seconded by Councilmember Jenkins. Vote taken, approved unanimously 5-0. Motion carried.

7:25 PM Recess

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

7:34 PM Reconvened

Councilmember Thrash read the Board back into Open Session and directed the Mayor to execute an affidavit in compliance with O.C.G.A. Sec. 50-14-4, seconded by Councilmember Dowdy. Vote taken, approved unanimously 5-0. Motion carried.

MR. NAY: Sell the property for $1.4 million and will fix things. If this doesn't happen, someone else will have to come up with this $1.4 million and may have to have members pay increased dues and membership fees. Feels a pecuniary interest is involved. Mr. Bentley said normally it's 5% interest, 10% by state law - please don't mischaracterize. Mr. Mathews membership does not allow him to share in any equity. Mr. Nay said however, it does allow him to share in the losses, especially if the $1.4 million has to be made up by the membership.

Councilmember Mathews said a possible conflict would affect the entire Council if you follow that logic because annexations effects taxes; if he's a member of an HOA then "he shouldn't take any action" if he uses that logic. We just voted on the Swift/Cantrell Park which will affect nearby property owners, so again - then no one should vote. Where do we draw the line? Why are we even elected? Where does it end? We then couldn't act on HOAs because we can affect property values – it's all sticks and bricks. He takes his elected position seriously and doesn't feel this is any different than anything else they act upon. Mr. Bentley said that is not the intent of ethics laws. Mr. Mathews could consider abstention at this point while case law is researched further, without any prejudices with the right to vote. Georgia law even recognizes that you can have up to a 10% interest and still be able to participate in the process. The City ordinance disqualification is different and does not meet that criteria.

Mayor Church called for a vote on the motion by staff to table this item to the October 2, 2006 meeting. Vote taken, approved 4-0-1. Councilmember Mathews abstained without prejudice to future actions pending further legal review. Motion carried.

C. Authorization for ORDINANCE approving request for rezoning submitted by TBKP Development, LLC for property located on Ben King Road - intersection of the northerly side of Ben King Road and the westerly side of McCollum Parkway. Property located in Land Lot 131, portion of Tax Parcel 40. Said request to rezone 5.65+/- acres from County R-20 to City FST (Fee Simple Town Home) on property proposed for senior age-restricted detached home development. Application was advertised on June 23, 2006 in the Marietta Daily Journal. Planning Commission at a meeting held on July 10, 2006 recommended tabling this application to the next scheduled Planning Commission meeting of August 14, 2006. At their August 7th meeting, Mayor and Council continued this item to September 5th. Planning Commission at their regular scheduled meeting August 14, 2006 motioned to deny rezoning application, vote 5-0. Darryl Simmons, Zoning Administrator recommends approval with conditions of annexation and RA-4 rezoning application with conditions: 1) Incorporate engineering conditions that address drainage, water retention and safe access for public vehicles and emergency services; 2) Developer to submit the engineering study, all approved drainage easements and drawings as part of the site plan review process to the Planning Commission and Mayor and Council; 3) Approve rezoning to RA-4 with a maximum of 3.53 density as submitted; 4) Developer will develop covenants that will be compatible with Pinetree CC covenants in function; 5) Proper landscaping and safety controls for proposed housing will be incorporated along golf course; 6) Provide a private road width of a minimum 24' bc; 7) Period

lighting will be incorporated into the development which matches downtown Kennesaw design.

Mayor Church called for a vote on the motion by staff to table this item to the October 2, 2006 meeting. Vote taken, approved 4-0-1. Councilmember Mathews abstained without prejudice to future actions pending further legal review. Motion carried. Item VIII-B and C were considered concurrently.

D. Authorization for land use renewal permit submitted by Sandra Riedesel for property located at 3849 Princeton Oaks NW. Property located in Land Lot 88, Tax Parcel 210. Land Use Permit request to renew operation of business for a Day Care Center in a residential dwelling unit on property. Application was advertised on July 28, 2006 in the Marietta Daily Journal. At a meeting held on August 14, 2006, the Planning Commission recommended approval of the land use renewal with staff recommendations for a period of 24 months. Vote 5-0 • Maximum number of children to be limited to ten children • Hours of operation will be from 8:30 am to 12:00pm (noon) • Owner to maintain State approval • Land Use permit to be issued for period of two years • On street parking to be minimized as much as possible. Motion carried, vote 5-0. Zoning Administrator, Darryl Simmons, recommends approval with conditions: 1) Maximum number of children to be limited to ten children; 2) Hours of operation will be from 8:30 am to 12:00 pm; 3) Owner to maintain State approval; 4) Land Use permit to be issued for period of two years period; 5) On street parking to be minimized as much as possible.

Zoning Administrator Simmons reported this process started in 2003 and staff has never received any form of complaint on the subject property or operation of business.

7:48 PM Floor Open for Public Comment

The applicant was present, but there were no comments or questions.

7:48 PM Floor Closed to Public Comment

Mayor Church called for a vote on the implied motion to approve land use renewal permit submitted by Sandra Riedesel for property located at 3849 Princeton Oaks NW. Vote taken, approved unanimously 5-0. Motion carried.

E. Authorization for approval of **ORDINANCE NO. 2006-21, 2006** granting a rezoning request submitted by Lonnie Ayers for property located at 6101 Pine Mountain Road. Property located in Land Lot 139, Tax Parcel 42, 20th District, 2nd Section, Cobb County. Said request to rezone property from City R-20 to City General Commercial (GC) for purpose to correct an existing split zoning. Planning Commission at a meeting held on August 14, 2006, recommended approval of the rezoning from City General Commercial and R-20 to City Highway General Business (HGB) per staff recommendations. Motion carried, vote 5-0. Zoning Administrator, Darryl Simmons, recommends approval to rezone the property to HGB to be compatible with adjoining zoning district.

Zoning Administrator Simmons reported this rezoning is to correct a split zoning for a small triangle piece of property. This is basically a housekeeping issue.

7:50 PM Floor Opened for Public Comment

No comments.

7:50 PM Floor Closed to Public Comment

Mayor Church called for a vote on the implied motion to approve rezoning request submitted by Lonnie Ayers for property located at 6101 Pine Mountain Road. Vote taken, approved unanimously 5-0. Motion carried.

Motion by Councilmember Dowdy requesting to refund the applicant's fees, motion seconded by Councilmember Mathews. Vote taken, approved unanimously 5-0. Motion carried.

IX. CONSENT AGENDA

A. Approval of August 21, 2006 Mayor & Council Minutes.

B. Approval of an expense submitted by Mayor Church for lunch at Trackside Grill on August 18, 2006 with prospective member for the Planning Commission, Mitch Hyre. FUNDING LINE: 1100-100-52.3630 $29.05

C. Authorization for Mayor Church to execute cemetery deed to Dale Waldron for the purchase of two (2) lots in the City Cemetery, being Section III, Land Lots A & B, of Block 58. Mrs. Dale Waldron purchased two lots in the City Cemetery on August 25, 2006. This is authorization for the Mayor to execute said deed, in Section III, Lots A & B, Block 58 of the City Cemetery. Copy of deed attached. The City Clerk recommends approval.

D. Consideration for approval of a Closed Function Alcohol Serving Permit to serve alcoholic beverages on September 16, 2006 at the Community Center Meeting Room at 2753 Watts Drive. The applicant is Laney Huff. This is a birthday celebration. An off-duty police officer will be on site. Parks and Recreation Director recommends approval.

E. Authorization for closed function permit for the Georgia Parks & Recreation Commission quarterly meeting. The Georgia Parks and Recreation Commission will be holding their quarterly meeting at the Museum on September 12, 2006. The event will be from 6:30 p.m. until approximately 8:30 p.m. Dinner will be served by Bar-B-Q Street. Approximately 40 people will be in attendance. A police officer will be on site. The Recreation & Culture Director recommends approval.

F. Consideration to approve the lowest responsive bidder, Cline Service Corporation, to construct the first phase of the Community Wide Trail. Four contractors submitted bids on the trail specifications as designed by MacTec

engineering. The construction of the trail will be supported through recreation bond money and a $48,000 matching grant from the Land Water Conservation Fund. The Director for Parks and Recreation recommends approval of Cline Service Corporation: Cline Service corporation: $211,000 JJE Constructors: $382,096 CMES, Inc.: $528,281 Woodwind Construction Company: $446,500. FUNDING LINE: 301.4225.54.1461 - Capital Projects Fund $211,000

G. Community Development Budget Amendment Request. To transfer funds from Community Development to IT for data line connections/switch work managed and paid for by IT for remodeling of Community Development space. Bob Fox, Darryl Simmons and Mark Rice for Community Development and Teri Chambers for IT recommend approval. FUNDING LINE: 100-7500-53.1180 (from ED); FUNDING LINE: 100-7500-52.1260 (from ED); FUNDING LINE:100-1535-53.1180 (to IT).

H. Consideration to approve a budget amendment decreasing capital outlay line items: Sites 100.1055.54.1100, Adams Park Improvements 100.1055.54.1451, Equipment 100.1055.54.2500 and increasing operating account line items water/sewer 100.6100.53.1210 and electricity 100.6100.53.1230. The amendment form with justifications is attached. These amendments are necessary as we are transferring budgeted capital outlay monies to operating accounts. We have been able to complete all projects except the football practice field project which has just been approved by the school board. This project will not begin till next fiscal year.

I. Request for approval of a one-time variance for New Beginnings United Methodist Church, located at 2925 Mack Dobbs Rd, NW. The New Beginnings United Methodist Church is planning a church fundraiser that will include a Turkey Shoot event. The event will be held on private church property September 23, 2006 from 9:00 a.m. to 2:00 p.m. The request is for a one-time variance related to Sec 34-2 of the Kennesaw Code of Ordinances, which governs use of firearms. The site has been reviewed by Public Safety and determined to be safe for the event. Neighboring residents will be properly notified of the event. The City will request a hold harmless agreement for the event from New Beginnings United Methodist Church. City Manager recommends approval.

J. Consideration of ORDINANCE approving annexation request submitted by Seth Crawford for property located at 4048 Ayers. Properties identified as Land Lot 60, of the 20th District, 2nd Section, Tax Parcel 26. Applicant is requesting annexation approval for property currently zoned County R-20 to be annexed into the City of Kennesaw for property consisting of 1+/-acres. Application was advertised on May 26, 2006 in the Marietta Daily Journal. Planning Commission at a meeting held on June 12, 2006 recommended accepting the letter requesting a continuance, dated June 5, 2006. Next scheduled meeting dates for July 10, 2006 Planning Commission and August 7, 2006 Mayor and Council with applicant making the proper notification to surrounding property owners. Motion carried, vote 6-0. Planning Commission meeting held July 10, 2006 reviewed letter that itemized the proposed modifications to the site plan that will be resubmitted for Planning Commission review at their next scheduled meeting on

August 14, 2006. At their August 7th meeting, Mayor and Council continued the public hearing until September 5, 2006. Planning Commission on August 14, 2006 motioned to accept letter of withdrawal dated August 14, 2006 without prejudice, vote 5-0. Darryl Simmons, Zoning Administrator recommends accepting letter of withdrawal dated August 14, 2006 without prejudice.

K. Consideration of ORDINANCE approving rezoning request submitted by Seth Crawford for properties located at 4048 Ayers, 4058 Ayers, 4068 Ayers and 1465 Shiloh Road. Properties identified as Land Lot 60, of the 20th District, 2nd Section, Tax Parcels 27, 31, 26, 28. Applicant is requesting rezoning approval for properties currently zoned County R-20 to City UVC (Urban Village Commercial) for properties consisting of 7.76+/-acres. Application was advertised on May 26, 2006 in the Marietta Daily Journal. Planning Commission at a meeting held on June 12, 2006 recommended accepting the letter, dated June 5, 2006, requesting a continuance. Next scheduled meeting dates for July 10, 2006 Planning Commission and August 7, 2006 Mayor and Council with applicant making the proper notification to surrounding property owners. Motion carried, vote 6-0. Planning Commission meeting held July 10, 2006 reviewed letter that itemized the proposed modifications to the site plan that will be resubmitted for Planning Commission review at their next scheduled meeting on August 14, 2006. At their August 7, 2006 meeting, Mayor and Council continued the public hearing until their September 5, 2006 meeting. Planning Commission on August 14, 2006 motioned to accept letter of withdrawal dated August 14, 2006 without prejudice, vote 5-0. Darryl Simmons, Zoning Administrator recommends accepting letter of withdrawal dated August 14, 2006 without prejudice.

L. Consideration of variance request submitted by Seth Crawford for properties located at 4048 Ayers, 4058 Ayers, 4068 Ayers and 1465 Shiloh Road. Properties identified as Land Lot 60, of the 20th District, 2nd Section, Tax Parcels 27, 31, 26, 28. Applicant is requesting variance approval for properties currently zoned County R-20 to City UVC (Urban Village Commercial) for properties consisting of 7.76+/-acres. Application was advertised on May 26, 2006 in the Marietta Daily Journal. Planning Commission at a meeting held on June 12, 2006 recommended accepting the letter of continuance. Next scheduled meeting dates for July 10, 2006 Planning Commission meeting. Planning Commission at their July 10, 2006 meeting motioned to table this item to the August 14, 2006 meeting. At their August 8, 2006 meeting, Mayor and Council continued this item to their September 5, 2006 meeting. August 14, 2006 Planning Commission motioned to accept letter of withdrawal dated August 14, 2006 without prejudice, vote 5-0. Darryl Simmons, Zoning Administrator recommends letter of withdrawal dated August 14, 2006 without prejudice.

M. Atlanta Falcons Football Team "Paint the Town Red" Promotional Street Team Event. The Atlanta Falcons promotions staff is interested in hosting a 30 minute promotional event in downtown Kennesaw. The event is scheduled for Friday, November 3rd from 11:45 a.m.-12:30 p.m. (this does not include set up or break down time). The event will target pedestrian traffic during the lunch hour. The event will require 2 parking spaces for the Falcons promotional vans. These vans

are equipped with exterior sound systems, which will be operated by a Falcons staff emcee. The event is free, open to the public, and will include Atlanta Falcons football trivia contests and football ticket give-aways. Council approved the use of the City parking lot near Trackside Grill as the designated event area. The Public Relations Coordinator has contacted the Special Events Committee and will be presenting the event information to that Committee on Wednesday, September 6 at 4:00 p.m. The Public Relations Coordinator recommends Council approving the event being hosted in the City pending approval by the Special Events Committee.

Mayor Church called for a vote on the implied motion to approve the Consent Agenda, engross. Vote taken, approved unanimously 5-0. Motion carried.

X. COMMITTEE AND BOARD REPORTS

DEPARTMENT REPORTS

XI. POLICE DEPARTMENT (Councilmember Bruce Jenkins)
TIM CALLAHAN, Chief

No items.

XII. INFORMATION TECHNOLOGY (Councilmember Mark Mathews)
TERI CHAMBERS, Director

No items.

XIII. PUBLIC WORKS (Councilmember Bill Thrash)
WOODY MCFARLIN, Director

No items.

XIV. RECREATION AND CULTURE AGENCY (Councilmember John Dowdy)
JEFF DROBNEY, Agency Director
DOUG TAYLOR, Director

No items.

XV. COMMUNITY DEVELOPMENT (Councilmember Cindy Giles)
ROBERT FOX, Director
DARRYL SIMMONS, Zoning Administrator
MARK RICE, Building Official

Motion by Councilmember Thrash to add the described over to the agenda, seconded by Councilmember Giles. Vote taken, approved unanimously 5-0. Motion carried. ITEM: Authorization for the City Attorney to prepare utility easement for water service to The Village at Fullers Chase and for the Mayor to execute easement. The Village at Fullers Chase entails 28 town homes requiring an 8" water main for service to the residences and hydrants. The developer in consultation with Kennesaw Public Works, Cobb Water and the developer's consulting engineer determined the most feasible location for the water line is from Cherokee Street across lots 9 and 10 of Fullers Chase Phase 1; then clipping the back southeast corner of the City owned Bobby Grant Center property for 0.038 acres. The developer has provided for the utility easement on lots 9

and 10 (see attached drawing). The service line for Phase 1 is 3" and is inadequate for the second phase. The R/W width of the new drive to Cherokee Street (Boone Drive) has insufficient width for the utility line. Access to the water main on Big Shanty is not feasible due to inadequate width of the existing utility easement. This is a non-exclusive agreement and the developer would be financially responsible for relocation costs (of the utilities) if necessary. Community Development Director, Bob Fox, recommends approval.

Motion by Councilmember Thrash to approve easement for water service to The Village at Fullers Chase and for the Mayor to execute a non-exclusive easement with the condition the developer or applicant pay cost of platting and provide City with metes and bounds description, motion seconded by Councilmember Giles. Vote taken, approved unanimously 5-0. Motion carried.

XVI. FINANCE AND ADMINISTRATION (Councilmember Bill Thrash) KENNETH TURNER, Director

No items.

XVII. PUBLIC COMMENT/BUSINESS FROM THE FLOOR

RON PAPLIONI (General Manager, Lake Allatoona Preservation Authority): Mr. Paplioni expressed his appreciation to the City for what we do with zoning and storm water management because a good portion runs into the water shed. This is our water shed, where we get the drinking water so we should have a vested interest. Big development on the north side of the lake is occurring and will have an impact and will certainly economically impact the City of Kennesaw, as the Lake has done for the past 53 years.

XVIII. CITY MANAGER'S REPORT - Steve Kennedy

City Manager Kennedy reported the home rule Charter amendment on taxation was not on tonight's agenda because the public hearing dates were omitted in the legal ad. As well, he requests another ordinance as written, be changed to allow regular meetings be called and voted upon as needed. This will allow a final public hearing at a third regular meeting to be held on September 27th. The budget and revised Personnel Manual will also be adopted at this meeting. City Attorney Bentley said he recommends amending specific code to permit additional regular meetings be held if approved by Mayor and Council.

XIX. MAYOR'S REPORT

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

No items.

B. Mayoral appointments to standing Boards and Committees. Appointments to any Boards and Committees made by the Mayor to fill any vacancies, resignations, and to create or dissolve committees, as deemed necessary.

No items.

XX. EXECUTIVE SESSION - Land, Legal, Personnel

A. 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 as provided under O.C.G.A. 50-14-2(1); and/or personnel matters as provided under O.C.G.A 50-14-3(6) and/or real estate matters as provided under O.C.G.A. 50-14-3.

No items.

XXI. ADJOURN

Mayor Church adjourned at 7:59 p.m. until the next regularly scheduled meeting on Monday, September 18, 2006 at 6:30 p.m. in the Council Chambers.

_____

Debra Taylor, City Clerk

Regular Council Agenda
9/5/2006 6:30:00 PM
0000 Pine Moutain - Rezoning
Community Development

Title of Agenda Item:	Authorization for approval of ORDINANCE rezoning request submitted by Pebblebrook Development, LLC for property located at 0000 Pine Mountain Road (southwesterly side of Pine Mountain)
Title of Agenda Item:	Property located in Land Lot 140, Tax Parcel 6. Said request to rezoned property from City GC/R-20 to City HGB (Highway General Business) for proposed office condo development with inside storage on property with 2.84+/- total acres. Application was advertised on June 23, 2006 in the Marietta Daily Journal. Planning Commission at a meeting held on July 10, 2006 recommended tabling this application to the next scheduled Planning Commission of August 14, 2006. At their August 7, 2006 meeting, Mayor and Council continued this item to September 5, 2006. Planning Commission motioned to approve the rezoning request with conditions at their regular scheduled meeting August 14, 2006 vote 5-0. Darryl Simmons, Zoning Administrator recommends approval of the rezoning request with conditions as per attorney's letter dated August 30, 2006.
Funding Line(s)	

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP

WWW.MIJS.COM

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STEPHEN C. STEELE
WILLIAM R. JOHNSON‡
ROBERT D. INGRAM†
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ELDON L. BASHAM
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BRETT A. MILLER
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OF COUNSEL:
JOHN L. SKELTON, JR.†

† ALSO ADMITTED IN TN
* ALSO ADMITTED IN FL
‡ ALSO ADMITTED IN NM
~ ALSO ADMITTED IN NC
♦ ADMITTED ONLY IN TN

July 10, 2006

Mr. Darryl T. Simmons
Zoning Administrator
City of Kennesaw
2529 J. O. Stephenson Avenue
Kennesaw, Georgia 30144

Hand Delivered

RE: Application for Rezoning
Application No.: RZ2006-11
Applicant: Pebblebrook Development, LLC
Property Owner: King's Crossing Management, LLC
Property: 2.84 acres located on the southwesterly side of Pine Mountain Road, westerly of Cobb Parkway (U.S. Highway 41), Land Lot 140, 20th District, 2nd Section, Cobb County, Georgia

Dear Darryl:

As you know, this firm and the undersigned represent Pebblebrook Development, LLC, the Applicant (hereinafter referred to as "Applicant"), and King's Crossing Management, LLC, the Property Owner (hereinafter referred to as "Property Owner"), in their Application for Rezoning concerning the 2.84 acre tract located at the southwesterly side of Pine Mountain Road, westerly of Cobb Parkway (U.S. Highway 41), City of Kennesaw, Cobb County, Georgia (hereinafter the "Subject Property"). After conferences with planning and zoning staff, conferences with area residents, reviewing the uses of surrounding properties, we have been authorized by the Applicant and Property Owner to submit this letter of agreeable stipulations and conditions which, if the pending Application for Rezoning is approved, as submitted, shall become a part of the grant of the requested zoning and

shall be binding upon the Property. This letter shall supersede and replace in full that certain letter of agreeable stipulations and conditions dated and submitted July 7, 2006. The referenced stipulations are as follows:

(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 on the Subject Property.

(2) Rezoning of the Subject Property shall be from the existing R-20 and General Commercial ("GC") zoning categories to Highway General Business ("HGB") zoning category for the purpose of a general business/office development, with reference to that Rezoning Drawing prepared for Pebblebrook Development, LLC dated April 24, 2006. Applicant shall submit a site plan for the development which complies with all City of Kennesaw development standards and ordinances for approval by City staff during the plan review process and prior to the issuance of any building or development permits.

(3) Applicant agrees that the architectural style for the proposed development shall be consistent with all architectural photographs submitted to City staff during the zoning process and presented to the City of Kennesaw during the respective public hearings. In that regard, the exterior elevations of the proposed buildings shall consist of brick, stone, stacked stone, stucco, and other masonry materials.

(4) Applicant agrees that with respect to the proposed rezoning of the subject 2.64 acres, the proposed rezoning shall be "use specific" to general business/office as presented by Applicant.

(5) Applicant agrees to establish and maintain a permanent, minimum forty (40) foot buffer along the entire southern boundary of the Subject Property, as

well as, the adjacent property also to be developed, which buffer shall be adjacent to a development known as "The Village at Pine Lake Mountain." Such forty foot buffer shall not include any drives or other paved areas; but rather, shall be utilized for landscaping, screening materials, and fencing subject to a landscape plan to incorporate such features subject to City of Kennesaw staff approval during the plan review process.

(6) Applicant agrees that all lighting contained within the proposed development, both within the Subject Property and on adjoining property which will be part of the proposed development, shall be period or themed lighting to the architecture of the proposed development; and further, will be directional or hooded such that all beams or glare will be contained within the bounds of the proposed development.

We believe the requested zoning, together with the Rezoning Drawing and the stipulations set forth herein, is an appropriate use of the Subject Property while taking into consideration the existing conditions of the area. The proposed development shall be of the highest quality and shall be an enhancement to the Subject Property and the community as a whole. Thank you for your consideration in this request.

Very truly yours,

MOORE INGRAM JOHNSON & STEELE, LLP

J. Kevin Moore

JKM:cc
c: Mayor and City Council
Planning Commission

Pebblebrook Development, LLC

PLANNING COMMISSION MINUTES – DRAFT
July 10, 2006

Item: Pine Mountain/Cobb Parkway

(A) Rezoning Request (RZ2006-11) Consideration to approve a rezoning request submitted by Pebblebrook Development, LLC, for property located at 0000 Pine Mountain Road (southwesterly side of Pine Mountain Road and the westerly side of Cobb Parkway (US Highway 41) Said request to rezone from City GC, R-20 to City HGB for proposed office condos development w/indoor storage. Land Lot 140, Tax Parcel 6, 20th District, 2nd Section, consisting of 2.84+/- acres. (Mayor and Council 8-7-06)

Darryl Simmons, Zoning Administrator, came forward and presented the application of rezoning of property located along the westerly side of Pine Mountain Road right-of-way. The applicant is seeking to rezone property from City GC (General Commercial) and R-20 to City HGB (Highway General Business) for an office condo development with indoor storage.

The proposed development will incorporate three buildings with rear service access and architectural elements complimentary to area. The subject tract is designated on the Future Land Use Map as Community Activity Center. The request is compatible with the FLUM designation.

Staff noted the proximity of the adjoining single family residential subdivision identified as the Villages at Pine Lake Mountain. The staff's analysis and recommendations incorporated code regulated protection. There is to be a 40 foot undisturbed buffer along the rear.

Brief discussion regarding the stream buffer on the western side of the property, which currently is shown on the site plan as 50 feet needs to be 75 feet according to standards currently adopted by the City. An accurate site plan was not received by staff.

Mr. Simmons gave a history on the property and how it is was developed up to today and the proposed elevation of the project being considered. Staff requires that an updated site plan in compliance with standards be submitted, which would show all architectural style – brick, stone stucco, shows the lighting proposed for the project along with landscaping including the required buffer.

Mr. Simmons recommends the use being proposed for the project to head off other intrusive uses allowed in the HGB district. Staff recommends approval with the following conditions:

1. Incorporate letter of stipulation from Attorney Kevin Moore, updated letter of July 10, 2006 with the change to strike all references of the term warehouse from description of the intended use.
2. Item 2 will be altered to reference a compliant site plan versus the submitted plan, dated April 24, 2006.

There was a power failure and equipment stopped recording.

The member of the commission discussed the plan and challenging site and how best to promote the best uses for the area. The members felt that it would be of a benefit to the applicant if they would supply a better site plan and address some of the concerns with buffering, parking, architectural style etc.

The attorney for the applicant, Mr. John Moore, came forward. He presented the application for rezoning of the property to Highway General Business. The applicant proposes two story buildings, which will be owed by individuals for professional use. The building would have four-sided brick with no loading zones. (Elevations were shown). The plan is to reduce the drive area to enlarge the buffer along the residential properties to the rear, which would also reduce the building sizes.

The letter of stipulation submitted would address the proposed uses zoned for the area and the applicant would also address those concerns about water and drainage on the property. The request from the applicant is to table this matter to allow them time to address concerns and submit a compliant site plan and to allow staff and members to visit site of West Oak in Sandy Springs, which is a project similar to what the applicant proposes for this area.

Floor opened to public comments.

Faye McColloch came forward and directs general questions concerning the site plan and voiced her objection to the rezoning.

Mr. Hyre of 2634 Laurel Lane asked that the commission consider denying the request to rezone the property to Highway General Business; however, he would trust the commission in whatever decision they make on the matter and work with staff and the developer to develop the best project on the site. Brief discussion regarding traffic concerns egress and decel lanes. Mr. Hyre voiced his concern on decrease in property values to the residential properties in the rear.

Floor closed to public comments.

Due to the power failure and recording equipment failure the best decision on this application was to accept at the applicant's request to table to the next agenda of the Planning Commission.

Alan Davis made motion, seconded by Richard Anderson to table the meeting and this application to the August 14' 2006, meeting of the Board.

PLANNING COMMISSION

8-14-06 – Draft Minutes (portion of)

TOPIC: Pine Mountain-Cobb Parkway, rezoning :

> **(C)Rezoning Request (RZ2006-11)** Consideration to approve a rezoning request submitted by Pebblebrook Development, LLC, for property located at 0000 Pine Mountain Road (southwesterly side of Pine Mountain Road and the westerly side of Cobb Parkway (US Highway 41) Said request to rezone from City GC, R-20 to City HGB for proposed office condos development w/indoor storage. Land Lot 140, Tax Parcel 6, 20th District, 2nd Section, consisting of 2.84+/- acres. (Mayor and Council 8-7-06)

Darryl Simmons, Zoning Administrator, came forward and presented the application of rezoning of property located along the westerly side of Pine Mountain Road right-of-way. The applicant is seeking to rezone property from City GC (General Commercial) and R-20 to City HGB (Highway General Business) for an office condo development with indoor storage.

The proposed development will incorporate three buildings with rear service access and architectural elements complimentary to area. The subject tract is designated on the Future Land Use Map as Community Activity Center. The request is compatible with the FLUM designation.

Staff noted the proximity of the adjoining single family residential subdivision identified as the Villages at Pine Lake Mountain. The staff's analysis and recommendations incorporated code regulated protection. There is to be a 40 foot undisturbed buffer along the rear.

Brief discussion regarding the stream buffer on the western side of the property, which currently is shown on the site plan as 50 feet needs to be 75 feet according to standards currently adopted by the City. A corrected site plan was received with noted item changes including showing the 40 foot undisturbed buffer along all residentially zoned properties, accurate scale and the stream buffer reflected according to the adopted City codes.

Mr. Simmons gave a history on the property and how it is was developed up to today and the proposed elevation of the project being considered. Staff requires that an updated site plan in compliance with standards be submitted, which would show all architectural style – brick, stone stucco, shows the lighting proposed for the project along with landscaping including the required buffer.

Mr. Simmons recommends the use being proposed for the project to head off other intrusive uses allowed in the HGB district. Staff recommends approval with the following conditions:

- Incorporate all conditions specified in letter of stipulations dated July 10, 2006 prepared by Moore Ingram Johnson and Steele.

- Dumpster location will be coordinated with the City staff in order to minimize impact to adjoining residential properties. Garbage pickup will not occur before 7 am and after 7pm.
- The areas identified as undisturbed buffer to the southernmost boundary of tract will be binding and preserved as such with the developer being responsible to supplement additional trees if visual gaps are identified and field verified by the City of Kennesaw.
- Coordination and approval from City of Kennesaw on final layout of access drive to development from Pine Mountain Road that will reduce stacking and promote better traffic flow for egress and ingress.
- Interparcel access and shared access drive to be designed with adjoining vacant property once future development of adjoining vacant parcel is pursued.
- Rear portion of all proposed office buildings that will be facing adjoining residential property will not be Cinder block but will match the building material and quality of the front and side facades of buildings.
- All HVAC units and utilities will be designed to be placed away from the adjoining residential properties to reduce any secondary noise from the units being heard by adjoining properties. Sound baffling materials can be incorporated into construction as along as the materials are consistent with the architectural quality for the building.

The members of the commission discussed the plan and challenging site and how to promote the best uses for the area, including bonding to help protect the buffer areas, better traffic flow with the interparcel access, dumpster locations and lighting.

The attorney for the applicant, Mr. John Moore, came forward. He presented the application for rezoning of the property to Highway General Business. The applicant proposes two story buildings, which will be owed by individuals for professional use. The building would have four-sided brick with no loading zones. (Elevations in file). The revised plan shows the reduction of the drive area to enlarge the buffer along the residential properties to the rear, which would also reduce the building sizes.

The letter of stipulation previously submitted addresses the proposed uses zoned for the area such as professional offices; including the owner of the properties restate office, surveyors, engineers, contractors who would have enclosed project storage. He discussed briefly the dumpster locations, lighting and property owners association to be created to help with maintenance of the property.

Mr. Moore commented that this use appears to be a better fit then the other attempts made for rezoning and would request that the commission consider approval of the rezoning including the letter of stipulations dated July 10, 2006.

Floor opened to public comments.

Faye McColloch came forward voiced her concerns over the service drive, which is located so close to the residentially zoned properties can place one in harms way. Perhaps better fencing - concrete style. She submitted photos for the commission to review which showed concerns about the easement (which she said they probably have no idea about) on her property, landscaping and drainage. People say they will do things and never do – she indicated that she has had this problem for a number of years

and has seen nothing done – fencing, buffer area running along the Villages at Pine Mountain. Any kind of requirements placed on this project **must** be submitted in writing. I have concern with promises because what took place with the previous development for the buffer, landscaping area is still not complete, fences down, trees down, flooding. For the last four years Ms. McColloch stated she has tried to get items rectified to no success. Still waiting. She thanked the commission for their time.

Mr. Mitchell Hyre of 2634 Laurel Lane asked that the commission to consider some of the verbal stipulations that the applicant has expressed to the community during the times of communications, which is appreciated by the residents. Those included:

- Erection of a 8foot privacy fence
- Dumpster locations
- Time of dumpster pickups
- Low level lighting
- Site plan specific
- Overnight vehicle

The applicant responded agreement to the above noted items. Dumpster location along the islands behind buildings 200 and 300, with pickup times limited to weekdays, curb lighting with hooded or low level lighting in the rear of the buildings along with some decorative post lighting on the site. No overnight parking of service vehicles.

Concern as to fencing and landscaping all to be addressed with the new development and maintained by the office association.

Floor closed to public comments.

Brief discussion followed with motion was made by Doug Rhodes, seconded by Richard Anderson to a approve the rezoning from City GC & R-20 to City HGB with staff recommendations

- Incorporate all conditions specified in letter of stipulations dated July 10, 2006 prepared by Moore Ingram Johnson and Steele.
- Dumpster location will be coordinated with the City staff in order to minimize impact to adjoining residential properties. Garbage pickup will not occur before 7 am and after 7pm. In addition ***Planning Commission added language as to dumpster location on the islands of buildings 200 and 300 and that pick-up would be limited to weekdays***
- The areas identified as undisturbed buffer to the southernmost boundary of tract will be binding and preserved as such with the developer being responsible to supplement additional trees if visual gaps are identified and field verified by the City of Kennesaw.
- Coordination and approval from City of Kennesaw on final layout of access drive to development from Pine Mountain Road that will reduce stacking and promote better traffic flow for egress and ingress.
- Interparcel access and shared access drive to be designed with adjoining vacant property once future development of adjoining vacant parcel is pursued.
- Rear portion of all proposed office buildings that will be facing adjoining residential property will not be Cinder block but will match the building material and quality of the front and side facades of buildings.

- All HVAC units and utilities will be designed to be placed away from the adjoining residential properties to reduce any secondary noise from the units being heard by adjoining properties. Sound baffling materials can be incorporated into construction as along as the materials are consistent with the architectural quality for the building.
- ***Planning Commission added that there would be no overnight parking of service vehicles***
- ***Planning Commission added a stipulation of an 8 foot fence***
- ***Planning Commission added stipulation that the rezoning is subject to a site plan specific – similar to revised plan dated August 3, 2006 by Karl Lutjens of Southland Engineering, Inc and identified as Concept Site C subject to meeting all development standards during construction review***

Motion carried. Vote 5-0

REZONING APPLICATION

Case # RZ2006-11

Date: May 26, 2006

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

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

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

FROM GC, R-20 **TO** HGB

REZONING PROPERTY ADDRESS 0000 Southwesterly side of Pine Mountain Road, westerly of Cobb Parkway (U.S. Highway 41)

Land Lot 140 Tax Parcel 6 Present Zoning GC, R-20 Lot Size 2.84

Current Use Vacant Proposed Use Office ~~Warehouse~~ Condos w/ indoor storage gpw

Legal Description of property (short form) Land Lot 140, 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia

APPLICANT Pebblebrook Development, LLC

Applicant's residence 1800 Airport Road, Kennesaw, Georgia 30144 (Fax #) (770) 423-1544

(Home #) Not Applicable (Work #) (678) 738-0205 (Cell #) (404) 915-0914

OWNER OF PROPERTY King's Crossing Management, LLC

Owner's residence Suite 300, 1950 North Park Place Atlanta, Georgia 30339 (Fax #) (770) 419-1905

(Home #) Not Applicable (Work #) (678) 793-6301 (Cell #) (770) 329-0706

WHO WILL DO PRESENTATION OR REPRESENTATION OF YOUR APPLICATION AT ALL THE PUBLIC HEARINGS?

Name Moore Ingram Johnson & Steele, LLP (Work #) (770) 429-1499 (Cell #) Not Applicable

ATTORNEY ~~REZONING NAME~~ J. Kevin Moore, Esq.

Address 192 Anderson Street, Marietta, Georgia 30060

(Home #) Not Applicable (Work #) (770) 429-1499 (Cell #) Not Applicable

Carolyn E. Cook

Notary Notary Public, Cobb County, Georgia My Commission Expires Jan. 10, 2007

(c)@mijs.com

PEBBLEBROOK DEVELOPMENT, LLC

BY: _____

Signature of Applicant

Mitchell J. Nimey, Managing Member

5/4/2006

CONTACT PERSON FOR PROJECT Mitchell J. Nimey

Address 1800 Airport Road, Kennesaw, Georgia 30144 (Fax #) (770) 423-1544

(Home #) Not Applicable (Work #) (678) 738-0205 (Cell #) (404) 915-0914

1. The relationship of the applicant to the property in questions is ( ) Owner ( ) Tenant/Leasee (X) Purchaser under contract ( ) Other, please specify _____

2. If the applicant is not the owner of the property in question, the applicant must have the property owner sign the appropriate area of the affidavit of ownership. See Attached

3. Has the applicant been before the Board on the property in questions in the past? ( ) Yes (X) No
If yes, state when and why Not Applicable

4. Was the request ( ) Approved ( ) Denied ( ) Withdrawn Not Applicable

5. If the Owner and Applicant are not the same, please complete the Affidavit of Ownership.
See Attached

6. Resident Population 0 Housing Units 0 Other buildings 0

PLEASE SUBMIT THE FOLLOWING WITH THE APPLICATION:

1. A deed with legal description of property noting the property owner.

2. A plat or boundary survey drawn to scale by a registered engineer with the preliminary plans for development shown thereon. These plans must include building location, parking areas, access points, land lot lines, north arrow, buffer areas and other information as required by the Planning Commission.

3. Tax plat map showing surrounding property zoning with designation stated from Future Land Use Map for parcel being rezoned.

4. Disclosure Forms

OFFICE USE ONLY

Check Number 216 Fee 375.00

Date of Advertising _____ & _____ Newspaper _____

Date/Hearing Planning Commission 7-10-06 Action _____

Date/Hearing Mayor and Council 8-7-06 Action _____

Stipulations: _____

ATTACHMENT TO APPLICATION FOR REZONING

Application No.: _____
Hearing Dates: _____
_____

Applicant: **Pebblebrook Development, LLC**
Titleholder: **King's Crossing Management, LLC**

Representative on behalf of Applicant and Property Owner

MOORE INGRAM JOHNSON & STEELE, LLP

BY: _____
J. Kevin Moore
Georgia Bar No. 519728

Attorneys for Applicant and Property Owner

Signed, sealed, and delivered in the presence of:

_____
Notary Public, State of Georgia
Notary Public, Cobb County, Georgia
My Commission Expires Jan. 10, 2007

Moore Ingram Johnson & Steele, LLP
Attorneys at Law
192 Anderson Street
Marietta, Georgia 30060
(770) 429-1499
(770) 429-8631 (Telefax)

STATE OF GEORGIA
COBB COUNTY

AFFIDAVIT OF OWNERSHIP

Richard Tuley, Jr., Managing Member of King's Crossing Management, LLC, of full age, being duly sworn according to law on oath disposes and says, that the deponent resides at Suite 300, 1950 North Park Place, Atlanta, Georgia 30339 in the municipality of Not Applicable in the County of Cobb City and State of Georgia and is the owner in fee of all that certain lot, piece or parcel of land situated, and designated as Land Lot 140, Tax Parcel 6 in the attached application.

KING'S CROSSING MANAGEMENT, LLC

BY: King's Crossing Management, LLC

Owner to sign here

Richard Tuley, Jr., Managing Member

Owner Phone Number (678) 793-6301 (Office)

Sworn and subscribed before me this 26th day of May 20 06

Notary Public

Notary Public, Georgia
My Commission Expires 10, 2007

5/4/2006

STATE OF GEORGIA
COBB COUNTY

AUTHORIZATION

(If anyone other than the above owner is making this application the following authorization must be executed.)

Pebblebrook Development, LLC is hereby authorized to make the within application.

May 26, 2006
Date

KING'S CROSSING MANAGEMENT, LLC
BY: _____
Owner to sign here
Richard Tuley, Jr., Managing Member

Sworn and subscribed before me this 26th day of May 2006

Carolyn E. Cook
Notary Public
Notary Public, Cobb County, Georgia
My Commission Expires Jan. 10, 2007

AFFIDAVIT OF REPRESENTATION

Pebblebrook Development, LLC is hereby authorized to make the within application.

May 26, 2006
Date

KING'S CROSSING MANAGEMENT, LLC
BY: _____
Owner to sign here
Richard Tuley, Jr., Managing Member

Sworn and subscribed before me this 26th day of May 20 06

Carolyn E. Cook
Notary Public
Notary Public, Cobb County, Georgia
My Commission Expires Jan. 10, 2007

5/4/2006

CAMPAIGN DISCLOSURE REPORT BY APPLICANT

(A separate form must be completed by each applicant – please see definition below)

Has the applicant made, within two (2) years immediately preceding the filing of this application, 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? [ ] Yes [X] No

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

PLEASE APPLY THE FOLLOWING INFORMATION WHICH WILL BE CONSIDERED AS THE REQUIRED DISCLOSURE:

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

Not Applicable.

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:

Not Applicable.

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:

Not Applicable.

I CERTIFY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT, THIS 26th DAY OF May ,2006

PEBBLEBROOK DEVELOPMENT, LLC

BY:

APPLICANT SIGNATURE Mitchell J. Nimey
Managing Member

If the answer to any of the above is "yes" then that 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 Kennesaw, GA. 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.

Applicant means any person who makes application and any attorney, other person representing or acting on behalf of a person who makes application to the Mayor and Council and Planning Commission.

PROPERTY/FINANCIAL DISCLOSURE REPORT BY APPLICANT

(A separate form must be completed by each applicant – please see definition below)

Does any member of the Mayor and Council or Planning Commission have a property interest (direct or indirect ownership, including any percentage of ownership less than total) in the subject property? [ ] Yes [X] No - To the best of our knowledge, information, and belief.

If "yes" Name Not Applicable.

If so, describe the nature and extent of such interest:

Not Applicable.

Does any member of the Mayor and Council or Planning Commission have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is ten percent (10%) or more) of a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property? No, to the best of our knowledge, information, and belief.

Does any member of the Mayor and Council or Planning Commission have a spouse, mother, father, brother, sister, son or daughter who has any interest as described above?

[ ]Yes [X] No - To the best of our knowledge, information, and belief.

If "yes" Name Not Applicable.

If so, describe the nature and extent of such interest:

Not Applicable.

I CERTIFY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT, THIS 26th DAY OF May, 2006

PEBBLEBROOK DEVELOPMENT, LLC

BY: _____

APPLICANT'S SIGNATURE Mitchell J. Nimey
Managing Member

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5/4/2006

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Has the applicant made, within two (2) years immediately preceding the filing of this application, 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? [ ] Yes [X] No

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

PLEASE APPLY THE FOLLOWING INFORMATION WHICH WILL BE CONSIDERED AS THE REQUIRED DISCLOSURE:

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

Not Applicable.

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:

Not Applicable.

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:

Not Applicable.

I CERTIFY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT, THIS 26th DAY OF May ,20 06

MOORE INGRAM JOHNSON & STEELE, LLP

BY: _____

APPLICANT SIGNATURE J. Kevin Moore
Georgia Bar No. 519728
Attorneys for Applicant and Property Owner

If the answer to any of the above is "yes" then that 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 Kennesaw, GA. 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.

Applicant means any person who makes application and any attorney, other person representing or acting on behalf of a person who makes application to the Mayor and Council and Planning Commission.

PROPERTY/FINANCIAL DISCLOSURE REPORT BY APPLICANT

(A separate form must be completed by each applicant – please see definition below)

Does any member of the Mayor and Council or Planning Commission have a property interest (direct or indirect ownership, including any percentage of ownership less than total) in the subject property? [ ] Yes [X] No
- To the best of our knowledge, information, and belief.

If "yes" Name Not Applicable.

If so, describe the nature and extent of such interest:

Not Applicable.

Does any member of the Mayor and Council or Planning Commission have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is ten percent (10%) or more) of a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property?

No, to the best of our knowledge, information, and belief.

Does any member of the Mayor and Council or Planning Commission have a spouse, mother, father, brother, sister, son or daughter who has any interest as described above?

[ ]Yes [X]No - To the best of our knowledge, information, and belief.

If "yes" Name Not Applicable.

If so, describe the nature and extent of such interest:

Not Applicable.

I CERTIFY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT, THIS 26th DAY OF May, 20 06

MOORE INGRAM JOHNSON & STEELE, LLP

BY: _____

APPLICANT'S SIGNATURE

J. Kevin Moore
Georgia Bar No. 519728

Attorneys for Applicant and Property Owner

If the answer to any of the above is "yes" then that 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 Kennesaw, GA. 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.

Applicant means any person who makes application and any attorney, other person representing or acting on behalf of a person who makes application to the Mayor and Council and Planning Commission.

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 140 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia, and being 2.88 acres as shown on plat for King's Crossing, prepared by Centerline Surveying Systems, Inc., and being more particularly described as follows:

BEGINNING at the common corner of Land Lots 139, 140, 165, and 166, said district and section; thence running north 89 degrees 23 minutes 09 seconds west as measured along the southerly land lot line of Land Lot 140, said district and section, for a distance of 74.82 feet to a point; thence running north 78 degrees 50 minutes 25 seconds west for a distance of 293.34 feet to a point and corner; thence running north 10 degrees 03 minutes 54 seconds east for a distance of 178.00 feet to an iron pin found; thence running north 01 degrees 27 minutes 26 seconds east for a distance of 197.63 feet to a point and corner; thence running south 76 degrees 34 minutes 50 seconds east for a distance of 148.14 feet to a point thence running along the arc of a curve to the left, an arc distance of 93.57 feet on a radius of 200.00 feet to a point; thence running north 76 degrees 36 minutes 52 seconds east for a distance of 24.21 feet to a point and corner located on the southwesterly right of way of Pine Mountain Road (having a variable right of way); thence running south 22 degrees 21 minutes 21 seconds east as measured along the southwesterly right of way of Pine Mountain Road for a distance of 70.07 feet to an iron pin found at the intersection of the southwesterly right of way of Pine Mountain Road with the easterly land lot line of Land Lot 140, said district and section; thence running south 00 degrees 28 minutes 32 seconds west as measured along the easterly land lot line of Land Lot 140, said district and section, for a distance of 306.85 feet to the point of BEGINNING.

DRIVING DIRECTIONS

Go WEST on J.O. Stephenson Avenue toward Dallas Street

Turn LEFT onto Dallas Street

Go approximately 0.2 miles and make a SLIGHT RIGHT onto Watts Drive

Go approximately 0.2 miles and make a SLIGHT RIGHT onto US-41 North

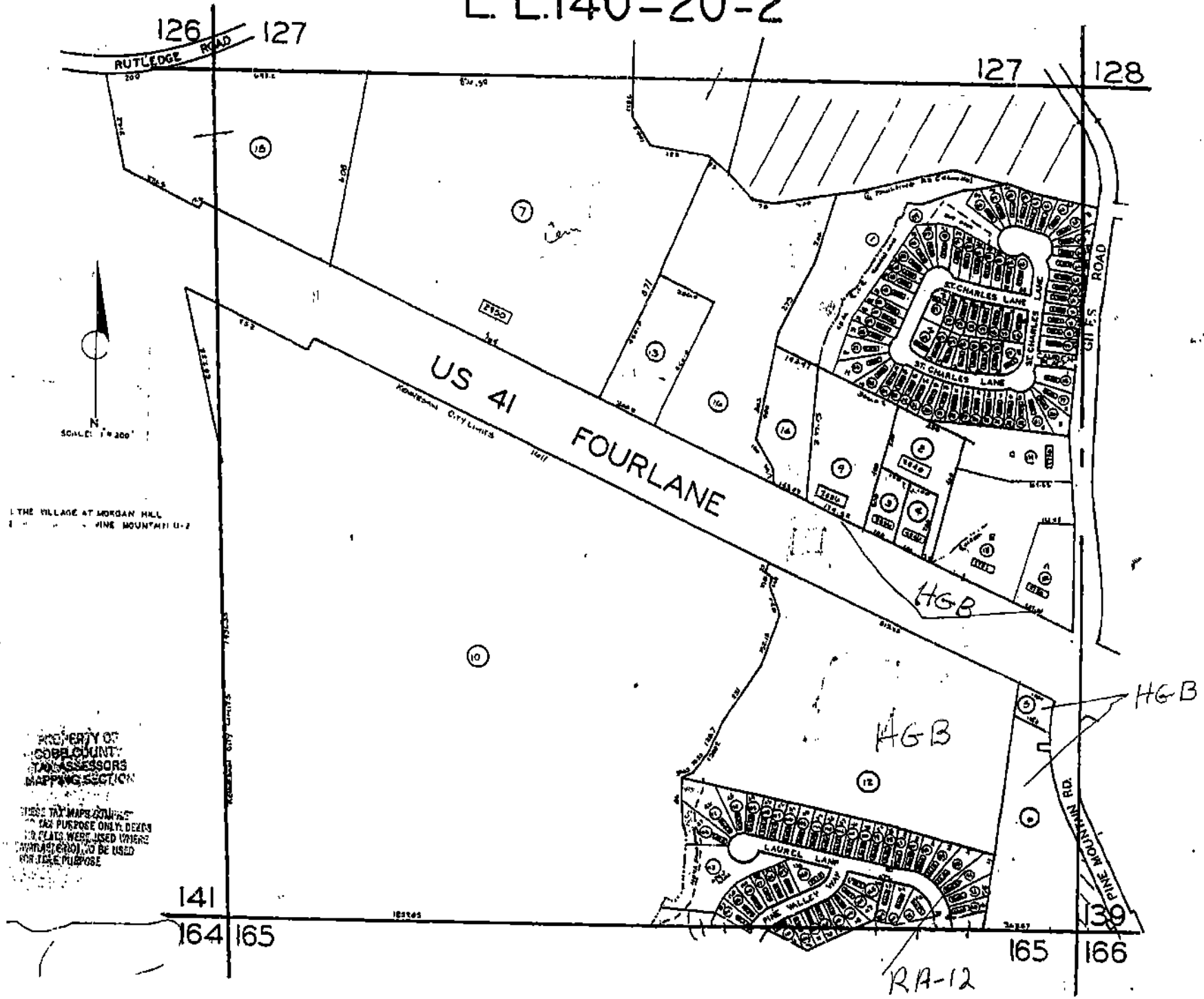
Go approximately 0.2 miles north on US-41 to the Pine Mountain Road Intersection

Turn LEFT onto Pine Mountain Road

The sight will be located approximately 0.1 miles from the intersection on the RIGHT side (northerly) of Pine Mountain Road

20-140

L. L.140-20-2



The Village At Pine Mountain
RZ2006-11 Concerned Residents Petition

We, the undersigned, as residents of The Village At Pine Mountain wish to air concerns regarding the rezoning petition #RZ2006-11. They are as follows:

A) The community preference is that this area remain undisturbed, however in the interest of development, we understand that change is eminent. We believe that the designation of O&I would better suit the asthetics of our neighborhood and better preserve our property values.

B) The plan, as shown, shows a 40' buffer however this is a buffer of curbing and asphalt. The nine properties which adjoin the parcel in question are requesting a 40' undisturbed buffer with an 8' privacy fence on the development side of the buffer. The adjoining property owners shall agree not to assume ownership of the buffer through care and maintenance. Our interest is only in our privacy.

C) The plan, as submitted does not show dumpster locations or central trash collection site. Our concern is not just limited to their location but also the times at which the trash will be collected.

D) All homes on Laurel Lane have bedrooms located in the rear of the dwelling. We are concerned about high intensity lighting interrupting our sleep.

E) We are concerned about the hours of operation and after hour deliveries of the business tenants who may occupy suites in the event the zoning is changed to HGB.

F) We believe that ingress/egress of this parcel onto Pine Mountain Road by delivery vehicles and additional general traffic will exacerbate an already dire traffic situation on this road. We would like to know how Kennesaw plans to deal with this.

G) We feel strongly that allowing a zoning designation which will permit the building of personal mini storage space would drastically compromise the asthetics and security of our quiet community. If this is in the City's Plan, we wholeheartedly petition against it.

	Name	Address	Signature
1	MITCHELL HYRE	2631 Laurel Lane	
2	L. Michelle Eaton	2632 Laurel Lane	
3		2630	
4		2630	
5		2628	
6		2628 Laurel Lane	
7		2644 LAUREL LANE	
8		2648	
9		2648 Laurel Ln.	
10		2642	
12		2680	
13		2631 Laurel LN	
14		2658	
15		2643	
16		2654	
17		2652	
18		2650 Laurel Lane	
19		2657 Laurel Ln.	

20	CAROLYN LINK	2658 LAUREL LANE	[illegible]
21	Joe Link	2658 Laurel Ln.	[illegible]
22	Joel Smith	2662 Laurel Lane	[illegible]
23	LINDA HART	2662 Laurel Lane	[illegible]
24	Mary McDonald	2659 Laurel Lane	[illegible]
25	Ada B. Andrews	2666 Laurel Lane	[illegible]
26	DOROTHY GAESS	2661 LAUREL LANE	[illegible]
27	Janet Hall Nash	2814 Pine Valley Way	[illegible]
28	James T. Nash	2814 Pine Valley Way	[illegible] 7704809734
29	Shannon Noel	2808 Pine Valley Way	[illegible]
30	Carolyn Evans	2670 Laurel Lane	[illegible]
31	[illegible]	2678 Laurel Lane	[illegible]
32	Lucia Lunera	2682 Laurel Ln.	[illegible]
33	Arlene O'Grady	2695 Laurel Ln	[illegible]
34	LAURA GARUTI	2644 Laurel Lane	[illegible]
35	FRANCIS J. HICKEY	2660 Laurel Lane	[illegible]
36	Audrey Hickey	2660 Laurel Ln	[illegible]
37	SEAN EACHUS	2645 Laurel Lane	[illegible]
38	Nancy Farlow	2649 Laurel Lane	[illegible]
39	[illegible]	2639 Laurel Ln	[illegible]
40	Heather Harvey	2639 Laurel Ln	[illegible]
41	Elizabeth Ballenger	2649 Laurel Lane NW	[illegible]
42	Daniel Brelsford	2653 Laurel Lane	[illegible]
43	Eula Dinsmore	2655 Laurel Lane	[illegible]
44	Peggy Phillips	2654	[illegible]
45	[illegible]	2656 Laurel Lane	[illegible]
46	Charity Lawrence	2656 Laurel Lane	[illegible]
47	JOYCE RUTHERFORD	2817 PINE VALLEY	[illegible]
48	[illegible]	2813 Pine Valley Way	[illegible]
49	Lorel Hall	2813 Pine Valley Way	[illegible]
50	Ron Spencer	2805 Pine Valley Way	[illegible]
51	Franklin Reed	2806	[illegible]
52	Nathaniel Sims	2642 Laurel Lane	[illegible]
53	GREGG SNYDER	2622 LAUREL LANE	[illegible]
54	Rebecca Snyder	2623 Laurel Ln	[illegible]
55	Meg Hagan	2623 Laurel Ln	[illegible]

56	Jeffery W Palmer	2619 Laurel Lane	Jeffery W Palmer
57	[illegible]	2620 Laurel Lane	[illegible]
58	Ivan Rawlinson	2602 Laurel Lane	Ivan Rawlinson
59	Ruth V. Lakeman	2600 Laurel Lane	Ruth V. Lakeman
60	Thomas H. Jones	2600 Laurel Lane	Thomas H. Jones
61	George Lakeman	2600 Laurel Lane	George W. Lakeman
62	Kathleen Killingbeck	2756 Highland Ridge	Kathleen Killingbeck
63	Cheryl Tillman	2754 Highland Ridge	Cheryl L Tillman
64	Jose Luis Malacon	2744 Highland Rd Co.	[illegible]
65	David Harber	2734 Highland Ridge	David Harber
66	Melissa Arnold	2737 Highland Ridge	Melissa Arnold
67	Mike Bledsoe	2737 Highland Ridge	M. Bledsoe
68	Kim Bell	2734 Highland Ridge	Kim Bell
69	Lisa Manning	2740 Highland Rd	[illegible]
70	Victor Doerning	2740 Highland Rd	Victor Doerning
71	Tracey Rodenberger	2624 Laurel Lane	Tracey Rodenberger
72	Joyce Johnston	2819 Pine Valley Way	Joyce Johnston
73	Sarah Banks	2702 Highland Ridge	Sarah Banks
74	Carol Kemp	2730 Highland Ridge	Carol Kemp
75	Julie Norman	2722 Highland Ridge	J Norman
76	Yuning Cai	2625 Laurel Ln 30152	[illegible]
77	[illegible]	2612 Laurel Ln Kenn Ga	[illegible]
78	Ethel Mosher	2750 Highland Ridge Kennesaw Ga	Ethel Mosher
79	Kathy Singhas	2746 Highland Ridge Rd	[illegible]
80	Stephen Booth	2732 Highland Ridge	[illegible]
81	Jon Stanoff	2732 " Highland Ridge Rd	[illegible]
82	[illegible]	2732 " Highland Ridge	[illegible]
83	Bionicle Hall	2725 Gen Schwarzkopf	[illegible]
84	Kristopher Johnson	2731 Gen. Schwarzkopf Ct	Kristopher Johnson
85	Denise Guzzardi	2733 Gen. Schwarzkopf Ct	[illegible]
86	Linda McPherson	2735 Gen Schwarzkopf	Linda McPherson
87	Cindy Ames	2751 Highland Ridge	Cindy Ames
88	Phillip Sweatmeier	2802 Pine Valley Way	[illegible]
89	Kandice Hurley	2802 Pine Valley Way	[illegible]
90	Brenda Hall	2724 Highland Ridge Rd	[illegible]
91	Susan Thomas	2718 Highland Ridge	Susan Thomas

2715 Highland Ridge 30152

	Jean W. Durst	[illegible]	Jean W. Durst
93	James R Gipson	2606 Laurel Lane	James R. Gipson
94	Claudia Arbaledo	2609 Laurel Lane	Claudia Arbaledo
95	Peter Franco	2604 Laurel Lane	[illegible]
96	Phillip Evans	2760 Highland Ridge	Phillip Evans
97	Simon Temperton	2753 Highland Ridge	Simon Temperton
98	Alice Regina Lane	2749 Highland Ridge	Alice Regina Lane
99	Thomas Atkins	2749 Highland Ridge	Thomas Atkins
100	Tyler Pass	2742 Highland Ridge	Tyler Pass
101	Sue Hopper	2736 Highland Ridge	Sue Hopper
102	Pam Cleghorn	2723 Highland Ridge	Pam Cleghorn
103	Stephen Barth	2732 Highland Ridge	Stephen Barth
104	John Petrone	2804 Dominion Lane	John Petrone
105	Billy Joe Batchelor	2726 Highland Ridge	Billy Joe Batchelor
106	Anne M. Sparks	2610 Laurel Lane	Anne M. Sparks
107	Susan G. Schroeder	2714 Highland Ridge	Susan G. Schroeder
108	Ellen R. Sharp	2758 Highland Ridge	Ellen R. Sharp
109	Chris Siminski	2617 Laurel Lane	[illegible]
110	[illegible]	2745 Highland Ridge	[illegible]
111	Susan Fuller	2721 Highland Ridge	Susan Fuller
112	Patricia Snyder	2692 Laurel Lane	Patricia Snyder
113	Erin Snyder	2642 Laurel Lane	Erin Snyder
114	John Massarello	261[illegible] Laurel Ln.	[illegible]
115	Laura Saheim	2712 Highland Ridge	Laura Saheim
116	Michelle Dmyphan	2708 Highland Ridge	Michelle Dmyphan
117	Mary Rowe	2704 Highland Ridge	Mary Rowe (MARY Rowe)
118	Bettie Evans	2760 Highland Ridge	BETTIE EVANS
119	LYNETTE PASS	2742 Highland Ridge	Lynette Pass
120	Stephanie Youngblood	2807 Pine Valley Way	[illegible]
121	Faye McCullah	2672 Laurel Ln	Faye McCullah
122	John Oliver	2807 Pine Valley Way	John Oliver
123	Becky [illegible]	2669 Laurel Lane	Becky [illegible]
124	Paul Schiffman	2616 Laurel Ln. NW	[illegible]
125	Nicholas Shaw	2722 Highland Ridge	[illegible]
126	MARIE M. FIEVET	2720 HIGHLAND RIDGE	Marie Fievet
127	[illegible]	2718 Highland Ridge	[illegible]

128	Sunny Shaw	2922 Highland Ridge, Kennesaw	Sunny Shaw
129	Wednesdy Cooper	2809 Pine Valley Dr Kennesaw	
130	Eric L Culpepper	2676 Laurel LN NW Kennesaw	
131	Laurie Bertrand	26686 Laurel Lane Kennesaw	L Bertrand
132	Chris Perricci	2651 Laurel Lane Kennesaw	Chris Perricci
133	MARY H. Smith	2636 Laurel Lane Kennesaw	Mary H Smith
134	William J Smith	2636 Laurel Lane Kennesaw	
135	GREGORY SOCZEWKA	2690 LAUREL LANE KENNESAW	
136	ANNA SOCZEWKA	2690 LAUREL LANE KENNESAW	
137	ALVIN WILLIAMS	2640 LAUREL LN KENNESAW	
138	Melody Jacobs	2620 Laurel Lane Kennesaw	Melody Jacobs
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Item VIII-D
8-30-06

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
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OF COUNSEL:
JOHN L. SKELTON, JR.†

† ALSO ADMITTED IN TN
* ALSO ADMITTED IN FL
— ALSO ADMITTED IN SC
† ADMITTED ONLY IN TN

August 30, 2006

Mr. Darryl T. Simmons
Zoning Administrator
City of Kennesaw
2529 J. O. Stephenson Avenue
Kennesaw, Georgia 30144

Hand Delivered

RE: Application for Rezoning

Application No.:	RZ2006-11
Applicant:	Pebblebrook Development, LLC
Property Owner:	King's Crossing Management, LLC
Property:	2.84 acres located on the southwesterly side of Pine Mountain Road, westerly of Cobb Parkway (U.S. Highway 41), Land Lot 140, 20th District, 2nd Section, Cobb County, Georgia

Dear Darryl:

As you know, this firm and the undersigned represent Pebblebrook Development, LLC, the Applicant (hereinafter referred to as "Applicant"), and King's Crossing Management, LLC, the Property Owner (hereinafter referred to as "Property Owner"), in their Application for Rezoning concerning the 2.84 acre tract located at the southwesterly side of Pine Mountain Road, westerly of Cobb Parkway (U.S. Highway 41), City of Kennesaw, Cobb County, Georgia (hereinafter the "Subject Property"). After conferences with planning and zoning staff, conferences with area residents, reviewing the uses of surrounding properties, we have been authorized by the Applicant and Property Owner to submit this letter of agreeable stipulations and conditions which, if the pending Application for Rezoning is approved, as submitted, shall become a part of the grant of the requested zoning and shall be binding upon the Property. This letter shall supersede

and replace in full those certain letters of agreeable stipulations and conditions dated and submitted July 7, 2006, and July 10, 2006. The referenced stipulations are as follows:

(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 on the Subject Property.

(2) Rezoning of the Subject Property shall be from the existing R-20 and General Commercial ("GC") zoning categories to Highway General Business ("HGB") zoning category for the purpose of a general business/office development, with reference to that Rezoning Drawing prepared for Pebblebrook Development, LLC dated April 24, 2006.

(3) Applicant shall submit a site plan for the development which complies with all City of Kennesaw development standards and ordinances for approval by City staff during the plan review process and prior to the issuance of any building or development permits.

(4) Applicant agrees that the architectural style for the proposed development shall be consistent with all architectural photographs submitted to City staff during the zoning process and presented to the City of Kennesaw during the respective public hearings. In that regard, the exterior elevations of the proposed buildings shall consist of brick, stone, stacked stone, stucco, and other masonry materials.

(5) Applicant agrees that with respect to the proposed rezoning of the subject 2.64 acres, the proposed rezoning shall be "use specific" to general business/office as presented by Applicant.

(6) Applicant agrees to establish and maintain a permanent, minimum forty (40) foot buffer along the entire southern boundary of the Subject Property, as

well as, the adjacent property also to be developed, which buffer shall be adjacent to a development known as "The Village at Pine Lake Mountain." Such forty foot buffer shall not include any drives or other paved areas; but rather, shall be utilized for landscaping, screening materials, and fencing subject to a landscape plan to incorporate such features subject to City of Kennesaw staff approval during the plan review process.

(7) Applicant agrees that all lighting located to the front or sides of the proposed buildings, both within the Subject Property and on adjoining property which will be part of the proposed development, shall be period or themed lighting to the architecture of the proposed development; and further, lighting located to the rear will be directional or hooded such that all beams or glare will be contained within the bounds of the proposed development.

(8) Dumpster locations shall be as shown on the submitted site plan for the rezoned parcel, as well as, adjoining parcel to be included as part of the subject development. Dumpster pick-up shall be limited to Monday through Friday, between the hours of 7:00 a.m. and 7:00 p.m.

(9) There shall be no overnight parking of vehicles in the rear of the subject development; and such restriction shall be included in the operating covenants for the subject development.

(10) Applicant agrees to the installation of an eight (8) foot wood privacy fence along that portion of the rezoned parcel adjacent to existing residential properties.

(11) Applicant agrees that the future development shall be consistent with the general layout and design as shown and reflected on the submitted site plan.

(12) The areas identified as undisturbed buffer to the southernmost boundary of tract will be binding and preserved as such with the developer being responsible to supplement additional trees if visual gaps are identified and field verified by the City of Kennesaw.

(13) Applicant agrees to coordinate and seek approval from the City of Kennesaw on final layout of access drive to the proposed development from Pine Mountain Road that will reduce stacking and promote better traffic flow for egress and ingress.

(14) Interparcel access and shared access drive shall be designed with adjoining vacant property once future development of adjoining vacant parcel is pursued.

(15) The rear portion of all proposed office buildings that will be facing adjoining residential property will not be cinderblock but will match the building material and quality of the front and side facades of the buildings.

(16) All HVAC units and utilities will be designed to be placed away from the adjoining residential properties to reduce any secondary noise from the units being heard by adjoining properties. Sound baffling materials can be incorporated into construction as long as the materials are consistent with the architectural quality for the building.

We believe the requested zoning, together with the Rezoning Drawing and the stipulations set forth herein, is an appropriate use of the Subject Property while taking into consideration the existing conditions of the area. The proposed development shall be of the highest quality and shall be an enhancement to the Subject Property and the community as a whole. Thank you for your consideration in this request.

Very truly yours,

MOORE INGRAM JOHNSON & STEELE, LLP

J. Kevin Moore

JKM:cc
c: Mayor and City Council
Planning Commission

Pebblebrook Development, LLC

City of Kennesaw

Rezoning Report

July 3, 2006

CASE NUMBER	:	**RZ-2006-11**
CURRENT ZONING	:	**GC and R-20**
ZONING CHANGE	:	**HGB**
LOCATION	:	**Westerly side of Pine Mountain**
TAX PARCEL NUMBER	:	**20-140-6**
ACREAGE	:	**2.84 acres**
PROPOSED DEVELOPMENT	:	**Office condos with indoor storage**

ADJACENT ZONING:

NORTH- GC/HGB
SOUTH- R-20 and FST (formerly RA-12)
EAST- GC
WEST- HGB and FST (formerly RA-12)

APPLICANT: Pebblebrook Development

PROPERTY OWNERS: King's Crossing Management

PROPERTY DESCRIPTION:

Property located along westerly side of Pine Mountain Road right of way

APPLICANT'S REQUEST:

The applicant is requesting to rezone parcel from GC and R-20 to HGB zoning for office condo development

STAFF ANALYSIS:

The proposal for this tract is incorporation into larger office condo development on adjoining HGB zoned tract located behind Kings Crossing Retail Center. The overall development will incorporate three buildings with rear service access and architectural elements complimentary to area. The submitted site plan contained errors that conflicted with the City of Kennesaw Development Standards. The items identified by staff include the following:

1. 40 foot required buffer illustrating encroachment with parking and drives. This is not allowed under section 670 of the zoning ordinance.
2. Scale was inaccurate for drawing
3. 75' stream buffer required versus the 50 foot buffer shown

The City of Kennesaw met with the attorney for applicant, Kevin Moore of Moore Ingram Johnson &Steele regarding this development. The applicant was informed ahead of time of the conflicts on the conceptual drawing and was not timely in revising the plat. The applicant's intent was to show conceptually the development and how the rezoned tract would fit into the overall development. The HGB zoning requested would b allow the condo use.

Applicant addressed the conflicts on the previous submitted plat. The revised plat illustrates development concept in compliance to the district standards including the following:

- Plat illustrates required landscape buffer along all boundaries abutting residentially zoned property.
- Scale was addressed
- 75' stream buffer was clearly identified.

Subject tract is designated on the FLUM as CAC (Community Activity Center). The request is compatible with the FLUM designation.

Staff has noted the proximity of the adjoining single family residential subdivision identified as The Villages at Pine Lake Mountain. Staff analysis and recommendations incorporates code regulated protection.

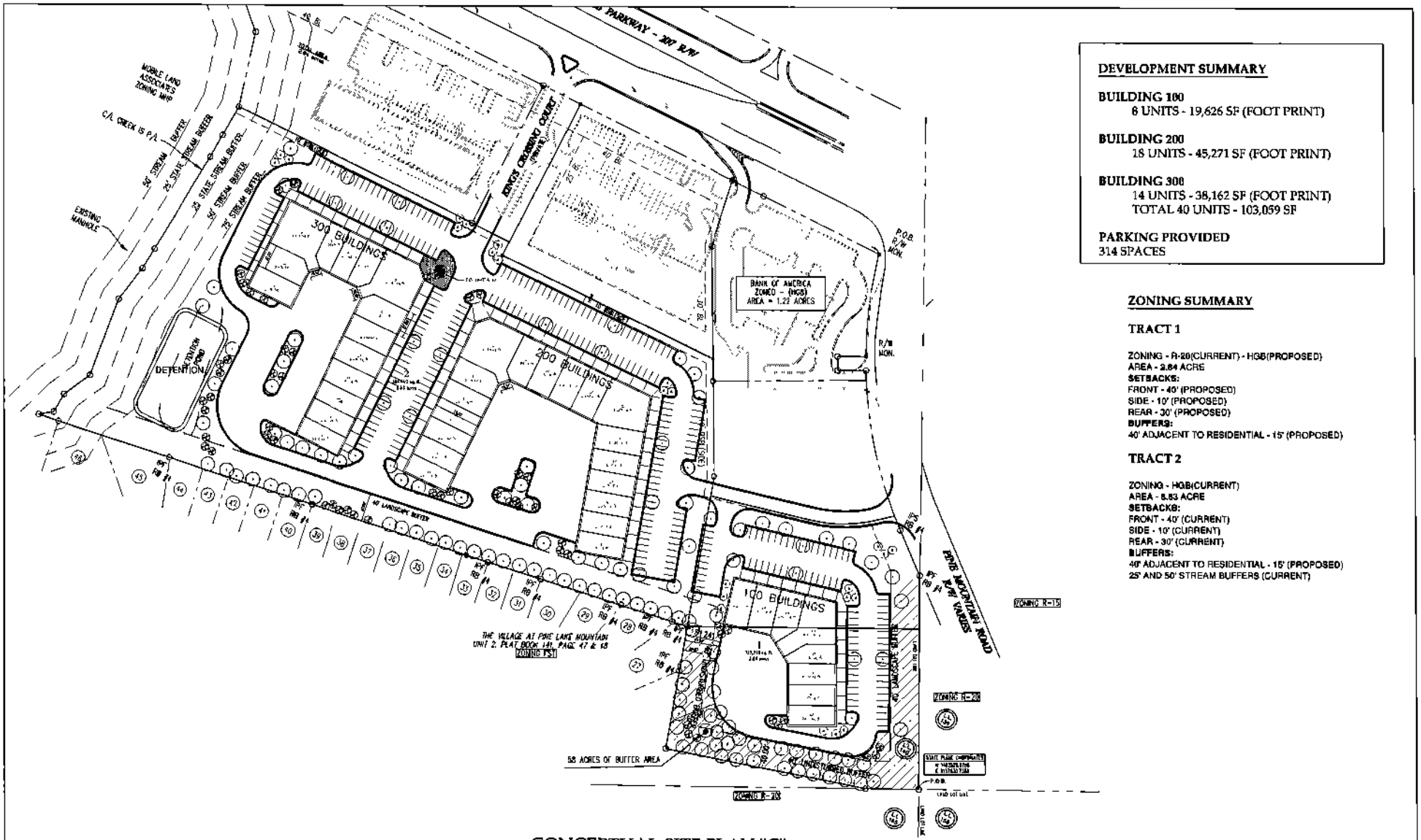
Staff Conclusions

- Office condos with internal storage is an appropriate transition to residential zoning

STAFF RECOMMENDATION:

Staff recommends approval with the following conditions:

Compliance with all conditions as per letter of stipulations dated August 30, 2006. prepared by Moore, Ingram Johnson and Steele



CONCEPTUAL SITE PLAN "C"

SouthLand Engineering Inc.
925 NORTH TENNESSEE STREET
CARTERSVILLE, GEORGIA 30120

King's Crossing Site

CITY OF KENNESAW, GEORGIA

ORDINANCE NO. 2006-

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF KENNESAW, GEORGIA SO AS TO CHANGE THE ZONING DISTRICT DESIGNATION FROM CITY GC(General Commercial) & R20 TO CITY HGB (Highway General Business) FOR PROPERTY LOCATED AT SOUTHWESTERLY SIDE OF PINE MOUNTAIN ROAD, WESTERLY SIDE OF COBB PARKWAY (U.S. HIGHWAY 41)

WHEREAS, PEBBLEBROOK DEVELOPMENT, LLC has made application to amend the Official Zoning Map of the City of Kennesaw, Georgia so as to change the zoning designation from City GC (General Commercial) & R20 to City HGB (Highway General Business) on 2.88 acre+/- parcel located at Southwesterly side of Pine Mountain Road, westerly side of Cobb Parkway (U.S. Highway 41) (as more particularly described below); and

WHEREAS, notice was advertised in the Marietta Daily Journal on June 23, 2006,of a public hearing before the Kennesaw Planning Commission held on July 10, 2006 and the Mayor and Council on August 7, 2006; and

WHEREAS, the Kennesaw Planning Commission held a public hearing on this proposal on July 10, 2006; and

WHEREAS, the Mayor and Council held a public hearing to consider this proposal on August 7, 2006; 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 GC (General Commercial) & R20 to City HGB (Highway General Business) for the following described property:

ALL OF THAT TRACT OR PARCEL OF LAND Lying And Being In Land Lot 140 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia, And Being 2.88 acres as shown on plat for King's Crossing, prepared by Centerline Surveying Systems, Inc. and being more particularly described as follows:

BEGINNING at the common corner of Land Lots 139, 140, 165 and 166, said district and section; thence running north 89 degrees 23 minutes 09 seconds west as measured along the southerly land lot line of Land Lot 140, said district and section for a distance of 74.82 feet to a point; thence running north 78 degrees 50 minutes 24 seconds west for a distance of 293.34 feet to a point and corner; thence running north 10 degrees 03 minutes 54 seconds east for a distance of 178.00 feet to an iron pin found; thence running north 0l degrees 27 minutes 26 seconds east for a distance of 197.63 to a point and corner; thence running south 76 degrees 34 minutes 50 seconds east for a distance of 148.14 feet to a point thence running along the arc of a curve to the left, an arc distance of 93.57 feet on a radius of 200.00 feet to a point; thence running north 76 degrees 36 minutes 52 seconds east for a distance of 24.21 feet to a point and corner located on the southwesterly right of way of Pine Mountain Road (having a variable right of way); thence running south 22 degrees 21 minutes 21 seconds east as measured along the southwesterly right of way

of Pine Mountain Road for a distance of 70.07 feet to an iron pin found at the intersection of the southwesterly right of way of Pine Mountain Road with the easterly land lot line of Land Lot 140, said district and section; thence running south 00 degrees 28 minutes 32 seconds west as measured along the easterly land lot line of Land Lot 140, said district and section, for a distance of 306.85 feet to the point of BEGINNING.

SECTION 2. BE IT FURTHER ORDAINED THAT that the Planning Commission makes recommendation to rezone the property to City HGB (Highway General Business) with the following conditions of approval:

This letter dated August 30, 2006 shall supersede and replace in full those certain letters of agreeable stipulations and conditions dated and submitted July 7, 2006, and July 10, 2006. The referenced stipulations are as follows:

(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 on the Subject Property.

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(3) Applicant shall submit a site plan for the development which complies with all City of Kennesaw development standards and ordinances for approval by City staff during the plan review process and prior to the issuance of any building or development permits.

(4) Applicant agrees that the architectural style for the proposed development shall be consistent with all architectural photographs submitted to City staff during the zoning process and presented to the City of Kennesaw during the respective public hearings. In that regard, the exterior elevations of the proposed buildings shall consist of brick, stone, stacked stone, stucco, and other masonry materials.

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SECTION 3. BE IT FURTHER ORDAINED THAT it is hereby declared to be the intention of this Ordinance that its sections, paragraphs, sentences, clauses, and phrases are severable, and if any section, paragraph, sentence, clause, and phrase is declared to be unconstitutional or invalid, it shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance.

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

PASSED AND ADOPTED by the Kennesaw City Council on this ___ day of ___, 2006.

ATTEST:

CITY OF KENNESAW:

Debra Taylor, City Clerk

Leonard Church, Mayor

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP

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# ADMITTED ONLY IN TN

August 30, 2006

Mr. Darryl T. Simmons
Zoning Administrator
City of Kennesaw
2529 J. O. Stephenson Avenue
Kennesaw, Georgia 30144

Hand Delivered

RE: Application for Rezoning
Application No.: RZ2006-11
Applicant: Pebblebrook Development, LLC
Property Owner: King's Crossing Management, LLC
Property: 2.84 acres located on the southwesterly side of Pine Mountain Road, westerly of Cobb Parkway (U.S. Highway 41), Land Lot 140, 20th District, 2nd Section, Cobb County, Georgia

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(6) Applicant agrees to establish and maintain a permanent, minimum forty (40) foot buffer along the entire southern boundary of the Subject Property, as

well as, the adjacent property also to be developed, which buffer shall be adjacent to a development known as "The Village at Pine Lake Mountain." Such forty foot buffer shall not include any drives or other paved areas; but rather, shall be utilized for landscaping, screening materials, and fencing subject to a landscape plan to incorporate such features subject to City of Kennesaw staff approval during the plan review process.

(7) Applicant agrees that all lighting located to the front or sides of the proposed buildings, both within the Subject Property and on adjoining property which will be part of the proposed development, shall be period or themed lighting to the architecture of the proposed development; and further, lighting located to the rear will be directional or hooded such that all beams or glare will be contained within the bounds of the proposed development.

(8) Dumpster locations shall be as shown on the submitted site plan for the rezoned parcel, as well as, adjoining parcel to be included as part of the subject development. Dumpster pick-up shall be limited to Monday through Friday, between the hours of 7:00 a.m. and 7:00 p.m.

(9) There shall be no overnight parking of vehicles in the rear of the subject development; and such restriction shall be included in the operating covenants for the subject development.

(10) Applicant agrees to the installation of an eight (8) foot wood privacy fence along that portion of the rezoned parcel adjacent to existing residential properties.

(11) Applicant agrees that the future development shall be consistent with the general layout and design as shown and reflected on the submitted site plan.

(12) The areas identified as undisturbed buffer to the southernmost boundary of tract will be binding and preserved as such with the developer being responsible to supplement additional trees if visual gaps are identified and field verified by the City of Kennesaw.

(13) Applicant agrees to coordinate and seek approval from the City of Kennesaw on final layout of access drive to the proposed development from Pine Mountain Road that will reduce stacking and promote better traffic flow for egress and ingress.

(14) Interparcel access and shared access drive shall be designed with adjoining vacant property once future development of adjoining vacant parcel is pursued.

(15) The rear portion of all proposed office buildings that will be facing adjoining residential property will not be cinderblock but will match the building material and quality of the front and side facades of the buildings.

(16) All HVAC units and utilities will be designed to be placed away from the adjoining residential properties to reduce any secondary noise from the units being heard by adjoining properties. Sound baffling materials can be incorporated into construction as long as the materials are consistent with the architectural quality for the building.

We believe the requested zoning, together with the Rezoning Drawing and the stipulations set forth herein, is an appropriate use of the Subject Property while taking into consideration the existing conditions of the area. The proposed development shall be of the highest quality and shall be an enhancement to the Subject Property and the community as a whole. Thank you for your consideration in this request.

Very truly yours,

MOORE INGRAM JOHNSON & STEELE, LLP

J. Kevin Moore

JKM:cc
c: Mayor and City Council
Planning Commission

Pebblebrook Development, LLC

FOR NOTICE OF LIS PENDENS SEE
LB Book 114 Page 1438

FOR ML SEE
LB Book 132 Page 1752
LB Book 133 Page 4994
LB Book 150 Page 3319

BK: 15033 PG: 3374-3379
Filed and Recorded Feb-20-2013 11:46:38AM
DOC#: D2013-018250
Real Estate Transfer Tax Paid $426.10
0332013006163

REBECCA KEATON
CLERK OF SUPERIOR COURT Cobb Cty. GA.

(Space above is for Recorder's use)

FOR NOTICE SEE
LB Book 134 Page 5367
LB Book 134 Page 6285
LB Book 135 Page 173
LB Book 135 Page 5339
LB Book 137 Page 3926

~~When Recorded Mail To~~:

Prepared By:
Vanessa A. Orta, Esq.
ANDERSON, MCCOY & ORTA
100 North Broadway, Suite 2600
Oklahoma City, OK 73102
Telephone: (888) 236-0007

When Recorded Return to:
Title Source, Inc. -
Commercial Team
662 Woodward Avenue
Detroit, MI 48226
TSI#: 574407-280

FOR NOTICE SEE
DE Book 16162 Page 2550

FOR ML SEE
LB Book 137 Page 2703

LIMITED WARRANTY DEED

THIS INDENTURE, made as of the 22 day of January, 2013, between **CRIMSON CEDAR CREEK, LLC**, a Georgia limited liability company (hereinafter called "Grantor"), whose address is 4675 MacArthur Court, Suite 1550, Newport Beach, California 92660, and **A P REAL ESTATE GEORGIA, LLC**, a Georgia limited liability company (hereinafter called "Grantee").

WITNESSETH THAT: Grantor, for and in consideration of the sum of Ten and No/100 ($10.00) Dollars, and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt, adequacy and sufficiency of which being hereby acknowledged by Grantor, 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 more particularly described in Exhibit "A" attached hereto and by this reference made a part hereof.

TO HAVE AND TO HOLD the said tract or parcel of land, together 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.

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.

The conveyance and warranty of title hereunder are expressly subject to those matters shown on Exhibit "B," attached hereto and made a part hereof by reference.

FOR LIEN CANC SEE
LB Book 151 Page 2897

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

Signed, Sealed and Delivered
in the presence of:

GRANTOR:

CRIMSON CEDAR CREEK, LLC, a
Georgia limited liability company

By: _____
Name: R. Patterson Jackson
Title: Authorized Signatory

_____
Name: Valerie Hill

_____
Name: ~~Amy O'Donnell~~
nora castellon

ACKNOWLEDGMENT

STATE OF _____)
) ss:
COUNTY OF _____)

Before me, _____ in and for said County and State, on this ___ day of _____, 2013, personally appeared _____, to me known to be the identical person who subscribed the name of the Grantor to the foregoing instrument as its _____ and acknowledged before me that he executed the same as his free and voluntary act and deed, and as the free and voluntary act and deed of CRIMSON CEDAR CREEK, LLC, for the uses and purposes therein set forth.

See Attached

_____
Notary Public

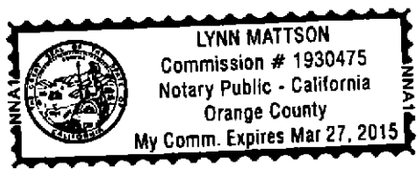
[SEAL]

STATE OF CALIFORNIA)
COUNTY OF ORANGE)

On January 22, 2013, before me, Lynn Mattson, Notary Public, personally appeared R. Patterson Jackson, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature _____ (SEAL)
Signature of Notary Public

EXHIBIT "A"

All THAT TRACT OR PARCEL OF LAND lying and being In Land Lot 140 of the 20th District. 2nd Section, City of Kennesaw. Cobb County, Georgia, and being 11.70 acres, more or less, as shown on plat for Pebblebrook Development, LLC, Bank of North Georgia. and Ticor Title Insurance Company, dated September 19, 1006, prepared by Centerline Surveying Systems, Inc., Charles C. Franklin, GRLS #2143,and being more particularly described as follows:

BEGINNING at the common comer of Land Lots 139, 140, 165, and 166 said district and section; thence running North 78 degrees 50 minutes 25 seconds West for a distance of 293.34 feet to a #4 rebar found and corner; thence running North 10 degrees 03 minutes 54 seconds East for a distance of 178.00 feet to a #4 rebar found and corner; thence running North 72 degrees 08 minutes 21 seconds West for a distance of 946.96 feet to an Iron pin; thence running North 72 degrees 08 minutes 21 seconds West for a distance of 31.32 feet, more or less, to a point and corner at the centerline of a creek; thence running in a Northeasterly direction as measured along the centerline of said creek and following the meanderings thereof, the following courses and distances: North 80 degrees 38 minutes 20 seconds East for a distance of 22.96 feet to a point; North 31 degrees 10 minutes 56 seconds East for a distance of 29.47 feet to a point; North 53 degrees 58 minutes 46 seconds East for a distance of 46.85 feet to a point; North 20 degrees 45 minutes 17 seconds East for a distance of 116.55 feet to a point; North 38 degrees 01 minutes. 21 seconds East for a distance of 56.03 feet to a point; North 32 degrees 09 minutes 53 seconds East for a distance of 156.05 feet to a point; North 29 degrees 35 minutes 43 seconds East for a distance of 35.91 feet to a point; North 29 degrees 35 minutes 43 seconds East for a distance of 46.28 feet to a point and corner; thence leaving the centerline of said creek and running thence South 63 degrees 52 minutes 15 seconds East for a distance of 373.05 feet, more or less, to a point; thence running South 62 degrees 46 minutes 55 seconds East for a distance of 59.00 feet to a point and corner; thence running South 27 degrees 13 minutes 05 seconds West for a distance of 21.63 feet to a point and comer; thence running South 63 degrees 52 minutes 15 seconds East for a distance of 333.41 feet to a point and corner; thence running South 00 degrees 24 minutes 49 seconds East for a distance of 168.42 feet to a point; thence running South 06 degrees 59 minutes 47 seconds West for a distance 21.33 feet to a point and comer; thence running South 76 degrees 34 minutes 50 seconds East for a distance of 148.14 feet to a point; thence running along the arc of a curve, an arc distance of 93.57 feet (said arc being subtended by a chord bearing South 89 degrees 58 minutes 59 seconds East, a chord distance of 92.72 feet and having a radius of 200.00 feet) to a point; thence running North 76 degrees 36 minutes 52 seconds East for a distance of 23.90 feet to a point and comer located on the Southwesterly right of way of Pine Mountain Road (having a variable right of way); thence running In a Southeasterly direction as measured along the Southwesterly right of way of Pine Mountain Road, the following courses and distances: South 21 degrees 04 minutes 38 seconds East, a distance of 28.29 feet to a Point; South 22 degrees 21 minutes 26 seconds East a distance of 70.07 feet to a point and corner located at the intersection of the Southwesterly right of way of Pine Mountain Road with the Easterly land lot line of land Lot 140, said district and section; thence running South 00 degrees 28 minutes 12 seconds West as measured along the Easterly land lot line of Land Lot 140, said district and section, for a distance of 306.85 feet to the Point of Beginning.

Appurtenant Easement Area No. 1:
Together with all right, title and interest in real estate created by virtue of Declaration of Easements and Agreement to Share Costs (the "Declaration") by King's Crossing Management, LLC and Bank of America, N.A., recorded in Deed Book 14015, Page 5160, Cobb County, Georgia Records; as amended by First Amendment to Declaration of Easements and Agreement to Share Costs, filed and recorded January 10, 2005 in Deed Book 14095, Page 6231, aforesaid records.

Appurtenant Easement Area No. 2:
Together with all right, title and interest in real estate created by virtue of Restrictive Covenant Agreement (the "Restrictive Covenant") dated January 31, 1991 by Southern Forty-Four L.P., Ltd., a Georgia limited partnership and Columbia Homes, L.P., recorded February 1, 1991, in Deed Book 6000, Page 1, Cobb County, Georgia.

Appurtenant Easement Area No. 3:
Together with all right, title and interest in real estate created by virtue of Reciprocal Easement Agreement ("Reciprocal Easement") between Kings Crossing Investments, LLC and Kings Crossing Management, LLC, dated October 6, 2005, recorded October 12, 2005 in Deed Book 14233, Page 4595, Cobb County, Georgia Records.

Less and Except the property conveyed in the following Deeds:
Limited Warranty Deed from Pebblebrook Development, LLC to Southcore Cedar Creek, LLC, filed and recorded December 10, 2008 at Deed Book 14653, Page 2194, Cobb County, Georgia Records, conveying Unit 101 of Building 100.

Limited Warranty Deed from Pebblebrook Development, LLC to William A. Phillips and Martha S. Phillips, filed July 16, 2006 at Deed Book 14624, Page 5063, Georgia Records, and as described in that Quit Claim Deed from Bank of North Georgia to Pebblebrook Development, LLC, dated July 15, 2008, filed and recorded July 25, 2008 at Deed Book 14626, Page 5054, aforesaid records, conveying Unit 104 of Building 100.
Quit Claim Deed from Bank of North Georgia to Cedar Creek Professional Office Association, Inc, filed December 29, 2011 at Deed Book 14907, Page 95, Cobb County, Georgia Records.

Exhibit "B"

(Permitted Exceptions)

1. All current taxes and assessments relating to the Property which are not yet due and payable, current assessments or liens for assessments under any homeowners association which are not yet due and payable or any agreements of record which are not yet due and payable and all current utility charges or liens for utility charges which are not yet due and payable.

2. Zoning and other ordinances affecting the Property.

3. All matters which would be shown by current accurate survey and inspection of the Property.

4. The rights of any parties in possession.

5. Any and all redemption rights.

6. Applicable matters of public record.

Deed Book 14233 Pg 4595
Filed and Recorded Oct-12-2005 03:08pm
2005-0182574
Real Estate Transfer Tax $0.00

Jay C. Stephenson
Clerk of Superior Court Cobb Cty. Ga.

AFTER RECORDING RETURN TO
SLUTZKY, WOLFE AND BAILEY, LLP
2255 CUMBERLAND PARKWAY
BUILDING 1300
ATLANTA, GEORGIA 30339-4503

STATE OF GEORGIA
COUNTY OF COBB

RECIPROCAL EASEMENT AGREEMENT

This is a RECIPROCAL EASEMENT AGREEMENT ("REA"), dated October 6, 2005, between **KINGS CROSSING INVESTMENTS, LLC, A Georgia Limited Liability Company** ("**KINGS INVESTMENTS**") and **KINGS CROSSING MANAGEMENT, LLC, A Georgia Limited Liability Company** ("**KINGS**").

WITNESSETH:

WHEREAS, KINGS INVESTMENTS is the fee simple owner of that certain tract of land lying and being in Cobb County, Georgia, and more particularly described on Exhibit 'A' attached hereto and by this reference made a part of hereof (hereinafter referred to as "Kings Crossing 2"); and

WHEREAS, KINGS is the fee simple owner of that certain tract of land lying and being in Cobb County, Georgia, and more particularly described on Exhibit 'B' attached hereto and by this reference made a part of hereof (hereinafter referred to as "Kings Crossing"); and

WHEREAS, KINGS is the fee simple owner of that certain tract of land lying and being in Cobb County, Georgia, being a private road known as King Crossing Court and more particularly described on Exhibit 'C' (hereinafter referred to as "Kings Court"); and

WHEREAS, KINGS and KINGS INVESTMENTS agree to enter into this certain REA in connection with the use, ownership, and maintenance of Kings Court; and

WHEREAS, Kings Crossing and Kings Crossing 2 are part of an ongoing development (hereinafter referred to as the "Development"), as shown undeveloped on Exhibit "D", which will provide for future roads and stormwater detention facilities which will serve all tracts in the Development; and

NOW THEREFORE, in consideration of mutual promises contained herein and for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree to the following statements:

1. **USE** - KINGS hereby grants and conveys to KINGS INVESTMENTS a perpetual, non-exclusive, permanent easement and right-of-way appurtenant to King Crossing 2 over, across, and through Kings Court for the purposes of ingress and egress to and from Kings Crossing 2 and the various public right-of-way surrounding the Development. This use shall be for pedestrian and vehicular ingress and egress only and shall specifically exclude the use of parking.

2. **MAINTENANCE** – KINGS shall be responsible for the reasonable normal and necessary maintenance, repair and/or replacement of Kings Court and related improvements within Kings Court, defined as landscaping, road signage not specific to tenants or the building located on Kings Crossing 2 of KINGS INVESTMENTS, lighting, irrigation, curbing, striping, and paving. In addition to the related improvements, maintenance shall include cleaning, repairing, and maintaining walkways (if any), roadways, paved surfaces in a level, smooth and evenly covered condition with the type of material originally installed or of similar quality, use and durability; and removing of snow, ice, debris, and surface water; and including keeping all directional signs, pavement signs and striping distinct and legible; and including repairing, replacing and renewing lighting, fixtures, and bulbs, and tubes and ballasts as may be necessary, and including caring for and replacing all landscaped and planted areas so as to not allow dead or unsightly plants to remain. All maintenance and repair shall be performed in a manner so as to minimize inconvenience and shall be completed in good and workmanlike manner, free from liens and defects and without material interruption of utilities, access or together necessary services and in

material compliance with all laws, orders, rules and regulations of any governmental authority having jurisdiction over same. Any party whose negligence or intentional conduct causes the need for repair or maintenance of Kings Court, and the related improvements, shall promptly cause such repair or maintenance to be made at its own expense. KINGS INVESTMENTS hereby acknowledges that KINGS has no responsibility for maintenance whatsoever for any improvements specifically owned by KINGS INVESTMENTS.

3. **DEFAULT OF MAINTENANCE AGREEMENT** - If KINGS or KINGS INVESTMENTS (the "Defaulting Party") shall fail to comply with any term, provision or covenant of this REA and shall not cure such failure within thirty (30) days after receipt of written notice from the other party hereunder (the "Non-Defaulting Party"), or if the default is of such character as to require more than thirty (30) days to cure and the Defaulting Party shall fail to commence to cure the same within such period or shall fail to use reasonable diligence in curing such default thereafter, the Non-Defaulting Party shall have the option of performing said obligation of the Defaulting Party and charge the Defaulting Party therefor (which charge shall be paid within fifteen (15) days after the Defaulting Party's receipt of written notice of the costs or expenses incurred by the Non-Defaulting Party accompanied by supporting invoices), and if such charge is not paid within said fifteen (15) day period, such unpaid charge shall accrue interest at the lesser of fifteen percent (15%) per annum or the maximum amount permitted by applicable law, from the date the amounts are expended until the date repaid.

4. **AGREEMENT TO SHARE COSTS** –KINGS INVESTMENTS shall be responsible to KINGS for a respective pro-rata share of all reasonable costs and expenses of the perpetual maintenance, repair and replacement with respect to Kings Court. Said pro-rata share shall be based upon the number of owners and each owner's respective square footage of property owned in the Development over the square footage of the total property in the Development at the time of the maintenance and/or repair. All share of costs shall be due within 30 days of receipt of an invoice itemizing said costs.

5. **AGREEMENT FOR AMENDMENT** – KINGS and KINGS INVESTMENTS do hereby agree that should any reasonable amendment hereto be needed, due to lender requirement, future development, or county requirements, including, but not limited to a future master Development plan, both parties shall cooperate fully in the negotiating and execution of the required amendment. The costs of any required amendment shall be bourn by the party necessitating the amendment, or if neither party is the necessitating party, through the pro-rata agreement to share costs.

6. **SUCCESSORS AND ASSIGNS** – This REA shall be binding upon and inure to the benefit of KINGS and KINGS INVESTMENTS and their heirs, successors, and assigns. Either party hereto may request a statement from the other party from time to time certifying as to the good standing of the parties to this REA and as to any amounts which are outstanding hereunder.

7. **MASTER ASSOCIATION** - KINGS and KINGS INVESTMENTS do hereby acknowledge that a MASTER ASSOCIATION will be formed for the entire Development at such time when all future development has been completed or at such earlier date as agreed upon by the parties. The KINGS COURT private road, any future private roads constructed to provide benefit to owners within the Development, and any and all stormwater detention facilities will be transferred to such master association, including all maintenance responsibilities. KINGS INVESTMENTS agrees, at the time of formation, and upon approving the bylaws and covenants of the master association, said approval not to be unreasonably withheld, to join the master association and subject Kings Crossing 2 to said association. Notwithstanding the foregoing, no such transfer to a master association shall relieve either party of their respective responsibilities under this agreement without the prior written consent of the other party nor shall it affect the grant of easement provided herein.

8. **LENDER CONSENT** - Please see Lender Consent attached hereto as Exhibit "E".

[SIGNATURES APPEAR ON THE NEXT PAGE]

IN WITNESS WHEREOF, the undersigned have hereunto set our hands and seals as of the date first above-written.

Signed, sealed and delivered
In the presence of:

Kimberly A Rowe
Unofficial Witness

M Chaudhuri
Notary Public (SEAL)

MICHELLE CHAUDHURI NOTARY PUBLIC NEWTON COUNTY, GEORGIA My Comm. Expires February 16, 2009

KINGS CROSSING INVESTMENTS, LLC,
A Georgia Limited Liability Company
By: Patti Lifsey Lakstigala Separate Property Trust, U/T/D December 19, 1988
It's Sole Member

By: Patti Lifsey Lakstigala (SEAL)
Patti Lifsey Lakstigala, Trustee

Date: 10-6-05

[SIGNATURES CONTINUED ON NEXT PAGE]

Reciprocal Easement Agreement continued

IN WITNESS WHEREOF, the undersigned have hereunto set our hands and seals as of the date first above-written.

Signed, sealed and delivered
In the presence of:

Unofficial Witness

Notary Public (SEAL)

10-6-2005

Notary Public, Henry County, Georgia
My Commission Expires Oct. 28, 2006.

N.P. SEAL

KINGS CROSSING MANAGEMENT, LLC,
A Georgia Limited Liability Company

By: _____ (SEAL)
Title: Member

Date: 10/6/05

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 140 OF THE 20TH DISTRICT, 2ND SECTION, IN THE CITY OF KENNESAW, COBB COUNTY, GEORGIA AND BEING MORE PARTICULARLY SHOWN AS "PARCEL 1, KING'S CROSSING" ON A PLAT PREPARED FOR DOEKES GUNNING HOMES, INC., DATED OCTOBER 8, 2002, AND CONTAINING 2.039 ACRES, ACCORDING TO AN "ALTA/ACSM LAND TITLE SURVEY PREPARED FOR PRINCIPAL COMMERCIAL FUNDING, LLC, 2851 NORTH COBB PARKWAY, COBB COUNTY, KENNESAW, GEORGIA, (KING'S CROSSING)", DATED 9/19/05 BY SITE DESIGN, INC. AND CERTIFIED BY THOMAS A. SHERARD, GRLS NO. 2832 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8 INCH REBAR SET ON THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY 41 a/k/a COBB PARKWAY (200 FOOT RIGHT-OF-WAY) WHERE IT INTERSECTS THE WESTERN RIGHT-OF-WAY OF KING'S CROSSING COURT (PRIVATE RIGHT OF WAY) (BEING LOCATED 537.5 FEET, MORE OR LESS, WESTERLY OF THE RIGHT-OF-WAY OF PINE MOUNTAIN ROAD); THENCE LEAVING THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY 41 AND RUNNING SOUTH 26 DEGREES 49 MINUTES 21 SECONDS WEST 221.61 FEET TO A 5/8 INCH REBAR SET; THENCE RUNNING NORTH 64 DEGREES 15 MINUTES 59 SECONDS WEST 373.05 FEET TO A POINT AT THE CENTERLINE OF A CREEK (CENTERLINE OF CREEK IS THE PROPERTY LINE); THENCE RUNNING ALONG THE CENTERLINE OF SAID CREEK 213.90 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY 41 (SAID CREEK BEING TRAVERSED BY THE FOLLOWING COURSES AND DISTANCES: NORTH 12 DEGREES 04 MINUTES 56 SECONDS EAST 109.79 FEET TO A POINT; NORTH 20 DEGREES 03 MINUTES 18 SECONDS WEST 59.57 FEET TO A POINT; NORTH 11 DEGREES 25 MINUTES 22 SECONDS EAST 44.16 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY 41); THENCE RUNNING ALONG THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY 41 SOUTH 65 DEGREES 21 MINUTES 47 SECONDS EAST 119.18 FEET TO A 5/8 INCH REBAR; THENCE CONTINUING NORTH 33 DEGREES 41 MINUTES 17 SECONDS EAST 30.53 FEET TO A 5/8 INCH REBAR; THENCE CONTINUING SOUTH 63 DEGREES 55 MINUTES 40 SECONDS EAST 333.41 FEET A 5/8 INCH REBAR SET, BEING THE POINT OF BEGINNING.

EXHIBIT "B"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 140 OF THE 20TH DISTRICT, 2ND SECTION, IN THE CITY OF KENNESAW, COBB COUNTY, GEORGIA AND BEING MORE PARTICULARLY SHOWN AS "KING'S CROSSING COURT" ACCORDING TO AN "ALTA/ACSM LAND TITLE SURVEY PREPARED FOR PRINCIPAL COMMERCIAL FUNDING, LLC, 2851 NORTH COBB PARKWAY, COBB COUNTY, KENNESAW, GEORGIA, (KING'S CROSSING)", DATED 9/19/05 BY SITE DESIGN, INC. AND CERTIFIED BY THOMAS A. SHERARD, GRLS NO. 2832 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8 INCH REBAR SET ON THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY 41 a/k/a COBB PARKWAY (200 FOOT RIGHT-OF-WAY) WHERE IT INTERSECTS THE WESTERN RIGHT-OF-WAY OF KING'S CROSSING COURT (PRIVATE RIGHT OF WAY) (BEING LOCATED 537.5 FEET, MORE OR LESS, WESTERLY OF THE RIGHT-OF-WAY OF PINE MOUNTAIN ROAD); THENCE RUNNING ALONG THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY 41 SOUTH 63 DEGREES 55 MINUTES 41 SECONDS EAST 37.50 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY AND RUNNING SOUTH 27 DEGREES 45 MINUTES 23 SECONDS WEST 196.75 FEET TO A POINT; THENCE RUNNING NORTH 63 DEGREES 10 MINUTES 39 SECONDS WEST 33.79 FEET TO A POINT; THENCE RUNNING NORTH 26 DEGREES 49 MINUTES 21 SECONDS EAST 196.19 FEET TO A 5/8 INCH REBAR SET, BEING THE POINT OF BEGINNING.

SEE ALSO PLAT ATTACHED HERETO AND LABELED "EXHIBIT C, CONTINUED".

EXHIBIT "C"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 140 OF THE 20TH DISTRICT, 2ND SECTION, IN THE CITY OF KENNESAW, COBB COUNTY, GEORGIA AND BEING MORE PARTICULARLY SHOWN AS "KING'S CROSSING COURT" ACCORDING TO AN "ALTA/ACSM LAND TITLE SURVEY PREPARED FOR PRINCIPAL COMMERCIAL FUNDING, LLC, 2851 NORTH COBB PARKWAY, COBB COUNTY, KENNESAW, GEORGIA, (KING'S CROSSING)", DATED 9/19/05 BY SITE DESIGN, INC. AND CERTIFIED BY THOMAS A. SHERARD, GRLS NO. 2832 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8 INCH REBAR SET ON THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY 41 a/k/a COBB PARKWAY (200 FOOT RIGHT-OF-WAY) WHERE IT INTERSECTS THE WESTERN RIGHT-OF-WAY OF KING'S CROSSING COURT (PRIVATE RIGHT OF WAY) (BEING LOCATED 537.5 FEET, MORE OR LESS, WESTERLY OF THE RIGHT-OF-WAY OF PINE MOUNTAIN ROAD); THENCE RUNNING ALONG THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY 41 SOUTH 63 DEGREES 55 MINUTES 41 SECONDS EAST 37.50 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY AND RUNNING SOUTH 27 DEGREES 45 MINUTES 23 SECONDS WEST 196.75 FEET TO A POINT; THENCE RUNNING NORTH 63 DEGREES 10 MINUTES 39 SECONDS WEST 33.79 FEET TO A POINT; THENCE RUNNING NORTH 26 DEGREES 49 MINUTES 21 SECONDS EAST 196.19 FEET TO A 5/8 INCH REBAR SET, BEING THE POINT OF BEGINNING.

SEE ALSO PLAT ATTACHED HERETO AND LABELED "EXHIBIT C, CONTINUED".

Exhibit "D"

Centerline Surveying Systems, Inc.
1301 SHILOH ROAD, SUITE 1210 KENNESAW, GA 30144
PHONE: (770) 424-0028 FAX: (770) 424-2399

APPLICANT/OWNER:
KINGS CROSSING MGMT. LLC
DOEKES GUNNING
1096 RIVERBEND CLUB DR.
ATLANTA, GEORGIA 30339
404/871-0848

GENERAL NOTES:
TOTAL SITE AREA:
569,176 SQ. FT.
13.06 ACRES
PROPERTY IS CURRENTLY ZONED- (HGB)

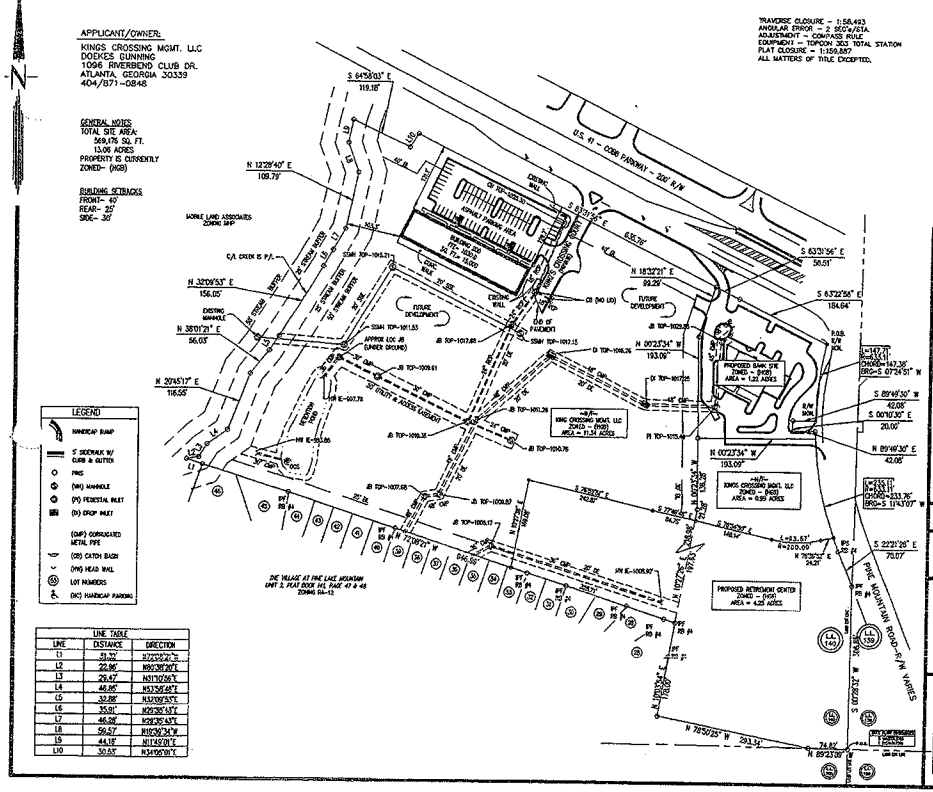
BUILDING SETBACKS
FRONT- 40'
REAR- 25'
SIDE- 30'

TRAVERSE CLOSURE - 1:58,493
ANGULAR ERROR - 2 SEC's/STA.
ADJUSTMENT - COMPASS RULE
EQUIPMENT - TOPCON 303 TOTAL STATION
PLAT CLOSURE - 1:150,887
ALL MATTERS OF TITLE EXCEPTED.

IF YOU DIG GEORGIA...
CALL US FIRST!
1-800-282-7411
325-5000
(METRO ATLANTA ONLY)
UTILITIES PROTECTION CENTER
IT'S THE LAW

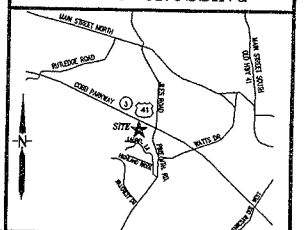
THIS PROPERTY IS NOT LOCATED WITHIN A FEMA 100 YEAR FLOOD ZONE ACCORDING TO COBB COUNTY F.I.R.M. PANEL 0030 F COMMUNITY #130055 DATED: AUG. 18, 1992

ALL STATE WATERS ARE TO HAVE A 50' BUFFER MEASURED FROM THE TOP OF BANK. BUFFERS SHALL REMAIN UNDISTURBED AND SUBJECT TO ALL THE REGULATIONS GOVERNING STATE WATERS.



LINE TABLE		
LINE	DISTANCE	DIRECTION
L1	31.32'	N72°38'20"E
L2	22.96'	N80°38'20"E
L3	29.47'	N31°10'06"E
L4	46.86'	N53°56'44"E
L5	32.88'	N37°09'53"E
L6	35.91'	N29°35'43"E
L7	46.28'	N29°35'43"E
L8	59.57'	N19°39'34"W
L9	44.18'	N11°49'01"E
L10	30.53'	N34°05'01"E

COMPILED PLAT FOR:
KING'S CROSSING



LOCATION MAP SCALE - 1"=2000'

PROPERTY IS LOCATED IN LAND LOT 140 OF THE 20TH DISTRICT, 2ND SECTION CITY OF KENNESAW, COBB COUNTY, GEORGIA

GEORGIA REGISTERED LAND SURVEYOR No. 2143 CHARLES C. FRANKLIN

GRAPHIC SCALE
(IN FEET)
1 inch = 100 ft.

DRAWN BY: BRO	DATE: 6/30/04
CHECKED BY: CCF	JOB NO.: 1099008

NO.	DATE	REVISION DESCRIPTION	BY

SHT# 2

Exhibit "E"

CONSENT OF LENDER

The undersigned Lender, West Georgia National Bank, holder of that certain Deed to Secure Debt and Security Agreement from King's Crossing Mgt ("Borrower") to the undersigned, dated _____ and recorded in Deed Book 13509, Page 633, Cobb County, Georgia records, does hereby consent to the grant by Borrower of the Reciprocal Easement Agreement, and does hereby agree that the foreclosure of said Deed to Secure Debt shall not affect or eliminate said easement.

This 6th day of October, 2005.

Signed, sealed and delivered
In the presence of:

By: _____ (SEAL)
JON P. MINECCI
VICE PRESIDENT

Unofficial Witness

Notary Public

DONNA ROBINSON NOTARY PUBLIC CARROLL COUNTY GEORGIA EXPIRES JAN. 28, 2009

CORPORATE SEAL

10/05/2005 17:07 7704811961 SHANE INVESTMENT GRP PAGE 10

Item Report

TO: The Planning Commission

FROM: Chanelle Campbell, Planning and Zoning Director

DATE: February 4, 2026

TITLE: **RZ2026-01** - Consideration to rezone the properties located at 1600 Old 41 Highway (parcel #20014001380 & 20021201560) from General Commercial (GC) and RM-12, Multiple-Family District to RM-16, Multiple-Family District as submitted by Walton Communities, LLC. Said request is to rezone the property for the development of a multi-family residential community. Property consists of 11.684 +/- acres and lies in land lot 140, tax parcels 13 & 156.

Summary:

Recommendation:

Fiscal Impact:

Attachments:
1. RZ2026-01_1600 Old 41 Hwy_Staff Analysis
2. RZ2026-01_1600 Old 41 Hwy_Application Packet
3. RZ2026-01_1600 Old 41 Hwy_ Request to Table to 03-2026

DIRECTOR OF PLANNING & ZONING
CHANELLE CAMPBELL

COMMUNITY DEVELOPMENT
Planning and Zoning

2529 J.O. Stephenson Avenue
Kennesaw, GA 30144

MAYOR AND COUNCIL
FEBRUARY 16, 2026

PLANNING COMMISSION
FEBRUARY 4, 2026

LEGAL ADVERTISEMENTS
JANUARY 16, 2026

PUBLIC NOTICE SIGN
JANUARY 16, 2026

APPLICATION SUBMITTED
DECEMBER 19, 2025

CONTACT US

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

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01

Property Addresses
1600 Old 41 Hwy

Applicant
Walton Communities, LLC

Representative
J. Kevin Moore - Moore, Ingram , Johnson & Steele, LLP

Property Owner
Granite Falls Station, LLC

Current Zoning
General Commercial (GC) and RM-12, Multifamily

Future Land Use Category
Community Activity Center (CAC)

Project Request: Rezone property from General Commercial (GC) and RM-12, Multifamily to RM-16, Multifamily for the development of a multifamily development.



Aerial view of subject property

PROPERTY DETAILS

Within 1/2 mi from Unincorporated Cobb Co: Yes
Historic District: No
Cemetery: No **Floodplain:** Yes **Stream:** Yes
Parcel ID #: 20021200130 & 20021201560
Land Lot #: 212 **Tax Parcel #:** 13 & 156
Land Area: 11.68 +/-

RECOMMENDATION

Staff Recommendation:
Approval to postpone the rezoning application

Please see page 12 for basis for recommendation.

ADJACENT PROPERTY DETAILS

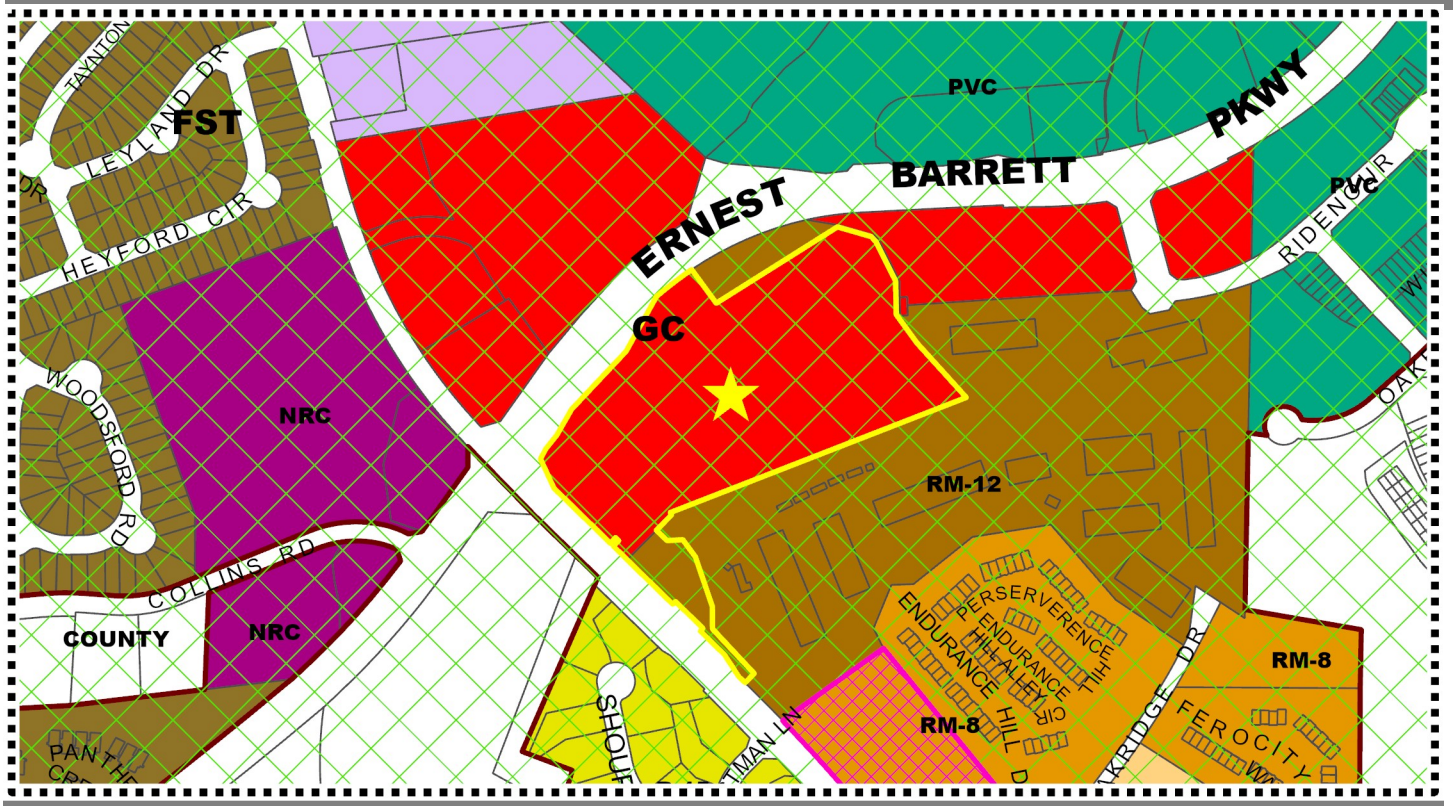
Surrounding Zoning Dist. and Future Land Use

North: Ernest Barrett Pkwy
Zoning: General Commercial (GC)
Future Land Use: Community Activity Center (CAC)
South: No Street
Zoning: RM-12, Multifamily District
Future Land Use: Residential High (RH)
East: Ridenour Blvd
Zoning: RM-12, Multifamily District
Future Land Use: Residential High (RH)
West: Old 41 Hwy
Zoning: County R-20, Single Family Residential
Future Land Use: County Low Density Residential

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01

ZONING MAP



LEGEND

Zoning Districts

CBD	HI	OI	R-12	RA-5			
CRC	LI	PBSH	R-15	RA-6			
FST	MHP	PSC	R-20	RM-8			
GC	NRC	PUD-R	R-30	RM-12			
HGB	NS	PVC	R-40	RM-16			
		R-10	RA-4	UVC			

Form Based Code

- Open Space
- T-3
- T-4L
- T-4O
- T-5

Zoning Overlays

- Airport Hazard District
- Conservation Subdivision
- Historic Districts
- Historic Preservation Village
- Senior Living

The subject parcels are currently zoned General Commercial (GC). To the south, it is bordered by multifamily zoning districts designated as RM-12, Multifamily. To the east, the property adjoins parcels zoned General Commercial (GC) and RM-12, Multifamily. Parcels to the north are also zoned General Commercial (GC), while the parcels to the west lie outside the Kennesaw city limits. This mix of adjacent zoning districts reflects a transition area between commercial uses and established multifamily residential development.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01

AERIAL MAP

LOCATION:

The 11.68 +/- acre tract is located at the intersection of Old 41 Highway and Barrett Parkway and is surrounded by a diverse mix of commercial, retail, office, and residential uses. To the south is the Walton Ridenour multifamily residential community constructed between 2004 and 2005. To the east is a shopping center that includes a range of retail and office tenants, such as PT Solutions Physical Therapy, Big Peach Running Co., and several restaurant options. To the north, the property is bordered by additional commercial and retail uses, including a car wash, gas station, and a Zaxby's restaurant. This surrounding development pattern reflects a well established activity center with a blend of residential density and commercial services.



BACKGROUND

The subject property is adjacent to the existing Walton Community, which consists of approximately 250 units of affordable housing. In 2020, the Housing Authority of Cobb County assumed ownership, renovation, and ongoing operation of these communities to ensure the long-term preservation of affordable rental housing within the city limits.

The site has remained vacant largely due to physical and logistical development constraints, including significant topographic challenges and limited access opportunities. These conditions have made the property difficult to develop under previous zoning and market conditions, contributing to its prolonged undeveloped status.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01

EXISTING SITE CONDITIONS





STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01

DESCRIPTION OF ZONING REQUEST: **REZONING**

REZONING:
The applicant seeks to change the zoning designation from General Commercial (GC) and RM-12, Multifamily to RM-16, Multifamily for the construction of multifamily development.

APPLICATION DETAILS

Pre-Application Meeting
November 5, 2025

Application Submitted
December 19, 2025

Fees Paid
$666.80 (Rezoning)

Certified Letters Mailed
January 15, 2026

PROJECT INTENT

The applicant is requesting to rezone the property to RM-16, Multifamily to construct a development that will consist of 182 apartment units.

Number of units proposed: 182

Unit Mix Building Types I - III		
A - One Bedroom	47	25.82 %
B - Two Bedroom	111	60.99%
C - Three Bedroom	24	13.19%

Proposed Amenities: Amenities will Clubhouse and outdoor amenity space.

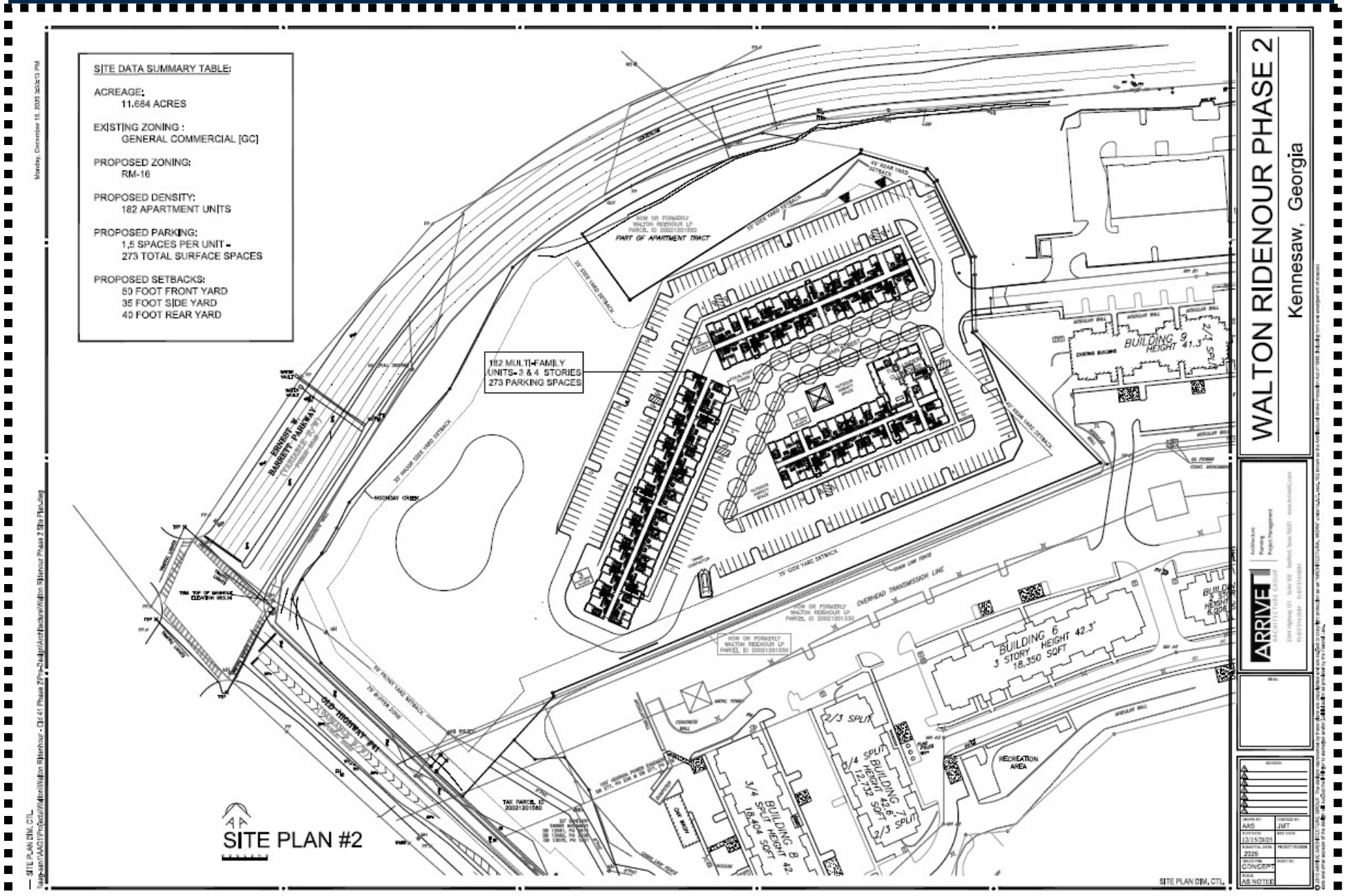
UNIFIED DEVELOPMENT CODE

Section 2.01.03.14 - Lot size, setback and building height requirements for developments within the RM-16, Multifamily Residential zoning district

Minimum lot size:	80, 000 sq. ft.
Maximum Density:	16 units per acre or 6 units per acre for single family dwelling (attached or detached)
Minimum floor area:	(a) 450 square feet: efficiency. (b) 600 square feet: one bedroom. (c) 750 square feet: two bedroom. (d) 900 square feet: three bedroom.
Minimum lot width at front setback line:	75 ft.
Minimum public road frontage:	75 ft.
Maximum cover:	45%
Maximum building height:	40 feet (three and four stories).
Minimum width between buildings:	15 ft.
Minimum building setbacks:	(a) Front yard as measured from arterial: 50 feet. (b) Front yard as measured from collector: 50 feet. (c) Front yard as measured from local: 35 feet. (d) Side yard (aka minor side yard): 35 feet (if not interior portion of development); 15 feet (if interior portion of development). (e) Rear yard: 40 feet. (f) Major side: 35.

PROPOSED SITE PLAN

ZONING CASE #: RZ2026-01



PROPOSED RENDERING

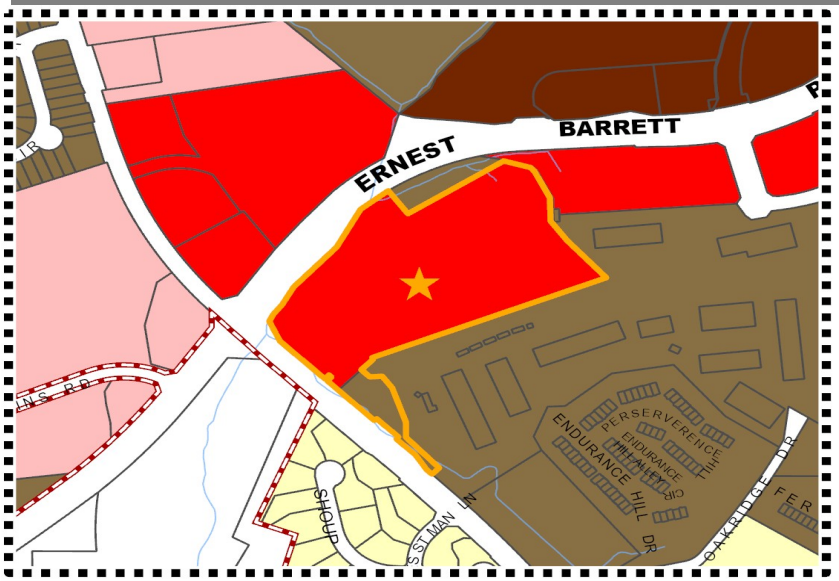
ZONING CASE #: RZ2026-01



STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01

FUTURE LAND USE CATEGORY



CAC - COMMUNITY ACTIVITY CENTER

These areas provide services to the community but are not as intense as the Regional Activity Center.

LEGEND

Future Land Use

- CAC - Community Activity Center
- DAC - Downtown Activity Center
- I - Industrial
- NAC - Neighborhood Activity Center
- PI - Public Service/Institutional
- PRC - Park/Recreation/Conservation
- PUD - Planned Unit Development
- RAC - Regional Activity Center
- RH - Residential High
- RL - Residential Low/Medium
- TCU - Transportation Communication Utilities

FUTURE LAND USE ANALYSIS

The Comprehensive Plan designated the subject property as a Community Activity Center (CAC), an area intended to accommodate a balanced mix of commercial, civic, and residential uses. The inclusion of residential units within the Community Activity Center (CAC) is consistent with the Comprehensive Plan's intent to create vibrant, mixed-use environments that support a blend of commercial, civic, and residential uses. Introducing housing into the CAC strengthens the activity center by increasing the local population base, which in turn supports nearby retail, dining, and service establishments. This added residential presence helps sustain businesses throughout the day and evening, contributing to a more active and economically resilient center.

Residential development also promotes land-use efficiency by utilizing underperforming or underutilized parcels and encouraging redevelopment that aligns with the long-term vision for a walkable, mixed-use district. Housing diversity within the CAC provides options for residents seeking proximity to employment, services, and transit, reducing vehicle trips and supporting multimodal transportation goals creating the overall sense of place within the activity center.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01

TRANSPORTATION DATA:

AERIAL OF ROAD #1



ROAD #1

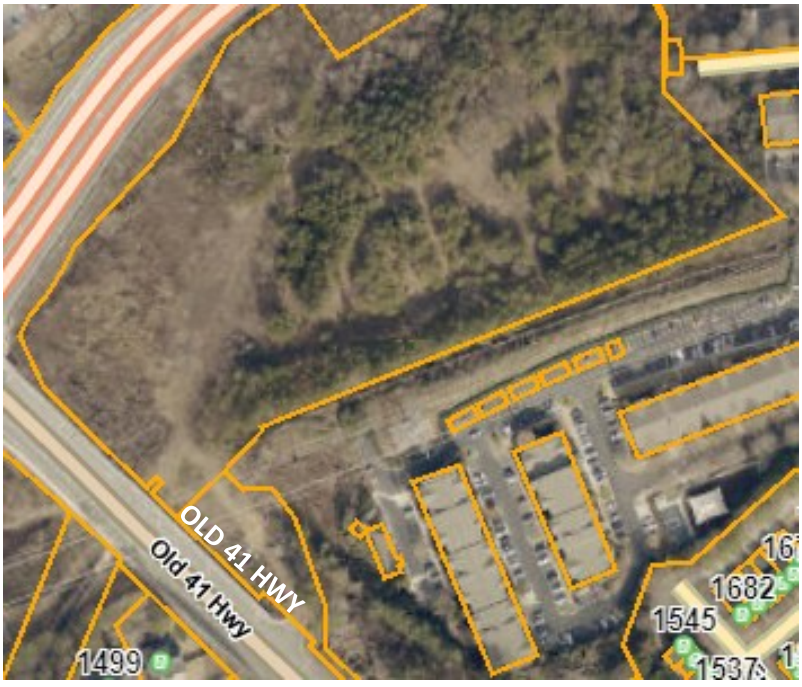
Roadway Name
Ernest Barrett Pkwy

Roadway Classification
Arterials

Speed Limit
45 MPH

Minimum Width of Right-of -Way requirement
100-feet

AERIAL OF ROAD #2



ROAD #2

Roadway Name
Old 41 Hwy

Roadway Classification
Major

Speed Limit
40 MPH

Minimum Width of Right-of-Way requirement
100-feet

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01

ENVIRONMENTAL

Floodplain:
- ✓ Yes
- ___ No
- ___ Not Verified

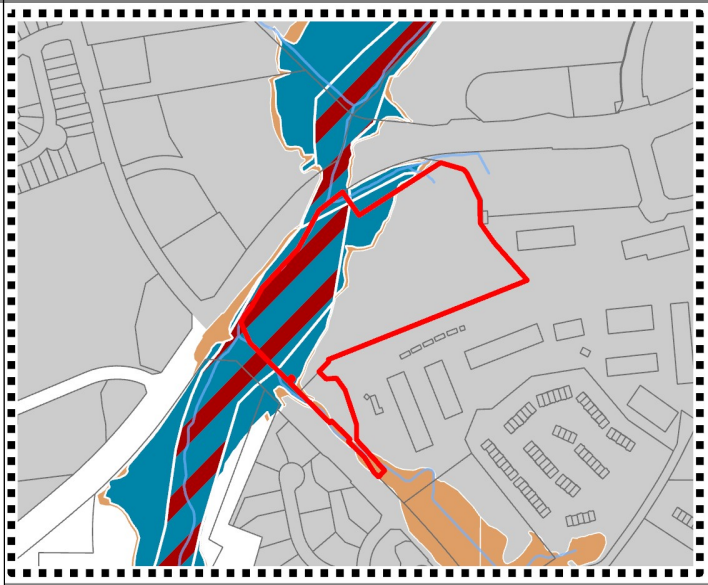
Wetlands:
- ✓ Yes
- ___ No
- ___ Not Verified

Drainage Basin:
- ___ None
- ___ FEMA 100-year floodplain area
- ___ Flood Damage Prevention Ordinance[1]
- ___ Project subject to Cobb County Damage Prevention Requirements
- ___ Dam Breach Zone (Upstream)[2]
- ✓ Owner/Developer is responsible for obtaining any required wetland permits from the United States Army Corps of Engineers

Streams and Creeks:
- ___ Metropolitan River Protection Area[3]
- ___ Chattahoochee River Corridor Tributary Area[4]
- ___ Georgia Erosion-Sediment Control Law and County Ordinance[5]
- ___ Georgia DNR Variance for work being done in 25-foot stream bank buffers (may be required)
- ___ City Stream Buffer Required
- ___ No Stream Buffer Required

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

FEMA FLOOD ZONE MAP



LEGEND

Special Flood Hazard Areas

2018 Flood Zones

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

ADDITIONAL COMMENTS REGARDING PROJECT:

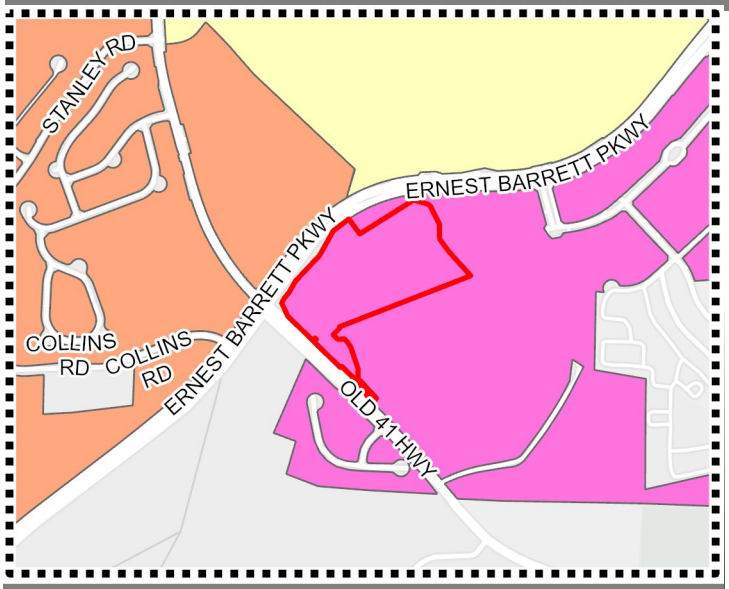
Portions of the subject property are located within FEMA designated Flood Zone AE and the regulatory Floodway. These floodplain conditions reduce the amount of developable acreage on the site and will require the applicant to design the project to avoid the Floodway and comply with all applicable federal, state, and local floodplain regulations. Any future development plans must clearly delineate AE and Floodway boundaries and demonstrate compliance with the City's flood damage prevention ordinance.

Applicant will be responsible to meet all City of Kennesaw Development & Zoning Ordinance Standards, State, County and applicable Federal regulations as part of the plan review approval process. All conceptual representations submitted with the application and acted on by Mayor and Council does not relieve applicant and property owners from meeting all development standards.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01

AREA DESIGNATION



RIDENOUR

Ridenour is a unique multi-use project that combines four story, multi-family housing, single family housing and retail development. Located along Barrett Parkway between Cobb Parkway and Old Highway 41, this area is characterized most notably by the high-density development, the high elevation of the structures fronting Barrett Parkway and their colorful facades. With limited office and retail uses located within the development on the ground floors, this area suggests a live, work, play concept. Like the Barrett Parkway/Old 41 Highway, the proximity to I-75, Cobb Parkway and Barrett Parkway makes this an attractive location to residents who commute to Marietta, south Cobb County and Metro Atlanta region for employment. Employment centers are also located across Cobb Parkway in the retail and office districts on or adjacent to Barrett Parkway. Residents may also be students at Kennesaw State University who enjoy the short drive to campus and the recreational opportunities provided at Kennesaw Mountain National Battlefield Park.

LEGEND

Kennesaw Areas

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

AREA DESIGNATION ANALYSIS

The site is located within the Ridenour Area. According to the Area Policy Matrix in the Comprehensive Plan, development within this area should prioritize a mix of housing options along with professional office and retail uses. The policy framework emphasizes the preservation of open space and tree canopy, while encouraging an interconnected street network that links new development to surrounding properties. This approach supports inter-parcel access, shared driveways, and coordinated access points to help manage traffic flow and reduce the number of individual curb cuts along major corridors.

The Ridenour Area also promotes a pedestrian-oriented environment by improving sidewalk connectivity and establishing multi-use trail and bicycle routes that link nearby neighborhoods, retail centers, parks, and other key destinations. Higher density residential uses are encouraged in locations with direct access to major roadways and transit facilities, supporting a more compact and accessible development pattern.

The proposed project aligns with these policies by introducing a complementary blend of uses designed to create a dynamic, walkable, and livable environment. The development supports the economic and mobility goals outlined in the Comprehensive Plan and contributes to the long-term vision for the Ridenour Area.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01

PLANNING AND ZONING

Site Visit:
☑ Yes
☐ No

Staff Member:
Name: Chanelle Campbell
Date of Visit: 01/29/26

Land Use Recommendation:
Residential development is a compatible use

Historic Preservation:
Not located in the historic district

Cemetery Preservation:
No cemeteries on site

DEPARTMENT COMMENTS

Engineering: No Comments

Public Works: The proposed site requires a Traffic Impact Study (TIS) to evaluate anticipated trip generation, turning movements, and overall impacts to the surrounding roadway network.

Building Services: No Comments

Cobb County Fire: None provided

Cobb County Water: None provided

ZONING ADMINISTRATOR'S RECOMMENDATION: **POSTPONE**

Planning and Zoning staff recommends to postpone the rezoning application. Please note that staff received a letter on January 23, 2026 from the applicant's attorney requesting to postpone the case to the March 2026 public hearing.

BASIS FOR PLANNING AND ZONING'S RECOMMENDATION:

In order to make an informed recommendation to the Planning Commission and Mayor and Council, staff is needing for the applicant to provide more information on this project including:

1. Completion of the Traffic Impact Study (TIS) for staff evaluation
2. Submission of variance application to run concurrent with the rezoning public hearing

PLANNING COMMISSION RECOMMENDATION:

To be determined on February 4, 2026

MAYOR AND COUNCIL DECISION:

To be determined on February 16, 2026

REZONING APPLICATION

Date Received 12/19/25
Staff's Initials CMC

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.

Date of Consultation 11/05/2025 Staff's Initials CMC

REZONING PROPERTY ADDRESS Old 41 Highway (unassigned) (1600 Old 41 Hwy)

Land Lot 212 Tax Parcel 20021200130 Lot Size 11.684±
20021201560

Resident Population 0 Housing Units 0 Other Buildings 0

Zoning Request from:

Present Zoning GC, RM-12 To: RM-16

For the purpose of: Multi-Family Residential

APPLICANT EMAIL [redacted]

Applicant Address 2281 Akers Mill Road, S.E., Building 4100, Atlanta, GA 30339

(Phone #) [redacted]

Applicant Signature Walton Communities, LLC BY: Matthew L. Teague, Director of New Development Date December 17, 2025

Signed, sealed and delivered in presence of: Notary Date December 17th, 2025

REPRESENTIVE Moore Ingram Johnson & Steele, LLP - J. Kevin Moore

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

Representative Signature BY: J. Kevin Moore; GA Bar No. 519728; Attorneys for Applicant and Titleholder Date December 18, 2025

Signed, sealed and delivered in presence of: Notary Commission Expires 01-10-2027 December 18, 2025 Date

TITLEHOLDER: Granite Falls Station LLC (Phone #) [redacted]

Signature: BY: Thomas J Brown, Sole Member Address 4963 Tyne Ridge Court, Nashville, TN 37220

Signed, sealed and delivered in presence of: Notary December 16th, 2025 Date

Z\P&Z FORMS\Applications 2025

Page 3

Community Development

Planning & Zoning Department

2529 J.O. Stephenson Ave. Kennesaw, GA 30144

CAMPAIGN DISCLOSURE REPORT[1] BY APPLICANT[2]

A separate from 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:
Not Applicable.

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:
Not Applicable.

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: Not Applicable.

I certify that the foregoing information is true and correct, this 18th day of December, 2025.

MOORE INGRAM JOHNSON & STEELE, LLP

BY: _____

J. Kevin Moore Applicant's Signature

Attorneys for Applicant and Property Owner

Please send completed report and supporting documents to dsimmons@kennesaw-ga.gov in PDF format.

[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.

CAMPAIGN DISCLOSURE REPORT[1] BY APPLICANT[2]

Each applicant must complete a separate form

Has the applicant made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating two hundred fifty dollars ($250.00) or more or made gifts having in the aggregate a value of two hundred fifty dollars ($250.00) or more to a member or members of the Mayor and Council or Planning Commission who will consider the application? No.

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

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Not Applicable.

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:

Not Applicable.

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: Not Applicable.

I certify that the foregoing information is true and correct, this 17th d ay of December, 2025

Walton Communities, LLC

XXXXXXXXXXXXX BY:

Matthew L. Teague, Director of New Development

[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.

ATTACHMENT TO REZONING APPLICATION

Application No.: _____
Hearing Dates: **February 4, 2026**
February 16, 2026

Applicant: **Walton Communities, LLC**
Titleholder: **Granite Falls Station LLC**

Tax Parcel Identification Nos.: **20021200130; 20021201560**

LETTER OF INTENT

The property which is the subject of the Application for Variance consists of two tracts, totaling 11.684 acres, more or less, and is located at the intersection of the southeasterly right-of-way of Barrett Parkway and the northeasterly right-of-way of Old 41 Highway, Land Lot 212, 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia (hereinafter "Property" or "Subject Property"). Approximately 10.753 acres (shown as Tract 1 on the submitted Survey) is currently zoned General Commercial ("GC"), and the remainder of the Property (shown as Tract 2 on the submitted Survey) is zoned to the RM-12 zoning classification, pursuant to The Unified Development Code City of Kennesaw, Georgia. Applicant, Walton Communities, LLC (hereinafter "Applicant"), proposes rezoning of the Property to the RM-16 zoning classification to allow for a multi-family residential community adjacent to the highly successful Walton Ridenour community.

The proposed development will contain a maximum of one hundred eighty-two (182) units, as more particularly shown on the Zoning Plan prepared for Applicant by Arrive Architecture Group, dated December 15, 2025, and submitted with the Rezoning Application. The building architecture will be complementary to the existing Walton Ridenour community, with exterior consisting of a combination of materials, including, but not limited to brick and hardi-plank siding. The proposed community will have use of the overall amenities of the existing Walton Ridenour community. Access to the proposed community will be internal through the Walton Ridenour community.

Due to topography and flood plain issues, development of the Property is challenging and restrictive. Applicant's proposed community takes into account the restrictions of the Property and utilizes it to its highest and best use. The proposed rezoning to the RM-16 zoning category will provide a more suitable use for the Subject Property than uses allowed under the existing GC zoning classification. Additionally, the proposed multi-family community will be better suited and less intrusive to the area and adjacent properties than uses allowed under the existing GC zoning classification. Applicant's Walton Ridenour development is highly successful and respected in the area and offers an array of benefits to its residents. The proposed development will provide a quality and affordable community, with many of the same benefits as Walton Ridenour, for future residents of the City of Kennesaw. The proposed community will not adversely affect the use or usability of adjacent or nearby properties. Approval of the proposed RM-16 zoning category will provide rezoning which is better suited for the Property and the surrounding area, while having minimal impact on schools, public safety and emergency facilities, wastewater, stormwater facilities, and other public services.

If rezoning is approved, as submitted, Applicant anticipates commencement of the project in 2026, and anticipates substantial completion of the overall development in 2027.

Applicant is very excited about the opportunity of the proposed community adjacent to Walton Ridenour and being able to provide additional quality living areas within the City of Kennesaw. The use of the Property for the proposed community is ideal in light of the surrounding uses and the Property's limitations. Given the project is adjacent to the existing Walton Ridenour, there should be little to no impact on nearby properties and uses.

CITY OF KENNESAW

Section 1908 Standards for Decisions - Rezoning

Section 1908 of the Kennesaw Zoning Code details thirteen [sic] zoning review factors, which must be evaluated by the Planning and Zoning Board and the Mayor and Council when considering a rezoning request. Please provide responses to the following using additional pages if necessary:

(1) Would the proposed amendment be consistent and compatible with the City's land use and development, plans, goals and objective?

While the proposed rezoning is inconsistent with the City's Future Land Use Map, it would allow for the highest and best use of the property. Further, the proposed multi-family community would be compatible with and complementary to the adjacent Walton Ridenour community. The proposed development would maintain the overall integrity of the surrounding developments.

(2) Would the proposed amendment tend to increase, decrease, or have no impact on traffic safety and congestion in the streets?

The proposed rezoning would increase traffic impact; however, access to the proposed multi-family community would be through the existing Walton Ridenour community thereby mitigating potential adverse impacts.

(3) Would the proposed amendment tend to increase, decrease, or have no relationship to safety from fire and other dangers?

The proposed community would meet all public safety and fire requirements and would enable full development of the property as intended without the dangers associated with undeveloped portions.

(4) Would the proposed amendment tend to promote, diminish, or have no influence on the public health and general welfare of the City?

The proposed rezoning would promote the public health and general welfare of the City by providing a second phase of an established, quality development—Walton Ridenour. Additionally, approval would result in the development of an undeveloped property which has challenges in topography and location, to name a few.

(5) Would the proposed amendment tend to increase, decrease, or have no influence on the adequate (provisions) of light or air?

The proposed rezoning will have no impact on adequate light or air. The development will be situated toward the interior of the property, allowing buffers toward the exterior and maintaining adequate light and air.

(6) Would the proposed amendment tend to cause, prevent, or have no influence on the overcrowding of land?

The proposed rezoning will have no influence on the overcrowding of land. The proposed community will utilize existing infrastructure for access and other features to mitigate perceived impacts.

(7) Would the proposed amendment tend to cause, prevent, or have no relationship on the population distribution within the City creating any area as dense in population as to adversely affect the health, safety, and general welfare of the City?

The proposed rezoning will have no adverse effect on the distribution of the population within the City.

(8) Would the proposed amendment tend to impede, facilitate, or have no impact on the adequate provision of transportation, water, sewerage, other public services, utilities or facilities?

The proposed rezoning will have no adverse impact on public services, utilities and facilities.

(9) Would the proposed amendment tend to be compatible with environmental conditions in light of surrounding developments? If compatible, what factors, if any, would diminish the value, use and enjoyment of surrounding properties?

The proposed rezoning is compatible to environmental conditions of surrounding properties as the proposal will provide an additional phase of an existing quality development and is consistent with surrounding and adjoining uses.

(10) Would the proposed amendment tend to require only reasonable expenditures of public funds, or would the amendment tend to require an excessive or premature expenditure of public funds?

The proposed rezoning will require no expenditure of public funds.

(11) Would the proposed amendment tend to promote, diminish or have no influence upon the aesthetic effect of existing and future uses of property and the surrounding area?

The proposed rezoning will promote the aesthetics of the surrounding area to allow development of undeveloped and unsightly property in a manner compatible with and complementary to the existing Ridenour mixed-use community.

(12) Would the proposed amendment have measurable adverse economic effect on the value of the surrounding or adjacent property?

The proposed rezoning will have a measurable, positive economic effect on the surrounding property by allowing quality development of property which has limitations due to topography and location, and which will be highly compatible and consistent with adjacent properties.

8/ 2nd
20

BK: 14975 PG: 949-954
Filed and Recorded Aug-24-2012 04:06:56PM
DOC#: D2012-087892
Real Estate Transfer Tax Paid $1,400.00
0332012020361

JAY C. STEPHENSON
CLERK OF SUPERIOR COURT Cobb Cty. GA.

Return Recorded Document to:
Busch, Slipakoff & Schuh, LLP
Attn: Timothy C. Raffa, Esq.
3330 Cumberland Boulevard, Suite 300
Atlanta, Georgia 30339
Telephone: (770) 790 -3550

SPECIAL WARRANTY DEED

STATE OF GEORGIA

COUNTY OF COBB

THIS INDENTURE, made the 15 day of August, 2012, by CORNERSTONE PROPERTIES II, LLC, a Georgia limited liability company ("Grantor"), and GRANITE FALLS STATION, LLC, a Georgia limited liability company ("Grantee"):

WITNESSETH

For and in consideration of the sum of Ten ($10.00) Dollars and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, Grantor has bargained, sold and do by these presents bargain, sell, convey and confirm to Grantee, its successors and assigns, all of Grantor right, title, interest, claim or demand in and to the property described on Exhibit "A" incorporated herein and made a part hereof together with all interests in land, estates, easements, rights, improvements, personal property, fixtures, equipment, furniture, furnishings, appliances, and appurtenances thereto or in anywise appertaining or belonging to the Property described on Exhibit "A" incorporated herein and made a part hereof (the "Property"), subject only to those matters set forth on Exhibit "B" attached hereto and by this reference made a part hereof.

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, their heirs and assigns, forever, in FEE SIMPLE.

AND THE SAID Grantor, heirs, executors and administrators, will warrant and forever defend the right and title to the above described property, unto the said Grantee, their heirs and assigns, against claims of all persons owning, holding or claiming by, through or under the said Grantor.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hands and seals, the day and year above written.

Signed, sealed and delivered in the presence of:

Certified, sworn to and subscribed before me this 15th day of August, 2012:

Unofficial Witness

Notary Public

My Commission Expires: August 21, 2012

(NOTARIAL SEAL)

SETH D TALLEY
Notary Public
Cherokee County
State of Georgia
My Commission Expires Aug 21, 2012

GRANTOR: CORNERSTONE PROPERTIES II, LLC, a Georgia limited liability company

By: THE RIDGEVILLE GROUP, LLC, a Georgia limited liability company;
Its: Manager

By:_____(SEAL)
Name: TERENCE SHEAHAN
Its: Member

and

By: NEMCHIK, LLC, a Georgia limited liability company
Its: Manager

By:_____(SEAL)
Name: GEORGE NEMCHIK
Its: Manager

Certified, sworn to & subscribed before me this 16th day of August, 2012.

Notary Public

Ashley Schmitt
Notary Public, Cobb County, GA
My Commission Expires July 16, 2016

EXHIBIT "A"

TRACT 1:

All that tract or parcel of land lying and being in land lot 212 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

Beginning at an iron pin set (#4 r/b) at the intersection of the Northern most mitre of Old Highway #41 (60 foot right-of-way) with the Southeasterly right-of-way of Barrett Parkway Extension (variable right-of-way) and running thence Northeasterly along the Southeasterly right-of-way of Barrett Parkway Ext. the following courses and distances: North 27 degrees 48 minutes 20 seconds East 29.54 feet to an iron pin set (#4 r/b); North 38 degrees 48 minutes 30 seconds East 45.64 feet to an iron pin set (#4 r/b); North 32 degrees 10 minutes 07 seconds East 39.05 feet to an iron pin set (#4 r/b); North 27 degrees 27 minutes 48 seconds East 38.61 feet to an iron pin set (#4 r/b); North 43 degrees 15 minutes 19 seconds East along the center line of Noon Day Creek 206.85 feet to an iron pin set (#4 r/b); North 28 degrees 59 minutes 45 seconds East 185.24 feet to an iron pin set #4 r/b); Northeasterly along said right-of-way an arc distance of 390.15 feet to an iron pin found (#4 r/b); (said are being subtended by a chord bearing North 63 degrees 21 minutes 21 seconds East 387.10 feet and having a radius of 900.42 feet); thence leaving said right-of-way and running thence South 79 degrees 04 minutes 48 seconds East 137.29 feet to an iron pin set #4 r/b); running thence South 72 degrees 35 minutes 33 seconds East 93.43 to an iron pin set (#4 r/b); running thence South 40 degrees 19 minutes 23 seconds East 21.19 feet to an iron pin set (#4 r/b); running thence South 25 degrees 1.0 minutes 57 seconds East 115.75 feet to an iron pin set (#4 r/b); running thence 01 degrees 31 minutes 11 seconds West 24.13 feet to an iron pin set (#4 r/b); running thence South 00 degrees 07 minutes 55 seconds West 54.78 feet to a point; running thence South 00 degrees 07 minutes 55 seconds West 21.22 feet to an iron pin found (#4 r/b); running thence South 43 degrees 19 minutes 43 seconds East 254.47 feet to an iron pin found; running thence South 68 degrees 51 minutes 57 seconds West 819.58 feet to an iron pin set; (#4 r/b); running thence South 44 degrees 04 minutes 54 seconds West 199.67 feet to an iron pin found (#4 r/b) on the Northeasterly right-of-way of Old Highway 441; running thence North 45 degrees 26 minutes 32 seconds West along the Northeasterly right-of-way of Old Highway #41 229.27 feet to an iron pin set (#4 r/b); running thence North 23 degrees 08 minutes 06 seconds West along the Northeasterly right-of-way of Old Highway #41 133.64 feet to an iron pin set at the point of beginning, being a Tract of 11.99 acres as shown on boundary and limited topographic survey for Cornerstone Properties II LLC by Southeast Engineering dated January 15, 2007.

LESS AND EXCEPT:

That certain 0.89 Acres, more or less, being in Land Lot 212, 20th District, 2nd Section, Cobb County, Georgia, and more fully described and referred to in that Limited Warranty Deed from Cornerstone Properties II, LLC, to Walton Ridenour, L.P., dated 05/21/2010, recorded 06/16/2010, in Deed Book 14778, Page 2249, Cobb County records.

and

TRACT 2:

All that tract or parcel of land lying and being in Land Lot 212 of the 20th District, Cobb county, Georgia and being more particularly described as follows:

To reach the TRUE POINT OF BEGINNING commence at a point being the mitered intersection, of the southerly right of way of Barrett Parkway (variable r/w-80.8 feet from centerline at this point) and the westerly right of way of Ridenour Boulevard (variable r/w -45 feet from centerline at this point); thence along said right of way of Ridenour Boulevard and running the following courses: south 14 degrees 54 minutes 00 seconds east a distance of 199.50 feet to a point; thence south 31 degrees 00 minutes 00 seconds west a distance of 24.94 feet to a point; thence south 30 degrees 32 minutes 28 seconds east a distance of 54.39; thence south 51 degrees 00 minutes 00 seconds east a distance of 25.91 feet to a point; thence north 78 degrees 53 minutes 57 seconds east a distance of 50.87 feet; thence north 35 degrees 00 minutes 00 seconds east a distance of 28.65 feet to a point; thence north 78 degrees 48 minutes 00 seconds east a distance of 83.61 feet to a point; thence along a curve to the left an arc distance of 120.83 feet (said curve having a radius of 500.70 feet; a chord distance of 120.54 feet and a chord bearing of north 72 degrees 31 minutes 50 seconds east) to a point; thence south 00 degrees 09 minutes 46 seconds west a distance of 858.91 feet to an iron pin found (1/2" rebar); thence south 00 degrees 06 minutes 27 seconds east a distance of 26.10 feet to a point; thence north 56 degrees 29 minutes 11 seconds west a distance of 160.48 feet to a point; thence along a curve to the right an arc length of 128.45 feet (said curve having a radius of 122.55 feet; a chord distance of 122.65 feet and a chord bearing of south 03 degrees 20 minutes 13 seconds west) to a point; thence south 32 degrees 53 minutes 26 seconds west a distance of 33.27 feet to a point; thence north 59 degrees 02 minutes 21 seconds west a distance of 219.32 feet to a point; thence north 42 degrees 02 minutes 34 seconds west a distance of 258.84 feet to a point; thence south 75 degrees 47 minutes 17 seconds west a distance of 206.53 feet to a point; thence south 47 degrees 57 minutes 26 seconds west a distance of 196.44 feet to a point; thence south 84 degrees 55 minutes 05 seconds west a distance of 57.38 feet to a point; thence south 19 degrees 40 minutes 19 seconds west a distance of 122.03 feet to a point; thence south 27 degrees 27 minutes 56 seconds east a distance of 50.27 feet to a point; thence south 53 degrees 17 minutes 47 seconds west a distance of 322.97 feet to an iron pin found (5/'8" rebar) on the northerly right of way of Old Highway No. 41 (60' r/w); thence along said right of way north 46 degrees 21 minutes 06 seconds west a distance of 136.19 feet to the TRUE POINT OF BEGINNING, from point thus established and continuing along said right of way the following courses north 46 degrees 21 minutes 06 seconds west a distance of 16.84 feet to a point; thence north 46 degrees 53 minutes 55 seconds west a distance of 142.53 feet to a point; thence north 47 degrees 24 minutes 46 seconds west a distance of 281.49 feet to a point; thence leaving said right of way north 42 degrees 40 minutes 12 seconds east a distance of 119.13 feet to a point; thence south 47 degrees 19 minutes 48 seconds east a distance of 38.66 feet to a point; thence north 86 degrees 07 minutes 17 seconds east a distance of 40.80 feet to a point; thence south 37 degrees 07 minutes 10 seconds east a distance of 55.34 feet to a point; thence south 19 degrees 40 minutes 45 seconds east, a distance of 137.03 feet to a point; thence south 01 degrees 00 minutes 59 seconds east, a distance of 57.65 feet to a point; thence south 46 degrees 53 minutes 55 seconds east a distance of 159.05 feet to a point; thence south 43 degrees 38 minutes 54 seconds west a distance of 33.43 feet to the point of beginning. Said property contains 0.84 acres more or less.

EXHIBIT "B"

1. Any mineral or mineral rights leased, granted or retained by current or prior owners.
2. Riparian rights incident to the property or premises.
3. Zoning laws, ordinances and regulations concerning the use, occupancy, possession and retention of captioned property.
4. That certain Commercial Deed to Secure Debt, Security Agreement and Assignment of Rents and Leases from Cornerstone Properties II, LLC, to Cobb Commercial Bank, dated 10/04/2007, recorded 10/05/2007, in Deed Book 14543, Page 3813, Cobb County records, in the original amount of $4,240,820.00; as Assigned to Crescent Bank at Deed Book 14748, Page 3683; as Assigned to Renasant Bank at Deed Book 14805, Page 1544 and 14807, Page 5674, aforesaid record.
5. That certain Assignment of Rents from Cornerstone Properties II, LLC, to Cobb Commercial Bank, dated 10/04/2007, recorded 10/05/2007, in Deed Book 14543, Page 3822, Cobb County records, in the original amount of $4,240,820.00; as Assigned to Crescent Bank at Deed Book 14748, Page 3683; as Assigned to Renasant Bank at Deed Book 14805, Page 1544 and 14807, Page 5674, aforesaid record.
6. That certain UCC Financing Statement between Cornerstone Properties II, LLC, and Cobb Commercial Bank, a division of Community Bank of West Georgia, recorded at Deed Book 14543, Page 3828, aforesaid records.
7. That certain UCC Financing Statement between Cornerstone Properties II, LLC, and Cobb Commercial Bank, a division of Community Bank of West Georgia, recorded at 033-2007-0947, Continued at 033-2012-003900, aforesaid records.
10. That certain UCC Financing Statement between Cornerstone Properties II, LLC, and Cobb Commercial Bank, a division of Community Bank of West Georgia, recorded at 033-2007-0948, Continued at 033-2012-003901, aforesaid records.
11. That certain Deed to Secure Debt from Cornerstone Properties II, LLC, to Crescent Bank & Trust Company, dated 12/01/2009, recorded 12/23/2009, in Deed Book 14744, Page 6086, in the original amount of $27,300.00, aforesaid records.
12. All matters shown on that plat of survey for Cornerstone Properties, II, LLC, by Engineering, Inc., dated August 9, 2010, recorded in Plat Book 271, Page 827, Cobb County records.
13. Easement for Right of Way from James H. Monti to Georgia Power Company dated May 30, 1968, recorded July 30, 1968, in Deed Book 1050, Page 299, Cobb County.
14. Easement from Cecilia H. Monti to Atlanta Gas Light Company dated July 30, 1986, recorded August 5, 1986, in Deed book 4059, Page 459, Cobb County records.
15. Easements contained in Right of Way Deed from Rita Monti Burke, Executrix under the Will of Cecilia Hertel Monti to Cobb County, Georgia, dated March 10, 1994, recorded March 31, 1994, in Deed Book 8149, Page 526, Cobb County records.
16. Sewer Easement from Rita Monti Burke, Executrix under the Will of Cecilia Hertel Monti to L. Barry Teague and Teague Investments, L.P., a Georgia limited partnership, dated January 22, 1998, recorded January 23, 1998, in Deed Book 10963, Page 190, Cobb County records.

17. Sewer Easement from Rita Monti Burke, Executrix under the Will of Cecilia Hertel Monti to Cobb County, dated December 20, 2002, recorded January 8, 2003, in Deed Book 13662, Page 3208, Cobb County records.
18. Grant of Easement for Sewer and Restrictive Covenant Agreement between L. Barry Teague and Teague Investments, L.P., to Sundial Corporation, dated 4/13/2004 recorded in Deed Book 13982, Page 2918, aforesaid record.[As to Tract II]
19. Grant of Sewer Easement to Cobb County by L. Barry Teague dated 12/4/2002, recorded in Deed Book 13662, Page 3206, aforesaid records.
20. Joinder and Grant of Easement of Sewer between L. Barry Teague and Teague Investments, L.P. and Cobb County dated 12/02/2002, recorded in Deed Book 13961, page 5815, aforesaid records.
21. Sewer Easement from Rita Monti Burke, Executrix under the Will of Cecilia Hertel Monti to Cobb County, dated September 13, 2005, recorded February 17, 2006, in Deed Book 14290, Page 4752, Cobb County records.
22. Encroachment Agreement for Easement between Cornerstone Properties II, LLC, and Georgia Power Company, recorded in Deed Book 14528, Page 1873, Cobb County records.
23. Right of Way Deed from Cornerstone Properties II, LLC, to Cobb County, recorded in Deed Book 14824, Page 3201, Aforesaid records.
24. Temporary Construction Easement from Cornerstone Properties II, LLC, to Cobb County, recorded in Deed Book 14824, Page 3209, aforesaid records.
25. Permanent Drainage Easement from Cornerstone Properties II, LLC, to Cobb County recorded in Deed Book 14824, Page 3216, aforesaid records.
26. Right of Way Deed from Cornerstone Properties II, LLC, to Cobb County, recorded in Deed Book 14824, Page 3223, aforesaid records.
27. Permanent Drainage Easement from Cornerstone Properties II, LLC, to Cobb County recorded in Deed Book 14824, Page 3226, aforesaid records.
28. Temporary Construction Easement for Slopes from Cornerstone Properties II, LLC, to Cobb County, recorded in Deed Book 14824, Page 3229, aforesaid records.
29. Temporary Driveway Easement from Cornerstone Properties II, LLC, to Cobb County, recorded in Deed Book 14824, Page 3232, aforesaid records.
30. Grant of Easements from Cornerstone Properties II, LLC, to Shoppes at Ridenhour, LLC, dated 05/31/2010, recorded 06/16/2010 in Deed Book 14778, Page 2204, aforesaid records.

Tract 1

All that tract or parcel of land lying and being in Land Lot 212 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

BEGINNING at the northerly most mitered intersection of the southeasterly Right of Way of Ernest W. Barrett Parkway (Variable R/W) and the northeasterly Right of Way of Old Highway #41 (Variable R/W); from point thus established and running along the southeasterly Right of Way of Ernest W. Barrett Parkway the following courses: North 26° 23' 39" East a distance of 29.54 feet to a point; thence North 37° 23' 49" East a distance of 45.64 feet to a point; thence North 30° 45' 26" East a distance of 39.05 feet to a point; thence North 26° 03' 07" East a distance of 38.61 feet to a point; thence North 41° 50' 38" East a distance of 206.85 feet to a point; thence North 27° 35' 04" East a distance of 185.24 feet to a point; thence running along a curve to the right an arc length of 390.14 feet, (said curve having a radius of 900.42 feet, with a chord bearing of North 61° 56' 40" East, and a chord length of 387.10 feet) to an iron pin set; thence leaving said Right of Way South 80° 38' 53" East a distance of 49.71 feet to an iron pin set; thence running along a curve to the left an arc length of 324.14 feet, (said curve having a radius of 870.61 feet, with a chord bearing of South 66° 30' 24" West, and a chord length of 322.28 feet)to an iron pin set; thence South 36° 10' 42" East a distance of 110.83 feet to an iron pin set; thence North 57° 49' 34" East a distance of 372.64 feet to an iron pin set; thence South 74° 00' 06" East a distance of 91.70 feet to an iron pin set; thence South 41° 43' 57" East a distance of 19.08 feet to an iron pin set; thence South 26° 35' 31" East a distance of 112.62 feet to an iron pin set; thence South 01° 16' 47" East a distance of 102.12 feet to an iron pin set; thence South 44° 44' 24" East a distance of 249.02 feet to an iron pin set; thence South 67° 27' 15" West a distance of 812.14 feet to an iron pin set; thence South 21° 58' 58" East a distance of 5.05 feet to an iron pin set; thence South 42° 40' 12" West a distance of 80.54 feet to an iron pin set; thence South 42° 40' 12" West a distance of 98.29 feet to an iron pin set on the aforementioned northeasterly Right of Way of Old Highway #41 (Variable R/W); thence running along said Right of Way the following courses: North 47° 08' 07" West a distance of 49.33 feet to an iron pin set; thence North 43° 22' 55" East a distance of 14.98 feet to a Right of Way Monument; thence North 45° 25' 25" West a distance of 11.13 feet to a Right of Way Monument; thence South 39° 48' 21" West a distance of 15.34 feet to an iron pin set; thence North 47° 08' 07" West a distance of 217.11 feet to an iron pin set; thence along a miter North 24° 32' 39" West a distance of 82.30 feet to the TRUE POINT OF BEGINNING. Said tract contains 10.753 Acres (468,391 Square Feet).

Tract 2

All that tract or parcel of land lying and being in Land Lot 212 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

To Reach the TRUE POINT OF BEGINNING, commence at the northerly most mitered intersection of the southeasterly Right of Way of Ernest W. Barrett Parkway (Variable R/W) and the northeasterly Right of Way of Old Highway #41 (Variable R/W); thence running along said miter South 24° 32' 39" East a distance of 94.99 feet to a point; thence running along the northeasterly Right of Way of Old Highway #41 the following courses: South 46° 55' 56" East a distance of 205.69 feet to a point; thence North 39° 48' 21" East a distance of 0.89 feet to a Right of Way monument; thence North 39° 48' 21" East a distance of 20.07 feet to a Right of Way monument; thence South 45° 25' 25" East a distance of 11.13 feet to a Right of Way monument; thence South 43° 22' 55" West a distance of 19.62 feet to a Right of Way monument; thence South 43° 22' 55" West a distance of 1.00 feet to a point; thence South 46° 55' 56" East a distance of 49.40 feet to an iron pin set and the TRUE POINT OF BEGINNING; from point thus established and leaving said Right of Way North 42° 40' 12" East a distance of 104.10 feet to an iron pin set; thence South 47° 19' 48" East a distance of 38.66 feet to an iron pin set; thence North 86° 07' 17" East a distance of 40.80 feet to an iron pin set; thence South 37° 07' 10" East a distance of 55.34 feet to an iron pin set; thence South 19° 40' 45" East a distance of 137.03 feet to an iron pin set; thence South 01° 00' 59" East a distance of 57.65 feet to an iron pin set; thence South 46° 53' 55" East a distance of 159.05 feet to an iron pin set; thence South 43° 39' 50" West a distance of 33.42 feet to an iron pin set on the aforementioned northeasterly Right of Way of Old Highway #41; thence running along said Right of Way the following courses: North 48° 08' 55" West a distance of 20.10 feet to a point; thence North 34° 28' 42" West a distance of 68.85 feet to a point; thence North 47° 13' 34" West a distance of 88.14 feet to a point; thence North 42° 46' 26" East a distance of 10.00 feet to a point; thence North 47° 13' 34" West a distance of 100.00 feet to a point; thence South 42° 46' 26" West a distance of 10.00 feet to a point; thence North 47° 06' 59" West a distance of 165.49 feet to the TRUE POINT OF BEGINNING. Said tract contains 0.691 Acres (30,098 Square Feet).

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

2025
Property Tax Bill

Parcel ID	Tax District	Bill #
20021201560	3/3-BOND - KENNESAW CITY	301570

Property Owner/Location/Description	Fair Market Value	Taxable Value
GRANITE FALLS STATION LLC OLD 41 HWY	12,370	4,948

Levies	Taxable Value	-	Exemptions	=	Net Assessment	X	Tax Rate	=	Net Tax
CITY OF KENNESAW	4,948		0		4,948		7.7500000000		$38.35
BOND	4,948		0		4,948		1.4000000000		$6.93

Exemptions:

Printed December 2025 | Settled Value Bill: You are receiving this bill due to the finalization of your appeal.

For properties under appeal with Cobb County, an initial temporary bill was issued based on 85% of the estimated tax value due 12/1/2025. Now that your appeal has been finalized, this bill reflects the full amount due for 2025.

If your taxes are paid through escrow, please forward the attached bill to your mortgage company for prompt processing.

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

Current Year Tax	$45.28
Interest	$0.00
Penalty	$0.00
Other Fees	$0.00
Payments Received	$45.28
Other Amounts Due	$0.00
Total Due	$0.00
Due Date	12/01/2025

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:	20021201560
Amount Due:	$0.00
Bill#:	301570
Due Date:	12/01/2025
	AMOUNT PAID

GRANITE FALLS STATION LLC
4963 TYNE RIDGE CT
NASHVILLE, TN 37220

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

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

2025
Property Tax Bill

Parcel ID	Tax District	Bill #
20021200130	3/3-BOND - KENNESAW CITY	289076

Property Owner/Location/Description	Fair Market Value	Taxable Value
GRANITE FALLS STATION LLC OLD 41 HWY	1,730,930	692,372

Levies	Taxable Value	- Exemptions	= Net Assessment	X Tax Rate	= Net Tax
CITY OF KENNESAW	692,372	0	692,372	7.7500000000	$5,365.88
BOND	692,372	0	692,372	1.4000000000	$969.32

Exemptions:

Printed December 2, 2025 | Settled Value Bill: You are receiving this bill due to the finalization of your appeal.

For properties under appeal with Cobb County, an initial temporary bill was issued based on 85% of the estimated tax value due 12/1/2025. Now that your appeal has been finalized, this bill reflects the full amount due for 2025.

If your taxes are paid through escrow, please forward the attached bill to your mortgage company for prompt processing.

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

Current Year Tax	$6,335.20
Interest	$0.00
Penalty	$0.00
Other Fees	$0.00
Payments Received	$6,335.20
Other Amounts Due	$0.00
Total Due	$0.00
Due Date	12/01/2025

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:	20021200130
Amount Due:	$0.00
Bill#:	289076
Due Date:	12/01/2025
	AMOUNT PAID

GRANITE FALLS STATION LLC
4963 TYNE RIDGE CT
NASHVILLE, TN 37220

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

Printed: 12/18/2025

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:
THOMAS BROWN

GRANITE FALLS STATION LLC

Payment Date: 10/12/2025

Tax Year	Parcel ID	Due Date		Appeal Amount		Taxes Due
2025	20021201560	10/15/2025	**Pay:**	N/A	or	$0.00

Interest	Penalty	Fees	Total Due	Amount Paid	Balance
$0.00	$0.00	$0.00	$0.00	$149.09	**$0.00**

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

Printed: 12/3/2025

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:
THOMAS BROWN

GRANITE FALLS STATION LLC

Payment Date: 10/12/2025

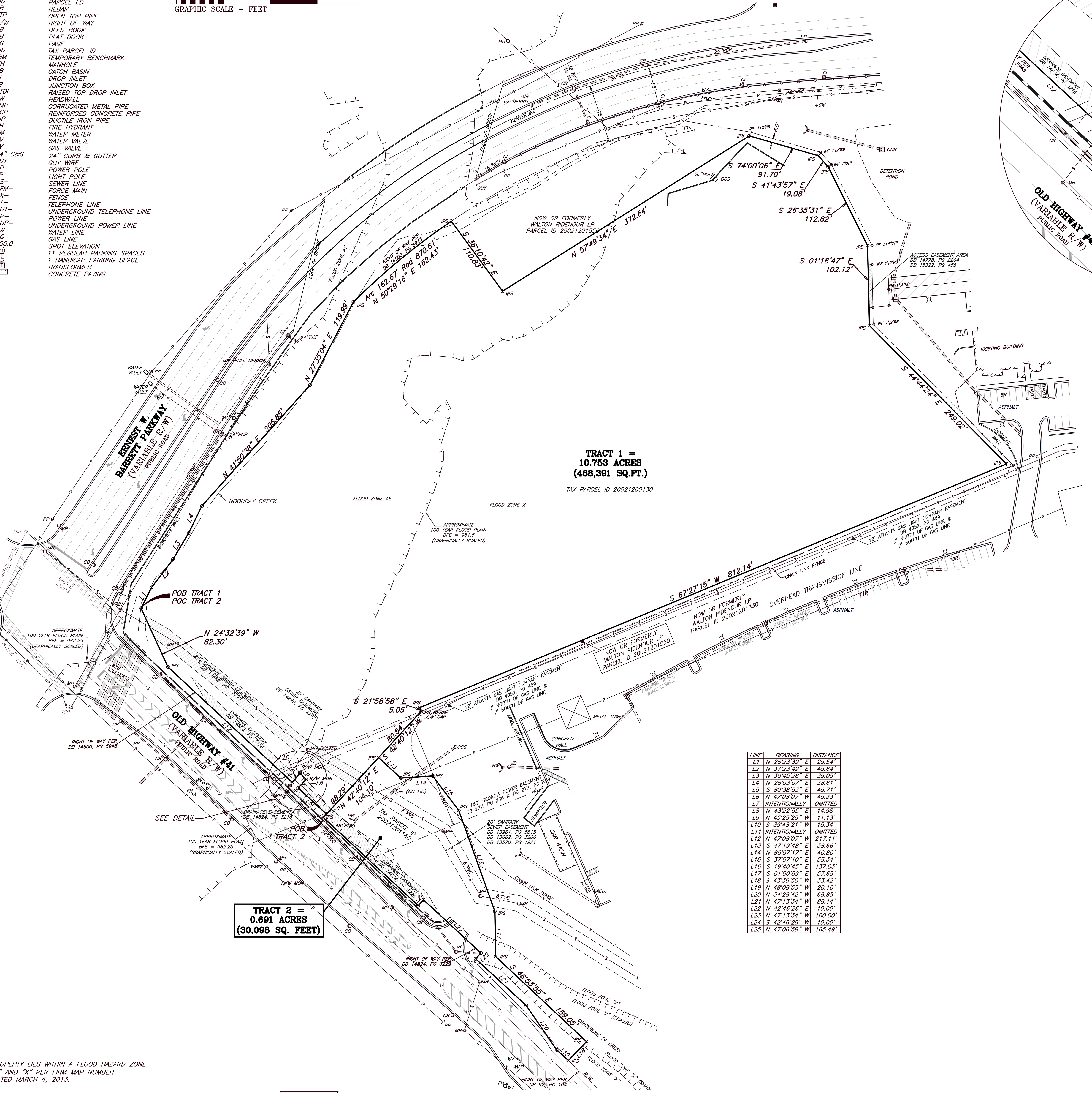
Tax Year	Parcel ID	Due Date		Appeal Amount		Taxes Due
2025	20021200130	10/15/2025	**Pay:**	N/A	or	$0.00

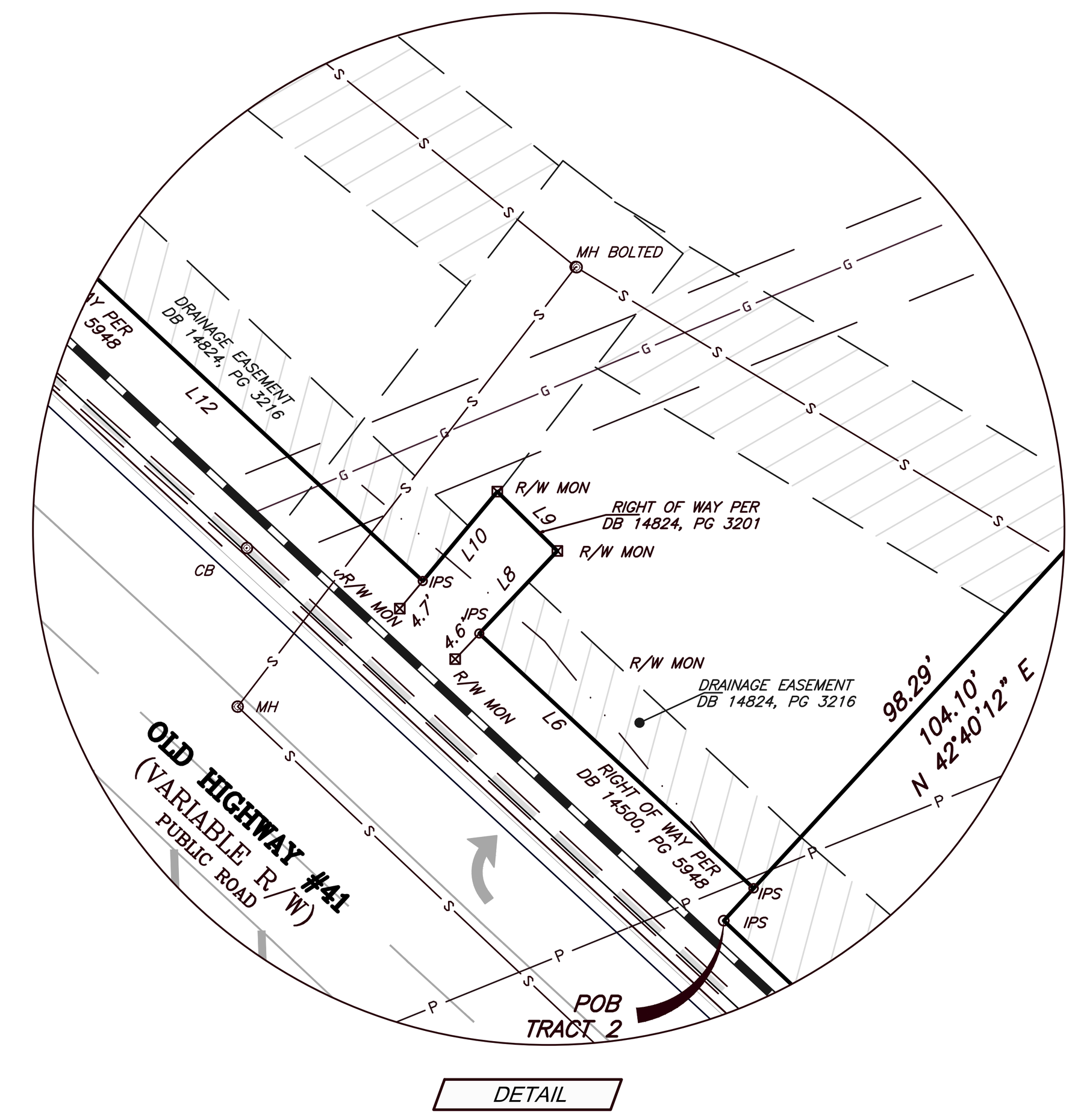
Interest	Penalty	Fees	Total Due	Amount Paid	Balance
$0.00	$0.00	$0.00	$0.00	$20,861.17	**$0.00**

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

LEGEND

IPF	IRON PIN FOUND
IPS	IRON PIN SET
PID	PARCEL I.D.
RB	REBAR
OTP	OPEN TOP PIPE
R/W	RIGHT OF WAY
DB	DEED BOOK
PB	PLAT BOOK
PG	PAGE
PID	TAX PARCEL ID
TBM	TEMPORARY BENCHMARK
MH	MANHOLE
CB	CATCH BASIN
DI	DROP INLET
JB	JUNCTION BOX
RTDI	RAISED TOP DROP INLET
HW	HEADWALL
CMP	CORRUGATED METAL PIPE
RCP	REINFORCED CONCRETE PIPE
DIP	DUCTILE IRON PIPE
FH	FIRE HYDRANT
WM	WATER METER
WV	WATER VALVE
GV	GAS VALVE
24" C&G	24" CURB & GUTTER
GUY	GUY WIRE
PP	POWER POLE
LP	LIGHT POLE
-S-	SEWER LINE
-FM-	FORCE MAIN
-X-	FENCE
-T-	TELEPHONE LINE
-UT-	UNDERGROUND TELEPHONE LINE
-P-	POWER LINE
-UP-	UNDERGROUND POWER LINE
-W-	WATER LINE
-G-	GAS LINE
900.0	SPOT ELEVATION
11	11 REGULAR PARKING SPACES
	1 HANDICAP PARKING SPACE
T	TRANSFORMER
	CONCRETE PAVING





DETAIL

NOT TO SCALE

VICINITY MAP



LINE	BEARING	DISTANCE
L1	N 26°23'39" E	29.54'
L2	N 37°23'49" E	45.64'
L3	N 30°45'26" E	39.05'
L4	N 26°03'07" E	38.61'
L5	S 80°38'53" E	49.71'
L6	N 47°08'07" W	49.33'
L7	INTENTIONALLY	OMITTED
L8	N 43°22'55" E	14.98'
L9	N 45°25'25" W	11.13'
L10	S 39°48'21" W	15.34'
L11	INTENTIONALLY	OMITTED
L12	N 47°08'07" W	217.11'
L13	S 47°19'48" E	38.66'
L14	N 86°07'17" E	40.80'
L15	S 37°07'10" E	55.34'
L16	S 19°40'45" E	137.03'
L17	S 01°00'59" E	57.65'
L18	S 43°39'50" W	33.42'
L19	N 48°08'55" W	20.10'
L20	N 34°28'42" W	68.85'
L21	N 47°13'34" W	88.14'
L22	N 42°46'26" E	10.00'
L23	N 47°13'34" W	100.00'
L24	S 42°46'26" W	10.00'
L25	N 47°06'59" W	165.49'

FLOOD NOTE

THE SUBJECT PROPERTY LIES WITHIN A FLOOD HAZARD ZONE "AE", "X SHADED" AND "X" PER FIRM MAP NUMBER 13067C0101H DATED MARCH 4, 2013.

CONFORMITY STATEMENT

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

CLOSURE STATEMENT

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN ____178,748______FEET AND AN ANGULAR ERROR OF _0.16"_PER ANGLE AND WAS ADJUSTED USING THE COMPASS RULE.

A ______LEICA TS12______TOTAL STATION AND AN__CARLSON__DATA COLLECTOR WERE USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN _____180,238_______ FEET.

SURVEY NOTES

1. NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS
2. NO KNOWN PROPOSED CHANGES IN STREET RIGHT OF WAY LINES. NO OBSERVED EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
3. NO BUILDINGS WERE OBSERVED IN THE PROCESS OF CONDUCTING THE FIELD WORK ON THE SUBJECT PROPERTY.
4. NO STRIPED PARKING WAS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELD WORK ON THE SUBJECT PROPERTY.
5. THE SUBJECT PROPERTY SHOWN AND DESCRIBED HEREON IS THE SAME PROPERTY AS DESCRIBED IN OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT FOR TITLE INSURANCE, FILE NO. GA25010688, WITH A COMMITMENT EFFECTIVE DATE OF OCTOBER 24, 2025 AND LAST REVISED DECEMBER 16, 2025.

ZONING NOTE

THE SUBJECT PROPERTY IS ZONED GC (GENERAL COMMERCIAL)

PARCEL ID

20021200130

LEGAL DESCRIPTION

Tract 1

All that tract or parcel of land lying and being in Land Lot 212 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

BEGINNING at the northerly most mitered intersection of the southeasterly Right of Way of Ernest W. Barrett Parkway (Variable R/W) and the northeasterly Right of Way of Old Highway #41 (Variable R/W); from point thus established and running along the southeasterly Right of Way of Ernest W. Barrett Parkway the following courses: North 26° 23' 39" East a distance of 29.54 feet to a point; thence North 37° 23' 49" East a distance of 45.64 feet to a point; thence North 30° 45' 26" East a distance of 39.05 feet to a point; thence North 26° 03' 07" East a distance of 38.61 feet to a point; thence North 41° 50' 38" East a distance of 206.85 feet to a point; thence North 27° 35' 04" East a distance of 185.24 feet to a point; thence running along a curve to the right an arc length of 390.14 feet, (said curve having a radius of 900.42 feet, with a chord bearing of North 61° 56' 40" East, and a chord length of 387.10 feet) to an iron pin set; thence leaving said Right of Way South 80° 38' 53" East a distance of 49.71 feet to an iron pin set; thence running along a curve to the left an arc length of 324.14 feet, (said curve having a radius of 870.61 feet, with a chord bearing of South 66° 30' 24" West, and a chord length of 322.28 feet)to an iron pin set; thence South 36° 10' 42" East a distance of 110.83 feet to an iron pin set; thence North 57° 49' 34" East a distance of 372.64 feet to an iron pin set; thence South 74° 00' 06" East a distance of 91.70 feet to an iron pin set; thence South 41° 43' 57" East a distance of 19.08 feet to an iron pin set; thence South 26° 35' 31" East a distance of 112.62 feet to an iron pin set; thence South 01° 16' 47" East a distance of 102.12 feet to an iron pin set; thence South 44° 44' 24" East a distance of 249.02 feet to an iron pin set; thence South 67° 27' 15" West a distance of 812.14 feet to an iron pin set; thence South 21° 58' 58" East a distance of 5.05 feet to an iron pin set; thence South 42° 40' 12" West a distance of 80.54 feet to an iron pin set; thence South 42° 40' 12" West a distance of 98.29 feet to an iron pin set on the aforementioned northeasterly Right of Way of Old Highway #41 (Variable R/W); thence running along said Right of Way the following courses: North 47° 08' 07" West a distance of 49.33 feet to an iron pin set; thence North 43° 22' 55" East a distance of 14.98 feet to a Right of Way Monument; thence North 45° 25' 25" West a distance of 11.13 feet to a Right of Way Monument; thence South 39° 48' 21" West a distance of 15.34 feet to an iron pin set; thence North 47° 08' 07" West a distance of 217.11 feet to an iron pin set; thence along a miter North 24° 32' 39" West a distance of 82.30 feet to the TRUE POINT OF BEGINNING. Said tract contains 10.753 Acres (468,391 Square Feet).

LEGAL DESCRIPTION

Tract 2

All that tract or parcel of land lying and being in Land Lot 212 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

To Reach the TRUE POINT OF BEGINNING, commence at the northerly most mitered intersection of the southeasterly Right of Way of Ernest W. Barrett Parkway (Variable R/W) and the northeasterly Right of Way of Old Highway #41 (Variable R/W); thence running along said miter South 24° 32' 39" East a distance of 94.99 feet to a point; thence running along the northeasterly Right of Way of Old Highway #41 the following courses: South 46° 55' 56" East a distance of 205.69 feet to a point; thence North 39° 48' 21" East a distance of 0.89 feet to a Right of Way monument; thence North 39° 48' 21" East a distance of 20.07 feet to a Right of Way monument; thence South 45° 25' 25" East a distance of 11.13 feet to a Right of Way monument; thence South 43° 22' 55" West a distance of 19.62 feet to a Right of Way monument; thence South 43° 22' 55" West a distance of 1.00 feet to a point; thence South 46° 55' 56" East a distance of 49.40 feet to an iron pin set and the TRUE POINT OF BEGINNING; from point thus established and leaving said Right of Way North 42° 40' 12" East a distance of 104.10 feet to an iron pin set; thence South 47° 19' 48" East a distance of 38.66 feet to an iron pin set; thence North 86° 07' 17" East a distance of 40.80 feet to an iron pin set; thence South 37° 07' 10" East a distance of 55.34 feet to an iron pin set; thence South 19° 40' 45" East a distance of 137.03 feet to an iron pin set; thence South 01° 00' 59" East a distance of 57.65 feet to an iron pin set; thence South 46° 53' 55" East a distance of 159.05 feet to an iron pin set; thence South 43° 39' 50" West a distance of 33.42 feet to an iron pin set on the aforementioned northeasterly Right of Way of Old Highway #41; thence running along said Right of Way the following courses: North 48° 08' 55" West a distance of 20.10 feet to a point; thence North 34° 28' 42" West a distance of 68.85 feet to a point; thence North 47° 13' 34" West a distance of 88.14 feet to a point; thence North 42° 46' 26" East a distance of 10.00 feet to a point; thence North 47° 13' 34" West a distance of 100.00 feet to a point; thence South 42° 46' 26" West a distance of 10.00 feet to a point; thence North 47° 06' 59" West a distance of 165.49 feet to the TRUE POINT OF BEGINNING. Said tract contains 0.691 Acres (30,098 Square Feet).

EXCEPTIONS IN TITLE COMMITMENT

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
FILE NUMBER: GA25010688
COMMITMENT EFFECTIVE DATE: OCTOBER 24, 2025

13. Easement for Right-of-Way from James H. Monti to Georgia Power Company, dated May 30, 1968, filed July 31, 1968 and recorded in Deed Book 1050, Page 299, records of the Superior Court of Cobb County, Georgia. **(Does affect subject property, not plottable)**
14. Easement from Cecilia H. Monti to Atlanta Gas Light Company, dated July 30, 1986, filed August 5, 1986 and recorded in Deed Book 4059, Page 459, aforesaid records. **(Does affect subject property as Shown Hereon)**
15. Right-of-Way Deed from Rita Monti Burke, Executrix under the Will of Cecilia Hertel Monti to Cobb County, Georgia, dated March 10, 1994, filed March 31, 1994 and recorded in Deed Book 8149, Page 526, aforesaid records. **(May or May not affect, insufficient metes and bounds)**
16. Easement (Sewer) from Rita Monti Burke, as Executrix under the Last Will and Testament of Cecilia Hertel Monti, deceased to L. Barry Teague and Teague Investments, L.P., a Georgia limited partnership, dated January 22, 1998, filed January 23, 1998 and recorded in Deed Book 10962, Page 190, aforesaid records. **(Does affect subject property, Not Plottable)**
17. Grant of Easement Sewer from Barry L. Teague to Cobb County, a political subdivision of the State of Georgia, dated December 4, 2002, filed January 8, 2003 and recorded in Deed Book 13662, Page 3206, aforesaid records. **(Does affect subject property, as shown hereon)**
18. Grant of Easement Sewer from Cecelia Hertel Monti to Cobb County, a political subdivision of the State of Georgia, dated December 20, 2002, filed January 8, 2003 and recorded in Deed Book 13662, Page 3208, aforesaid records. **(Does affect subject property, as shown hereon)**
19. Intentionally Omitted
20. Intentionally Omitted
21. Grant of Easement Sewer from The Estate of Cecelia H. Monti to Cobb County, a political subdivision of the State of Georgia, dated September 13, 2005, filed February 17, 2006 and recorded in Deed Book 14290, Page 4752, aforesaid records. **(Does affect subject property, as shown hereon)**
22. Encroachment Agreement for Easement from Cornerstone Properties II, LLC to Georgia Power Company, dated July 19, 2007, filed August 22, 2007 and recorded in Deed Book 14528, Page 1873, aforesaid records. **(Does affect subject property, not plottable. No evidence of construction of proposed improvements)**
23. Grant of Easements from Cornerstone Properties II, LLC, a Georgia limited liability company to Shoppes at Ridenour, LLC, a Georgia limited liability company, dated May 31, 2010, filed June 16, 2010 and recorded in Deed Book 14778, Page 2204, aforesaid records; as amended by First Amendment to Grant Easement to Correct Scrivener's Error by and between Walton Ridenour, L.P., a Georgia limited partnership and Teague Investments, L.P., a Georgia limited partnership, filed March 23, 2016 and recorded in Deed Book 15322, Page 458, aforesaid records. **(Does affect subject property, as shown hereon)**
24. Easements as contained within that certain Limited Warranty Deed from Walton Ridenour, L.P., a Georgia limited partnership to Cornerstone Properties II, LLC, a Georgia limited liability company, dated May 31, 2010, filed June 16, 2010 and recorded in Deed Book 14778, Page 2254, aforesaid records. **(Does affect subject property, not plottable)**
25. Intentionally Omitted
26. Intentionally Omitted
27. Permanent Drainage Easement from Cornerstone Properties II, LLC to Cobb County, Georgia, dated December 28, 2010, filed December 30, 2010 and recorded in Deed Book 14824, Page 3216, aforesaid records. **(Does affect subject property, as shown hereon)**
28. Right-of-Way Deed from Cornerstone Properties II, LLC, a Georgia limited liability company to Cobb County, Georgia, dated December 28, 2010, filed December 30, 2010 and recorded in Deed Book 14824, Page 3223, aforesaid records. **(Does affect subject property, as shown hereon)**
29. Permanent Drainage Easement from Cornerstone Properties II, LLC, a Georgia limited liability company to Cobb County, Georgia, dated December 28, 2010, filed December 30, 2010 and recorded in Deed Book 14824, Page 3226, aforesaid records. **(Does affect subject property, as shown hereon)**
30. Intentionally Omitted
31. Intentionally Omitted
32. Intentionally Omitted

SURVEYOR'S CERTIFICATION

To **Walton Communities, LLC, a Georgia limited liability company & Old Republic National Title Insurance Company:**

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items _1, 2, 3, 4, 6(a), 7(a), 7(b)(1), 8, 9, 11(a), 13, 16, 17, 18 & 19_ of Table A thereof. The fieldwork was completed on _December 3, 2025_.

DRAFT
By aakin@tss-atl.com at 12:10:11 PM, 12/16/2025

__________ ______________
Aubrey J. Akin, R.L.S. #3138

December 3, 2025
Date of Plat

TSS
TECHNICAL SURVEY SERVICES, INC.
1641 Autumn Blvd, SW
Conyers, Georgia 30012
(770) 922-6391 Office
www.tss-atl.com

No	Revision	Date
1	REVISED TO REFLECT R/W TAKES AND UPDATED TITLE	12/16/2025

Orig Bndy: 06/17/2022
Field Date: 12/3/2025
Plat Date: 12/3/2025
Scale: 1" = 60'

ALTA/NSPS LAND TITLE SURVEY
FOR
WALTON COMMUNITIES, LLC,

LAND LOT 212 20TH DISTRICT 2ND SECTION
CITY OF KENNESAW, COBB COUNTY, GEORGIA

1
SHEET 1 OF 1

JOB #: 2004-011
CRD: RIDENOUR
DWG: RIDENOUR PH 2
LSV: KAYSOCAL

Monday, December 15, 2025 3:33:13 PM

SITE DATA SUMMARY TABLE:

ACREAGE:
11.684 ACRES

EXISTING ZONING :
GENERAL COMMERCIAL [GC]

PROPOSED ZONING:
RM-16

PROPOSED DENSITY:
182 APARTMENT UNITS

PROPOSED PARKING:
1.5 SPACES PER UNIT -
273 TOTAL SURFACE SPACES

PROPOSED SETBACKS:
50 FOOT FRONT YARD
35 FOOT SIDE YARD
40 FOOT REAR YARD

182 MULTI-FAMILY
UNITS- 3 & 4 STORIES
273 PARKING SPACES

SITE PLAN #2

SITE PLAN DIM. CTL.

WALTON RIDENOUR PHASE 2

Kennesaw, Georgia

ARRIVE ARCHITECTURE GROUP
Architecture
Planning
Project Management
2344 Highway 121 · Suite 100 · Bedford, Texas 76021 · www.ArriveAG.com
Ph 817.514.0584 · Fx 817.514.0694

SEAL

REVISION

DRAWN BY: AAG	CHECKED BY: JMT
PLOT DATE: 12/15/2025	REV. DATE:
SUBMITTAL DATE: 2025	PROJECT NUMBER:
ISSUED FOR: CONCEPT	SHEET NO.
SCALE: AS NOTED	

© 2015 ARRIVE ARCHITECTURE GROUP. The designs represented by these plans are copyrighted and are subject to copyright protection as an "ARCHITECTURAL WORK" under U.S.C. sect. 102 known as the Architectural Works Protection Act of 1990 (including form and arrangement of spaces) date and other aspects of the design will subject the infringer to damages and/or judicial action as provided by the Federal Law.

--- SITE PLAN DIM. CTL.
\\aag-san1\AAG1\Projects\Walton\Walton Ridenhour - Old 41 Phase 2\Pre-Design\Architecture\Walton Ridenour Phase 2 Site Plan.dwg


ARRIVE
ARCHITECTURE GROUP

ATTACHMENT TO REZONING APPLICATION

Application No.: _____
Hearing Dates: **February 4, 2026**
February 16, 2026

BEFORE THE PLANNING COMMISSION AND THE MAYOR AND CITY COUNCIL FOR THE CITY OF KENNESAW, GEORGIA

CONSTITUTIONAL CHALLENGE
ATTACHMENT TO REZONING APPLICATION

COME NOW, Applicant, WALTON COMMUNITIES, LLC (hereinafter referred to as "Applicant"), and Titleholder, GRANITE FALLS STATION, LLC (hereinafter referred to as "Titleholder"), and assert the following:

1.

By Rezoning Application dated and filed December 19, 2025, Applicant and Titleholder applied for rezoning of certain real property, being approximately 11.684 acres, more or less, lying and being located within the City of Kennesaw, Cobb County, Georgia, a more particular description and delineation of the subject property being set forth in said Application (hereinafter referred to as the "Property" or the "Subject Property").

2.

The Rezoning Application of the Property seeks rezoning from the existing zoning categories of General Commercial ("GC") and RM-12 to the proposed zoning category of RM-16, as established by the governing authority of the City of Kennesaw, Georgia, under and pursuant to The Unified Development Code City of Kennesaw, Georgia (hereinafter the "Unified Development Code of the City of Kennesaw" or, alternatively, "Ordinance").

3.

With respect to the Property within the GC zoning classification, Applicant and Titleholder do contend the Unified Development Code of the City of Kennesaw is

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A Limited Liability Partnership
Emerson Overlook
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Suite 100
Marietta, GA 30060
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FAX (770) 429-8631

unconstitutional as applied to the Subject Property in that said Ordinance does not permit the Applicant and Titleholder to utilize the Property to the highest and best use set forth within the Rezoning Application without the necessity of rezoning. However, Applicant and Titleholder do not contend the current zoning category of GC is unconstitutional, per se, only as applied. Thus, the Unified Development Code of the City of Kennesaw deprives Applicant and Titleholder of their Property under and pursuant to Art. I, § I, ¶¶ I and II of the Georgia Constitution of 1983, and the Equal Protection and Due Process Clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States of America. This deprivation of Property without due process violates the constitutional prohibition against the taking of private property without just compensation. Also violated are the Applicant's and Titleholder's rights to unfettered use of their Property, as stated above, in that said zoning classifications do not bear a substantial relation to the public health, safety, morality, or general welfare and are, therefore, confiscatory and void. Further, said Ordinance is unconstitutional in that it is arbitrary and unreasonable resulting in relatively little gain or benefit to the public, while inflicting serious injury and loss on the Applicant and Titleholder.

4.

With respect to the remainder of the Property within the RM-12 zoning classification, the Unified Development Code of the City of Kennesaw is unconstitutional as applied to the Property in that said Ordinance deprives the Applicant and Titleholder of their Property under and pursuant to Art. I, § I, ¶¶ I and II of the Georgia Constitution of 1983, and the Equal Protection and Due Process Clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States of America. This deprivation of Property without due process violates the constitutional prohibition against the taking of private property without just compensation. The RM-12 zoning category, as it presently exists, together with any

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intervening zoning categories between the existing RM-12 category and the requested RM-16 category, violates the Applicant's and Titleholder's rights to unfettered use of their property in that said zoning classifications do not bear a substantial relation to the public health, safety, morality, or general welfare and are therefore confiscatory and void. Further, said Ordinance is unconstitutional in that it is arbitrary and unreasonable resulting in relatively little gain or benefit to the public, while inflicting serious injury and loss on the Applicant and Titleholder.

5.

To the extent the Unified Development Code of the City of Kennesaw allows or permits the Mayor and City Council to rezone the Subject Property to any category other than as requested, said Ordinance is further unconstitutional in that same violates the Applicant's and Titleholder's constitutionally guaranteed rights to due process, both substantive and procedural. Furthermore, any such action by the Mayor and City Council, or as allowed by the Unified Development Code of the City of Kennesaw, is an unconstitutional use of the zoning power and would constitute an abuse of discretion with no justification or benefit flowing to the public welfare. Accordingly, said Ordinance or action would likewise represent a taking of private property rights without the payment of just and adequate compensation in violation of the Constitutions of the State of Georgia and the United States of America.

6.

The Unified Development Code of the City of Kennesaw is further unconstitutional in that the procedures contained therein pertaining to the public hearing held in connection with the Rezoning Application also violate Art. I, § I, ¶¶ I, II, and XII of the Georgia Constitution of 1983 in that said procedures impose unreasonable time restraints, contain the absence of rebuttal, contain the inability to confront witnesses, contain the lack of procedural and

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evidentiary safeguards, do not restrict evidence received to the issue at hand and are controlled wholly and solely by political considerations rather than the facts and considerations required by law. These procedures fail to comport with the due process requirements of the Constitution of the State of Georgia 1983 and the due process requirements of the Constitution of the United States of America.

Respectfully submitted, this 19th day of December, 2025.

MOORE INGRAM JOHNSON & STEELE, LLP

BY: _____
J. Kevin Moore
Georgia Bar No. 519728

Attorneys for Applicant and Titleholder

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A Limited Liability Partnership
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Suite 100
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MAYOR
Derek Easterling

City Manager
Jeff Drobney, ICMA-CM

City Clerk
Lea Alvarez, CMC

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

COUNCIL
Mayor Pro Tem Pat Ferris
Antonio Jones
Madelyn Orochena
Tracey Viars
Anthony Gutierrez

December 29, 2025

Pamela Mabry, County Clerk
Cobb County
100 Cherokee Street, #355
Marietta, Georgia 30090-9679

Subject: City of Kennesaw Zoning Applications (Case #RZ2026-01)
1600 Old 41 Hwy, Kennesaw, GA – Parcel ID 20021200130 & 20021201560

Dear Ms. Mabry,

Attached, please find a rezoning application submitted by Moore Ingram Johnson & Steele, LLP – J. Kevin Moore, requesting to rezone approximately 11.684 +/- acres from General Commercial (GC) and RM-12, Multifamily District, to RM-16, Multifamily District. The proposed rezoning would allow for the development of a multifamily residential community at the subject property. Because this case is within a half-mile from unincorporated Cobb County, this letter and enclosed application are being provided in accordance with the House Bill 489 Intergovernmental Agreement on Services Delivery Strategy, Land Use section.

These cases are set to go before the Kennesaw Planning Commission on Wednesday, February 4, 2026 at 6:30 p.m. for public hearing and Mayor and Council on Monday, February 16, 2026 at 6:30 p.m. for public hearing as well.

Thank you for your attention. Should you have any questions, please feel free to contact Planning and Zoning at 770-590-8268 or send an e-mail to ccampbell@kennesaw-ga.gov.

Sincerely,

Chanelle Campbell

Chanelle Campbell
Planning and Zoning Administrator

Enclosure: Zoning Application

cc: **Jessica Guinn, AICP, Community Development Agency Director (Via E-mail)**
Dr. Jackie McMorris, Cobb County Manager (Via E-mail)
Phillip Westbrook, Senior Planner, Cobb County Community Development (Via E-mail)
Donald Wells, Intergovernmental Coordinator/Planner III, Cobb County Community Dev. (Via E-mail)
Dr. Jeff Drobney, City Manager, City of Kennesaw (Via E-mail)
Rebecca Goldstein, Administrative Assistant (Via E-mail)



CASE NUMBER		LAND USE OR ZONING FROM	TO
AV	LU		
AX	RZ 2026-001	GC & RM-12	RM-16
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

1600 Old 41 Hwy

Land Lot 212, Tax Parcels 13 & 156

Subject Property

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

Derek Easterling MAYOR
Lan Alvarez CITY CLERK

Scale: 1" = 246 '
Print Date: 12/29/2025
RZ2026_001

REZONING APPLICATION

Date Received 12/19/25
Staff's Initials CMC

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.

Date of Consultation 11/05/2025 Staff's Initials CMC

REZONING PROPERTY ADDRESS Old 41 Highway (unassigned) (1600 Old 41 Hwy)

Land Lot 212 Tax Parcel 20021200130 Lot Size 11.684±
20021201560

Resident Population 0 Housing Units 0 Other Buildings 0

Zoning Request from:

Present Zoning GC, RM-12 To: RM-16

For the purpose of: Multi-Family Residential

APPLICANT EMAIL [redacted]

Applicant Address 2281 Akers Mill Road, S.E., Building 4100, Atlanta, GA 30339

(Phone #) [redacted]

Applicant Signature Walton Communities, LLC BY: _____ Date December 17, 2025
Matthew L. Teague, Director of New Development

Signed, sealed and delivered in presence of: _____ December 17th, 2025
Notary Date

REPRESENTIVE Moore Ingram Johnson & Steele, LLP - J. Kevin Moore

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

Representative Signature BY: _____ Date December 18, 2025
J. Kevin Moore; GA Bar No. 519728; Attorneys for Applicant and Titleholder

Signed, sealed and delivered in presence of: _____ December 18, 2025
Notary Commission Expires 01-10-2027 Date

TITLEHOLDER: Granite Falls Station LLC (Phone #) [redacted]

Signature: BY: _____ Address 4963 Tyne Ridge Court, Nashville, TN 37220
Thomas J Brown, Sole Member

Signed, sealed and delivered in presence of: _____ December 16th, 2025
Notary Date

Community Development

Planning & Zoning Department

2529 J.O. Stephenson Ave. Kennesaw, GA 30144

CAMPAIGN DISCLOSURE REPORT[1] BY APPLICANT[2]

A separate from 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:
Not Applicable.

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:
Not Applicable.

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: Not Applicable.

I certify that the foregoing information is true and correct, this 18th day of December, 2025.

MOORE INGRAM JOHNSON & STEELE, LLP

BY: _____

J. Kevin Moore Applicant's Signature

Attorneys for Applicant and Property Owner

Please send completed report and supporting documents to dsimmons@kennesaw-ga.gov in PDF format.

[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.

CAMPAIGN DISCLOSURE REPORT[1] BY APPLICANT[2]

Each applicant must complete a separate form

Has the applicant made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating two hundred fifty dollars ($250.00) or more or made gifts having in the aggregate a value of two hundred fifty dollars ($250.00) or more to a member or members of the Mayor and Council or Planning Commission who will consider the application? No.

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

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

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

Not Applicable.

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:

Not Applicable.

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: Not Applicable.

I certify that the foregoing information is true and correct, this 17th d ay of December, 2025

Walton Communities, LLC

XXXXXXXXXXXXX BY:

Matthew L. Teague, Director of New Development

[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.

ATTACHMENT TO REZONING APPLICATION

Application No.: _____
Hearing Dates: **February 4, 2026**
February 16, 2026

Applicant: **Walton Communities, LLC**
Titleholder: **Granite Falls Station LLC**

Tax Parcel Identification Nos.: **20021200130; 20021201560**

LETTER OF INTENT

The property which is the subject of the Application for Variance consists of two tracts, totaling 11.684 acres, more or less, and is located at the intersection of the southeasterly right-of-way of Barrett Parkway and the northeasterly right-of-way of Old 41 Highway, Land Lot 212, 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia (hereinafter "Property" or "Subject Property"). Approximately 10.753 acres (shown as Tract 1 on the submitted Survey) is currently zoned General Commercial ("GC"), and the remainder of the Property (shown as Tract 2 on the submitted Survey) is zoned to the RM-12 zoning classification, pursuant to The Unified Development Code City of Kennesaw, Georgia. Applicant, Walton Communities, LLC (hereinafter "Applicant"), proposes rezoning of the Property to the RM-16 zoning classification to allow for a multi-family residential community adjacent to the highly successful Walton Ridenour community.

The proposed development will contain a maximum of one hundred eighty-two (182) units, as more particularly shown on the Zoning Plan prepared for Applicant by Arrive Architecture Group, dated December 15, 2025, and submitted with the Rezoning Application. The building architecture will be complementary to the existing Walton Ridenour community, with exterior consisting of a combination of materials, including, but not limited to brick and hardi-plank siding. The proposed community will have use of the overall amenities of the existing Walton Ridenour community. Access to the proposed community will be internal through the Walton Ridenour community.

Due to topography and flood plain issues, development of the Property is challenging and restrictive. Applicant's proposed community takes into account the restrictions of the Property and utilizes it to its highest and best use. The proposed rezoning to the RM-16 zoning category will provide a more suitable use for the Subject Property than uses allowed under the existing GC zoning classification. Additionally, the proposed multi-family community will be better suited and less intrusive to the area and adjacent properties than uses allowed under the existing GC zoning classification. Applicant's Walton Ridenour development is highly successful and respected in the area and offers an array of benefits to its residents. The proposed development will provide a quality and affordable community, with many of the same benefits as Walton Ridenour, for future residents of the City of Kennesaw. The proposed community will not adversely affect the use or usability of adjacent or nearby properties. Approval of the proposed RM-16 zoning category will provide rezoning which is better suited for the Property and the surrounding area, while having minimal impact on schools, public safety and emergency facilities, wastewater, stormwater facilities, and other public services.

If rezoning is approved, as submitted, Applicant anticipates commencement of the project in 2026, and anticipates substantial completion of the overall development in 2027.

Applicant is very excited about the opportunity of the proposed community adjacent to Walton Ridenour and being able to provide additional quality living areas within the City of Kennesaw. The use of the Property for the proposed community is ideal in light of the surrounding uses and the Property's limitations. Given the project is adjacent to the existing Walton Ridenour, there should be little to no impact on nearby properties and uses.

8/ 2nd
20

BK: 14975 PG: 949-954
Filed and Recorded Aug-24-2012 04:06:56PM
DOC#: D2012-087892
Real Estate Transfer Tax Paid $1,400.00
0332012020361

JAY C. STEPHENSON
CLERK OF SUPERIOR COURT Cobb Cty. GA.

Return Recorded Document to:
Busch, Slipakoff & Schuh, LLP
Attn: Timothy C. Raffa, Esq.
3330 Cumberland Boulevard, Suite 300
Atlanta, Georgia 30339
Telephone: (770) 790 -3550

SPECIAL WARRANTY DEED

STATE OF GEORGIA

COUNTY OF COBB

THIS INDENTURE, made the 15 day of August, 2012, by CORNERSTONE PROPERTIES II, LLC, a Georgia limited liability company ("Grantor"), and GRANITE FALLS STATION, LLC, a Georgia limited liability company ("Grantee"):

WITNESSETH

For and in consideration of the sum of Ten ($10.00) Dollars and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, Grantor has bargained, sold and do by these presents bargain, sell, convey and confirm to Grantee, its successors and assigns, all of Grantor right, title, interest, claim or demand in and to the property described on Exhibit "A" incorporated herein and made a part hereof together with all interests in land, estates, easements, rights, improvements, personal property, fixtures, equipment, furniture, furnishings, appliances, and appurtenances thereto or in anywise appertaining or belonging to the Property described on Exhibit "A" incorporated herein and made a part hereof (the "Property"), subject only to those matters set forth on Exhibit "B" attached hereto and by this reference made a part hereof.

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, their heirs and assigns, forever, in FEE SIMPLE.

AND THE SAID Grantor, heirs, executors and administrators, will warrant and forever defend the right and title to the above described property, unto the said Grantee, their heirs and assigns, against claims of all persons owning, holding or claiming by, through or under the said Grantor.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hands and seals, the day and year above written.

Signed, sealed and delivered in the presence of:

Certified, sworn to and subscribed before me this 15th day of August, 2012:

Unofficial Witness

Notary Public

My Commission Expires: August 21, 2012

(NOTARIAL SEAL)

SETH D TALLEY
Notary Public
Cherokee County
State of Georgia
My Commission Expires Aug 21, 2012

GRANTOR: CORNERSTONE PROPERTIES II, LLC, a Georgia limited liability company

By: THE RIDGEVILLE GROUP, LLC, a Georgia limited liability company;
Its: Manager

By:_____(SEAL)
Name: TERENCE SHEAHAN
Its: Member

and

By: NEMCHIK, LLC, a Georgia limited liability company
Its: Manager

By:_____(SEAL)
Name: GEORGE NEMCHIK
Its: Manager

Certified, sworn to & subscribed before me this 16th day of August, 2012.

Notary Public

Ashley Schmitt
Notary Public, Cobb County, GA
My Commission Expires July 16, 2016

EXHIBIT "A"

TRACT 1:

All that tract or parcel of land lying and being in land lot 212 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

Beginning at an iron pin set (#4 r/b) at the intersection of the Northern most mitre of Old Highway #41 (60 foot right-of-way) with the Southeasterly right-of-way of Barrett Parkway Extension (variable right-of-way) and running thence Northeasterly along the Southeasterly right-of-way of Barrett Parkway Ext. the following courses and distances: North 27 degrees 48 minutes 20 seconds East 29.54 feet to an iron pin set (#4 r/b); North 38 degrees 48 minutes 30 seconds East 45.64 feet to an iron pin set (#4 r/b); North 32 degrees 10 minutes 07 seconds East 39.05 feet to an iron pin set (#4 r/b); North 27 degrees 27 minutes 48 seconds East 38.61 feet to an iron pin set (#4 r/b); North 43 degrees 15 minutes 19 seconds East along the center line of Noon Day Creek 206.85 feet to an iron pin set (#4 r/b); North 28 degrees 59 minutes 45 seconds East 185.24 feet to an iron pin set #4 r/b); Northeasterly along said right-of-way an arc distance of 390.15 feet to an iron pin found (#4 r/b); (said are being subtended by a chord bearing North 63 degrees 21 minutes 21 seconds East 387.10 feet and having a radius of 900.42 feet); thence leaving said right-of-way and running thence South 79 degrees 04 minutes 48 seconds East 137.29 feet to an iron pin set #4 r/b); running thence South 72 degrees 35 minutes 33 seconds East 93.43 to an iron pin set (#4 r/b); running thence South 40 degrees 19 minutes 23 seconds East 21.19 feet to an iron pin set (#4 r/b); running thence South 25 degrees 1.0 minutes 57 seconds East 115.75 feet to an iron pin set (#4 r/b); running thence 01 degrees 31 minutes 11 seconds West 24.13 feet to an iron pin set (#4 r/b); running thence South 00 degrees 07 minutes 55 seconds West 54.78 feet to a point; running thence South 00 degrees 07 minutes 55 seconds West 21.22 feet to an iron pin found (#4 r/b); running thence South 43 degrees 19 minutes 43 seconds East 254.47 feet to an iron pin found; running thence South 68 degrees 51 minutes 57 seconds West 819.58 feet to an iron pin set; (#4 r/b); running thence South 44 degrees 04 minutes 54 seconds West 199.67 feet to an iron pin found (#4 r/b) on the Northeasterly right-of-way of Old Highway 441; running thence North 45 degrees 26 minutes 32 seconds West along the Northeasterly right-of-way of Old Highway #41 229.27 feet to an iron pin set (#4 r/b); running thence North 23 degrees 08 minutes 06 seconds West along the Northeasterly right-of-way of Old Highway #41 133.64 feet to an iron pin set at the point of beginning, being a Tract of 11.99 acres as shown on boundary and limited topographic survey for Cornerstone Properties II LLC by Southeast Engineering dated January 15, 2007.

LESS AND EXCEPT:

That certain 0.89 Acres, more or less, being in Land Lot 212, 20th District, 2nd Section, Cobb County, Georgia, and more fully described and referred to in that Limited Warranty Deed from Cornerstone Properties II, LLC, to Walton Ridenour, L.P., dated 05/21/2010, recorded 06/16/2010, in Deed Book 14778, Page 2249, Cobb County records.

and

TRACT 2:

All that tract or parcel of land lying and being in Land Lot 212 of the 20th District, Cobb county, Georgia and being more particularly described as follows:

To reach the TRUE POINT OF BEGINNING commence at a point being the mitered intersection, of the southerly right of way of Barrett Parkway (variable r/w-80.8 feet from centerline at this point) and the westerly right of way of Ridenour Boulevard (variable r/w -45 feet from centerline at this point); thence along said right of way of Ridenour Boulevard and running the following courses: south 14 degrees 54 minutes 00 seconds east a distance of 199.50 feet to a point; thence south 31 degrees 00 minutes 00 seconds west a distance of 24.94 feet to a point; thence south 30 degrees 32 minutes 28 seconds east a distance of 54.39; thence south 51 degrees 00 minutes 00 seconds east a distance of 25.91 feet to a point; thence north 78 degrees 53 minutes 57 seconds east a distance of 50.87 feet; thence north 35 degrees 00 minutes 00 seconds east a distance of 28.65 feet to a point; thence north 78 degrees 48 minutes 00 seconds east a distance of 83.61 feet to a point; thence along a curve to the left an arc distance of 120.83 feet (said curve having a radius of 500.70 feet; a chord distance of 120.54 feet and a chord bearing of north 72 degrees 31 minutes 50 seconds east) to a point; thence south 00 degrees 09 minutes 46 seconds west a distance of 858.91 feet to an iron pin found (1/2" rebar); thence south 00 degrees 06 minutes 27 seconds east a distance of 26.10 feet to a point; thence north 56 degrees 29 minutes 11 seconds west a distance of 160.48 feet to a point; thence along a curve to the right an arc length of 128.45 feet (said curve having a radius of 122.55 feet; a chord distance of 122.65 feet and a chord bearing of south 03 degrees 20 minutes 13 seconds west) to a point; thence south 32 degrees 53 minutes 26 seconds west a distance of 33.27 feet to a point; thence north 59 degrees 02 minutes 21 seconds west a distance of 219.32 feet to a point; thence north 42 degrees 02 minutes 34 seconds west a distance of 258.84 feet to a point; thence south 75 degrees 47 minutes 17 seconds west a distance of 206.53 feet to a point; thence south 47 degrees 57 minutes 26 seconds west a distance of 196.44 feet to a point; thence south 84 degrees 55 minutes 05 seconds west a distance of 57.38 feet to a point; thence south 19 degrees 40 minutes 19 seconds west a distance of 122.03 feet to a point; thence south 27 degrees 27 minutes 56 seconds east a distance of 50.27 feet to a point; thence south 53 degrees 17 minutes 47 seconds west a distance of 322.97 feet to an iron pin found (5/'8" rebar) on the northerly right of way of Old Highway No. 41 (60' r/w); thence along said right of way north 46 degrees 21 minutes 06 seconds west a distance of 136.19 feet to the TRUE POINT OF BEGINNING, from point thus established and continuing along said right of way the following courses north 46 degrees 21 minutes 06 seconds west a distance of 16.84 feet to a point; thence north 46 degrees 53 minutes 55 seconds west a distance of 142.53 feet to a point; thence north 47 degrees 24 minutes 46 seconds west a distance of 281.49 feet to a point; thence leaving said right of way north 42 degrees 40 minutes 12 seconds east a distance of 119.13 feet to a point; thence south 47 degrees 19 minutes 48 seconds east a distance of 38.66 feet to a point; thence north 86 degrees 07 minutes 17 seconds east a distance of 40.80 feet to a point; thence south 37 degrees 07 minutes 10 seconds east a distance of 55.34 feet to a point; thence south 19 degrees 40 minutes 45 seconds east, a distance of 137.03 feet to a point; thence south 01 degrees 00 minutes 59 seconds east, a distance of 57.65 feet to a point; thence south 46 degrees 53 minutes 55 seconds east a distance of 159.05 feet to a point; thence south 43 degrees 38 minutes 54 seconds west a distance of 33.43 feet to the point of beginning. Said property contains 0.84 acres more or less.

EXHIBIT "B"

1. Any mineral or mineral rights leased, granted or retained by current or prior owners.
2. Riparian rights incident to the property or premises.
3. Zoning laws, ordinances and regulations concerning the use, occupancy, possession and retention of captioned property.
4. That certain Commercial Deed to Secure Debt, Security Agreement and Assignment of Rents and Leases from Cornerstone Properties II, LLC, to Cobb Commercial Bank, dated 10/04/2007, recorded 10/05/2007, in Deed Book 14543, Page 3813, Cobb County records, in the original amount of $4,240,820.00; as Assigned to Crescent Bank at Deed Book 14748, Page 3683; as Assigned to Renasant Bank at Deed Book 14805, Page 1544 and 14807, Page 5674, aforesaid record.
5. That certain Assignment of Rents from Cornerstone Properties II, LLC, to Cobb Commercial Bank, dated 10/04/2007, recorded 10/05/2007, in Deed Book 14543, Page 3822, Cobb County records, in the original amount of $4,240,820.00; as Assigned to Crescent Bank at Deed Book 14748, Page 3683; as Assigned to Renasant Bank at Deed Book 14805, Page 1544 and 14807, Page 5674, aforesaid record.
6. That certain UCC Financing Statement between Cornerstone Properties II, LLC, and Cobb Commercial Bank, a division of Community Bank of West Georgia, recorded at Deed Book 14543, Page 3828, aforesaid records.
7. That certain UCC Financing Statement between Cornerstone Properties II, LLC, and Cobb Commercial Bank, a division of Community Bank of West Georgia, recorded at 033-2007-0947, Continued at 033-2012-003900, aforesaid records.
10. That certain UCC Financing Statement between Cornerstone Properties II, LLC, and Cobb Commercial Bank, a division of Community Bank of West Georgia, recorded at 033-2007-0948, Continued at 033-2012-003901, aforesaid records.
11. That certain Deed to Secure Debt from Cornerstone Properties II, LLC, to Crescent Bank & Trust Company, dated 12/01/2009, recorded 12/23/2009, in Deed Book 14744, Page 6086, in the original amount of $27,300.00, aforesaid records.
12. All matters shown on that plat of survey for Cornerstone Properties, II, LLC, by Engineering, Inc., dated August 9, 2010, recorded in Plat Book 271, Page 827, Cobb County records.
13. Easement for Right of Way from James H. Monti to Georgia Power Company dated May 30, 1968, recorded July 30, 1968, in Deed Book 1050, Page 299, Cobb County.
14. Easement from Cecilia H. Monti to Atlanta Gas Light Company dated July 30, 1986, recorded August 5, 1986, in Deed book 4059, Page 459, Cobb County records.
15. Easements contained in Right of Way Deed from Rita Monti Burke, Executrix under the Will of Cecilia Hertel Monti to Cobb County, Georgia, dated March 10, 1994, recorded March 31, 1994, in Deed Book 8149, Page 526, Cobb County records.
16. Sewer Easement from Rita Monti Burke, Executrix under the Will of Cecilia Hertel Monti to L. Barry Teague and Teague Investments, L.P., a Georgia limited partnership, dated January 22, 1998, recorded January 23, 1998, in Deed Book 10963, Page 190, Cobb County records.

17. Sewer Easement from Rita Monti Burke, Executrix under the Will of Cecilia Hertel Monti to Cobb County, dated December 20, 2002, recorded January 8, 2003, in Deed Book 13662, Page 3208, Cobb County records.
18. Grant of Easement for Sewer and Restrictive Covenant Agreement between L. Barry Teague and Teague Investments, L.P., to Sundial Corporation, dated 4/13/2004 recorded in Deed Book 13982, Page 2918, aforesaid record.[As to Tract II]
19. Grant of Sewer Easement to Cobb County by L. Barry Teague dated 12/4/2002, recorded in Deed Book 13662, Page 3206, aforesaid records.
20. Joinder and Grant of Easement of Sewer between L. Barry Teague and Teague Investments, L.P. and Cobb County dated 12/02/2002, recorded in Deed Book 13961, page 5815, aforesaid records.
21. Sewer Easement from Rita Monti Burke, Executrix under the Will of Cecilia Hertel Monti to Cobb County, dated September 13, 2005, recorded February 17, 2006, in Deed Book 14290, Page 4752, Cobb County records.
22. Encroachment Agreement for Easement between Cornerstone Properties II, LLC, and Georgia Power Company, recorded in Deed Book 14528, Page 1873, Cobb County records.
23. Right of Way Deed from Cornerstone Properties II, LLC, to Cobb County, recorded in Deed Book 14824, Page 3201, Aforesaid records.
24. Temporary Construction Easement from Cornerstone Properties II, LLC, to Cobb County, recorded in Deed Book 14824, Page 3209, aforesaid records.
25. Permanent Drainage Easement from Cornerstone Properties II, LLC, to Cobb County recorded in Deed Book 14824, Page 3216, aforesaid records.
26. Right of Way Deed from Cornerstone Properties II, LLC, to Cobb County, recorded in Deed Book 14824, Page 3223, aforesaid records.
27. Permanent Drainage Easement from Cornerstone Properties II, LLC, to Cobb County recorded in Deed Book 14824, Page 3226, aforesaid records.
28. Temporary Construction Easement for Slopes from Cornerstone Properties II, LLC, to Cobb County, recorded in Deed Book 14824, Page 3229, aforesaid records.
29. Temporary Driveway Easement from Cornerstone Properties II, LLC, to Cobb County, recorded in Deed Book 14824, Page 3232, aforesaid records.
30. Grant of Easements from Cornerstone Properties II, LLC, to Shoppes at Ridenhour, LLC, dated 05/31/2010, recorded 06/16/2010 in Deed Book 14778, Page 2204, aforesaid records.

Tract 1

All that tract or parcel of land lying and being in Land Lot 212 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

BEGINNING at the northerly most mitered intersection of the southeasterly Right of Way of Ernest W. Barrett Parkway (Variable R/W) and the northeasterly Right of Way of Old Highway #41 (Variable R/W); from point thus established and running along the southeasterly Right of Way of Ernest W. Barrett Parkway the following courses: North 26° 23' 39" East a distance of 29.54 feet to a point; thence North 37° 23' 49" East a distance of 45.64 feet to a point; thence North 30° 45' 26" East a distance of 39.05 feet to a point; thence North 26° 03' 07" East a distance of 38.61 feet to a point; thence North 41° 50' 38" East a distance of 206.85 feet to a point; thence North 27° 35' 04" East a distance of 185.24 feet to a point; thence running along a curve to the right an arc length of 390.14 feet, (said curve having a radius of 900.42 feet, with a chord bearing of North 61° 56' 40" East, and a chord length of 387.10 feet) to an iron pin set; thence leaving said Right of Way South 80° 38' 53" East a distance of 49.71 feet to an iron pin set; thence running along a curve to the left an arc length of 324.14 feet, (said curve having a radius of 870.61 feet, with a chord bearing of South 66° 30' 24" West, and a chord length of 322.28 feet)to an iron pin set; thence South 36° 10' 42" East a distance of 110.83 feet to an iron pin set; thence North 57° 49' 34" East a distance of 372.64 feet to an iron pin set; thence South 74° 00' 06" East a distance of 91.70 feet to an iron pin set; thence South 41° 43' 57" East a distance of 19.08 feet to an iron pin set; thence South 26° 35' 31" East a distance of 112.62 feet to an iron pin set; thence South 01° 16' 47" East a distance of 102.12 feet to an iron pin set; thence South 44° 44' 24" East a distance of 249.02 feet to an iron pin set; thence South 67° 27' 15" West a distance of 812.14 feet to an iron pin set; thence South 21° 58' 58" East a distance of 5.05 feet to an iron pin set; thence South 42° 40' 12" West a distance of 80.54 feet to an iron pin set; thence South 42° 40' 12" West a distance of 98.29 feet to an iron pin set on the aforementioned northeasterly Right of Way of Old Highway #41 (Variable R/W); thence running along said Right of Way the following courses: North 47° 08' 07" West a distance of 49.33 feet to an iron pin set; thence North 43° 22' 55" East a distance of 14.98 feet to a Right of Way Monument; thence North 45° 25' 25" West a distance of 11.13 feet to a Right of Way Monument; thence South 39° 48' 21" West a distance of 15.34 feet to an iron pin set; thence North 47° 08' 07" West a distance of 217.11 feet to an iron pin set; thence along a miter North 24° 32' 39" West a distance of 82.30 feet to the TRUE POINT OF BEGINNING. Said tract contains 10.753 Acres (468,391 Square Feet).

Tract 2

All that tract or parcel of land lying and being in Land Lot 212 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

To Reach the TRUE POINT OF BEGINNING, commence at the northerly most mitered intersection of the southeasterly Right of Way of Ernest W. Barrett Parkway (Variable R/W) and the northeasterly Right of Way of Old Highway #41 (Variable R/W); thence running along said miter South 24° 32' 39" East a distance of 94.99 feet to a point; thence running along the northeasterly Right of Way of Old Highway #41 the following courses: South 46° 55' 56" East a distance of 205.69 feet to a point; thence North 39° 48' 21" East a distance of 0.89 feet to a Right of Way monument; thence North 39° 48' 21" East a distance of 20.07 feet to a Right of Way monument; thence South 45° 25' 25" East a distance of 11.13 feet to a Right of Way monument; thence South 43° 22' 55" West a distance of 19.62 feet to a Right of Way monument; thence South 43° 22' 55" West a distance of 1.00 feet to a point; thence South 46° 55' 56" East a distance of 49.40 feet to an iron pin set and the TRUE POINT OF BEGINNING; from point thus established and leaving said Right of Way North 42° 40' 12" East a distance of 104.10 feet to an iron pin set; thence South 47° 19' 48" East a distance of 38.66 feet to an iron pin set; thence North 86° 07' 17" East a distance of 40.80 feet to an iron pin set; thence South 37° 07' 10" East a distance of 55.34 feet to an iron pin set; thence South 19° 40' 45" East a distance of 137.03 feet to an iron pin set; thence South 01° 00' 59" East a distance of 57.65 feet to an iron pin set; thence South 46° 53' 55" East a distance of 159.05 feet to an iron pin set; thence South 43° 39' 50" West a distance of 33.42 feet to an iron pin set on the aforementioned northeasterly Right of Way of Old Highway #41; thence running along said Right of Way the following courses: North 48° 08' 55" West a distance of 20.10 feet to a point; thence North 34° 28' 42" West a distance of 68.85 feet to a point; thence North 47° 13' 34" West a distance of 88.14 feet to a point; thence North 42° 46' 26" East a distance of 10.00 feet to a point; thence North 47° 13' 34" West a distance of 100.00 feet to a point; thence South 42° 46' 26" West a distance of 10.00 feet to a point; thence North 47° 06' 59" West a distance of 165.49 feet to the TRUE POINT OF BEGINNING. Said tract contains 0.691 Acres (30,098 Square Feet).

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

2025
Property Tax Bill

Parcel ID	Tax District	Bill #
20021201560	3/3-BOND - KENNESAW CITY	301570

Property Owner/Location/Description	Fair Market Value	Taxable Value
GRANITE FALLS STATION LLC OLD 41 HWY	12,370	4,948

Levies	Taxable Value	-	Exemptions	=	Net Assessment	X	Tax Rate	=	Net Tax
CITY OF KENNESAW	4,948		0		4,948		7.7500000000		$38.35
BOND	4,948		0		4,948		1.4000000000		$6.93

Exemptions:

Printed December 2025 | Settled Value Bill: You are receiving this bill due to the finalization of your appeal.

For properties under appeal with Cobb County, an initial temporary bill was issued based on 85% of the estimated tax value due 12/1/2025. Now that your appeal has been finalized, this bill reflects the full amount due for 2025.

If your taxes are paid through escrow, please forward the attached bill to your mortgage company for prompt processing.

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

Current Year Tax	$45.28
Interest	$0.00
Penalty	$0.00
Other Fees	$0.00
Payments Received	$45.28
Other Amounts Due	$0.00
Total Due	$0.00
Due Date	12/01/2025

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:	20021201560
Amount Due:	$0.00
Bill#:	301570
Due Date:	12/01/2025
	AMOUNT PAID

GRANITE FALLS STATION LLC
4963 TYNE RIDGE CT
NASHVILLE, TN 37220

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

City of Kennesaw
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KENNESAW, GA 30144-2780
(770) 429-4542

2025
Property Tax Bill

Parcel ID	Tax District	Bill #
20021200130	3/3-BOND - KENNESAW CITY	289076

Property Owner/Location/Description	Fair Market Value	Taxable Value
GRANITE FALLS STATION LLC OLD 41 HWY	1,730,930	692,372

Levies	Taxable Value	- Exemptions	= Net Assessment	X Tax Rate	= Net Tax
CITY OF KENNESAW	692,372	0	692,372	7.7500000000	$5,365.88
BOND	692,372	0	692,372	1.4000000000	$969.32

Exemptions:

Printed December 2, 2025 | Settled Value Bill: You are receiving this bill due to the finalization of your appeal.

For properties under appeal with Cobb County, an initial temporary bill was issued based on 85% of the estimated tax value due 12/1/2025. Now that your appeal has been finalized, this bill reflects the full amount due for 2025.

If your taxes are paid through escrow, please forward the attached bill to your mortgage company for prompt processing.

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

Current Year Tax	$6,335.20
Interest	$0.00
Penalty	$0.00
Other Fees	$0.00
Payments Received	$6,335.20
Other Amounts Due	$0.00
Total Due	$0.00
Due Date	12/01/2025

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:	20021200130
Amount Due:	$0.00
Bill#:	289076
Due Date:	12/01/2025
	AMOUNT PAID

GRANITE FALLS STATION LLC
4963 TYNE RIDGE CT
NASHVILLE, TN 37220

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

Printed: 12/18/2025

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:
THOMAS BROWN

GRANITE FALLS STATION LLC

Payment Date: 10/12/2025

Tax Year	Parcel ID	Due Date		Appeal Amount		Taxes Due
2025	20021201560	10/15/2025	**Pay:**	N/A	or	$0.00

Interest	Penalty	Fees	Total Due	Amount Paid	Balance
$0.00	$0.00	$0.00	$0.00	$149.09	**$0.00**

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

Printed: 12/3/2025

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:
THOMAS BROWN

GRANITE FALLS STATION LLC

Payment Date: 10/12/2025

Tax Year	Parcel ID	Due Date		Appeal Amount		Taxes Due
2025	20021200130	10/15/2025	**Pay:**	N/A	or	$0.00

Interest	Penalty	Fees	Total Due	Amount Paid	Balance
$0.00	$0.00	$0.00	$0.00	$20,861.17	**$0.00**

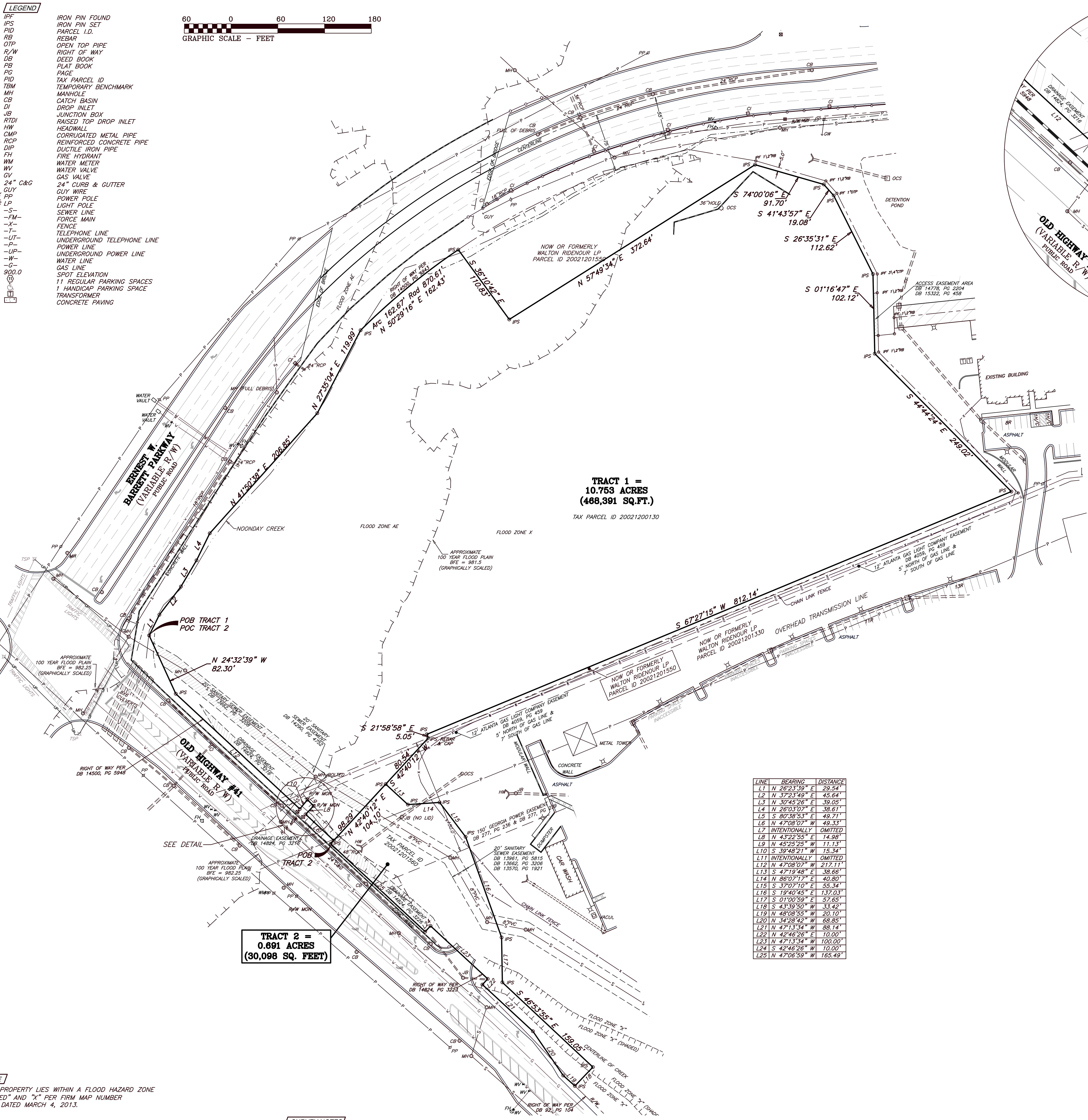
Scan this code with your mobile phone to view this billl!

ALTA/NSPS LAND TITLE SURVEY FOR WALTON COMMUNITIES, LLC,

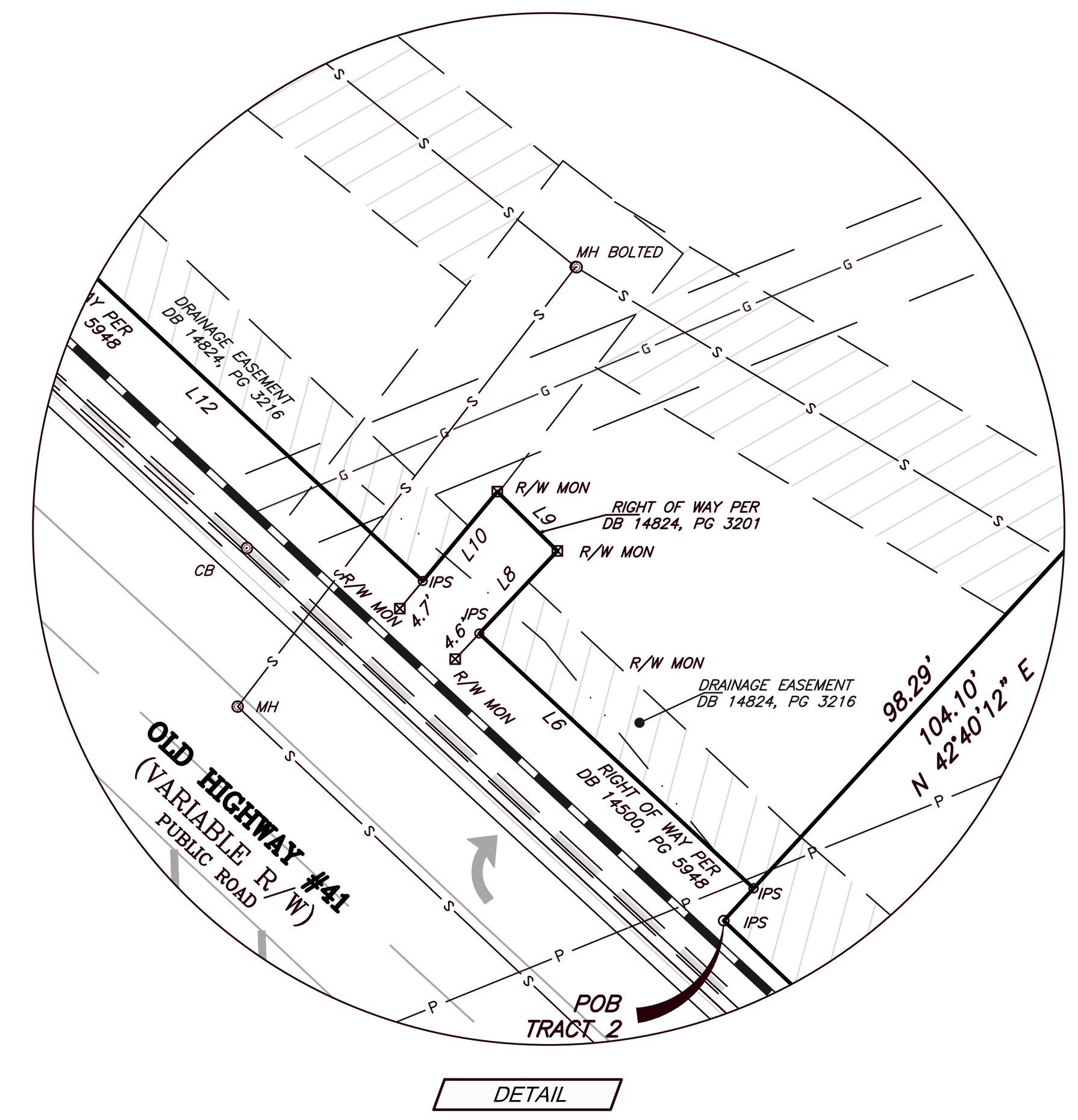
LAND LOT 212 20TH DISTRICT 2ND SECTION
CITY OF KENNESAW, COBB COUNTY, GEORGIA

LEGEND

IPF	IRON PIN FOUND
IPS	IRON PIN SET
PID	PARCEL I.D.
RB	REBAR
OTP	OPEN TOP PIPE
R/W	RIGHT OF WAY
DB	DEED BOOK
PB	PLAT BOOK
PG	PAGE
PID	TAX PARCEL ID
TBM	TEMPORARY BENCHMARK
MH	MANHOLE
CB	CATCH BASIN
DI	DROP INLET
JB	JUNCTION BOX
RTDI	RAISED TOP DROP INLET
HW	HEADWALL
CMP	CORRUGATED METAL PIPE
RCP	REINFORCED CONCRETE PIPE
DIP	DUCTILE IRON PIPE
FH	FIRE HYDRANT
WM	WATER METER
WV	WATER VALVE
GV	GAS VALVE
24" C&G	24" CURB & GUTTER
GUY	GUY WIRE
PP	POWER POLE
LP	LIGHT POLE
-S-	SEWER LINE
-FM-	FORCE MAIN
-X-	FENCE
-T-	TELEPHONE LINE
-UT-	UNDERGROUND TELEPHONE LINE
-P-	POWER LINE
-UP-	UNDERGROUND POWER LINE
-W-	WATER LINE
-G-	GAS LINE
900.0	SPOT ELEVATION
(11)	11 REGULAR PARKING SPACES
	1 HANDICAP PARKING SPACE
T	TRANSFORMER
	CONCRETE PAVING



LINE	BEARING	DISTANCE
L1	N 26°23'39" E	29.54'
L2	N 37°23'49" E	45.64'
L3	N 30°45'26" E	39.05'
L4	N 26°03'07" E	38.61'
L5	S 80°38'53" E	49.71'
L6	N 47°08'07" W	49.33'
L7	INTENTIONALLY	OMITTED
L8	N 43°22'55" E	14.98'
L9	N 45°25'25" W	11.13'
L10	S 39°48'21" W	15.34'
L11	INTENTIONALLY	OMITTED
L12	N 47°08'07" W	217.11'
L13	S 47°19'48" E	38.66'
L14	N 86°07'17" E	40.80'
L15	S 37°07'10" E	55.34'
L16	S 19°40'45" E	137.03'
L17	S 01°00'59" E	57.65'
L18	S 43°39'50" W	33.42'
L19	N 48°08'55" W	20.10'
L20	N 34°28'42" W	68.85'
L21	N 47°13'34" W	88.14'
L22	N 42°46'26" E	10.00'
L23	N 47°13'34" W	100.00'
L24	S 42°46'26" W	10.00'
L25	N 47°06'59" W	165.49'



DETAIL
NOT TO SCALE

VICINITY MAP



FLOOD NOTE

THE SUBJECT PROPERTY LIES WITHIN A FLOOD HAZARD ZONE "AE", "X SHADED" AND "X" PER FIRM MAP NUMBER 13067C0101H DATED MARCH 4, 2013.

CONFORMITY STATEMENT

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

CLOSURE STATEMENT

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN ____178,748______FEET AND AN ANGULAR ERROR OF _0.16"PER ANGLE AND WAS ADJUSTED USING THE COMPASS RULE.

A _____LEICA TS12_____TOTAL STATION AND AN__CARLSON__DATA COLLECTOR WERE USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN _____180,238_______ FEET.

SURVEY NOTES

1. NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS
2. NO KNOWN PROPOSED CHANGES IN STREET RIGHT OF WAY LINES. NO OBSERVED EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
3. NO BUILDINGS WERE OBSERVED IN THE PROCESS OF CONDUCTING THE FIELD WORK ON THE SUBJECT PROPERTY.
4. NO STRIPED PARKING WAS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELD WORK ON THE SUBJECT PROPERTY.
5. THE SUBJECT PROPERTY SHOWN AND DESCRIBED HEREON IS THE SAME PROPERTY AS DESCRIBED IN OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT FOR TITLE INSURANCE, FILE NO. GA25010688, WITH A COMMITMENT EFFECTIVE DATE OF OCTOBER 24, 2025 AND LAST REVISED DECEMBER 16, 2025.

ZONING NOTE

THE SUBJECT PROPERTY IS ZONED GC (GENERAL COMMERCIAL)

PARCEL ID

20021200130

LEGAL DESCRIPTION

Tract 1

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EXCEPTIONS IN TITLE COMMITMENT

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
FILE NUMBER: GA25010688
COMMITMENT EFFECTIVE DATE: OCTOBER 24, 2025

13. Easement for Right-of-Way from James H. Monti to Georgia Power Company, dated May 30, 1968, filed July 31, 1968 and recorded in Deed Book 1050, Page 299, records of the Superior Court of Cobb County, Georgia. **(Does affect subject property, not plottable)**
14. Easement from Cecilia H. Monti to Atlanta Gas Light Company, dated July 30, 1986, filed August 5, 1986 and recorded in Deed Book 4059, Page 459, aforesaid records. **(Does affect subject property as Shown Hereon)**
15. Right-of-Way Deed from Rita Monti Burke, Executrix under the Will of Cecilia Hertel Monti to Cobb County, Georgia, dated March 10, 1994, filed March 31, 1994 and recorded in Deed Book 8149, Page 526, aforesaid records. **(May or May not affect, insufficient metes and bounds)**
16. Easement (Sewer) from Rita Monti Burke, as Executrix under the Last Will and Testament of Cecilia Hertel Monti, deceased to L. Barry Teague and Teague Investments, L.P., a Georgia limited partnership, dated January 22, 1998, filed January 23, 1998 and recorded in Deed Book 10962, Page 190, aforesaid records. **(Does affect subject property, Not Plottable)**
17. Grant of Easement Sewer from Barry L. Teague to Cobb County, a political subdivision of the State of Georgia, dated December 4, 2002, filed January 8, 2003 and recorded in Deed Book 13662, Page 3206, aforesaid records. **(Does affect subject property, as shown hereon)**
18. Grant of Easement Sewer from Cecelia Hertel Monti to Cobb County, a political subdivision of the State of Georgia, dated December 20, 2002, filed January 8, 2003 and recorded in Deed Book 13662, Page 3208, aforesaid records. **(Does affect subject property, as shown hereon)**
19. Intentionally Omitted
20. Intentionally Omitted
21. Grant of Easement Sewer from The Estate of Cecelia H. Monti to Cobb County, a political subdivision of the State of Georgia, dated September 13, 2005, filed February 17, 2006 and recorded in Deed Book 14290, Page 4752, aforesaid records. **(Does affect subject property, as shown hereon)**
22. Encroachment Agreement for Easement from Cornerstone Properties II, LLC to Georgia Power Company, dated July 19, 2007, filed August 22, 2007 and recorded in Deed Book 14528, Page 1873, aforesaid records. **(Does affect subject property, not plottable. No evidence of construction of proposed improvements)**
23. Grant of Easements from Cornerstone Properties II, LLC, a Georgia limited liability company to Shoppes at Ridenour, LLC, a Georgia limited liability company, dated May 31, 2010, filed June 16, 2010 and recorded in Deed Book 14778, Page 2204, aforesaid records; as amended by First Amendment to Grant Easement to Correct Scrivener's Error by and between Walton Ridenour, L.P., a Georgia limited partnership and Teague Investments, L.P., a Georgia limited partnership, filed March 23, 2016 and recorded in Deed Book 15322, Page 458, aforesaid records. **(Does affect subject property, as shown hereon)**
24. Easements as contained within that certain Limited Warranty Deed from Walton Ridenour, L.P., a Georgia limited partnership to Cornerstone Properties II, LLC, a Georgia limited liability company, dated May 31, 2010, filed June 16, 2010 and recorded in Deed Book 14778, Page 2254, aforesaid records. **(Does affect subject property, not plottable)**
25. Intentionally Omitted
26. Intentionally Omitted
27. Permanent Drainage Easement from Cornerstone Properties II, LLC to Cobb County, Georgia, dated December 28, 2010, filed December 30, 2010 and recorded in Deed Book 14824, Page 3216, aforesaid records. **(Does affect subject property, as shown hereon)**
28. Right-of-Way Deed from Cornerstone Properties II, LLC, a Georgia limited liability company to Cobb County, Georgia, dated December 28, 2010, filed December 30, 2010 and recorded in Deed Book 14824, Page 3223, aforesaid records. **(Does affect subject property, as shown hereon)**
29. Permanent Drainage Easement from Cornerstone Properties II, LLC, a Georgia limited liability company to Cobb County, Georgia, dated December 28, 2010, filed December 30, 2010 and recorded in Deed Book 14824, Page 3226, aforesaid records. **(Does affect subject property, as shown hereon)**
30. Intentionally Omitted
31. Intentionally Omitted
32. Intentionally Omitted

SURVEYOR'S CERTIFICATION

To **Walton Communities, LLC, a Georgia limited liability company & Old Republic National Title Insurance Company:**

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items _1, 2, 3, 4, 6(a), 7(a), 7(b)(1), 8, 9, 11(a), 13, 16, 17, 18 & 19_ of Table A thereof. The fieldwork was completed on _December 3, 2025_.

DRAFT
By aakin@tss-atl.com at 12:10:11 PM, 12/16/2025

___________ ________________
Aubrey J. Akin, R.L.S. #3138

December 3, 2025
Date of Plat

TSS
TECHNICAL SURVEY SERVICES, INC.
1641 Autumn Blvd, SW
Conyers, Georgia 30012
(770) 922-6391 Office
www.tss-atl.com

No	Date	Revision
1	12/16/2025	REVISED TO REFLECT R/W TAKES AND UPDATED TITLE

Orig Bndy: 06/17/2022
Field Date: 12/3/2025
Plat Date: 12/3/2025
Scale: 1" = 60'

1
SHEET 1 OF 1

JOB #: 2004-011
CRD: RIDENOUR
DWG: RIDENOUR PH 2
LSV: KAYSOCAL

Monday, December 15, 2025 3:33:13 PM

SITE DATA SUMMARY TABLE:

ACREAGE:
11.684 ACRES

EXISTING ZONING :
GENERAL COMMERCIAL [GC]

PROPOSED ZONING:
RM-16

PROPOSED DENSITY:
182 APARTMENT UNITS

PROPOSED PARKING:
1.5 SPACES PER UNIT -
273 TOTAL SURFACE SPACES

PROPOSED SETBACKS:
50 FOOT FRONT YARD
35 FOOT SIDE YARD
40 FOOT REAR YARD

182 MULTI-FAMILY
UNITS- 3 & 4 STORIES
273 PARKING SPACES

SITE PLAN #2

SITE PLAN DIM. CTL.

WALTON RIDENOUR PHASE 2

Kennesaw, Georgia

ARRIVE ARCHITECTURE GROUP
Architecture
Planning
Project Management
2344 Highway 121 · Suite 100 · Bedford, Texas 76021 · www.ArriveAG.com
Ph 817.514.0584 · Fx 817.514.0694

SEAL

REVISION

DRAWN BY: AAG	CHECKED BY: JMT
PLOT DATE: 12/15/2025	REV. DATE:
SUBMITTAL DATE: 2025	PROJECT NUMBER:
ISSUED FOR: CONCEPT	SHEET NO.
SCALE: AS NOTED	

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--- SITE PLAN DIM. CTL.
\\aag-san1\AAG1\Projects\Walton\Walton Ridenhour - Old 41 Phase 2\Pre-Design\Architecture\Walton Ridenour Phase 2 Site Plan.dwg


ARRIVE
ARCHITECTURE GROUP

ATTACHMENT TO REZONING APPLICATION

Application No.: _____
Hearing Dates: **February 4, 2026**
February 16, 2026

BEFORE THE PLANNING COMMISSION AND THE MAYOR AND CITY COUNCIL FOR THE CITY OF KENNESAW, GEORGIA

CONSTITUTIONAL CHALLENGE
ATTACHMENT TO REZONING APPLICATION

COME NOW, Applicant, WALTON COMMUNITIES, LLC (hereinafter referred to as "Applicant"), and Titleholder, GRANITE FALLS STATION, LLC (hereinafter referred to as "Titleholder"), and assert the following:

1.

By Rezoning Application dated and filed December 19, 2025, Applicant and Titleholder applied for rezoning of certain real property, being approximately 11.684 acres, more or less, lying and being located within the City of Kennesaw, Cobb County, Georgia, a more particular description and delineation of the subject property being set forth in said Application (hereinafter referred to as the "Property" or the "Subject Property").

2.

The Rezoning Application of the Property seeks rezoning from the existing zoning categories of General Commercial ("GC") and RM-12 to the proposed zoning category of RM-16, as established by the governing authority of the City of Kennesaw, Georgia, under and pursuant to The Unified Development Code City of Kennesaw, Georgia (hereinafter the "Unified Development Code of the City of Kennesaw" or, alternatively, "Ordinance").

3.

With respect to the Property within the GC zoning classification, Applicant and Titleholder do contend the Unified Development Code of the City of Kennesaw is

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A Limited Liability Partnership
Emerson Overlook
326 Roswell Street
Suite 100
Marietta, GA 30060
(770) 429-1499
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unconstitutional as applied to the Subject Property in that said Ordinance does not permit the Applicant and Titleholder to utilize the Property to the highest and best use set forth within the Rezoning Application without the necessity of rezoning. However, Applicant and Titleholder do not contend the current zoning category of GC is unconstitutional, per se, only as applied. Thus, the Unified Development Code of the City of Kennesaw deprives Applicant and Titleholder of their Property under and pursuant to Art. I, § I, ¶¶ I and II of the Georgia Constitution of 1983, and the Equal Protection and Due Process Clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States of America. This deprivation of Property without due process violates the constitutional prohibition against the taking of private property without just compensation. Also violated are the Applicant's and Titleholder's rights to unfettered use of their Property, as stated above, in that said zoning classifications do not bear a substantial relation to the public health, safety, morality, or general welfare and are, therefore, confiscatory and void. Further, said Ordinance is unconstitutional in that it is arbitrary and unreasonable resulting in relatively little gain or benefit to the public, while inflicting serious injury and loss on the Applicant and Titleholder.

4.

With respect to the remainder of the Property within the RM-12 zoning classification, the Unified Development Code of the City of Kennesaw is unconstitutional as applied to the Property in that said Ordinance deprives the Applicant and Titleholder of their Property under and pursuant to Art. I, § I, ¶¶ I and II of the Georgia Constitution of 1983, and the Equal Protection and Due Process Clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States of America. This deprivation of Property without due process violates the constitutional prohibition against the taking of private property without just compensation. The RM-12 zoning category, as it presently exists, together with any

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intervening zoning categories between the existing RM-12 category and the requested RM-16 category, violates the Applicant's and Titleholder's rights to unfettered use of their property in that said zoning classifications do not bear a substantial relation to the public health, safety, morality, or general welfare and are therefore confiscatory and void. Further, said Ordinance is unconstitutional in that it is arbitrary and unreasonable resulting in relatively little gain or benefit to the public, while inflicting serious injury and loss on the Applicant and Titleholder.

5.

To the extent the Unified Development Code of the City of Kennesaw allows or permits the Mayor and City Council to rezone the Subject Property to any category other than as requested, said Ordinance is further unconstitutional in that same violates the Applicant's and Titleholder's constitutionally guaranteed rights to due process, both substantive and procedural. Furthermore, any such action by the Mayor and City Council, or as allowed by the Unified Development Code of the City of Kennesaw, is an unconstitutional use of the zoning power and would constitute an abuse of discretion with no justification or benefit flowing to the public welfare. Accordingly, said Ordinance or action would likewise represent a taking of private property rights without the payment of just and adequate compensation in violation of the Constitutions of the State of Georgia and the United States of America.

6.

The Unified Development Code of the City of Kennesaw is further unconstitutional in that the procedures contained therein pertaining to the public hearing held in connection with the Rezoning Application also violate Art. I, § I, ¶¶ I, II, and XII of the Georgia Constitution of 1983 in that said procedures impose unreasonable time restraints, contain the absence of rebuttal, contain the inability to confront witnesses, contain the lack of procedural and

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evidentiary safeguards, do not restrict evidence received to the issue at hand and are controlled wholly and solely by political considerations rather than the facts and considerations required by law. These procedures fail to comport with the due process requirements of the Constitution of the State of Georgia 1983 and the due process requirements of the Constitution of the United States of America.

Respectfully submitted, this 19th day of December, 2025.

MOORE INGRAM JOHNSON & STEELE, LLP

BY: _____
J. Kevin Moore
Georgia Bar No. 519728

Attorneys for Applicant and Titleholder

MOORE INGRAM
JOHNSON & STEELE
A Limited Liability Partnership
Emerson Overlook
326 Roswell Street
Suite 100
Marietta, GA 30060
(770) 429-1499
FAX (770) 429-8631

CERTIFICATION AUTHORIZATION

I hereby attest to the fact that a certified mailing to property owners within 200 feet was sent out on January 15, 2026 in accordance with the application requirements.

MOORE INGRAM JOHNSON & STEELE, LLP

January 23, 2026

Date

BY: _____

~~Applicant~~ Authorized Agent
J. Kevin Moore; GA Bar No. 519728
Attorneys for Applicant and Property Owner

Sworn and subscribed before me this 23rd day of January 2026

Carolyn E. Cook

Notary Public

My Commission Expires January 10, 2027

CAROLYN E COOK NOTARY PUBLIC EXP. JAN. 10, 2027 COBB COUNTY, GA

MOORE INGRAM JOHNSON & STEELE, LLP

Attorneys at Law
326 Roswell Street, Suite 100
Marietta, Georgia 30060
(770) 429-1499

January 15, 2026

RE: NOTIFICATION OF NEARBY ZONING APPLICATION
Property: 1600 Old 41 Highway, Kennesaw, Georgia 30144
Parcel ID Nos.: 20021200130; 20021201560

To Whom It May Concern:

This correspondence is to formally notify you that the City of Kennesaw Planning and Zoning Department has received a Rezoning Application for two parcels of land within two hundred (200) feet of our property. As a nearby property owner, you have the right to be informed of potential zoning changes.

The Application details are as follows:

Applicant:	Walton Communities, LLC
Applicant's Representative:	J. Kevin Moore, Esq., Moore Ingram Johnson & Steele, LLP (770) 429-1499 – jkm@mijs.com
Property:	1600 Old 41 Highway, Kennesaw, Georgia 30144
Parcel Identification Numbers:	20021200130; 20021201560
Description of Proposal:	Request to rezone from General Commercial (GC) and RM-12, Multiple Family District to RM-16, Multiple Family District, to develop a multi-family residential community

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

Planning Commission Meeting
Date: February 4, 2026
Time: 6:30 p.m.

Mayor and City Council Hearing
Date: February 16, 2026
Time: 6:30 p.m.

Both meetings occur in the City Hall Council Chambers located at 2529 J.O. Stephenson Avenue, Kennesaw, Georgia 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 Mayor and City Council.

Very truly yours,

MOORE INGRAM JOHNSON & STEELE, LLP

J. Kevin Moore
Attorneys for Applicant and Property Owner

Enclosures



CASE NUMBER		LAND USE OR ZONING FROM	TO
AV	LU		
AX	RZ 2026-001	GC & RM-12	RM-16
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

1600 Old 41 Hwy

Land Lot 212, Tax Parcels 13 & 156

Subject Property

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

Derek Easterling MAYOR
Lea Mowry CITY CLERK

Scale: 1" = 246'
Print Date: 12/29/2025
RZ2026_001

REZONING APPLICATION

Date Received _____
Staff's Initials _____

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.

Date of Consultation 11/05/2025 Staff's Initials _____

REZONING PROPERTY ADDRESS Old 41 Highway (unassigned)

Land Lot 212 Tax Parcel 20021200130 Lot Size 11.684±
20021201560

Resident Population 0 Housing Units 0 Other Buildings 0

Zoning Request from:

Present Zoning GC, RM-12 To: RM-16

For the purpose of: Multi-Family Residential

APPLICANT EMAIL [redacted]

Applicant Address 2281 Akers Mill Road, S.E., Building 4100, Atlanta, GA 30339

(Phone #) [redacted]

Applicant Signature Walton Communities, LLC BY: Matthew L. Teague, Director of New Development Date December 17, 2025

Signed, sealed and delivered in presence of: _____ Notary December 17th, 2025 Date

REPRESENTIVE Moore Ingram Johnson & Steele, LLP - J. Kevin Moore

(Fax #) [redacted] (World#) [redacted] (Cell#) [redacted]

Representative Signature BY: _____ J. Kevin Moore; GA Bar No. 519728; Attorneys for Applicant and Titleholder Date December 18, 2025

Signed, sealed and delivered in presence of: _____ Notary Commission Expires 01-10-2027 December 18, 2025 Date

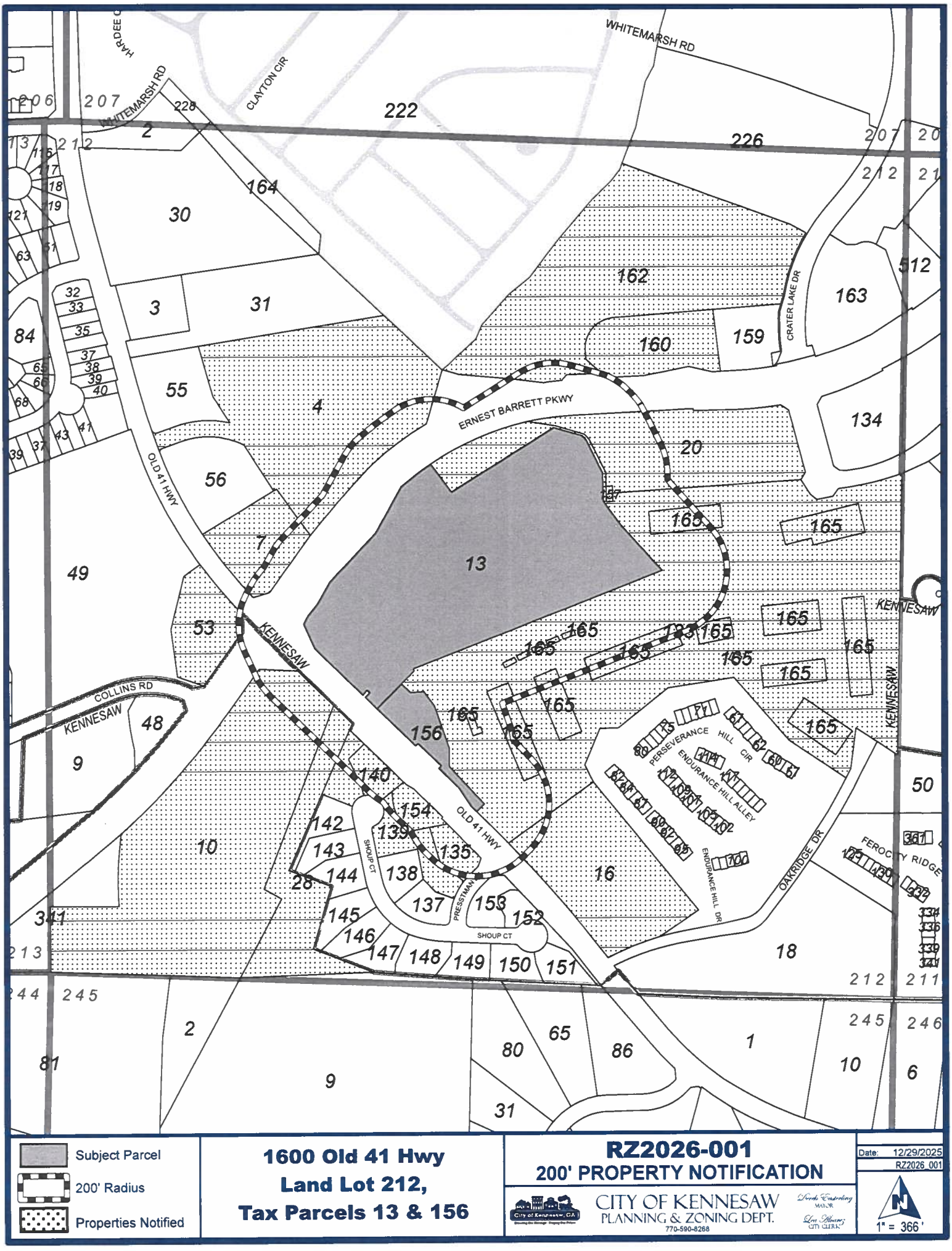
TITLEHOLDER: Granite Falls Station LLC (Phone #) [redacted]

Signature: BY: _____ Thomas J Brown, Sole Member Address 4963 Tyne Ridge Court, Nashville, TN 37220

Signed, sealed and delivered in presence of: _____ Notary December 16th, 2025 Date

Z\P&Z FORMS\Applications 2025

Page 3



Subject Parcel

200' Radius

Properties Notified

1600 Old 41 Hwy
Land Lot 212,
Tax Parcels 13 & 156

RZ2026-001
200' PROPERTY NOTIFICATION

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

Derek Easterling, MAYOR
Lisa Williams, CITY CLERK

Date: 12/29/2025
RZ2026_001

1" = 366'

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ORDER CONFIRMATION

Salesperson: ROSE MILLER — Printed at 01/14/26 14:09 by rmill-tj

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

Start: 01/16/2026 — Stop: 01/16/2026
Times Ord: 1 — Times Run: ***
LEG 1.00 X 2.95 Words: 200
Total LEG 2.95
Class: 8003 PUBLIC HEARING
Rate: LEGL — Cost: 30.00
Ad Descrpt: PH-9234 MISC2026-01
Descr Cont: MDJ-9234 GPN-16 CITY OF K
Given by: REBECCA GOLDSTEIN
P.O. #: MISC2026-01
Created: rmill 01/14/26 14:07
Last Changed: rmill 01/14/26 14:09

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

PUB	ZONE	EDT	TP	RUN DATES
MDJ	A	95	S	01/16

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-9234
GPN-16
CITY OF KENNESAW
PUBLIC NOTICE

Notice is hereby given that the City of Kennesaw shall hold public hearings to give consideration for a rezoning request submitted by Walton Communities, LLC. Said request is to rezone two (2) parcels located at 1600 Old 41 Hwy (20021200130 & 20021201560) from General Commercial (GC) and RM-12, Multiple-Family District to RM-16, Multiple-Family District to develop a multi-family residential community consisting of one hundred eighty-two (182) dwelling units. The parcels lie in Land Lot 212, Tax Parcels 13 & 156 of the 20th District, 2nd Section, Cobb County Georgia.

Said meetings shall be held before the Planning Commission on February 4, 2026, at 6:30 p.m. with a final scheduled hearing and adoption by the Mayor and Council to be considered on February 16, 2026, at 6:30 p.m. Meetings will be held in the Kennesaw City Council Chambers, 2529 J.O. Stephenson Avenue, Kennesaw, GA. 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/**

1:16-2026


45
CITY OF KENNESAW
LAND USE NOTICE
APPLICATION # RZ2026-01
PURPOSE Rezone from General Commercial (GC) and RM-12, Multiple Family District to RM-16, Multiple Family District to develop a multi-family residential community.
DATE OF PUBLIC MEETING: 2/4/2026 TIME: 6:30PM
DATE OF PUBLIC MEETING: 2/16/2026 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
01.16.2026 13:48

CITY OF KENNESAW
LAND USE NOTICE

APPLICATION # RZ2026-01

PURPOSE Rezone from General Commercial (GC) and RM-12, Multiple Family District to RM-16, Multiple Family District to develop a multi-family residential community.

DATE OF PUBLIC MEETING: 2/4/2026 TIME: 6:30PM

DATE OF PUBLIC MEETING: 2/16/2026 TIME: 6:30PM

PLACE: CITY HALL KENNESAW, GA

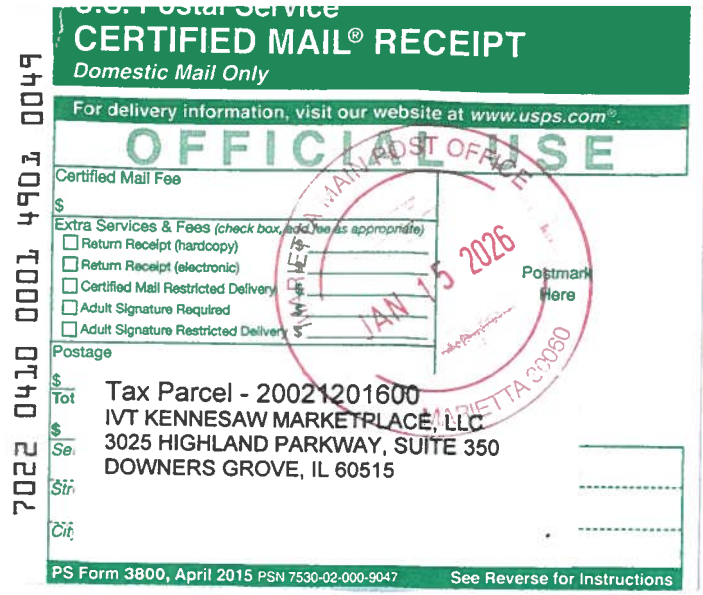
Due to the priority for public health and safety, the City of Kennesaw will implement a public meeting protocol / system for community participation in compliance to social distancing protocol. For specific public meeting guidelines and access to all application information please visit our website

HTTP://WWW.KENNESAW-GA.GOV

FOR FURTHER INFORMATION PLEASE CALL :

PLANNING AND ZONING DEPARTMENT 770-590-8268

01.16.2026 13:45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IVT KENNESAW MARKETPLACE, LLC
3025 HIGHLAND PARKWAY, SUITE 350
DOWNERS GROVE, IL 60515
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WALTON AT KENNESAW MOUNTAIN, LLC
2281 AKERS MILL ROAD, BLDG 4100
ATLANTA,GA 30339
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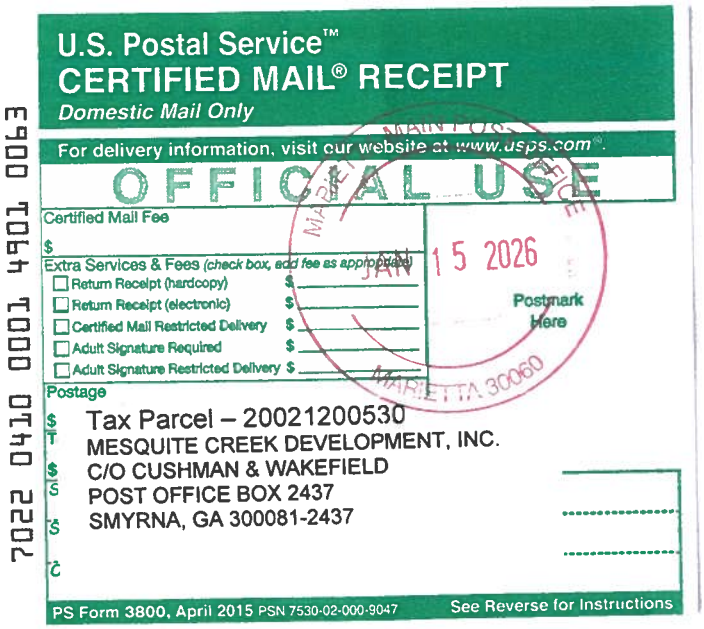
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C/O CUSHMAN & WAKEFIELD
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GRANITE FALLS STATION, LLC
4963 TYNE RIDGE COURT
NASHVILLE, TN 37220
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817 W. STADIUM BOULEVARD
JEFFERSON CITY, MO 65109
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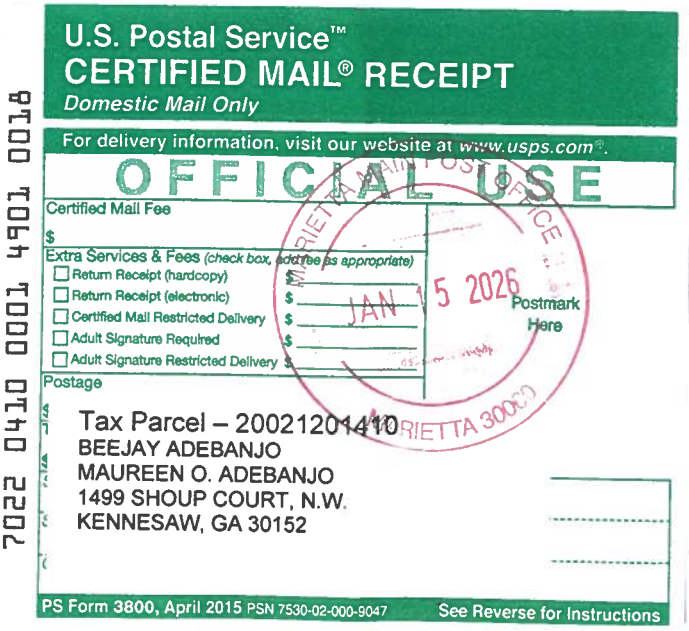
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MAUREEN O. ADEBANJO
1499 SHOUP COURT, N.W.
KENNESAW, GA 30152
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CARLY R. DAUGHRITY
1498 SHOUP COURT, N.W.
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KRISTA MILDENHALL
1444 PRESSTMAN LANE, N.W.
KENNESAW GA 30152

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1680 OLD 41 HIGHWAY, LLC
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ATLANTA, GA 31139

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9589 0710 5270 0464 3893 73

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SMYRNA, GA 30080

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MARIETTA 30060

Tax Parcel – 20021201620
CRP GREP OVERTURE BARRETT OWNER, LLC
465 MEETING STREET, SUITE 500
CHARLESTON, SC 29403

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MARIETTA 30060

Tax Parcel – 20021200200
FAIRWAY RIDENOUR, LLC
SUITE 210
728 SHADES CREEK PARKWAY
BIRMINGHAM, AL 35223

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions


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Tax Parcel – 20021201360
SENAD & VERINA CAJIC
1446 PRESSTMAN LANE
KENNESAW, GA 30152
PS Form 3800, January 2023 PSN 7530-02-000-9047
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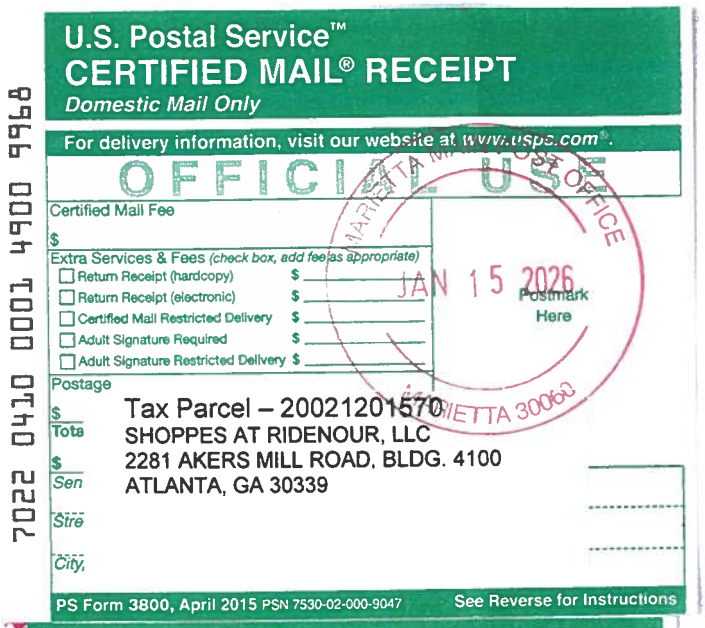
Tax Parcel – 20021201400
GLORIA A. DOWNEY
1500 SHOUP COURT
KENNESAW, GA 30152
PS Form 3800, January 2023 PSN 7530-02-000-9047
See Reverse for Instructions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MARIETTA 30060
Tax Parcel – 20021201570
SHOPPES AT RIDENOUR, LLC
2281 AKERS MILL ROAD, BLDG. 4100
ATLANTA, GA 30339
PS Form 3800, April 2015 PSN 7530-02-000-9047
See Reverse for Instructions


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MARIETTA MAIN POST OFFICE
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Postmark Here
MARIETTA 30060
Tax Parcel - 20021201650
WALTON RIDENOUR 2, LP
2281 AKERS MILL ROAD
ATLANTA, GA 30339
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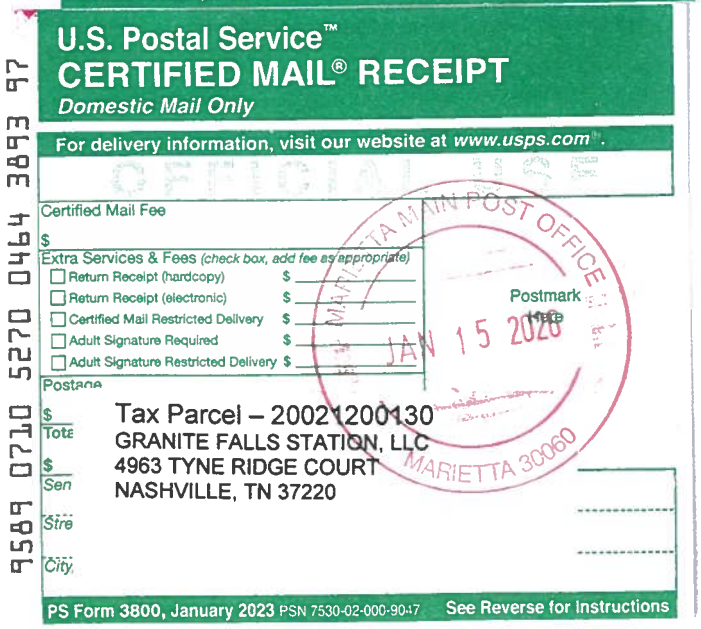
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MARIETTA MAIN POST OFFICE
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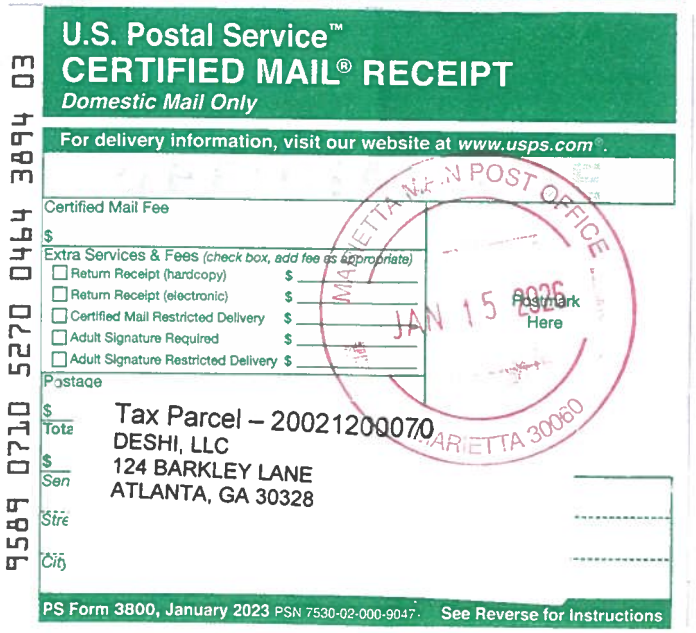
MARIETTA 30060
Tax Parcel – 20021200130
GRANITE FALLS STATION, LLC
4963 TYNE RIDGE COURT
NASHVILLE, TN 37220
PS Form 3800, January 2023 PSN 7530-02-000-9047
See Reverse for Instructions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JAN 15 2026
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MARIETTA 30060
Tax Parcel – 20021200070
DESHI, LLC
124 BARKLEY LANE
ATLANTA, GA 30328
PS Form 3800, January 2023 PSN 7530-02-000-9047
See Reverse for Instructions

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

MARIETTA, GEORGIA
EMERSON OVERLOOK
326 ROSWELL STREET
SUITE 100
MARIETTA, GEORGIA 30060
TELEPHONE (770) 429-1499

KNOXVILLE, TENNESSEE
408 N. CEDAR BLUFF ROAD
SUITE 500
KNOXVILLE, TENNESSEE 37923
TELEPHONE (865) 692-9039

JACKSONVILLE, FLORIDA
10201 CENTURION PARKWAY N.
SUITE 401
JACKSONVILLE, FLORIDA 32256
TELEPHONE (904) 428-1465

BRENTWOOD, TENNESSEE
12 CADILLAC DRIVE
SUITE 200
BRENTWOOD, TENNESSEE 37027
TELEPHONE (615) 425-7347

LEXINGTON, KENTUCKY
2408 SIR BARTON WAY
SUITE 375
LEXINGTON, KENTUCKY 40509
TELEPHONE (859) 309-0026

ORLANDO, FLORIDA
1000 LEGION PLACE
SUITE 701
ORLANDO, FLORIDA 32801
TELEPHONE (407) 367-6233

HARRISBURG, PENNSYLVANIA
101 ERFORD ROAD
SUITE 300
CAMP HILL, PENNSYLVANIA 17011
TELEPHONE (717) 790-2854

FAIRFIELD, NEW JERSEY
165 PASSAIC AVENUE
SUITE 205
FAIRFIELD, NEW JERSEY 07004
TELEPHONE 201-602-4082

January 23, 2026

Via E-mail Only to ccampbell@kennesaw-ga.gov

Ms. Chanelle Campbell
Director of Planning and Zoning
City of Kennesaw, Georgia
3080 Moon Station Road
Kennesaw, Georgia 30144

RE: Application for Rezoning

Application No.:	RZ2026-01
Applicant:	Walton Communities, LLC
Property Owner:	Granite Falls Station, LLC
Property:	11.684 acres, more or less, located at the intersection of the northeasterly side of Old 41 Highway and the southeasterly side of Barrett Parkway, being more particularly identified as Cobb County Tax Parcel Nos. 20021200130 and 20021201560, Land Lot 212, 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia

Dear Chanelle:

Please accept this correspondence as the request of Applicant and Owner in the above-referenced Rezoning Application to table the pending Application from the February 2026 hearing agendas before the Planning Commission Hearing and the Mayor and City Council Work Session and Hearing Agenda to the respective agenda dates in March 2026. As we discussed, a parking variance is now required to be submitted and advertised in conjunction with the proposed rezoning and development. The postponement of the hearings until the March 2026 agendas will allow time for the Variance Application to be filed with your office and properly advertised along with the rezoning request.

As always, we appreciate your professional courtesy in the handling of any application and would very much appreciate the opportunity to continue our work to produce a development that achieves the goals of all parties involved.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP

J. Kevin Moore

JKM:cc
c: Walton Communities, LLC
(Via E-mail Only)

DIRECTOR OF PLANNING & ZONING
CHANELLE CAMPBELL

COMMUNITY DEVELOPMENT
Planning and Zoning

2529 J.O. Stephenson Avenue
Kennesaw, GA 30144

MAYOR AND COUNCIL
FEBRUARY 16, 2026

PLANNING COMMISSION
FEBRUARY 4, 2026

LEGAL ADVERTISEMENTS
JANUARY 16, 2026

PUBLIC NOTICE SIGN
JANUARY 16, 2026

APPLICATION SUBMITTED
DECEMBER 19, 2025

CONTACT US

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

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-02

Property Addresses
2995 & 2997 N Main St

Applicant
Dean Klein

Representative
N/A

Property Owner
Dean Klein

Current Zoning
Right of Way (ROW)

Future Land Use Category
N/A

Project Request: Rezone property from unassigned Right of Way (ROW) fronting 2995 and 2997 N Main Street to R-15, Single Family Residential.



Aerial view of subject property

PROPERTY DETAILS

Within 1/2 mi from Unincorporated Cobb Co: No
Historic District: Yes
Cemetery: No **Floodplain:** No **Stream:** No
Parcel ID #: 20013900130 & 20013900140
Land Lot #: 139 **Tax Parcel #:** 13 & 14
Acres: 0.11 +/-

RECOMMENDATION

Staff Recommendation:
Approval the rezoning application

Please see page 12 for basis for recommendation.

ADJACENT PROPERTY DETAILS

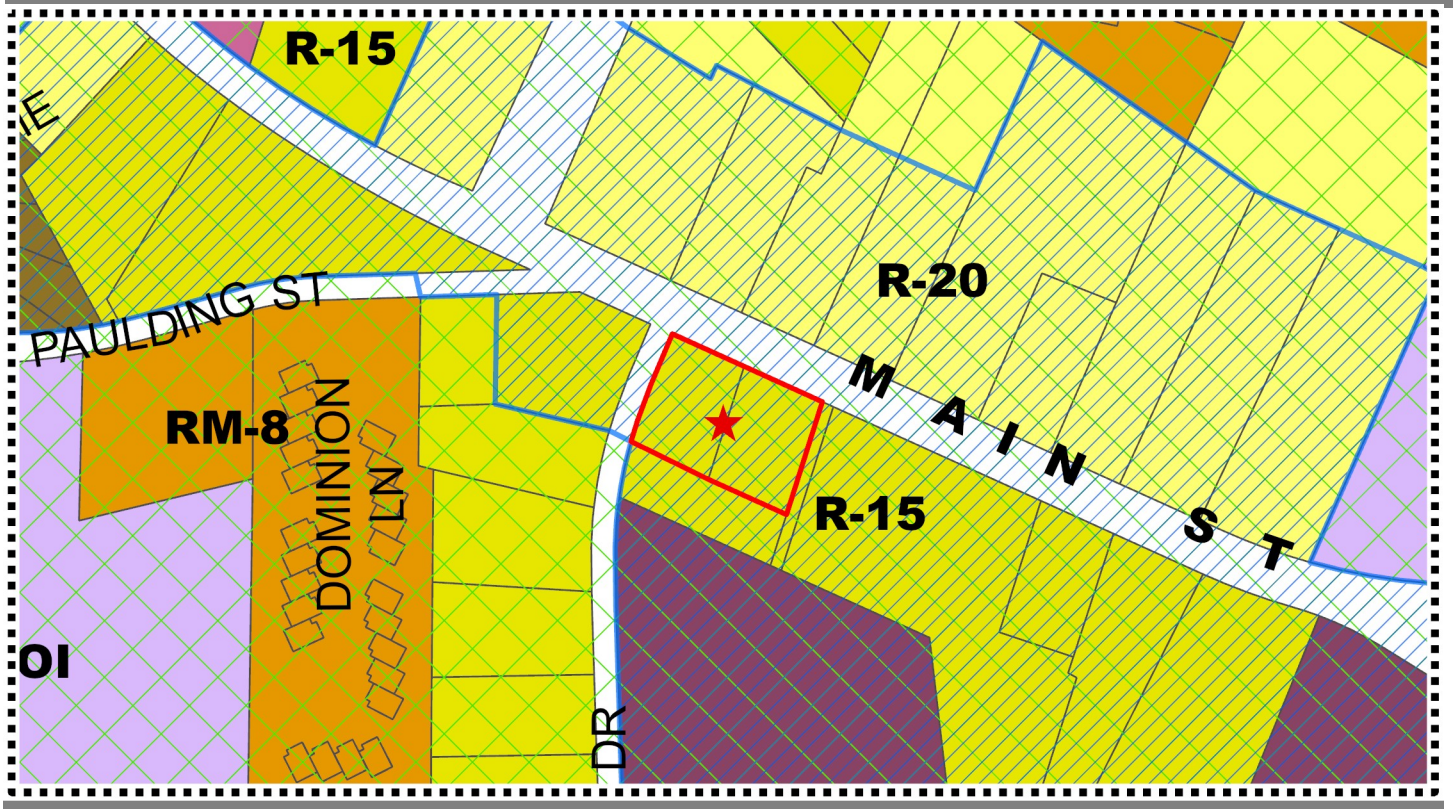
Surrounding Zoning Dist. and Future Land Use

North: N Main St
Zoning: R-20, Single Family Residential
Future Land Use: Residential Low/Medium (RL)
South: No Street
Zoning: R-15, Single Family Residential
Future Land Use: Residential Low/Medium (RL)
East: No Street
Zoning: R-15, Single Family Residential
Future Land Use: Residential Low/Medium (RL)
West: No Street
Zoning: R-15, Single Family Residential
Future Land Use: Residential Low (RL)

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-02

ZONING MAP



LEGEND

Zoning Districts

CBD	HI	OI	R-12	RA-5
CRC	LI	PBSH	R-15	RA-6
FST	MHP	PSC	R-20	RM-8
GC	NRC	PUD-R	R-30	RM-12
HGB	NS	PVC	R-40	RM-16
		R-10	RA-4	UVC

Form Based Code

- Open Space
- T-3
- T-4L
- T-4O
- T-5

Zoning Overlays

- Airport Hazard District
- Conservation Subdivision
- Historic Districts
- Historic Preservation Village
- Senior Living

The subject parcels are currently zoned R-15, Single Family Residential, and are surrounded by established single family neighborhoods on three sides. Properties to the west and east share the same R-15 zoning designation, while the parcels to the north are zoned R-20, Single Family Residential, representing a slightly lower density residential pattern. To the south, the adjoining properties are zoned Central Business District (CBD), creating a natural transition from traditional residential uses to a more intensive mixed-use environment that blends commercial, retail, and residential activities.

In addition, the subject parcels are located within the Historic District, specifically the Norh Main Street historic district which emphasizes the early road patterns, “old wagon roads,” and the architectural styling which reflects economic and cultural trends that influenced the community over the last century.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-02

EXISTING SITE CONDITIONS - 2995 N Main St





STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-02

EXISTING SITE CONDITIONS - 2997 N Main St





STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01

DESCRIPTION OF ZONING REQUEST: **REZONING**

REZONING:
The applicant is requesting to rezone approximately 0.11 +/- acres of unassigned Right-of-Way (ROW) fronting 2995 and 2997 N Main Street to R-15, Single Family Residential. The purpose of the request is to incorporate the ROW area into the adjoining residential parcels, thereby expanding the existing lots and bringing them into a more consistent configuration for future use and maintenance.

APPLICATION DETAILS

Pre-Application Meeting
November 14, 2025

Application Submitted
December 19, 2025

Fees Paid
$375.00 (Rezoning)

Certified Letters Mailed
January 12, 2026

UNIFIED DEVELOPMENT CODE

Section 2.01.03.04 - Lot size, setback and building height requirements for developments within the R-15, Single Family Residential

Purpose and intent. The R-15 single-family residential district is intended to provide suitable areas for single-family, detached dwellings at medium densities as defined by the City of Kennesaw Comprehensive Land Use Plan, and as may be amended from time to time, with access to both public water and sewerage.

Minimum lot size:	15,000 sq. ft. The Zoning Administrator shall not be authorize a recommend a variance for more than 25 percent of the minimum lot size.
Minimum floor area:	1,400 sq. ft.
Minimum lot width at front setback line:	75 ft.; cul-de-sac, 60 ft.
Minimum public road frontage:	75 ft.; cul-de-sac, 50 ft.
Maximum cover:	35%
Maximum building height:	35 ft.
Minimum building setbacks:	(a) Front yard as measured from arterial: 40 feet (b) Front yard as measured from collector: 40 feet (c) Front yard as measured from local: 35 feet (d) Side yard (aka minor side yard): 10 feet (e) Rear yard: 30 feet (f) Major side: 25 feet

PROPOSED SITE PLAN

ZONING CASE #: RZ2026-01

RESERVED FOR THE CLERK OF COURTS

LEGEND AND SYMBOLS USED

- IPF - Iron Pin Found
- IPS - Iron Pin Set (1/2" Capped Rebar)
- RBF - Rebar Found
- OTF - Open Top Pipe Found
- CTF - Crimped Top Pipe Found
- MON - Monument Found
- CMF - Concrete Monument Found
- CP - Calculated Point
- PP - Power Pole
- LP - Light Pole
- PED - Utility Pedestal
- FH - Fire Hydrant
- WM - Water Meter
- WV - Water Valve
- GM - Gas Meter
- SMH - Sewer Manhole
- CB - Catch Basin
- DI - Drop Inlet
- C/O - Cleanout
- PBX - Power Box
- Deciduous Tree
- Coniferous Tree
- CMP - Corrugated Metal Pipe
- RCP - Reinforced Concrete Pipe
- R/W - Right of Way
- N/F - Now or Formerly
- DB, PG - Deed Book and Page
- PB, PG - Plat Book and Page
- POB - Point of Beginning
- P = PLAT
- D =DEED
- M = MEASURED

SURVEYOR'S NOTES:

1. The field data upon which this plat is based has a relative positional accuracy of 0.02 feet.

2. This plat has been calculated for closure and has a mathematical error of 1: 300,000+.

3. Field angles and measurements acquired for the production of this plat were obtained on 10/15/25 using a Leica TCRP 1203 Total Station.

4. This plat was prepared without benefit of a current title examination. Easements or other encumbrances may exist which are not shown hereon. All matters pertaining to title are excepted.

5. No provisions have been made to secure the delineation of any wetlands, historical, or cultural features that may exist on this property.

6. Information regarding the reputed presence, size, character, and location of existing underground utilities and structures is shown hereon. There is no certainty of the accuracy of this information and it shall be considered in that light by those using this drawing. The location and arrangement of underground utilities and structures shown hereon may be inaccurate and utilities and structures not shown may be encountered. The owner, his employees, his consultants, his contractors and/or his agents shall hereby distinctly understand that the surveyor is not responsible for the correctness or sufficiency of this information shown hereon as to such underground installations.

7. The certification, as shown hereon, is purely a statement of professional opinion based on knowledge, information and belief; and based on existing field evidence and documentary evidence available. The certification is not an expressed or implied warranty or guarantee.

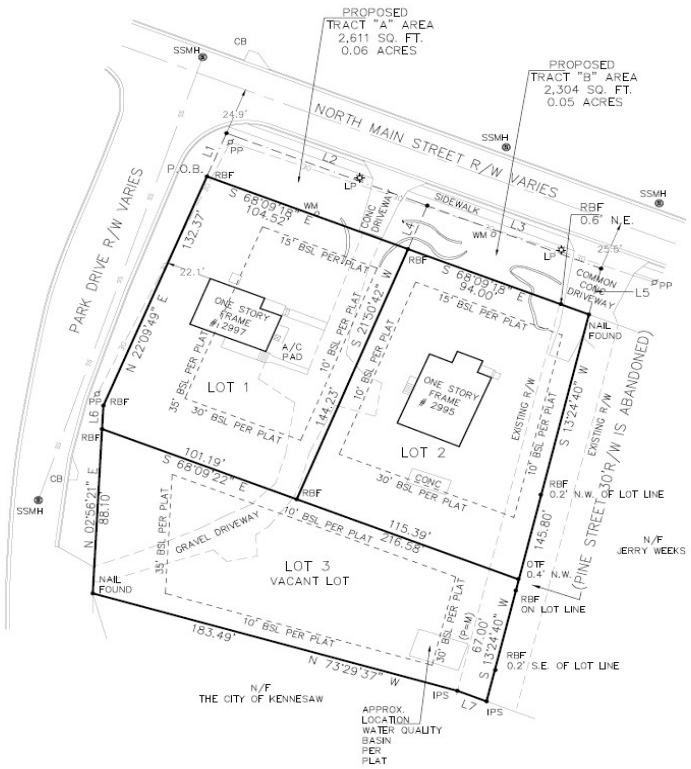
SURVEYOR'S CERTIFICATION

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. 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.

John C.Groves, Jr, RLS 3237

GEORGIA REGISTERED No. 3237 PROFESSIONAL LAND SURVEYOR JOHN C. GROVES JR.

LINE	BEARING	LENGTH
L1	N 22°09'49" E	24.95'
L2	S 68°09'18" E	104.52'
L3	S 68°09'18" E	94.00'
L4	S 21°50'42" W	25.00'
L5	S 13°24'40" W	25.27'
L6	N 02°56'21" E	12.54'
L7	N 68°10'09" W	13.17'



SURVEY BASED LEGAL DESCRIPTIONS

2995 NORTH MAIN ST

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 139 OF THE 20TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A #4 REBAR FOUND AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY OF PARK DRIVE WITH THE PROPOSED SOUTHERN RIGHT OF WAY OF NORTH MAIN STREET; THENCE RUNNING ALONG THE PROPOSED SOUTHERN RIGHT OF WAY OF NORTH MAIN STREET SOUTH 68 DEGREES 09 MINUTES 18 SECONDS EAST 104,52' TO A #4 REABR FOUND AT THE POINT OF BEGINNING; THENCE RUNNING NORTH 21 DEGREES 50 MINUTES 42 SECONDS EAST 25,00' TO A POINT; THENCE RUNNING SOUTH 68 DEGREES 09 MINUTES 18 SECONDS EAST 90.29' TO APOINT; THENCE RUNNING SOUTH 13 DEGREES 24 MINUTES 40 SECONDS WEST 25,27' TO A NAIL FOUND ON THE PROPOSED SOUTHERN RIGHT OF WAY OF NORTH MAIN STREET; THENCE RUNNING ALONG SAID PROPOSED RIGHT OF WAY NORTH 68 DEGREES 09 MINUTES 18 SECONDS WEST 94,00' TO THE #4 REBAR FOUND AT THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OR PARCEL OF LAND CONTAINS 0,05 ACRES.

2997 NORTH MAIN STREET

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 139 OF THE 20TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A #4 REBAR FOUND AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY OF PARK DRIVE WITH THE PROPOSED SOUTHERN RIGHT OF WAY OF NORTH MAIN STREET; THENCE RUNNING NORTH 22 DEGREES 09 MINUTES 49 SECONDS EAST 25.00' TO A POINT; THENCE RUNNING SOUTH 68 DEGREES 09 MINUTES 18 SECONDS EAST 104,38' TO A POINT; THENCE RUNNING SOUTH 21 DEGREES 50 MINUTES 42 SECONDS WEST 25,27' TO A #4 REBAR FOUND ON THE PROPOSED SOUTHERN RIGHT OF WAY OF NORTH MAIN STREET; THENCE RUNNING ALONG SAID PROPOSED RIGHT OF WAY NORTH 09 MINUTES 18 SECONDS WEST 104,52' TO THE #4 REBAR FOUND AT THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OR PARCEL OF LAND CONTAINS 0,06 ACRES.

LOT 1 AREA
15,108 SQ. FT.
0.35 ACRES

LOT 2 AREA
15,100 SQ. FT.
0.35 ACRES

LOT 3 AREA
15,554 SQ. FT.
0.36 ACRES

0 40 80 120

FOOTHILLS LAND SURVEYING
3380 TRICKUM ROAD
BUILDING 300
WOODSTOCK, GA 30188
(678) 533-8637
www.foothillslandsurveying.com
GA LSF #1152

BOUNDARY SURVEY PREPARED FOR
DEAN KLEIN
MARY KLEIN

ROCHWALSKYS CORNER
LOCATED IN LAND LOT 139
20TH DISTRICT, 2ND SECTION
COBB COUNTY, GEORGIA

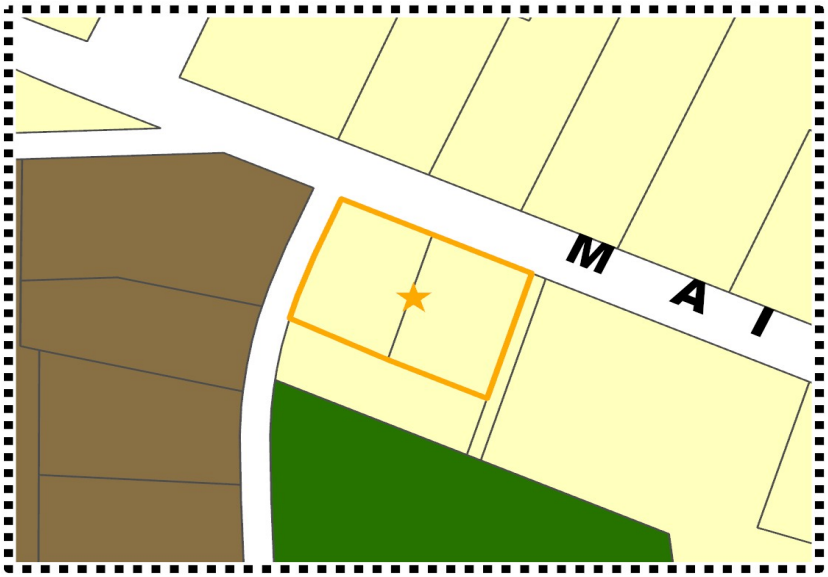
DATE: 10/20/25
SCALE: 1"=40'
DRAWING: 25-305
COORD:
REVISIONS:

SHEET #: 1 of 1

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01

FUTURE LAND USE CATEGORY



LEGEND

Future Land Use

- CAC - Community Activity Center
- DAC - Downtown Activity Center
- I - Industrial
- NAC - Neighborhood Activity Center
- PI - Public Service/Institutional
- PRC - Park/Recreation/Conservation
- PUD - Planned Unit Development
- RAC - Regional Activity Center
- RH - Residential High
- RL - Residential Low/Medium
- TCU - Transportation Communication Utilities

RL - RESIDENTIAL LOW/MEDIUM

These 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 the surrounding development.

Recommendations:

- Density: 1-4 units per acre
- internal amenities
- Walkable; Connectivity to adjacent parcels
- Conservation of natural resources
- Percentage of housing dedicated to being affordable*

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

FUTURE LAND USE ANALYSIS

The Comprehensive Plan designates the subject property as Residential Low/Medium, a land use category intended to accommodate traditional single-family dwelling units. This designation supports neighborhoods characterized by lower density residential development, reinforcing a stable, predictable pattern of detached housing. The classification also reflects the community's long-term vision for maintaining compatible residential character while allowing for modest infill opportunities that align with surrounding development patterns.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01

TRANSPORTATION DATA:

AERIAL OF ROAD #1



ROAD #1

Roadway Name
North Main Street

Roadway Classification
Arterials

Speed Limit
25 MPH

Minimum Width of Right-of -Way requirement
100-feet

AERIAL OF ROAD #2

ROAD #2

Roadway Name

Roadway Classification

Speed Limit

Minimum Width of Right-of-Way requirement

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01

ENVIRONMENTAL

Floodplain:
___ Yes
✓ No
___ Not Verified

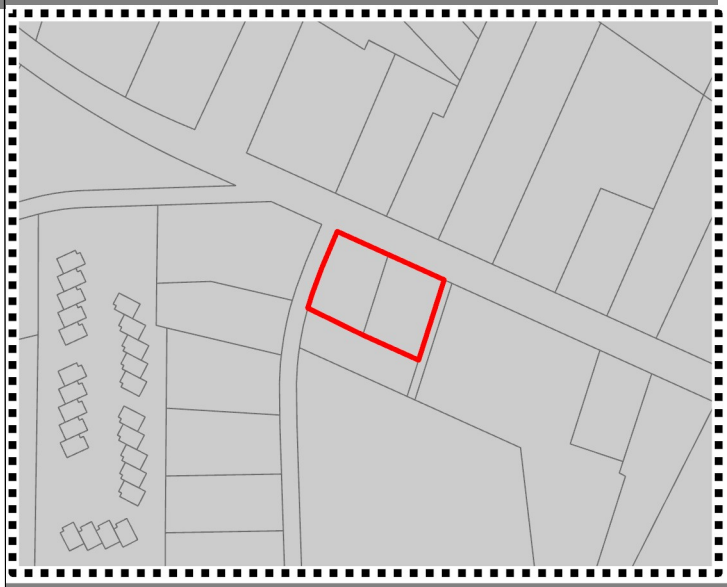
Wetlands:
___ Yes
✓ No
___ Not Verified

Drainage Basin:
___ None
___ FEMA 100-year floodplain area
___ Flood Damage Prevention Ordinance[1]
___ Project subject to Cobb County Damage Prevention Requirements
___ Dam Breach Zone (Upstream)[2]
___ Owner/Developer is responsible for obtaining any required wetland permits from the United States Army Corps of Engineers

Streams and Creeks:
___ Metropolitan River Protection Area[3]
___ Chattahoochee River Corridor Tributary Area[4]
___ Georgia Erosion-Sediment Control Law and County Ordinance[5]
___ Georgia DNR Variance for work being done in 25-foot stream bank buffers (may be required)
___ City Stream Buffer Required
___ No Stream Buffer Required

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

FEMA FLOOD ZONE MAP



LEGEND

Special Flood Hazard Areas

2018 Flood Zones

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

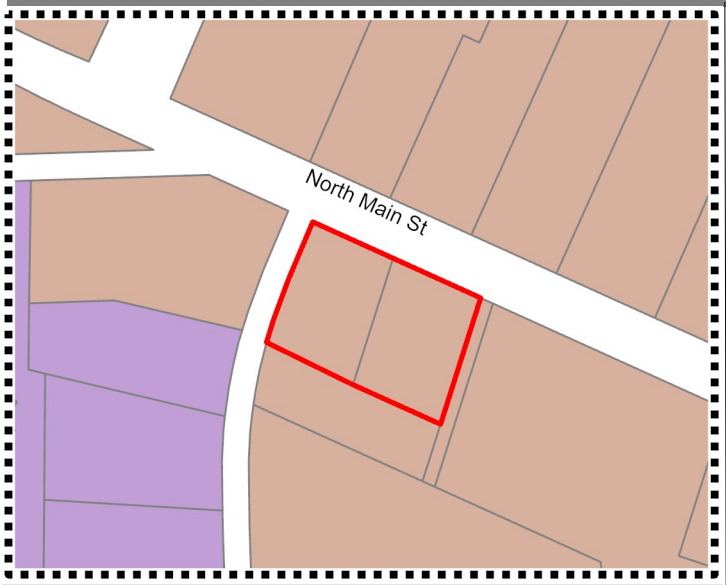
ADDITIONAL COMMENTS REGARDING PROJECT:

- Developer may be required to install/upgrade water mains based on fire flow test results or Fire Department code. This will be resolved in the plan review process.
- Developer will be responsible for connecting to the existing County water and sewer systems, installing and/or upgrading all outfalls and water mains and obtaining on and/or off site easements, dedication of on and/or off site water and sewer to Cobb County, as may be required. Rezoning does not guarantee water/ sewer availability/capacity unless so stated in writing by the Cobb County Water System. Permit issuances subject to continued treatment plant compliance with EPD discharge requirements.
- Applicant will be responsible to meet all City of Kennesaw Development & Zoning Ordinance Standards, State, County and applicable Federal regulations as part of the plan review approval process. All conceptual representations submitted with the application and acted on by Mayor and Council does not relieve applicant and property owners from meeting all development standards.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01

AREA DESIGNATION



LEGEND

Kennesaw Areas

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

HISTORIC CENTRAL BUSINESS DISTRICT

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

AREA DESIGNATION ANALYSIS

The site is located within the historic central business district. According to the Area Policy Matrix in the Comprehensive Plan, development within this area should maintain adequate building and landscaping setbacks that promote safety and market visibility that encourages comparable architectural styles that maintain the regional character. The request would align the zoning designation of the ROW with the surrounding residential pattern and support the continued stability of the neighborhood.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01

PLANNING AND ZONING

Site Visit:
___ Yes
_✓_ No

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

Land Use Recommendation:
Residential development is a compatible use

Historic Preservation:
Located in the historic district

Cemetery Preservation:
No cemeteries on site

DEPARTMENT COMMENTS

Engineering: No Comments

Public Works: No Comments

Building Services: No Comments

Cobb County Fire: None provided

Cobb County Water: None provided

ZONING ADMINISTRATOR'S RECOMMENDATION: **APPROVAL**

Planning and Zoning staff recommends to **approval** of the rezoning request.

BASIS FOR PLANNING AND ZONING'S RECOMMENDATION:

In 2025, the Mayor and Council approved the sale of the right-of-way fronting the properties located at 2995 and 2997 N Main Street. This action authorized the transfer of the unused ROW area to the adjoining property owners, allowing the land to be incorporated into the existing residential parcels and better aligned with current and future land-use needs.

The proposed rezoning and lot expansion are administrative in nature and do not alter the use, intensity, or function of the surrounding properties. The request is consistent with the established residential pattern and does not introduce any changes that would impact adjacent parcels or modify the existing neighborhood character. For these reasons, staff recommends approval of the request to rezone.

PLANNING COMMISSION RECOMMENDATION:

To be determined on February 4, 2026

MAYOR AND COUNCIL DECISION:

To be determined on February 16, 2026

City of Kennesaw, GA

REZONING APPLICATION

Date Received 12/19/25
Staff's Initials CMC

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

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

Date of Consultation ____ Staff's Initials ____

REZONING PROPERTY ADDRESS LEGAL DESCRIPTION DEFINED BOUNDARIES

Land Lot ____ Tax Parcel ____ Lot Size ____

Resident Population ____ Housing Units ____ Other Buildings ____

Zoning Request from:

Present Zoning NO PRESENT ZONING To: R15

For the purpose of: COMBINE ROW TO EXISTING PARCEL

APPLICANT EMAIL [redacted]

Applicant Address 2995 N. MAIN ST. KENNESAW, GA 30144

(Phone #) [redacted]

Applicant Signature [signature] Date 12-16-25

Signed, sealed and delivered in presence of: [signature]
Notary Date

INDIA E ALDRED NOTARY PUBLIC COBB COUNTY GEORGIA EXPIRES 07/04/2027 12/16/25

REPRESENTIVE ____

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

Representative Signature ____ Date ____

Signed, sealed and delivered in presence of: ____
Notary Date

* TITLEHOLDER: Ricky Stewart (Phone #) [redacted]

Signature: [signature] Address 3050 CHEROKEE STATION RD

Signed, sealed and delivered in presence of: [signature]
Notary Date 12/16/2026

KEVIN CHERKWOOD NOTARY PUBLIC COBB COUNTY, GEORGIA MY COMMISSION EXPIRES MAY 25, 2026



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

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

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

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

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

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 16th day of DECEMBER, 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.

Section 1908 Standards for Decisions- Rezoning

Section 1908 of the Kennesaw Zoning Code details thirteen zoning review factors, which must be evaluated by the Planning and Zoning Board and the Mayor and Council when considering a rezoning request. Please provide responses to the following using additional pages if necessary

	COMMENTS
(1) Would the proposed amendment be consistent and compatible with the City's land use and development, plans, goals and objective?	YES
2) Would the proposed amendment tend to increase, decrease, or have no impact on traffic safety and congestion in the streets?	NO IMPACT
(3) Would the proposed amendment tend to increase, decrease, or have no relationship to safety from fire and other dangers?	NO RELATION
(4) Would the proposed amendment tend to promote, diminish, or have no influence on the public health and general welfare of the city?	NO INFLUENCE
(5) Would the proposed amendment tend to increase, decrease, or have no influence on the adequate (provisions) of light or air?	NO INFLUENCE
(6) Would the proposed amendment tend to cause, prevent, or have no influence on the overcrowding of land?	NO INFLUENCE
(7) Would the proposed amendment tend to cause, prevent, or have no relationship on the population distribution within the city creating any area as dense in population as to adversely affect the health, safety, and general welfare of the city?	NO RELATION
(8) Would the proposed amendment tend to impede, facilitate, or have no impact on the adequate provision of transportation, water, sewerage, other public services, utilities or facilities?	NO IMPACT
(9) Would the proposed amendment tend to be compatible with environmental conditions in light of surrounding developments? If compatible, what factors, if any, would diminish the value, use and enjoyment of surrounding properties?	NONE
(10) Would the proposed amendment tend to require only reasonable expenditures of public funds, or would the amendment tend to require an excessive or premature expenditure of public funds?	NO ADDITIONAL
(11) Would the proposed amendment tend to promote, diminish or have no influence upon the aesthetic effect of existing and future uses of property and the surrounding area?	NO INFLUENCE
(12) Would the proposed amendment have measurable adverse economic effect on the value of the surrounding or adjacent property?	NO

CERTIFICATION AUTHORIZATION

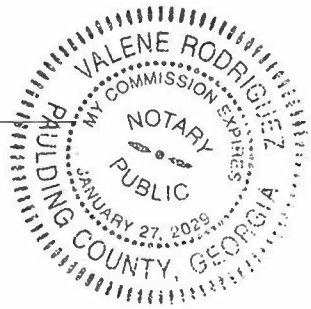
I hereby attest to the fact that a certified mailing to property owners within 200 feet was sent out on 1-12-26 in accordance with the application requirements.

1-12-26
Date

Applicant or Authorized Agent

Sworn and subscribed before me this 12th day of January 2026

Valene Rodriguez
Notary Public



RESERVED FOR THE CLERK OF COURTS

LEGEND AND SYMBOLS USED

- IPF - Iron Pin Found
- IPS - Iron Pin Set (1/2" Capped Rebar)
- RBF - Rebar Found
- OTF - Open Top Pipe Found
- CTF - Crimped Top Pipe Found
- MON - Monument Found
- CMF - Concrete Monument Found
- CP - Calculated Point
- PP - Power Pole
- LP - Light Pole
- PED - Utility Pedestal
- FH - Fire Hydrant
- WM - Water Meter
- WV - Water Valve
- GM - Gas Meter
- SMH - Sewer Manhole
- CB - Catch Basin
- DI - Drop Inlet
- C/O - Cleanout
- PBX - Power Box
- Deciduous Tree
- Coniferous Tree
- CMP - Corrugated Metal Pipe
- RCP - Reinforced Concrete Pipe
- R/W - Right of Way
- N~F - Now or Formerly
- DB, PG - Deed Book and Page
- PB, PG - Plat Book and Page
- POB - Point of Beginning
- P = PLAT
- D =DEED
- M = MEASURED

SURVEYOR'S NOTES:

1. The field data upon which this plat is based has a relative positional accuracy of 0.02 feet.

2. This plat has been calculated for closure and has a mathematical error of 1: 300,000+.

3. Field angles and measurements acquired for the production of this plat were obtained on 10/15/25 using a Leica TCRP 1203 Total Station.

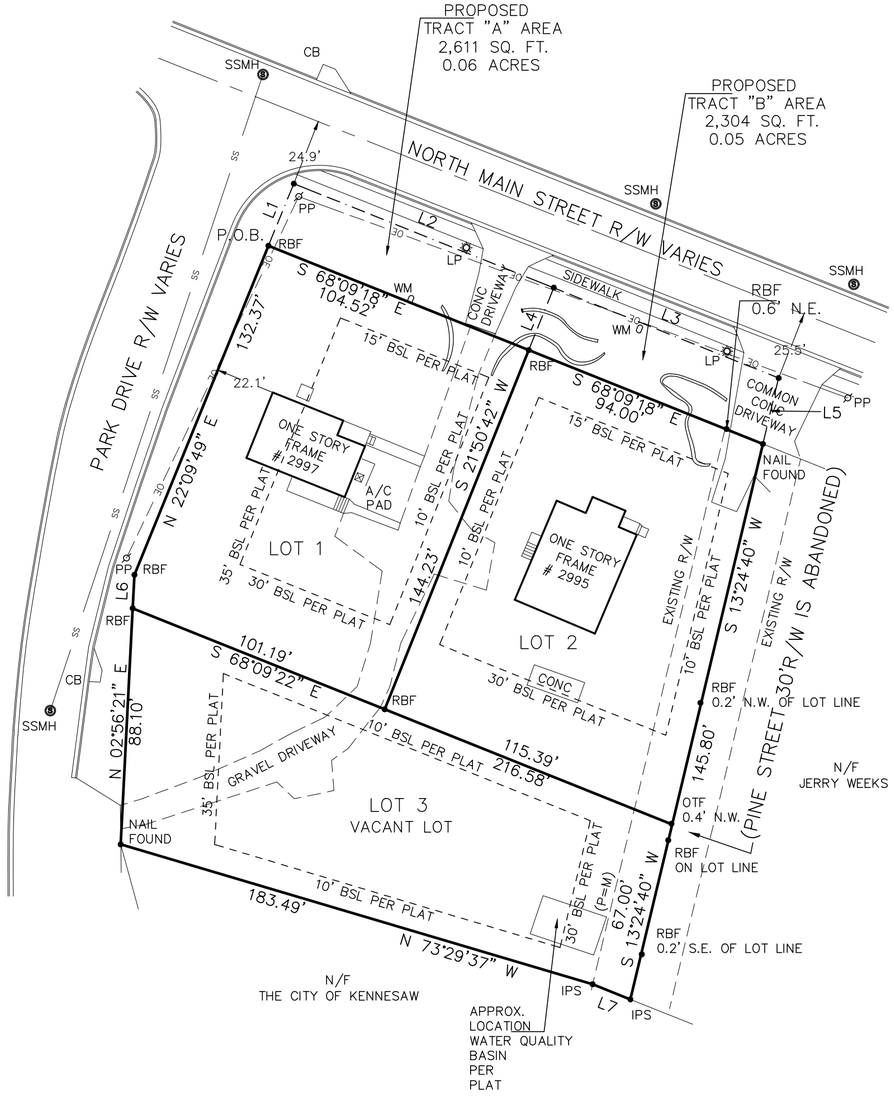
4. This plat was prepared without benefit of a current title examination. Easements or other encumbrances may exist which are not shown hereon. All matters pertaining to title are excepted.

5. No provisions have been made to secure the delineation of any wetlands, historical, or cultural features that may exist on this property.

6. Information regarding the reputed presence, size, character, and location of existing underground utilities and structures is shown hereon. There is no certainty of the accuracy of this information and it shall be considered in that light by those using this drawing. The location and arrangement of underground utilities and structures shown hereon may be inaccurate and utilities and structures not shown may be encountered. The owner, his employees, his consultants, his contractors and/or his agents shall hereby distinctly understand that the surveyor is not responsible for the correctness or sufficiency of this information shown hereon as to such underground installations.

7. The certification, as shown hereon, is purely a statement of professional opinion based on knowledge, information and belief; and based on existing field evidence and documentary evidence available. The certification is not an expressed or implied warranty or guarantee.

LINE	BEARING	DISTANCE
L1	N 22°09'49" E	25.00'
L2	S 68°09'18" E	104.38'
L3	S 68°09'18" E	90.29'
L4	S 21°50'42" W	25.06'
L5	S 13°24'40" W	25.27'
L6	N 02°56'21" E	12.54'
L7	N 68°10'09" W	15.17'



0 40 80 120

LOT 1 AREA
15,108 SQ. FT.
0.35 ACRES

LOT 2 AREA
15,100 SQ. FT.
0.35 ACRES

LOT 3 AREA
15,554 SQ. FT.
0.36 ACRES

SURVEY BASED LEGAL DESCRIPTIONS

2995 NORTH MAIN ST

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 139 OF THE 20TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A #4 REBAR FOUND AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY OF PARK DRIVE WITH THE PROPOSED SOUTHERN RIGHT OF WAY OF NORTH MAIN STREET; THENCE RUNNING ALONG THE PROPOSED SOUTHERN RIGHT OF WAY OF NORTH MAIN STREET SOUTH 68 DEGREES 09 MINUTES 18 SECONDS EAST 104.52' TO A #4 REABR FOUND AT THE POINT OF BEGINNING; THENCE RUNNING NORTH 21 DEGREES 50 MINUTES 42 SECONDS EAST 25.06' TO A POINT; THENCE RUNNING SOUTH 68 DEGREES 09 MINUTES 18 SECONDS EAST 90.29' TO APOINT; THENCE RUNNING SOUTH 13 DEGREES 24 MINUTES 40 SECONDS WEST 25.27' TO A NAIL FOUND ON THE PROPOSED SOUTHERN RIGHT OF WAY OF NORTH MAIN STREET; THENCE RUNNING ALONG SAID PROPOSED RIGHT OF WAY NORTH 68 DEGREES 09 MINUTES 18 SECONDS WEST 94.00' TO THE #4 REBAR FOUND AT THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OR PARCEL OF LAND CONTAINS 0.05 ACRES.

2997 NORTH MAIN STREET

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THE ABOVE DESCRIBED TRACT OR PARCEL OF LAND CONTAINS 0.06 ACRES.

SURVEYOR'S CERTIFICATION

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. 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.

John C.Groves, Jr. RLS 3237

GEORGIA REGISTERED No. 3237 PROFESSIONAL LAND SURVEYOR JOHN C. GROVES, JR.

FOOTHILLS LAND SURVEYING
3380 TRICKUM ROAD
BUILDING 300
WOODSTOCK, GA 30188
(678) 533-8637
www.foothillslandsurveying.com
GA LSF #1152

BOUNDARY SURVEY PREPARED FOR
DEAN KLEIN
MARY KLEIN

ROCHWALSKYS CORNER
LOCATED IN LAND LOT 139
20TH DISTRICT, 2ND SECTION
COBB COUNTY, GEORGIA

DATE: 10/20/25
SCALE: 1"=40'
DRAWING: 25-305
COORD:
REVISIONS:

SHEET #: 1 of 1

January 13, 2026

Subject: Please Take Notice - Notification of Nearby Zoning Application
2995 N Main Street & 2997 N Main Street, Kennesaw, GA 30144
Parcel ID(s): 20013900140, 20013900130

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.

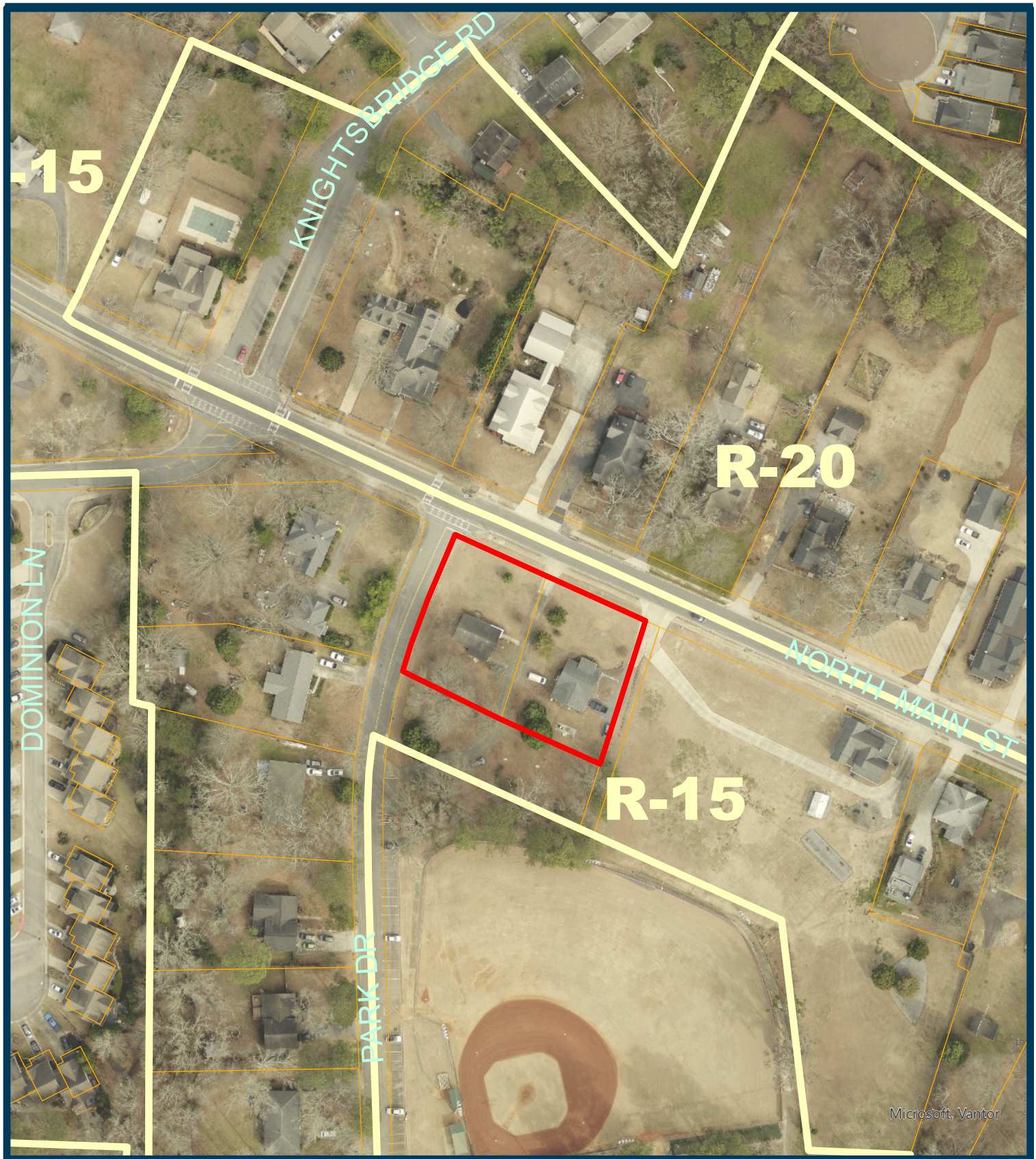
The application details are as follows:
Applicant Name: Dean Klein
Property Address: 2995 N Main Street & 2997 N Main Street
Parcel Identification Number: 20013900140 & 20013900130
Description of Proposal: Request to rezone approximately 0.11 +/- acres of unassigned right-of-way (ROW) fronting 2995 and 2997 N Main Street to R-15, Single-Family Residential.

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: 2/4/26	Date: 2/16/26
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 Dean Klein Date 1-9-26



CASE NUMBER		LAND USE OR ZONING FROM	TO
AV	LU		
AX	RZ 2026-002	Unassigned	R-15
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

2995 & 2997 N Main St

Land Lot 139, Tax Parcels 14 & 13

Subject Property

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

Derek Easterling MAYOR
Lea Alvarez CITY CLERK

Scale: 1" = 130 '
Print Date: 12/29/2025
RZ2026_002

City of Kennesaw, GA

REZONING APPLICATION

Date Received 12/19/25
Staff's Initials CMC

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

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

Date of Consultation ____ Staff's Initials ____

REZONING PROPERTY ADDRESS LEGAL DESCRIPTION DEFINED BOUNDARIES

Land Lot ____ Tax Parcel ____ Lot Size ____

Resident Population ____ Housing Units ____ Other Buildings ____

Zoning Request from:

Present Zoning NO PRESENT ZONING To: R15

For the purpose of: COMBINE ROW TO EXISTING PARCEL

APPLICANT EMAIL [redacted]

Applicant Address 2995 N. MAIN ST. KENNESAW, GA 30144

(Phone #) 770-851-8266

Applicant Signature [signature] Date 12-16-25

Signed, sealed and delivered in presence of: [signature]
Notary Date 12/16/25

INDIA E ALDRED NOTARY PUBLIC COBB COUNTY GEORGIA EXPIRES 07/04/2027

REPRESENTIVE ____

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

Representative Signature ____ Date ____

Signed, sealed and delivered in presence of: ____
Notary Date

* TITLEHOLDER: Ricky Stewart (Phone #) [redacted]

Signature: [signature] Address [redacted]

Signed, sealed and delivered in presence of: [signature] 12/16/2026
Notary Date

KEVIN CAZORWOOD NOTARY PUBLIC COBB COUNTY, GEORGIA MY COMMISSION EXPIRES MAY 25, 2026

2995 NORTH MAIN ST

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 139 OF THE 20TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A #4 REBAR FOUND AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY OF PARK DRIVE WITH THE PROPOSED SOUTHERN RIGHT OF WAY OF NORTH MAIN STREET; THENCE RUNNING ALONG THE PROPOSED SOUTHERN RIGHT OF WAY OF NORTH MAIN STREET SOUTH 68 DEGREES 09 MINUTES 18 SECONDS EAST 104.52' TO A #4 REABR FOUND AT THE POINT OF BEGINNING; THENCE RUNNING NORTH 21 DEGREES 50 MINUTES 42 SECONDS EAST 25.06' TO A POINT; THENCE RUNNING SOUTH 68 DEGREES 09 MINUTES 18 SECONDS EAST 90.29' TO APOINT; THENCE RUNNING SOUTH 13 DEGREES 24 MINUTES 40 SECONDS WEST 25.27' TO A NAIL FOUND ON THE PROPOSED SOUTHERN RIGHT OF WAY OF NORTH MAIN STREET; THENCE RUNNING ALONG SAID PROPOSED RIGHT OF WAY NORTH 68 DEGREES 09 MINUTES 18 SECONDS WEST 94.00' TO THE #4 REBAR FOUND AT THE POINT OF BEGINNING.

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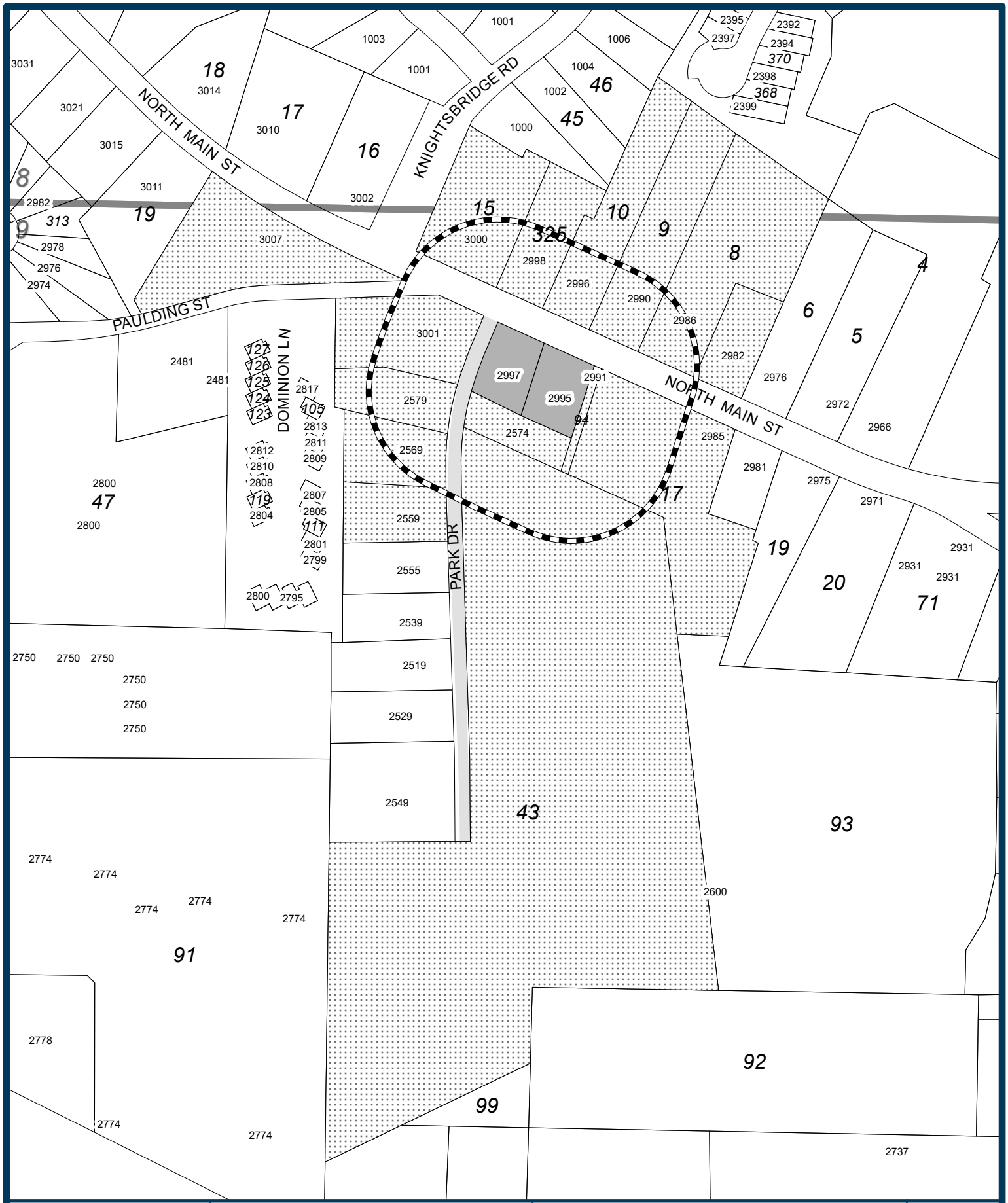

Subject Parcel

200' Radius

Properties Notified

2995 & 2997 N Main St
Land Lot 139,
Tax Parcels 14 & 13

RZ2026-002
200' PROPERTY NOTIFICATION

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

Derek Easterling, MAYOR
Lea Alvarez, CITY CLERK

Date: 12/29/2025
RZ2026_002

1" = 245'

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

Kennesaw, GA 30144

OFFICIAL USE

Certified Mail Fee	$5.30
Extra Services & Fees (check box, add fee as appropriate)	$4.40
☐ 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	$0.78
Total Postage and Fees	$10.48

0257 05

JAN 12 2026 Postmark Here

01/12/2026

Sent To: JOHN BRITTANY HAUGEN
Street and Apt. No., or PO Box No.: 2490 N. MAIN ST. NW
City, State, ZIP+4®: KENNESAW, GA 30144

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 3856 9357 52

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

Kennesaw, GA 30144

OFFICIAL USE

Certified Mail Fee	$5.30
Extra Services & Fees (check box, add fee as appropriate)	$4.40
☐ 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	$0.78
Total Postage and Fees	$10.48

0257 05

JAN 12 2026 Postmark Here

01/12/2026

Sent To: GURDON COUNTS
Street and Apt. No., or PO Box No.: 2496 N. MAIN ST. NW
City, State, ZIP+4®: KENNESAW, GA 30144

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 3856 9357 76

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

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For delivery information, visit our website at *www.usps.com®*.

Kennesaw, GA 30144

OFFICIAL USE

Certified Mail Fee	$5.30
Extra Services & Fees (check box, add fee as appropriate)	$4.40
☐ 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	$0.78
Total Postage and Fees	$10.48

0257 05

JAN 12 2026 Postmark Here

01/12/2026

Sent To: JERRY WEEKS
Street and Apt. No., or PO Box No.: 2485 N. MAIN ST NW
City, State, ZIP+4®: KENNESAW, GA 30144

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 3856 9357 38

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

Kennesaw, GA 30152

OFFICIAL USE

Certified Mail Fee	$5.30
Extra Services & Fees (check box, add fee as appropriate)	$4.40
☐ 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

0257 05

JAN 12 2026 Postmark Here

01/12/2026

Sent To: The APPS GROUP LLC
Street and Apt. No., or PO Box No.: 2312 LAMINCH CT.
City, State, ZIP+4®: KENNESAW, GA 30152

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 3856 9357 69

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

Kennesaw, GA 30144

OFFICIAL USE

Certified Mail Fee	$5.30
Extra Services & Fees (check box, add fee as appropriate)	$4.40
☐ 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	$0.78
Total Postage and Fees	$10.48

0257 05

JAN 12 2026 Postmark Here

01/12/2026

Sent To: JERRY WEEKS
Street and Apt. No., or PO Box No.: 3179 OLD 41 HWY
City, State, ZIP+4®: KENNESAW, GA 30144

PS Form 3800, January 2022 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 3856 9357 83

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

Kennesaw, GA 30144

OFFICIAL USE

Certified Mail Fee	$5.30
Extra Services & Fees (check box, add fee as appropriate)	$4.40
☐ 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	$0.78
Total Postage and Fees	$10.48

0257 05

JAN 12 2026 Postmark Here

01/12/2026

Sent To: DIANE SLATEN
Street and Apt. No., or PO Box No.: 2079 PARK DR.
City, State, ZIP+4®: KENNESAW, GA 30144

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 3856 9357 90

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

Kennesaw, GA 30144

OFFICIAL USE

Certified Mail Fee	$5.30
$	$4.40
Extra Services & Fees *(check box, add fee as appropriate)*	$0.00
☐ Return Receipt (hardcopy)	$0.00
☐ Return Receipt (electronic)	$0.00
☐ Certified Mail Restricted Delivery	$0.00
☐ Adult Signature Required	$
☐ Adult Signature Restricted Delivery	$
Postage	$0.78
$	
Total Postage and Fees	$10.48
$	

0257 05

JAN 12 2026 Postmark Here

01/12/2026

Sent To: JO ELLEN RUHLING

Street and Apt. No., or PO Box No.: 2369 PARK DR.

City, State, ZIP+4®: KENNESAW, GA 30144

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 3856 9358 06

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

Kennesaw, GA 30144

OFFICIAL USE

Certified Mail Fee	$5.30
$	$4.40
Extra Services & Fees *(check box, add fee as appropriate)*	$0.00
☐ 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	$0.78
$	
Total Postage and Fees	$10.48
$	

0257 05

JAN 12 2026 Postmark Here

01/12/2026

Sent To: CYNTHIA BENSON

Street and Apt. No., or PO Box No.: 3000 N. MAIN ST.

City, State, ZIP+4®: KENNESAW, GA 30144

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 3856 9358 20

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

Kennesaw, GA 30144

OFFICIAL USE

Certified Mail Fee	$5.30
$	$4.40
Extra Services & Fees *(check box, add fee as appropriate)*	$0.00
☐ 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	$0.78
$	
Total Postage and Fees	$10.48
$	

0257 05

JAN 12 2026 Postmark Here

01/12/2026

Sent To: COLBIE & JESSICA COLLIE

Street and Apt. No., or PO Box No.: 2986 N. MAIN ST NW

City, State, ZIP+4®: KENNESAW, GA 30144

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 3856 9358 44

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

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For delivery information, visit our website at *www.usps.com®*.

Kennesaw, GA 30144

OFFICIAL USE

Certified Mail Fee	$5.30
$	$4.40
Extra Services & Fees *(check box, add fee as appropriate)*	$0.00
☐ 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	$0.78
$	
Total Postage and Fees	$10.48
$	

0257 05

JAN 12 2026 Postmark Here

01/12/2026

Sent To: MARJORIE MILTON KESNER

Street and Apt. No., or PO Box No.: 3007 N. MAIN ST NW

City, State, ZIP+4®: KENNESAW, GA 30144

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 3856 9358 13

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

Kennesaw, GA 30144

OFFICIAL USE

Certified Mail Fee	$5.30
$	$4.40
Extra Services & Fees *(check box, add fee as appropriate)*	$0.00
☐ 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	$0.78
$	
Total Postage and Fees	$10.48
$	

0257 05

JAN 12 2026 Postmark Here

01/12/2026

Sent To: CYNTHIA MICHAEL

Street and Apt. No., or PO Box No.: 2998 N. MAIN ST NW

City, State, ZIP+4®: KENNESAW, GA 30144

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 3856 9358 37

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

Kennesaw, GA 30144

OFFICIAL USE

Certified Mail Fee	$5.30
$	$4.40
Extra Services & Fees *(check box, add fee as appropriate)*	$0.00
☐ 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	$0.78
$	
Total Postage and Fees	$10.48
$	

0257 05

JAN 12 2026 Postmark Here

01/12/2026

Sent To: FRED & HELEN MOORE

Street and Apt. No., or PO Box No.: 3001 N. MAIN ST. NW

City, State, ZIP+4®: KENNESAW, GA 30144

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 3856 9358 51

9589 0710 5270 3856 9357 45

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at *www.usps.com*®.

Lake Forest, CA 92630

OFFICIAL USE

Certified Mail Fee	$5.30
$	$4.40
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	$0.78
$	
Total Postage and Fees	$10.48
$	

0257
05

JAN 12 2026
Postmark Here
01/12/2026

Sent To: TANOJO FAMILY LIVING TRUST
Street and Apt. No., or PO Box No.: 11 FINCH
City, State, ZIP+4®: LAKE FOREST, CA 92630

PS Form 3800, January 2023 PSN:7530-02-000-9047 See Reverse for Instructions

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

ORDER CONFIRMATION

Salesperson: ROSE MILLER — Printed at 01/14/26 14:11 by rmill-tj

Acct #: 110016 — Ad #: 530846 — Status: New WHOLD

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

Start: 01/16/2026 — Stop: 01/16/2026
Times Ord: 1 — Times Run: ***
LEG 1.00 X 2.63 Words: 200
Total LEG 2.63
Class: 8003 PUBLIC HEARING
Rate: LEGL — Cost: 30.00
Ad Descrpt: PH-9235 MISC2026-02
Descr Cont: MDJ-9235 GPN-16 CITY OF K
Given by: REBECCA GOLDSTEIN
P.O. #: MISC2026-02
Created: rmill 01/14/26 14:10
Last Changed: rmill 01/14/26 14:11

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

PUB	ZONE	EDT	TP	RUN DATES
MDJ	A	95	S	01/16

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-9235
GPN-16
CITY OF KENNESAW
PUBLIC NOTICE

Notice is hereby given that the City of Kennesaw shall hold public hearings to give consideration for a rezoning request submitted by Dean Klein. Said request is to rezone approximately 0.11 +/- acres of unassigned right-of-way (ROW) fronting 2995 and 2997 N Main Street (20013900140 & 20013900130) to R-15, Single-Family Residential. The parcels lie in Land Lot 139, Tax Parcels 14 & 13 of the 20th District, 2nd Section, Cobb County Georgia.

Said meetings shall be held before the Planning Commission on February 4, 2026, at 6:30 p.m. with a final scheduled hearing and adoption by the Mayor and Council to be considered on February 16, 2026, at 6:30 p.m. Meetings will be held in the Kennesaw City Council Chambers, 2529 J.O. Stephenson Avenue, Kennesaw, GA. 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/**

1:16-2026

CITY OF KENNESAW
LAND USE NOTICE

APPLICATION # RZ2026-02

PURPOSE Rezone unassigned right-of-way (ROW) fronting 2995 and 2997 N Main Street to R-15, Single-Family Residential.

DATE OF PUBLIC MEETING: 2/4/2026 TIME: 6:30PM

DATE OF PUBLIC MEETING: 2/16/2026 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

01.16.2026 08:55

CITY OF KENNESAW

LAND USE NOTICE

APPLICATION # RZ2026-02

PURPOSE Rezone unassigned right-of-way (ROW) fronting 2585 and 2587 N Main Street to R-15, Single-Family Residential.

DATE OF PUBLIC MEETING: 2/4/2026 TIME: 6:30PM

DATE OF PUBLIC MEETING: 2/16/2026 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

01.16.2026 08:57

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

CYNTHIA MICHAEL
2998 N. MAIN ST. NW
KENNESAW, GA 30144

9590 9402 9795 5266 1713 29

2. Article Number (Transfer from service label)

9589 0710 5270 3856 9358 37

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X C Michael ☐ Agent ☐ Addressee

B. Received by (Printed Name) | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MARJORIE MILTON KESNER
3007 N. MAIN ST NW
KENNESAW, GA 30144

9590 9402 9795 5266 1713 43

2. Article Number (Transfer from service label)

9589 0710 5270 3856 9358 13

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Marjorie Kesner ☐ Agent ☐ Addressee

B. Received by (Printed Name) | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

COMPLETE THIS SECTION

- items 1, 2, and 3.
- name and address on the reverse e can return the card to you.
- s card to the back of the mailpiece, front if space permits.

ressed to:

Brittany Hauger
N. Main St. NW
ESAW, GA 30144

9402 9795 5266 1707 42

nber (Transfer from service label)

7127 5270 3856 9357 52

11, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X ☐ Agent ☐ Addressee

B. Received by (Printed Name) | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

GURDON AND BREA COUNTS
2996 N. MAIN ST. NW
KENNESAW, GA 30144

9590 9402 9795 5266 1713 81

2. Article Number (Transfer from service label)

9589 0710 5270 3856 9357 76

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X ☐ Agent ☐ Addressee

B. Received by (Printed Name) | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

USPS TRACKING #

ATLANTA GA RPDC 302

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

9590 9402 9795 5266 1713 29

Zoning Case #RZ2026-02

United States Postal Service

RECEIVED
JAN 2026
CITY OF KENNESAW

• Sender: Please print your name, address, and ZIP+4® in this box•

City of Kennesaw Planning & Zoning
2529 J.O. Stephenson Ave.
Kennesaw, GA 30144

USPS TRACKING #

ATLANTA GA RPDC 302

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

9590 9402 9795 5266 1713 43

Zoning Case #RZ2026-02

United States Postal Service

RECEIVED
JAN 2026
CITY OF KENNESAW

• Sender: Please print your name, address, and ZIP+4® in this box•

City of Kennesaw Planning & Zoning
2529 J.O. Stephenson Ave.
Kennesaw, GA 30144

USPS TRACKING #

ATLANTA GA RPDC 302

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

9590 9402 9795 5266 1707 42

ZONING CASE #RZ2026-02

United States Postal Service

RECEIVED
JAN 2026
CITY OF KENNESAW

• Sender: Please print your name, address, and ZIP+4® in this box•

City of Kennesaw Planning & Zoning
2529 J.O. Stephenson Ave.
Kennesaw, GA 30144

USPS TRACKING #

ATLANTA GA RPDC 302

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

9590 9402 9795 5266 1713 81

ZONE CASE #RZ 2026-02

United States Postal Service

RECEIVED
JAN 2026
CITY OF KENNESAW

• Sender: Please print your name, address, and ZIP+4® in this box•

City of Kennesaw Planning & Zoning
2529 J.O. Stephenson Ave.
Kennesaw, GA 30144

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

The TANOJO FAMILY LIVING TRUST
11 FINCH
LAKE FOREST, CA 92630

9590 9402 9795 5266 1712 99

2. Article Number *(Transfer from service label)*

9589 0710 5270 3856 9357 45

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X [signature] ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* JUANITA TANOJO C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☒ No

JAN 16 2026 92630-9998

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

CYNTHIA BENSON
3000 N. MAIN ST NW
KENNESAW, GA 30144

9590 9402 9795 5266 1713 36

2. Article Number *(Transfer from service label)*

9589 0710 5270 3856 9358 20

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X [signature] ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* William Benson C. Date of Delivery 1/15/2026

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

FRED & HELEN MOORE
3001 N. MAIN ST. NW
KENNESAW, GA 30144

9590 9402 9795 5266 1713 05

2. Article Number *(Transfer from service label)*

9589 0710 5270 3856 9358 51

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Fred W Moore ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* Fred W Moore C. Date of Delivery 1.15.26

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

COLBY & JESSICA COLLIE
2986 N. MAIN ST. NW
KENNESAW, GA 30144

9590 9402 9795 5266 1713 12

2. Article Number *(Transfer from service label)*

9589 0710 5270 3856 9358 44

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X [signature] ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

USPS TRACKING #

9590 9402 9795 5266 1712 99

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States Postal Service

Sender: Please print your name, address, and ZIP+4® in this box•

City of Kennesaw, Planning, Zoning
2529 J.O. Stephenson Ave.
Kennesaw, GA 30144

Zoning Case #RZ2026-02

RECEIVED
JAN
CITY OF KENNESAW

144-278029

USPS TRACKING #

ATLANTA GA RPDC 302

9590 9402 9795 5266 1712 36

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

City of Kennesaw Planning & Zoning
2529 J.O. Stephenson Ave.
Kennesaw, GA 30144

Zoning Case #RZ2026-02

RECEIVED
JAN
CITY OF KENNESAW

USPS TRACKING #

9590 9402 9795 5266 1712 05

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

City of Kennesaw Planning & Zoning
2529 J.O. Stephenson Ave.
Kennesaw, GA 30144

Zoning Case #RZ2026-02

RECEIVED
JAN 2026
CITY OF KENNESAW

USPS TRACKING #

9590 9402 9795 5266 1713 12

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

City of Kennesaw Planning, Zoning
2529 J.O. Stephenson Ave.
Kennesaw, GA 30144

Zoning Case #RZ2026-02

RECEIVED
CITY OF KENNESAW

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

JERRY WEEKS
3199 OLD 41 HWY
KENNESAW, GA 30144



9590 9402 9795 5266 1713 74

2. Article Number *(Transfer from service label)*

9589 0710 5270 3856 9357 83

COMPLETE THIS SECTION ON DELIVERY

A. Signature

☒ Jerry Weeks ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* Jerry Weeks C. Date of Delivery 7/16/22

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☒ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ ...red Mail Restricted Delivery
- ...r $500)
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receip

USPS TRACKING #

9590 9403 8715 5266 1713 74

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

Zoning Case # RZ2026-02

United States
Postal Service

RECEIVED
JAN 20 2026
CITY OF KENNESAW

• Sender: Please print your name, address, and ZIP+4® in this box•

City of Kennesaw Planning & Zoning
2529 J.O. Stephenson Ave.
Kennesaw, GA 30144

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

DIANE SLATEN
2579 PARK DR.
KENNESAW, GA 30144

9590 9402 9795 5266 1713 67

2. Article Number *(Transfer from service label)*

9589 0710 5270 3856 9357 90

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Diane R. Slaten

B. Received by *(Printed Name)*

D. Is delivery address different
If YES, enter delivery addre

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ ed Mail Restricted Delivery $500)
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricte Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

USPS TRACKING #

9590 9402 9725 5266 1713 67

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

Zoning Case # RZ2026-02

United States Postal Service

RECEIVED
JAN 15 2026
CITY OF KENNESAW

• Sender: Please print your name, address, and ZIP+4® in this box•

City of Kennesaw Planning & Zoning
2529 J.O. Stephenson Ave.
Kennesaw, GA 30144

Item Report

TO: The Planning Commission

FROM:

DATE: February 4, 2026

TITLE: **PP2026-01** - Consideration for approval for a preliminary plat submitted by Mark Allen for parcel #20016700640 for the development of a restaurant and distillery. Property consists of 0.61+/- acres and lies in land lot 167, tax parcel 64.

Summary:

Recommendation:

Fiscal Impact:

Attachments:
1. PP2026-01_2690 Keene Street_Application Packet

Date Received 01/20/26
Staff's Initials CMC

PRELIMINARY, FINAL AND REVISE PLAT APPLICATION

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

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

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 Lazy Guy Distillery Number of Units _____

PURPOSE OF DEVELOPMENT New Construction

WHAT IS THE REVISION BEING MADE _____

ADDRESS OF PROPERTY 2690 Keene ST NW, Kennesaw GA 30144

Parcel ID 20016700640 Lot Size 0.61ac Present Zoning CBD

Current Use Vacant Proposed Use New Construction

APPLICANT Mark Allen

Applicant address 2950 Moonstation Rd, Kennesaw GA 30144

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

Applicant Signature Mark Allen

Signed, sealed and delivered in presence of: Miranda Taylor 12/30/25
Notary Date

MIRANDA TAYLOR
NOTARY PUBLIC
COBB COUNTY
STATE OF GEORGIA
My Comm. Expires Oct. 20, 2028

REPRESENTATIVE Mark Allen (Phone #) [redacted] Email Address [redacted]

Representative Signature Mark Allen

Signed, sealed and delivered in presence of: Miranda Taylor 12/30/25
Notary Date

MIRANDA TAYLOR
NOTARY PUBLIC
COBB COUNTY
STATE OF GEORGIA
My Comm. Expires Oct. 20, 2028

TITLEHOLDER 2690 Keene St LLC (Phone #) [redacted]

Titleholder Signature Mark Allen Address _____

Signed, sealed and delivered in presence of Notary Miranda Taylor Date 12/30/25

MIRANDA TAYLOR
NOTARY PUBLIC
COBB COUNTY
STATE OF GEORGIA
My Comm. Expires Oct. 20, 2028

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? _-__

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:

None

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:

None

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 **30** day of **December**, 20**25**

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.

Lazy Guy
DISTILLERY

12/30/2025

RE: Request for Plat Review

This letter is to serve as a formal request for the City of Kennesaw Planning & Zoning department to review the Plat for 2690 Keene St NW, Kennesaw GA 30144.

Regards,



Owner, Lazy Guy Distillery

2025055027 Deed Book 16290 Page 2367
Filed and Recorded: 6/24/2025 4:34:00 PM
Real Estate Transer Tax: $0.00
Connie Taylor
Clerk of Superior Court
Cobb County, Georgia

AFTER RECORDING, PLEASE RETURN TO:
Meyer Closings, LLC
750 Hammond Drive, Bldg 2
Atlanta, GA 30328
imiller@ihmlegal.com
File No. I25-1090S

Cross Reference: Limited Warranty Deed filed and recorded 4/3/2025 in Deed Book 16271, Page 3618, Cobb County, GA records

Parcel ID #: 20016700640

CORRECTIVE LIMITED WARRANTY DEED

THIS INDENTURE made this 23rd day of June 2025 between **Arris Kennesaw, LLC**, a Delaware limited liability company (hereinafter called "Grantor"), and **2690 Keene Street, LLC**, a Georgia limited liability company (hereinafter called "Grantee") (the words Grantor and Grantee to include their respective heirs, successors and assigns where the context requires or permits).

W I T N E S S E T H:

Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00), and other good and valuable consideration in hand paid by Grantee to Grantor at and before the sealing and delivery of these presents, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, all Grantor's right, title and interest in and to all that tract or parcel of land lying and being in **Land Lots 138** and **167** of the **20th District, 2nd Section, Cobb County**, Georgia, and more particularly described on **Exhibit "A"** attached hereto and by this reference made a part hereof, subject only to claims arising under or by virtue of the matters (hereinafter "Permitted Exceptions") set forth in **Exhibit "B"** attached hereto and incorporated herein.

The purpose of this Deed is to correct the legal description of property conveyed by Grantor to Grantee in Limited Warranty filed and recorded April 3, 2025 in Deed Book 16271, Page 3618, Cobb County, Georgia, records.

TO HAVE AND TO HOLD the said tract or parcel of land, together 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 hereby covenant with Grantee that Grantor will forever defend the right and title to the property described herein, unto Grantee against claims of all persons claiming by, through or under Grantor, subject to claims arising under or by virtue of easements, restrictions and related matters of record. No other covenants or warranties express or implied, are given by this Limited Warranty Deed.

[SIGNATURES ON FOLLOWING PAGE]

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

GRANTOR:

Signed, sealed and delivered in the presence of:

Lucas Harper
Unofficial Witness

Arris Kennesaw, LLC, a Delaware limited liability company

By: Josh Klehr
Name: Josh Klehr
Its: Vice President

Notary Public

[NOTARY SEAL]

KENDRA JONES
NOTARY PUBLIC
My Commission Expires
08-15-2028
FULTON COUNTY, GEORGIA

EXHIBIT "A"

2690 Keene Street

All that tract or parcel of land lying and being in Land Lots 138 and 167 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia, being more particularly shown and described as Tract 5 on Minor Plat of Survey for Arris Kennesaw, LLC filed and recorded June, 28, 2024 in Plat Book 282, Page 636, Cobb County Georgia records.

Together with:

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

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at a 5/8" rebar found at the northeast corner of "Tract 1" as shown on the Minor Plat of 2601 Summers Street, recorded in Plat Book 279, Page 175, thence S43°53'11"E a distance of 133.99 feet to a 1/2" rebar found; thence S43°48'39"E a distance of 40.12 feet to a 1/2" rebar set; thence N46°06'49"E a distance of 73.66 feet to a 1/2" rebar set; thence N41°12'31"W a distance of 189.51 feet to a point; thence along a curve to the right for an arc distance of 382.93 feet, said curve having a radius of 630.00 feet, and being subtended by a chord of N23°47'44"W, 377.07 feet to a 1/2" rebar set at the southerly right of way of Keene Street (f.ka. Dobbs Street; f.k.a. School Street; f.k.a. Broad Street) (right of way varies); thence along said southerly right of way along a curve to the left for an arc distance of 94.38 feet, said curve having a radius of 200.24 feet, and being subtended by a chord of N36°52'40"E, 93.51 feet to a 1/2" rebar set; thence leaving said right of way 12.71 feet along the arc of a curve to the right, said curve having a radius of 570.00 feet and being subtended by a chord of N01°07'04"E, 12.71 feet to a point; thence N01°45'25"E for a distance of 17.57 feet to a point; said point being the **TRUE POINT OF BEGINNING.**

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED; thence N01°45'25"E for a distance of 89.33 feet to a point; thence 12.65 feet along the arc of a curve to the right, said curve having a radius of 15.00 feet and being subtended by a chord of N25°54'55"E, 12.28 feet to a point; thence N50°04'26"E for a distance of 19.47 feet to a 1/2" rebar set at the southerly right of way of Keene Street (f.ka. Dobbs Street; f.k.a. School Street; f.k.a. Broad Street) (right of way varies); thence along said right of way the following courses and distances: 34.37 feet along the arc of a curve to the left, said curve having a radius of 423.70 feet and being subtended by a chord of S08°06'13"W, 34.36 feet to a point; S04°10'45"W for a distance of 52.12 feet to a point; 27.52 feet along the arc of a curve to the right, said curve having a radius of 200.24 feet and being subtended by a chord of S10°20'33"W, 27.50 feet to a 1/2" rebar set; thence leaving said right of way N88°40'30"W for a distance of 9.46 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

Said tract or parcel of land contains 0.035 acres more or less.

EXHIBIT "B"

Permitted Title Exceptions

1. All taxes for the year 2025 and subsequent years which are liens, not yet due and payable.

2. Liens for unpaid water bills, sewer, solid waste, sanitation bills and other sums outstanding and owed to a government or governmental authority where no notice thereof appears in the public record.

3. Rights of Tenant's in possession under unrecorded leases.

4. No insurance is afforded as to the exact amount of acreage contained in subject property.

5. Easements and Infrastructure Development Agreement between Keene Street JV, LLC and Arris Kennesaw, LLC recorded in Book 15714, Page 3087, Cobb County, Georgia records.

6. Easement from Arris Kennesaw, LLC, to Georgia Power Company, dated April 27, 2021, recorded November 3, 2021, in Deed Book 15989, Page 619, Cobb County, aforesaid records.

7. Grant of Easement between Comcast Cable Communications Management, LLC, and Arris Kennesaw, LLC, dated August 15, 2021, recorded June 25, 2022, in Deed Book 16019, Page 5269, aforesaid records.

Printed: 12/23/2025

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:
CORELOGIC COMMERCIAL TAX SERVICE

2690 KEENE STREET LLC

Payment Date: 10/14/2025

Tax Year	Parcel ID	Due Date		Appeal Amount		Taxes Due
2025	20016700640	10/15/2025	**Pay:**	N/A	or	$0.00

Interest	Penalty	Fees	Total Due	Amount Paid	Balance
$0.00	$0.00	$0.00	$0.00	$1,775.25	**$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

2025
Property Tax Bill

Parcel ID	Tax District	Bill #
20016700640	3/3-BOND - KENNESAW CITY	284888

Property Owner/Location/Description	Fair Market Value	Taxable Value
2690 KEENE STREET LLC 2690 KEENE ST	147,300	58,920

Levies	Taxable Value	-	Exemptions	=	Net Assessment	X	Tax Rate	=	Net Tax
CITY OF KENNESAW	58,920		0		58,920		7.7500000000		$456.63
BOND	58,920		0		58,920		1.4000000000		$82.49

Exemptions:

Printed December 2025 | Settled Value Bill: You are receiving this bill due to the finalization of your appeal.

For properties under appeal with Cobb County, an initial temporary bill was issued based on 85% of the estimated tax value due 12/1/2025. Now that your appeal has been finalized, this bill reflects the full amount due for 2025.

If your taxes are paid through escrow, please forward the attached bill to your mortgage company for prompt processing.

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

Current Year Tax	$539.12
Interest	$0.00
Penalty	$0.00
Other Fees	$0.00
Payments Received	$539.12
Other Amounts Due	$0.00
Total Due	$0.00
Due Date	12/01/2025

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

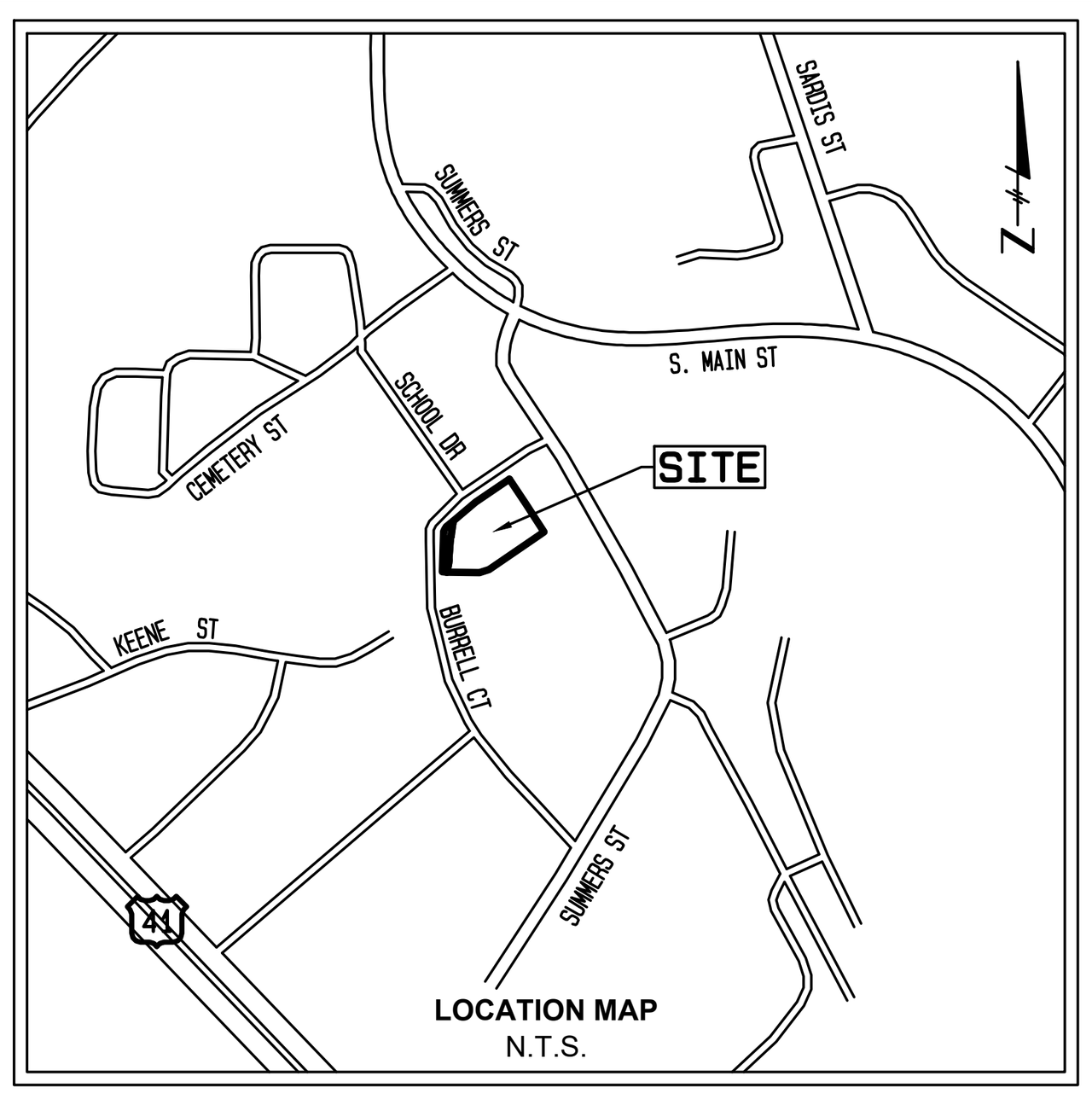
Please make check or Money Order Payable to : City of Kennesaw Property Tax Division and include the Parcel ID on your check.

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.

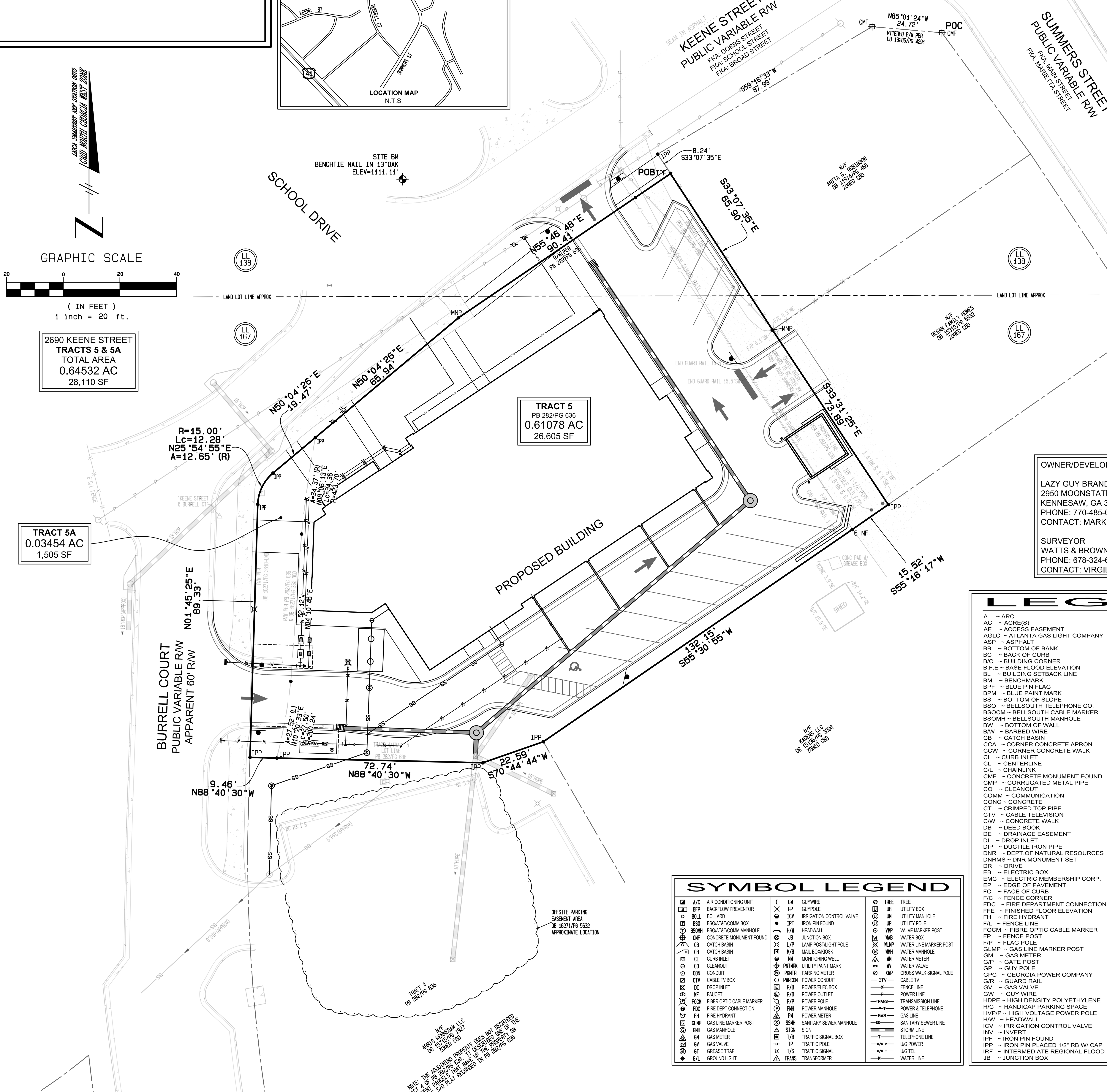
Parcel ID:	20016700640
Amount Due:	$0.00
Bill#:	284888
Due Date:	12/01/2025
	AMOUNT PAID

2690 KEENE STREET LLC
2950 MOON STATION RD NW
KENNESAW, GA 30144-2709

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



LOCATION MAP
N.T.S.



OWNER/DEVELOPER

LAZY GUY BRANDS
2950 MOONSTATION ROAD
KENNESAW, GA 30144
PHONE: 770-485-0081
CONTACT: MARK ALLEN

SURVEYOR
WATTS & BROWNING ENGINEERS, INC
PHONE: 678-324-6192
CONTACT: VIRGIL HAMMOND

LEGEND

A ~ ARC
AC ~ ACRE(S)
AE ~ ACCESS EASEMENT
AGLC ~ ATLANTA GAS LIGHT COMPANY
ASP ~ ASPHALT
BB ~ BOTTOM OF BANK
BC ~ BACK OF CURB
B/C ~ BUILDING CORNER
B.F.E ~ BASE FLOOD ELEVATION
BL ~ BUILDING SETBACK LINE
BM ~ BENCHMARK
BPF ~ BLUE PIN FLAG
BPM ~ BLUE PAINT MARK
BS ~ BOTTOM OF SLOPE
BSO ~ BELLSOUTH TELEPHONE CO.
BSOCM ~ BELLSOUTH CABLE MARKER
BSOMH ~ BELLSOUTH MANHOLE
BW ~ BOTTOM OF WALL
B/W ~ BARBED WIRE
CB ~ CATCH BASIN
CCA ~ CORNER CONCRETE APRON
CCW ~ CORNER CONCRETE WALK
CI ~ CURB INLET
CL ~ CENTERLINE
C/L ~ CHAINLINK
CMF ~ CONCRETE MONUMENT FOUND
CMP ~ CORRUGATED METAL PIPE
CO ~ CLEANOUT
COMM ~ COMMUNICATION
CONC ~ CONCRETE
CT ~ CRIMPED TOP PIPE
CTV ~ CABLE TELEVISION
C/W ~ CONCRETE WALK
DB ~ DEED BOOK
DE ~ DRAINAGE EASEMENT
DI ~ DROP INLET
DIP ~ DUCTILE IRON PIPE
DNR ~ DEPT.OF NATURAL RESOURCES
DNRMS ~ DNR MONUMENT SET
DR ~ DRIVE
EB ~ ELECTRIC BOX
EMC ~ ELECTRIC MEMBERSHIP CORP.
EP ~ EDGE OF PAVEMENT
FC ~ FACE OF CURB
F/C ~ FENCE CORNER
FDC ~ FIRE DEPARTMENT CONNECTION
FFE ~ FINISHED FLOOR ELEVATION
FH ~ FIRE HYDRANT
F/L ~ FENCE LINE
FOCM ~ FIBRE OPTIC CABLE MARKER
FP ~ FENCE POST
F/P ~ FLAG POLE
GLMP ~ GAS LINE MARKER POST
GM ~ GAS METER
G/P ~ GATE POST
GP ~ GUY POLE
GPC ~ GEORGIA POWER COMPANY
G/R ~ GUARD RAIL
GV ~ GAS VALVE
GW ~ GUY WIRE
HDPE ~ HIGH DENSITY POLYETHYLENE
H/C ~ HANDICAP PARKING SPACE
HVP/P ~ HIGH VOLTAGE POWER POLE
H/W ~ HEADWALL
ICV ~ IRRIGATION CONTROL VALVE
INV ~ INVERT
IPF ~ IRON PIN FOUND
IPP ~ IRON PIN PLACED 1/2" RB W/ CAP
IRF ~ INTERMEDIATE REGIONAL FLOOD
JB ~ JUNCTION BOX
(L) ~ CURVE TO THE LEFT
L/A ~ LIMIT OF ACCESS
Lc ~ LENGTH OF CHORD
LLL ~ LAND LOT LINE
L/P ~ LAMP POST/LIGHT POLE
L/S ~ LANDSCAPED AREA
M/B ~ MAILBOX
MFE ~ MINIMUM FLOOR ELEVATION
MFN ~ METROMEDIA FIBRE NETWORK
MH ~ MANHOLE
MNP ~ MAG NAIL PLACED
MW ~ MONITORING WELL
NF ~ NAIL FOUND
N/F ~ NOW OR FORMERLY
OCS ~ OUTLET CONTROL STRUCTURE
O/H ~ OVERHANG
OPF ~ ORANGE PIN FLAG
OPM ~ ORANGE PAINT MARK
OT ~ OPEN TOP PIPE
P ~ POWER LINE
PB ~ PLAT BOOK
P/B ~ POWER BOX
PG ~ PAGE(S)
PIV ~ POST INDICATOR VALVE
PL ~ PROPERTY LINE
POB ~ POINT OF BEGINNING
POC ~ POINT OF COMMENCING
PM ~ POWER METER
P/P ~ POWER POLE
PS ~ PARKING SPACE(S)
PVC ~ POLYVINYLCHLORIDE PIPE
R ~ RADIUS
(R) ~ CURVE TO THE RIGHT
RB ~ RE-BAR
RCP ~ REINFORCED CONCRETE PIPE
RPF ~ RED PIN FLAG
RPM ~ RED PAINT MARK
RR ~ RAILROAD
R/T ~ RETAINING
R/W ~ RIGHT OF WAY
SF ~ SQUARE FEET
S/P ~ SERVICE POLE
SR ~ SOLID ROD
SS ~ SANITARY SEWER
SSE ~ SANITARY SEWER EASEMENT
S/W ~ SIDEWALK
T ~ TELEPHONE LINE
T/B ~ TRAFFIC SIGNAL BOX
T/D ~ TRENCH DRAIN
TBM ~ TEMPORARY BENCHMARK
T/C ~ TOP OF CURB
T/P ~ TELEPHONE POLE
TP ~ TRAFFIC POLE
TRANS ~ TRANSMISSION
T/S ~ TRAFFIC SIGNAL
TSI ~ TRAFFIC SIGN
TW ~ TOP OF WALL
T/W ~ TEST WELL
U/G ~ UNDERGROUND
VB ~ VALVE BOX
VMP ~ VALVE MARKER POST
W ~ WATER LINE
WF ~ WETLAND FLAG
WIF ~ WROUGHT IRON FENCE
WM ~ WATER METER
WV ~ WATER VALVE
X ~ CORNER
YI ~ YARD INLET
YPF ~ YELLOW PIN FLAG
YPM ~ YELLOW PAINT MARK

SYMBOL LEGEND

A/C	AIR CONDITIONING UNIT	GW	GUYWIRE	TREE	TREE
BFP	BACKFLOW PREVENTOR	GP	GUYPOLE	UB	UTILITY BOX
BOLL	BOLLARD	ICV	IRRIGATION CONTROL VALVE	UM	UTILITY MANHOLE
BSO	BSO/AT&T/COMM BOX	IPF	IRON PIN FOUND	UP	UTILITY POLE
BSOMH	BSO/AT&T/COMM MANHOLE	H/W	HEADWALL	VMP	VALVE MARKER POST
CMF	CONCRETE MONUMENT FOUND	JB	JUNCTION BOX	WAB	WATER BOX
CB	CATCH BASIN	L/P	LAMP POST/LIGHT POLE	WLMP	WATER LINE MARKER POST
CB	CATCH BASIN	M/B	MAIL BOX/KIOSK	WMH	WATER MANHOLE
CI	CURB INLET	MW	MONITORING WELL	WM	WATER METER
CO	CLEANOUT	PNTMRK	UTILITY PAINT MARK	WV	WATER VALVE
CON	CONDUIT	PKMTR	PARKING METER	XWP	CROSS WALK SIGNAL POLE
CTV	CABLE TV BOX	PWRCON	POWER CONDUIT	—CTV—	CABLE TV
DI	DROP INLET	P/B	POWER/ELEC BOX	—X—	FENCE LINE
WF	FAUCET	P/O	POWER OUTLET	—P—	POWER LINE
FOCM	FIBER OPTIC CABLE MARKER	P/P	POWER POLE	—TRANS—	TRANSMISSION LINE
FDC	FIRE DEPT CONNECTION	PMH	POWER MANHOLE	—P-T—	POWER & TELEPHONE
FH	FIRE HYDRANT	PM	POWER METER	—GAS—	GAS LINE
GLMP	GAS LINE MARKER POST	SSMH	SANITARY SEWER MANHOLE	—SS—	SANITARY SEWER LINE
GMH	GAS MANHOLE	SIGN	SIGN		STORM LINE
GM	GAS METER	T/B	TRAFFIC SIGNAL BOX	—T—	TELEPHONE LINE
GV	GAS VALVE	TP	TRAFFIC POLE	—U/G P—	U/G POWER
GT	GREASE TRAP	T/S	TRAFFIC SIGNAL	—U/G T—	U/G TEL
G/L	GROUND LIGHT	TRANS	TRANSFORMER	—W—	WATER LINE

NO STREET PARKING HAS BEEN APPROVED FOR THIS

ENGINEER AND OWNER CERTIFICATE:

"I CERTIFY THAT ALL MEASUREMENTS ARE CORRECT AND WERE PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION, THAT MONUMENT LOCATIONS ARE CORRECTLY SHOWN AND THAT THE PROPERTY WILL DRAIN AS SHOWN. MONUMENTS ARE SHOWN BY _______________.

SIGNED _______________ (SEAL) DATE: 01/20/2026

VIRGIL T. HAMMOND 2554
SURVEYOR, (ENGINEER), (ARCHITECT), GEORGIA REGIS. NO. 2554

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE OF ONE FOOT IN 115,544 FEET AND AN ANGULAR ERROR OF 2.0" PER ANGLE POINT, AND WAS LEAST SQUARES ADJUSTED.

TRACT 5 OF THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 139,427 FEET.

TRACT 5A OF THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 64,371 FEET.

A LEICA TS13 TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.

PROJECT BENCHMARK

HEXAGON HXGN SMARTNET REFERENCE NETWORK RTCM-0875
SITE NAME: GACV - CARTERSVILLE GA
SITE CODE: GAVC

LATITUDE: 34-12-13.15301 NORTH
LONGITUDE: 84-47-14.11931 WEST
ELLIPSOID ELEVATION: 220.2989 METERS

REFERENCE FRAME: NAD83(NA2011)(MYCS2)

SITE BENCHMARK

BENCHTIE NAIL PLACED IN 13" OAK ON NORTH SIDE OF KEEN STREET

ELEVATION: 1111.11'

CONTOUR INTERVAL: ONE (1) FOOT

NOTE: SITE BENCHMARK WAS ESTABLISHED BY MAKING MULTIPLE RTK OBSERVATIONS ON SURVEY CONTROL POINTS USING A LEICA GPS GS4 ROVER ON THE LEICA SMARTNET REFERENCE NETWORK.

REFERENCE MATERIAL

1) TITLE COMMITMENT: OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY; ISSUING AGENT: MEYERS CLOSINGS, LLC; FILE NUMBER I25-10920-S; POLICY NUMBER: OYDA-08255053, POLICY DATE: APRIL 3, 2025 ; 3:22 P.M.

2) INTENTIONALLY DELETED.

3) DEED: CORRECTIVE LIMITED WARRANTY DEED - ARRIS KENNESAW, LLC TO 2690 KEENE STREET, LLC, DATED JUNE 23, 2025 AND RECORDED ON JUNE 24, 2025 IN DEED BOOK 16290, PAGE 2367, FULTON COUNTY, GEORGIA RECORDS.

4) DEED: CORRECTIVE QUITCLAIM DEED - ARRIS KENNESAW, LLC TO 2690 KEENE STREET, LLC, DATED JUNE 23, 2025 AND RECORDED ON JUNE 24, 2025 IN DEED BOOK 16290, PAGE 2371, FULTON COUNTY, GEORGIA RECORDS.

5) PARKING EASEMENT AGREEMENT - ARRIS KENNESAW, LLC TO 2690 KEENE STREET, LLC, DATED MARCH 31, 2025 AND RECORDED DEED BOOK 16271, PAGE 3632, COBB COUNTY, GEORGIA RECORDS.

6) BOUNDARY SURVEY FOR LAZY GUY BRANDS & 2690 KEENE STREET, LLC - LOCATED IN LAND LOTS 138 & 167, 20TH DISTRICT, 2ND SECTION, CITY OF KENNESAW, COBB COUNTY, GEORGIA, DATE SURVEYED: MAY 28, 2025, DATE DRAFTED: JUNE 27, 2025 AND PREPARED BY WATTS & BROWNING ENGINEERS, INC.

7) TOPOGRAPHIC & TREE SURVEY FOR LAZY GUY BRANDS & 2690 KEENE STREET, LLC - LOCATED IN LAND LOTS 138 & 167, 20TH DISTRICT, 2ND SECTION, CITY OF KENNESAW, COBB, COUNTY, GEORGIA, DATE SURVEYED: MAY 28, 2025, AND PREPARED BY WATTS & BROWNING ENGINEERS, INC.

8) CONCEPT GRADING PLAN - PROJECT: LAZY GUY DISTILLERY - 2690 KEENE ST NW, KENNESAW, GA 30144, PARCEL NO: 20016700640, PRELIMINARY - AUGUST 11, 2025. PREPARED BY GASKINS + LECRAW, INC.

GENERAL NOTES:

1) TAX PARCEL ID#:20016700640
2) SITE ADDRESS: 2690 KENNE STREET, KENNESAW, GA 30144
3) SITE AREA: 0.64532 ACRES
4) ZONING: CBD (CENTRAL BUSINESS DISTRICT)
5) PROPOSED LAND USE: DISTILLERY AND TASTING ROOM
6) MINIMUM SETBACKS:
A. 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.
B. 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.
C. REAR - NONE, EXCEPT WHEN ABUTTING A RESIDENTIAL DISTRICT WHERE THERE IS NO INTERVENING RIGHT-OF-WAY THE SETBACK REQUIREMENT IS 25 FEET.
D. WHERE AN ALLEY EXISTS BETWEEN DISTRICTS, THE SETBACK SHALL BE FIVE FEET FROM THE PROPERTY LINE/ALLEY RIGHT-OF-WAY.
7) ONSITE PARKING: 13 REGULAR PLUS 1 HANDICAPPED
8) BOUNDARY SURVEY INFORMATION AS PER REFERENCE ITEM NUMBER 1.
9) PER THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) FLOOD INSURANCE RATE MAP NUMBER 13067C0038H, DATED MARCH 4, 2013 THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA.
10) THERE ARE NO STATE WATERS PRESENT ON THE SUBJECT PROPERTY.
11) THERE ARE NO WETLANDS PRESENT ON THE SUBJECT PROPERTY.
12) WATER AND SEWER TO BE PROVIDED BY COBB COUNTY WATER SYSTEM.
13) SOURCE OF PROJECT FUNDING: PRIVATE
14) NO PERMANENT STRUCTURES SHALL BE LOCATED WITHIN TEN (10) FEET OF THE EDGE OF A PERMANENT COBB COUNTY WATER AND SEWER EASEMENT ON THE FRONT OR REAR SETBACKS, OR WITHIN TWO (2) FEET ON THE SIDE SETBACKS, PER COUNTY CODE 122-123.
15) THE DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES.
16) ABOVE GROUND UTILITY LOCATIONS WERE OBTAINED FROM FIELD OBSERVATIONS. WATTS & BROWNING HAS NOT RESEARCHED UNDERGROUND UTILITY LOCATIONS. INFORMATION SHOWN HEREON REGARDING THE EXISTENCE, SIZE, TYPE AND LOCATION OF UNDERGROUND UTILITIES IS BASED ON MARKINGS IN THE FIELD AND INFORMATION FURNISHED BY OTHERS AND WATTS & BROWNING ENGINEERS IS UNABLE TO CERTIFY TO THE ACCURACY OR COMPLETENESS OF THIS INFORMATION. INDICATED LOCATIONS SHOULD BE CONFIRMED IN THE FIELD WITH UTILITY COMPANIES PRIOR TO PROCEEDING WITH PLANNING, DESIGN OR CONSTRUCTION.
17) PROPOSED IMPROVEMENTS ARE SHOWN AS PER REFERENCE ITEM NUMBER 8.

CERTIFICATE OF PRELIMINARY PLAT APPROVAL. "ALL REQUIREMENTS OF THE KENNESAW UDC RELATIVE TO THE POSTING OF A PERFORMANCE BOND HAVING BEEN FULFILLED, APPROVAL OF THE BOND IS HEREBY GRANTED."

DATE OF EXECUTION CITY ENGINEER

WE, THE UNDERSIGNED, OWNER(S) AND/OR MORTGAGEE(S) OF THE _______________ SUBDIVISION, HEREBY OFFER TO DEDICATE AND/OR RESERVE FOR PUBLIC USE THE RIGHTS-OF-WAY, EASEMENTS AND OTHER GROUND SO SHOWN ON THIS PLAT."

OWNER DATE MORTGAGEE

"THE OFFER CONTAINED HEREIN SHALL NOT CONSTITUTE ACCEPTANCE OF THE DEDICATED PUBLIC RIGHTS-OF-WAY, EASEMENT AND OTHER GROUND BY THE CITY OF KENNESAW."

ALL REQUIREMENTS OF THE KENNESAW UDC RELATIVE TO THE PREPARATION AND SUBMITTAL OF A PRELIMINARY PLAT HAVING BEEN FULFILLED, APPROVAL OF THIS PLAT IS HEREBY GRANTED, SUBJECT TO FURTHER PROVISIONS OF SAID REGULATION AND TO SUCH ADDITIONAL REQUIREMENTS AS LISTED AND ATTACHED HERETO. THIS CERTIFICATE SHALL EXPIRE _________ (DATE)" _________.

DATE OF EXECUTION CHAIRMAN, PLANNING COMMISSION

SCALE:	1" = 20'
DATE SURVEYED:	05/28/2025
DATE UPDATED:	N/A
SURVEYED BY:	GNL
DATE DRAFTED:	01/02/2026
UPDATE DRAFTED:	N/A
DRAWN BY:	AMCM
CHECKED BY:	VTH
FIELD BOOK #:	2904, 2931, 2932
JOB NUMBER:	250514
FOLDER NUMBER:	250514
COGO FILE:	250514.PRO
DISC FILE:	250514-PRELIM-KENNESAW
COUNTY/LL/D/S:	COBB/138/20/2
PLAT FILE:	B
SHEET:	1 OF 1

W&B
WATTS & BROWNING ENGINEERS, INC.
CIVIL ENGINEERS & LAND SURVEYORS
1349 OLD 41 HWY NW STE 225
MARIETTA, GEORGIA 30060
PHONE: (678) 324-6192
FAX: (770) 694-6870
WWW.WBENGR.COM
LSF000429 - PEF000714

REVISIONS

NO.	DATE	BY	DESCRIPTION
1	01/26/26	AMCM	ADDRESS CITY COMMENTS.

GEORGIA REGISTERED NO. 2554 PROFESSIONAL LAND SURVEYOR V. T. HAMMOND

NON-RESIDENTIAL PRELIMINARY PLAT FOR

LAZY GUY BRANDS

LOCATED IN
LAND LOTS 138 & 167
20TH DISTRICT, 2ND SECTION
CITY OF KENNESAW
COBB, COUNTY, GEORGIA

CITY OF KENNESAW
GEORGIA

ORDINANCE NO. 2026 - , 2026

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF KENNESAW, GEORGIA, SECTION 2.01.03 "RESIDENTIAL ZONING DISTRICTS" AND SECTION 9.01.00 "NONCONFORMING USES"

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

WHEREAS, the Unified Development Code of the City of Kennesaw is designed for the purpose of promoting health, safety, morals, order, prosperity and general welfare of the City of Kennesaw and its individual and corporate citizens; and

WHEREAS, Subdivisions located within various residential zoning districts and established prior to 1996 were legally created; however, many of the lots within these subdivisions no longer meet the current minimum requirements for lot size, width, or setbacks as outlined in the Unified Development Code (UDC); and

WHEREAS, these nonconforming conditions have created challenges for property owners seeking to rebuild or redevelop their properties in a manner consistent with the original character of the neighborhood; and

WHEREAS, the City seeks to establish a clear and equitable process for recognizing legally established residential lots that have become nonconforming, in order to allow for their reasonable use, reduce administrative burdens related to variances, promote consistency in residential development, and uphold the health, safety, and welfare of the community; and

WHEREAS, public hearing were duly advertised in the Marietta Daily Journal; and

WHEREAS, the City and the Planning Commission held a public hearing in connection with the passage of this Ordinance;

WHEREAS, pursuant to Section 1-4 of the Code of Ordinances, Kennesaw, Georgia, the Code of Ordinances of Kennesaw, Georgia is hereby amended as follows:

SECTION 1

THAT SECTION 2.01.03 of the Unified Development Code of the Code of Ordinances for the City of Kennesaw, Georgia, is hereby amended to read as follows:

2.01.03 Residential Zoning Districts

2.01.03.03 The regulations for the R-20 Single-Family residential district (20,000-square-foot lot size) are as follows:

A. *Purpose and intent.* The R-20 single-family residential district is intended to provide suitable areas for single-family, detached dwellings at medium densities as defined under the City of Kennesaw

Comprehensive Land Use Plan, and as may be amended from time to time, with access to both public water and sewerage.

B. *Uses.* Any use not permitted as of right, or not permitted by Special Exception, or not permitted by land use permit is prohibited. To the extent there is a conflict between the permitted use table and this subsection, this section shall control for purposes of determining whether the use is allowed. See Section 4.04.01 for standards associated with Special Exception uses. Any conflict between the standards set forth in this district and those set forth in Section 4.04.01, the standards in Section 4.04.01 shall control for purposes of developing a Special Exception use.

The following uses are permitted:

Clubs or lodges

Community Fairs

Designated Recycling Collection locations

Executive golf courses

Fruit Trees, Nuts and Vegetables for personal consumption (not for commerce)

Golf courses (Par 3)

Golf courses (18-hold regulation; private and public)

Group homes

Limited home occupations

Nonprofit riding stables

Nonprofit (seasonal use) fishing lakes

Private parks

Recreation grounds other than tennis courts and golf courses

Religious assemblies

Single family dwelling units (detached)

Short Term Rentals (STR)

Temporary uses

The following uses are permitted by special exception (refer to section 4.04.01):

Cemeteries

Mausoleum

Private community centers

Private schools of general and special education

The following uses are permitted by land use permit or special land use permit:

Cottage food operator (refer to section 4.04.05 Standards for Home Occupation)

Family childcare learning home (refer to section 4.04.05 Standards for Home Occupation)

Home occupations (refer to section 4.04.05)

Manufactured Homes

Radio, television and other communication towers and antennas (refer to section 4.04.06)

C. *Requirements for certain uses.* The following uses shall have the requirements as ascribed to them in this subsection.

1. *Cottage Food Operators:*

   (a) Cottage food operators shall adhere to all rules and regulations imposed by the Georgia Department of Agriculture.

   (b) There shall be no signage or other exterior evidence of the cottage food operator.

   (c) Deliveries of specialty ingredients such as herbs and spices, etc., limited to those made by the United States Postal Service or other carrier (FedEx, United Parcel Service, etc.) that routinely deliver mail/internet order products to residents.

   (d) No cottage food products prepared by the cottage food operator may be picked up by a commercial carrier.

   (e) There shall be no employees parking on the site unless approved by the Mayor and City Council in accordance with Section 4.04.05.

   (f) A home occupation land use permit shall be required.

2. *Limited Home Occupations:*

   (a) There shall be no exterior evidence of the home occupation, including but not limited to any type of identifying signs.

   (b) No article, product or service used or sold in connection with such activity shall be other than those normally found on the premises.

   (c) No mechanical equipment shall be used for such occupation except such equipment as is customary for purely household and hobby purposes.

   (d) Such use shall be conducted entirely within the dwelling unit, and only persons living in the dwelling unit shall be employed in such occupation.

   (e) No more than 25 percent of the dwelling unit may be used for the operation.

   (f) No materials, equipment or business vehicles may be stored or parked on the premises, except that one business vehicle, used exclusively by the resident may be parked in a carport, garage, or rear or side yard.

   (g) The off-site employees of the resident shall not congregate on the premises for any purpose concerning the business of the home occupation.

   (h) There shall be no deliveries of supplies for use in the home occupation or pickups of the items produced by the occupant by commercial carriers.

   (i) No clients or customers are allowed on the premises on a regular basis.

   (j) The limited home occupation shall not create a nuisance.

3. *Designated Recycling Collection Locations:*

   (a) Must be maintained in a safe, clean, neat, and sanitary fashion;

   (b) Such location shall be visually screened and maintained;

   (c) Such location shall be within the building setbacks unless otherwise approved by the zoning administrator or his/her designee due to topography, safety, internal traffic flow, site distance, or for other site-related circumstances not created by the property owner.

4. *Group Home:*

   (a) A group home shall be shared by four or fewer persons, excluding resident staff;

   (b) The group home must provide the City of Kennesaw with a copy of its scheduled activity plan, a copy of the group home rules, and, if applicable, evidence of active enforcement under the Georgia Association of Recovery Residence standards;

(c) The group home must be under the direction and guidance of a designated managing caregiver that resides at the group home;

(d) The designated managing caregiver or his or her designee shall be available on a 24-hour basis in the event of emergencies or complaints; and

(e) A group home must submit to random inspections by the City Code Enforcement;

(f) A group home shall comply with all applicable regulations by the Board of Behavioral Health and Developmental Disabilities and the Department of Behavioral Health and Developmental Disabilities.

5. *Family childcare learning home:*

(a) Maximum of six children under 13 years of age at one time for pay or not for pay;

(b) For purpose of this section only, children who are related by direct blood kin or adoption to the childcare provider shall not be included in the calculation of the six children limitation;

(c) The childcare shall not create a nuisance to immediately adjacent property owners;

(d) Off-street parking must be provided for childcare pick-up and drop-off; and

(e) No employees;

(f) Proof of a Family child care learning home license under O.C.G.A. § 20-1A-10(v), or as amended from time to time, by the Department of Early Care and Learning or its successor agency;

(g) A home occupation land use permit shall be required.

6. *Temporary Uses:*

(a) An approved temporary use shall not exceed 30 days and may be renewed for not more than one additional 30-day period.

(b) Adequate off-street parking shall be provided.

(c) Application for a temporary use shall be made with the City Business License division.

D. *Dimensional standards for Development.* Setback shall be measured from the property line of the parcel. The property with the shortest amount of road frontage shall be the front setback for determining other setbacks (major side, side, rear).

1. Minimum lot size: 20,000 square feet. The Zoning Administrator shall not be authorized to recommend a variance for more than 25 percent of the minimum lot size.

2. Minimum floor area: 1,500 square feet.

3. Minimum lot width at front setback line: 75 feet; cul-de-sac, 60 feet.

4. Minimum public road frontage: 75 feet; cul-de-sac, 50 feet.

5. Maximum cover: 35%

6. Maximum building height: 35 feet.

7. A basement shall be counted as a story if the ceiling is six feet or more above the grade and is either subdivided or used for dwelling or business purposes. A basement is a portion of the building partly underground which has more than one-half of its height measured from finished floor to finished ceiling above the average grade of the adjoining ground.

8. *Minimum building setbacks:*

(a) Front yard as measured from arterial: 40 feet.

(b) Front yard as measured from collector: 40 feet.

(c) Front yard as measured from local: 35 feet.

(d) Side yard (aka minor side yard): 10 feet.

(e) Rear yard: 35 feet.

(f) Major side: 25 feet.

9. *Measuring building setbacks*: The number and type of setbacks is determined based on the number and type of public road frontages for the lot as follows and as shown on the following diagram:

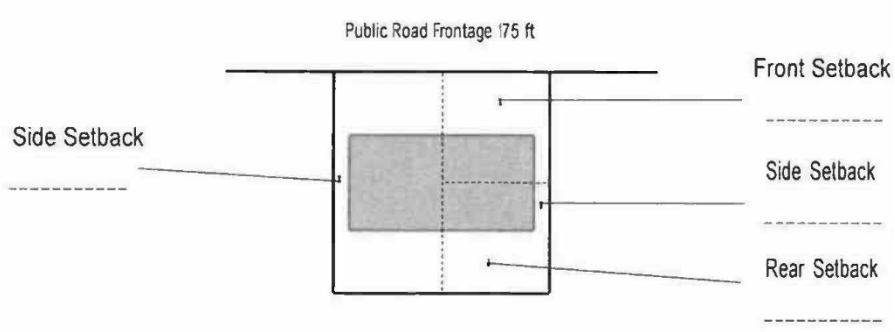
(a) One public road frontage: The front yard setback is measured from the one public road frontage (arterial, collector, or local). The yard opposite the front yard is the rear yard and the other two yards are side yards.

(b) Two public road frontages: The front yard setback is measured from the road with the shortest frontage (arterial, collector, or local). The major side yard setback is measured from the road with the longer frontage (arterial, collector, or local). The yard opposite the front yard is the rear yard and the yard opposite the major side yard is the minor side yard.

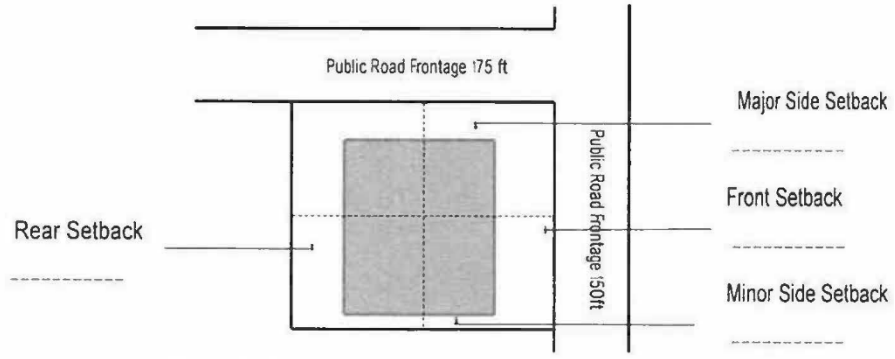
(c) Three public road frontages: The front yard setback is measured from the road with the shortest frontage (arterial, collector, or local). The two major side yard setbacks are measured from the other two road frontages (arterial, collector, or local). The remaining yard is a minor side yard.

(d) Building setbacks apply to both principal and accessory buildings and structure except where it explicitly states otherwise.

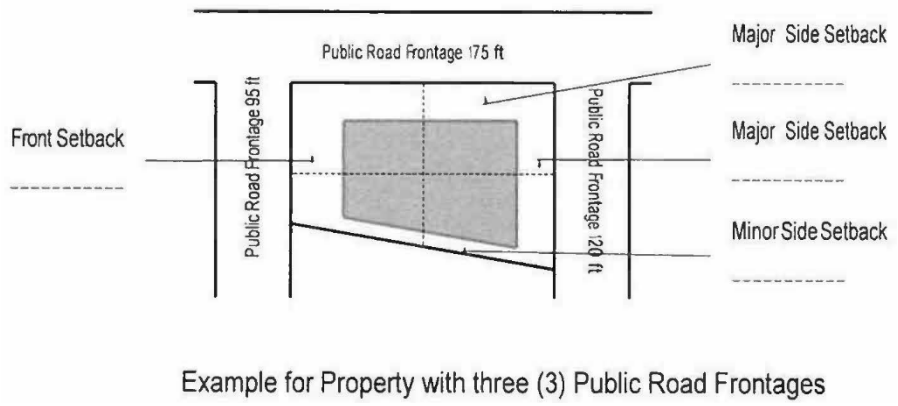
(e) Irregular shaped lots: The Planning and Zoning Administrator will determine setbacks for irregular shaped lots adhering to the spirit and intent of this section.



Example for Property with one (1) Public Road Frontage



Example for Property with two (2) Public Road Frontages



Example for Property with three (3) Public Road Frontages

10. *Nonconforming Uses*. Any lot with an existing structure that was developed and established in accordance with applicable ordinances prior to March 18, 1996 shall be considered a lawful, conforming use under the Unified Development Code (UDC). In the event of reconstruction, such properties may be rebuilt using the previously established building footprint. The Zoning Administrator or their designee shall have the authority to approve administrative variances to reduce dimensional standards such as setbacks, lot width, coverage for lots identified as nonconforming on the official map referenced in Appendix A, where such standards do not align with current zoning regulations.

Administrative variances may be granted only if:

1. The proposed reconstruction does not adversely impact adjacent properties, and
2. The request remains consistent with the intent and purpose of the Unified Development Code.

2.01.03.04 The regulations for the R-15 Single-Family residential district (15,000-square-foot lot size) are as follows:

A. *Purpose and intent.* The R-15 single-family residential district is intended to provide suitable areas for single-family, detached dwellings at medium densities as defined under the City of Kennesaw Comprehensive Land Use Plan, and as may be amended from time to time, with access to both public water and sewerage.

B. *Uses.* Any use not permitted as of right, or not permitted by Special Exception, or not permitted by land use permit is prohibited. To the extent there is a conflict between the permitted use table and this subsection, this section shall control for purposes of determining whether the use is allowed. See Section 4.04.01 for standards associated with Special Exception uses. Any conflict between the standards set forth in this district and those set forth in Section 4.04.01, the standards in Section 4.04.01 shall control for purposes of developing a Special Exception use.

The following uses are permitted:

Clubs or lodges

Community Fairs

Designated Recycling Collection locations

Executive golf courses

Golf courses (Par 3)

Golf courses (18-hold regulation; private and public)

Group homes

Limited home occupations

Nonprofit riding stables

Nonprofit (seasonal use) fishing lakes

Private parks

Recreation grounds other than tennis courts and golf courses

Religious assemblies

Single family dwelling units (detached)

Short Term Rentals (STR)

Temporary uses

The following uses are permitted by special exception (refer to section 4.04.01):

Cemeteries

Mausoleum

Private community centers

Private schools of general and special education

The following uses are permitted by land use permit or special land use permit:

Cottage food operator (refer to section 4.04.05 Standards for Home Occupation)

Family childcare learning home (refer to section 4.04.05 Standards for Home Occupation)

Home occupations (refer to section 4.04.05)

Manufactured Homes

Radio, television and other communication towers and antennas (refer to section 4.04.06)

C. *Requirements for certain uses.* The following uses shall have the requirements as ascribed to them in this subsection.

1. *Cottage Food Operators:*

   (a) Cottage food operators shall adhere to all rules and regulations imposed by the Georgia Department of Agriculture.

   (b) There shall be no signage or other exterior evidence of the cottage food operator.

   (c) Deliveries of specialty ingredients such as herbs and spices, etc., limited to those made by the United States Postal Service or other carrier (FedEx, United Parcel Service, etc.) that routinely deliver mail/internet order products to residents.

   (d) No cottage food products prepared by the cottage food operator may be picked up by a commercial carrier.

   (e) There shall be no employees parking on the site unless approved by the Mayor and City Council in accordance with Section 4.04.05.

   (f) A home occupation land use permit shall be required.

2. *Limited Home Occupations:*

   (a) There shall be no exterior evidence of the home occupation, including but not limited to any type of identifying signs.

   (b) No article, product or service used or sold in connection with such activity shall be other than those normally found on the premises.

   (c) No mechanical equipment shall be used for such occupation except such equipment as is customary for purely household and hobby purposes.

(d) Such use shall be conducted entirely within the dwelling unit, and only persons living in the dwelling unit shall be employed in such occupation.

(e) No more than 25 percent of the dwelling unit may be used for the operation.

(f) No materials, equipment or business vehicles may be stored or parked on the premises, except that one business vehicle, used exclusively by the resident may be parked in a carport, garage, or rear or side yard.

(g) The off-site employees of the resident shall not congregate on the premises for any purpose concerning the business of the home occupation.

(h) There shall be no deliveries of supplies for use in the home occupation or pickups of the items produced by the occupant by commercial carriers.

(i) No clients or customers are allowed on the premises on a regular basis.

(j) The limited home occupation shall not create a nuisance.

3. *Designated Recycling Collection Locations:*

(a) Must be maintained in a safe, clean, neat, and sanitary fashion;

(b) Such location shall be visually screened and maintained;

(c) Such location shall be within the building setbacks unless otherwise approved by the zoning administrator or his/her designee due to topography, safety, internal traffic flow, site distance, or for other site-related circumstances not created by the property owner.

4. *Group Home:*

(a) A group home shall be shared by four or fewer persons, excluding resident staff;

(b) The group home must provide the City of Kennesaw with a copy of its scheduled activity plan, a copy of the group home rules, and, if applicable, evidence of active enforcement under the Georgia Association of Recovery Residence standards;

(c) The group home must be under the direction and guidance of a designated managing caregiver that resides at the group home;

(d) The designated managing caregiver or his or her designee shall be available on a 24-hour basis in the event of emergencies or complaints; and

(e) A group home must submit to random inspections by the City Code Enforcement;

(f) A group home shall comply with all applicable regulations by the Board of Behavioral Health and Developmental Disabilities and the Department of Behavioral Health and Developmental Disabilities.

5. *Family childcare learning home:*

(a) Maximum of six children under 13 years of age at one time for pay or not for pay;

(b) For purpose of this section only, children who are related by direct blood kin or adoption to the childcare provider shall not be included in the calculation of the six children limitation;

(c) The childcare shall not create a nuisance to immediately adjacent property owners;

(d) Off-street parking must be provided for childcare pick-up and drop-off; and

(e) No employees;

(f) Proof of a Family child care learning home license under O.C.G.A. § 20-1A-10(v), or as amended from time to time, by the Department of Early Care and Learning or its successor agency;

(g) A home occupation land use permit shall be required.

6. *Temporary Uses:*

(a) An approved temporary use shall not exceed 30 days and may be renewed for not more than one additional 30-day period.

(b) Adequate off-street parking shall be provided.

(c) Application for a temporary use shall be made with the City Business License division.

D. *Dimensional standards for Development.* Setback shall be measured from the property line of the parcel. The property with the shortest amount of road frontage shall be the front setback for determining other setbacks (major side, side, rear).

1. Minimum lot size: 15,000 square feet. The Zoning Administrator shall not be authorized to recommend a variance for more than 25 percent of the minimum lot size.

2. Minimum floor area: 1,400 square feet.

3. Minimum lot width at front setback line: 75 feet; cul-de-sac, 60 feet.

4. Minimum public road frontage: 75 feet; cul-de-sac, 50 feet.

5. Maximum cover: 35%

6. Maximum building height: 35 feet.

7. A basement shall be counted as a story if the ceiling is six feet or more above the grade and is either subdivided or used for dwelling or business purposes. A basement is a portion of the building partly underground which has more than one-half of its height measured from finished floor to finished ceiling above the average grade of the adjoining ground.

8. *Minimum building setbacks:*

(a) Front yard as measured from arterial: 40 feet.

(b) Front yard as measured from collector: 40 feet.

(c) Front yard as measured from local: 35 feet.

(d) Side yard (aka minor side yard): 10 feet.

(e) Rear yard: 30 feet.

(f) Major side: 25 feet.

9. *Measuring building setbacks*: The number and type of setbacks is determined based on the number and type of public road frontages for the lot as follows and as shown on the following diagram:

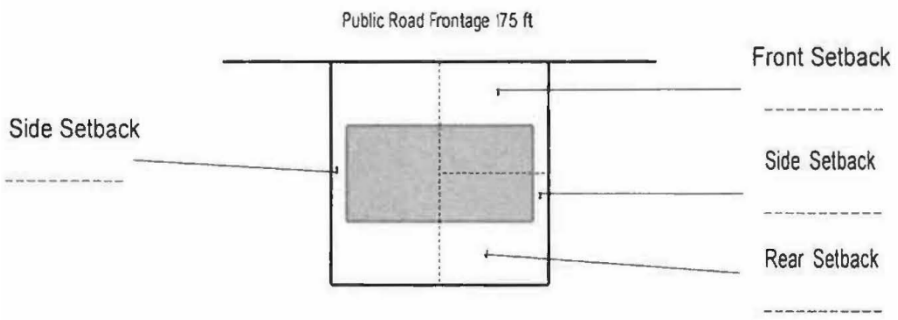
(a) One public road frontage: The front yard setback is measured from the one public road frontage (arterial, collector, or local). The yard opposite the front yard is the rear yard and the other two yards are side yards.

(b) Two public road frontages: The front yard setback is measured from the road with the shortest frontage (arterial, collector, or local). The major side yard setback is measured from the road with the longer frontage (arterial, collector, or local). The yard opposite the front yard is the rear yard and the yard opposite the major side yard is the minor side yard.

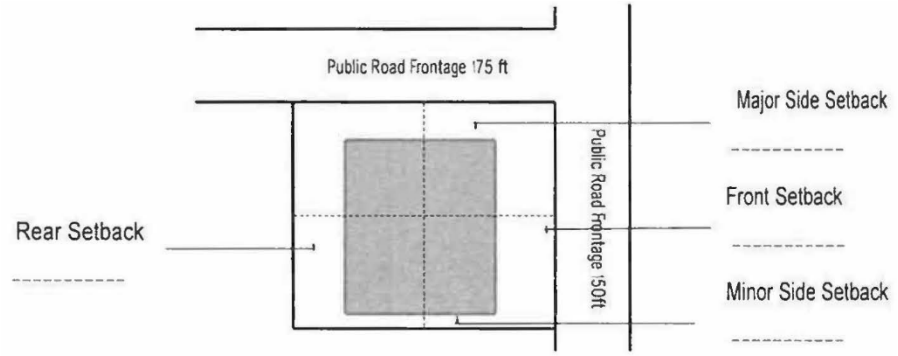
(c) Three public road frontages: The front yard setback is measured from the road with the shortest frontage (arterial, collector, or local). The two major side yard setbacks are measured from the other two road frontages (arterial, collector, or local). The remaining yard is a minor side yard.

(d) Building setbacks apply to both principal and accessory buildings and structure except where it explicitly states otherwise.

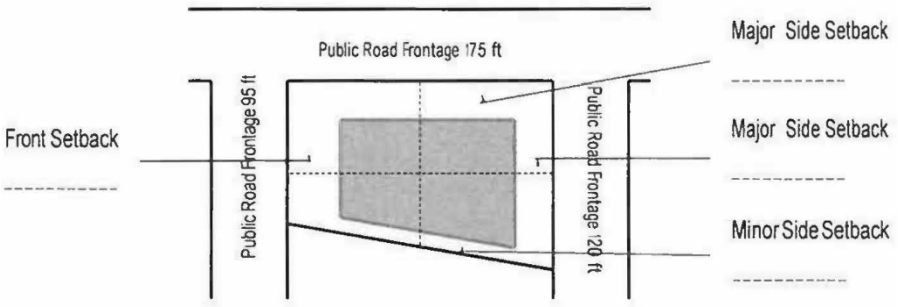
(e) Irregular shaped lots: The Planning and Zoning Administrator will determine setbacks for irregular shaped lots adhering to the spirit and intent of this section.



Example for Property with one (1) Public Road Frontage



Example for Property with two (2) Public Road Frontages



Example for Property with three (3) Public Road Frontages

10. *Nonconforming Uses*. Any lot with an existing structure that was developed and established in accordance with applicable ordinances prior to March 18, 1996 shall be considered a lawful, conforming use under the Unified Development Code (UDC). In the event of reconstruction, such properties may be rebuilt using the previously established building footprint. The Zoning Administrator or their designee shall have the authority to approve administrative variances to reduce dimensional standards such as setbacks, lot width, coverage for lots identified as nonconforming on the official map referenced in Appendix A, where such standards do not align with current zoning regulations.

Administrative variances may be granted only if:

1. The proposed reconstruction does not adversely impact adjacent properties, and
2. The request remains consistent with the intent and purpose of the Unified Development Code.

2.01.03.05 The regulations for the R-12 Single-Family residential district (12,000-square-foot lot size) are as follows:

A. *Purpose and intent.* The R-12 single-family residential district is intended to provide suitable areas for single-family, detached dwellings at medium densities as defined under the City of Kennesaw Comprehensive Land Use Plan, and as may be amended from time to time, with access to both public water and sewerage.

B. *Uses.* Any use not permitted as of right, or not permitted by Special Exception, or not permitted by land use permit is prohibited. To the extent there is a conflict between the permitted use table and this subsection, this section shall control for purposes of determining whether the use is allowed. See Section 4.04.01 for standards associated with Special Exception uses. Any conflict between the standards set forth in this district and those set forth in Section 4.04.01, the standards in Section 4.04.01 shall control for purposes of developing a Special Exception use.

The following uses are permitted:

Clubs or lodges

Community Fairs

Designated Recycling Collection locations

Executive golf courses

Golf courses (Par 3)

Golf courses (18-hold regulation; private and public)

Group homes

Limited home occupations

Nonprofit riding stables

Nonprofit (seasonal use) fishing lakes

Private parks

Recreation grounds other than tennis courts and golf courses

Religious assemblies

Single family dwelling units (detached)

Short Term Rentals (STR)

Temporary uses

The following uses are permitted by special exception (refer to section 4.04.01):

Cemeteries

Mausoleum

Private community centers

Private schools of general and special education

The following uses are permitted by land use permit or special land use permit:

Cottage food operator (refer to section 4.04.05 Standards for Home Occupation)

Family childcare learning home (refer to section 4.04.05 Standards for Home Occupation)

Home occupations (refer to section 4.04.05)

Manufactured Homes

Radio, television and other communication towers and antennas (refer to section 4.04.06)

C. *Requirements for certain uses.* The following uses shall have the requirements as ascribed to them in this subsection.

1. *Cottage Food Operators:*

(a) Cottage food operators shall adhere to all rules and regulations imposed by the Georgia Department of Agriculture.

(b) There shall be no signage or other exterior evidence of the cottage food operator.

(c) Deliveries of specialty ingredients such as herbs and spices, etc., limited to those made by the United States Postal Service or other carrier (FedEx, United Parcel Service, etc.) that routinely deliver mail/internet order products to residents.

(d) No cottage food products prepared by the cottage food operator may be picked up by a commercial carrier.

(e) There shall be no employees parking on the site unless approved by the Mayor and City Council in accordance with Section 4.04.05.

(f) A home occupation land use permit shall be required.

2. *Limited Home Occupations:*

(a) There shall be no exterior evidence of the home occupation, including but not limited to any type of identifying signs.

(b) No article, product or service used or sold in connection with such activity shall be other than those normally found on the premises.

(c) No mechanical equipment shall be used for such occupation except such equipment as is customary for purely household and hobby purposes.

(d) Such use shall be conducted entirely within the dwelling unit, and only persons living in the dwelling unit shall be employed in such occupation.

(e) No more than 25 percent of the dwelling unit may be used for the operation.

(f) No materials, equipment or business vehicles may be stored or parked on the premises, except that one business vehicle, used exclusively by the resident may be parked in a carport, garage, or rear or side yard.

(g) The off-site employees of the resident shall not congregate on the premises for any purpose concerning the business of the home occupation.

(h) There shall be no deliveries of supplies for use in the home occupation or pickups of the items produced by the occupant by commercial carriers.

(i) No clients or customers are allowed on the premises on a regular basis.

(j) The limited home occupation shall not create a nuisance.

3. *Designated Recycling Collection Locations:*

(a) Must be maintained in a safe, clean, neat, and sanitary fashion;

(b) Such location shall be visually screened and maintained;

(c) Such location shall be within the building setbacks unless otherwise approved by the zoning administrator or his/her designee due to topography, safety, internal traffic flow, site distance, or for other site-related circumstances not created by the property owner.

4. *Group Home:*

   (a) A group home shall be shared by four or fewer persons, excluding resident staff;

   (b) The group home must provide the City of Kennesaw with a copy of its scheduled activity plan, a copy of the group home rules, and, if applicable, evidence of active enforcement under the Georgia Association of Recovery Residence standards;

   (c) The group home must be under the direction and guidance of a designated managing caregiver that resides at the group home;

   (d) The designated managing caregiver or his or her designee shall be available on a 24-hour basis in the event of emergencies or complaints; and

   (e) A group home must submit to random inspections by the City Code Enforcement;

   (f) A group home shall comply with all applicable regulations by the Board of Behavioral Health and Developmental Disabilities and the Department of Behavioral Health and Developmental Disabilities.

5. *Family childcare learning home:*

   (a) Maximum of six children under 13 years of age at one time for pay or not for pay;

   (b) For purpose of this section only, children who are related by direct blood kin or adoption to the childcare provider shall not be included in the calculation of the six children limitation;

   (c) The childcare shall not create a nuisance to immediately adjacent property owners;

   (d) Off-street parking must be provided for childcare pick-up and drop-off; and

   (e) No employees;

   (f) Proof of a Family child care learning home license under O.C.G.A. § 20-1A-10(v), or as amended from time to time, by the Department of Early Care and Learning or its successor agency;

   (g) A home occupation land use permit shall be required.

6. *Temporary Uses:*

   (a) An approved temporary use shall not exceed 30 days and may be renewed for not more than one additional 30-day period.

   (b) Adequate off-street parking shall be provided.

   (c) Application for a temporary use shall be made with the City Business License division.

D. *Dimensional standards for Development.* Setback shall be measured from the property line of the parcel. The property with the shortest amount of road frontage shall be the front setback for determining other setbacks (major side, side, rear).

1. Minimum lot size: 12,000 square feet. The Zoning Administrator shall not be authorized to recommend a variance for more than 25 percent of the minimum lot size.
2. Minimum floor area: 1,200 square feet.
3. Minimum lot width at front setback line: 75 feet; cul-de-sac, 60 feet.
4. Minimum public road frontage: 75 feet; cul-de-sac, 50 feet.
5. Maximum cover: 30%
6. Maximum building height: 35 feet.
7. A basement shall be counted as a story if the ceiling is six feet or more above the grade and is either subdivided or used for dwelling or business purposes. A basement is a portion of the building partly

underground which has more than one-half of its height measured from finished floor to finished ceiling above the average grade of the adjoining ground.

8. *Minimum building setbacks:*

   (a) Front yard as measured from arterial: 40 feet.

   (b) Front yard as measured from collector: 40 feet.

   (c) Front yard as measured from local: 35 feet.

   (d) Side yard (aka minor side yard): 10 feet.

   (e) Rear yard: 20 feet.

   (f) Major side: 25 feet.

9. *Measuring building setbacks*: The number and type of setbacks is determined based on the number and type of public road frontages for the lot as follows and as shown on the following diagram:

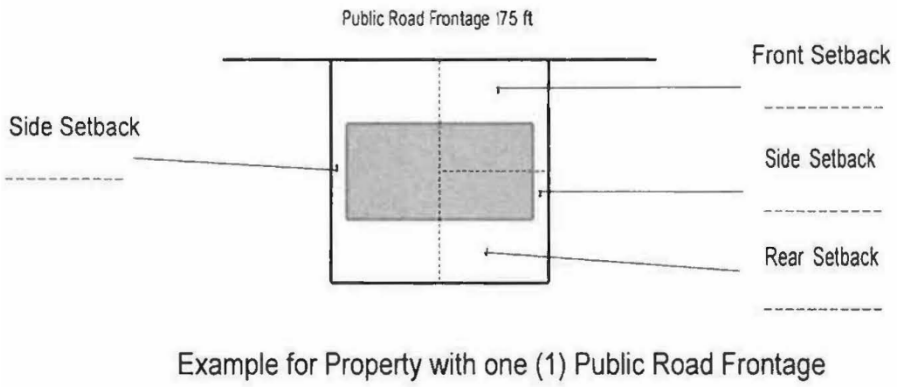
   (a) One public road frontage: The front yard setback is measured from the one public road frontage (arterial, collector, or local). The yard opposite the front yard is the rear yard and the other two yards are side yards.

   (b) Two public road frontages: The front yard setback is measured from the road with the shortest frontage (arterial, collector, or local). The major side yard setback is measured from the road with the longer frontage (arterial, collector, or local). The yard opposite the front yard is the rear yard and the yard opposite the major side yard is the minor side yard.

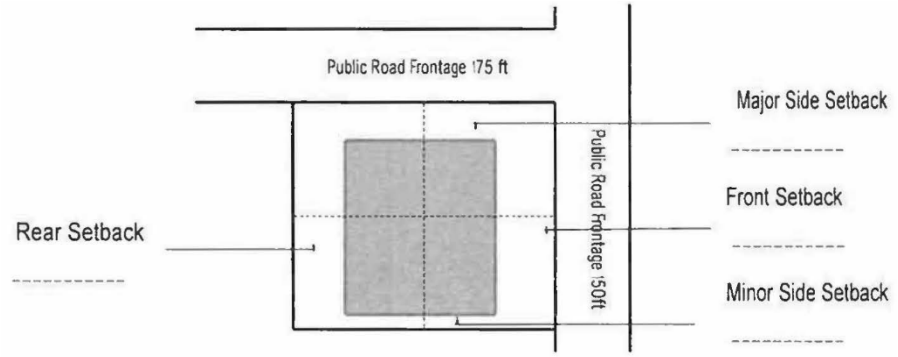
   (c) Three public road frontages: The front yard setback is measured from the road with the shortest frontage (arterial, collector, or local). The two major side yard setbacks are measured from the other two road frontages (arterial, collector, or local). The remaining yard is a minor side yard.

   (d) Building setbacks apply to both principal and accessory buildings and structure except where it explicitly states otherwise.

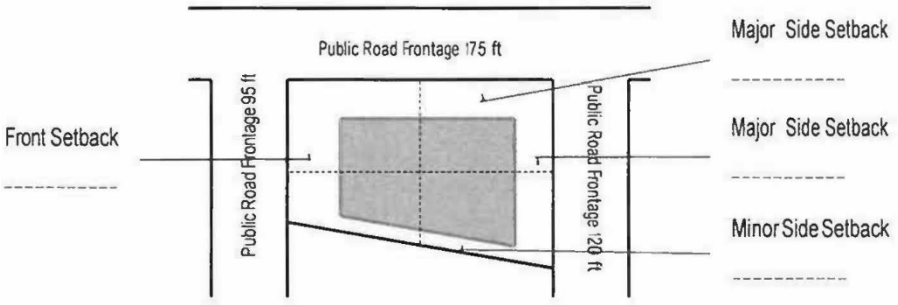
   (e) Irregular shaped lots: The Planning and Zoning Administrator will determine setbacks for irregular shaped lots adhering to the spirit and intent of this section.



Example for Property with one (1) Public Road Frontage



Example for Property with two (2) Public Road Frontages



Example for Property with three (3) Public Road Frontages

10. *Nonconforming Uses*. Any lot with an existing structure that was developed and established in accordance with applicable ordinances prior to March 18, 1996 shall be considered a lawful, conforming use under the Unified Development Code (UDC). In the event of reconstruction, such properties may be rebuilt using the previously established building footprint. The Zoning Administrator or their designee shall have the authority to approve administrative variances to reduce dimensional standards such as setbacks, lot width, coverage for lots identified as nonconforming on the official map referenced in Appendix A, where such standards do not align with current zoning regulations.

Administrative variances may be granted only if:

1. The proposed reconstruction does not adversely impact adjacent properties, and

2. The request remains consistent with the intent and purpose of the Unified Development Code.

2.01.03.06 The regulations for the R-10 Single-Family residential district (10,000-square-foot lot size) are as follows:

A. *Purpose and intent.* The R-10 single-family residential district is intended to provide suitable areas for single-family, detached dwellings at medium densities as defined by the City of Kennesaw Comprehensive Land Use Plan, and as may be amended from time to time, with access to both public water and sewerage. ~~The 289 parcels developed as a 10,000 square foot lot within the Woodland Acres subdivision which met the conditions of the ordinance prior to 1994, shall be deemed to a lawful conforming use and the Official Zoning Map of the City of Kennesaw, shall be amended to reflect that these lots and homes thereon shall be rezoned as lawful and conforming and subject to the regulations contained herein.~~

B. *Uses.* Any use not permitted as of right, or not permitted by Special Exception, or not permitted by land use permit is prohibited. To the extent there is a conflict between the permitted use table and this subsection, this section shall control for purposes of determining whether the use is allowed. See Section 4.04.01 for

standards associated with Special Exception uses. Any conflict between the standards set forth in this district and those set forth in Section 4.04.01, the standards in Section 4.04.01 shall control for purposes of developing a Special Exception use.

The following uses are permitted:

Clubs or lodges

Community Fairs

Designated Recycling Collection locations

Executive golf courses

Golf courses (Par 3)

Golf courses (18-hold regulation; private and public)

Group homes

Limited home occupations

Nonprofit riding stables

Nonprofit (seasonal use) fishing lakes

Private parks

Recreation grounds other than tennis courts and golf courses

Religious assemblies

Single family dwelling units (detached)

Short Term Rentals (STR)

Temporary uses

The following uses are permitted by special exception (refer to section 4.04.01):

Cemeteries

Mausoleum

Private community centers

Private schools of general and special education

The following uses are permitted by land use permit or special land use permit:

Cottage food operator (refer to section 4.04.05 Standards for Home Occupation)

Family childcare learning home (refer to section 4.04.05 Standards for Home Occupation)

Home occupations (refer to section 4.04.05)

Manufactured Homes

Radio, television and other communication towers and antennas (refer to section 4.04.06)

C. *Requirements for certain uses.* The following uses shall have the requirements as ascribed to them in this subsection.

1. *Cottage Food Operators:*

(a) Cottage food operators shall adhere to all rules and regulations imposed by the Georgia Department of Agriculture.

(b) There shall be no signage or other exterior evidence of the cottage food operator.

(c) Deliveries of specialty ingredients such as herbs and spices, etc., limited to those made by the United States Postal Service or other carrier (FedEx, United Parcel Service, etc.) that routinely deliver mail/internet order products to residents.

(d) No cottage food products prepared by the cottage food operator may be picked up by a commercial carrier.

(e) There shall be no employees parking on the site unless approved by the Mayor and City Council in accordance with Section 4.04.05.

(f) A home occupation land use permit shall be required.

2. *Limited Home Occupations:*

(a) There shall be no exterior evidence of the home occupation, including but not limited to any type of identifying signs.

(b) No article, product or service used or sold in connection with such activity shall be other than those normally found on the premises.

(c) No mechanical equipment shall be used for such occupation except such equipment as is customary for purely household and hobby purposes.

(d) Such use shall be conducted entirely within the dwelling unit, and only persons living in the dwelling unit shall be employed in such occupation.

(e) No more than 25 percent of the dwelling unit may be used for the operation.

(f) No materials, equipment or business vehicles may be stored or parked on the premises, except that one business vehicle, used exclusively by the resident may be parked in a carport, garage, or rear or side yard.

(g) The off-site employees of the resident shall not congregate on the premises for any purpose concerning the business of the home occupation.

(h) There shall be no deliveries of supplies for use in the home occupation or pickups of the items produced by the occupant by commercial carriers.

(i) No clients or customers are allowed on the premises on a regular basis.

(j) The limited home occupation shall not create a nuisance.

3. *Designated Recycling Collection Locations:*

(a) Must be maintained in a safe, clean, neat, and sanitary fashion;

(b) Such location shall be visually screened and maintained;

(c) Such location shall be within the building setbacks unless otherwise approved by the zoning administrator or his/her designee due to topography, safety, internal traffic flow, site distance, or for other site-related circumstances not created by the property owner.

4. *Group Home:*

(a) A group home shall be shared by four or fewer persons, excluding resident staff;

(b) The group home must provide the City of Kennesaw with a copy of its scheduled activity plan, a copy of the group home rules, and, if applicable, evidence of active enforcement under the Georgia Association of Recovery Residence standards;

(c) The group home must be under the direction and guidance of a designated managing caregiver that resides at the group home;

(d) The designated managing caregiver or his or her designee shall be available on a 24-hour basis in the event of emergencies or complaints; and

(e) A group home must submit to random inspections by the City Code Enforcement;

(f) A group home shall comply with all applicable regulations by the Board of Behavioral Health and Developmental Disabilities and the Department of Behavioral Health and Developmental Disabilities.

5. *Family childcare learning home:*

(a) Maximum of six children under 13 years of age at one time for pay or not for pay;

(b) For purpose of this section only, children who are related by direct blood kin or adoption to the childcare provider shall not be included in the calculation of the six children limitation;

(c) The childcare shall not create a nuisance to immediately adjacent property owners;

(d) Off-street parking must be provided for childcare pick-up and drop-off; and

(e) No employees;

(f) Proof of a Family child care learning home license under O.C.G.A. § 20-1A-10(v), or as amended from time to time, by the Department of Early Care and Learning or its successor agency;

(g) A home occupation land use permit shall be required.

6. *Temporary Uses:*

(a) An approved temporary use shall not exceed 30 days and may be renewed for not more than one additional 30-day period.

(b) Adequate off-street parking shall be provided.

(c) Application for a temporary use shall be made with the City Business License division.

D. *Dimensional standards for Development.* Setback shall be measured from the property line of the parcel. The property with the shortest amount of road frontage shall be the front setback for determining other setbacks (major side, side, rear).

1. Minimum lot size: 10,000 square feet. The Zoning Administrator shall not be authorized to recommend a variance for more than 25 percent of the minimum lot size.

2. Minimum floor area: 1,050 square feet.

3. Minimum lot width at front setback line: 75 feet; cul-de-sac, 60 feet.

4. Minimum public road frontage: 75 feet; cul-de-sac, 50 feet.

5. Maximum cover: 30%

6. Maximum building height: 35 feet.

7. A basement shall be counted as a story if the ceiling is six feet or more above the grade and is either subdivided or used for dwelling or business purposes. A basement is a portion of the building partly underground which has more than one-half of its height measured from finished floor to finished ceiling above the average grade of the adjoining ground.

8. *Minimum building setbacks:*

(a) Front yard as measured from arterial: 40 feet.

(b) Front yard as measured from collector: 40 feet.

(c) Front yard as measured from local: 35 feet.

(d) Side yard (aka minor side yard): 10 feet.

(e) Rear yard: 20 feet.

(f) Major side: 25 feet.

9. *Measuring building setbacks*: The number and type of setbacks is determined based on the number and type of public road frontages for the lot as follows and as shown on the following diagram:

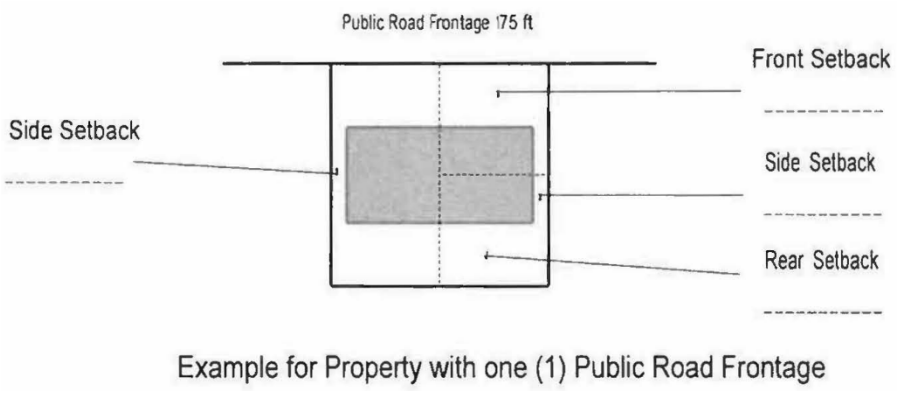
(a) One public road frontage: The front yard setback is measured from the one public road frontage (arterial, collector, or local). The yard opposite the front yard is the rear yard and the other two yards are side yards.

(b) Two public road frontages: The front yard setback is measured from the road with the shortest frontage (arterial, collector, or local). The major side yard setback is measured from the road with the longer frontage (arterial, collector, or local). The yard opposite the front yard is the rear yard and the yard opposite the major side yard is the minor side yard.

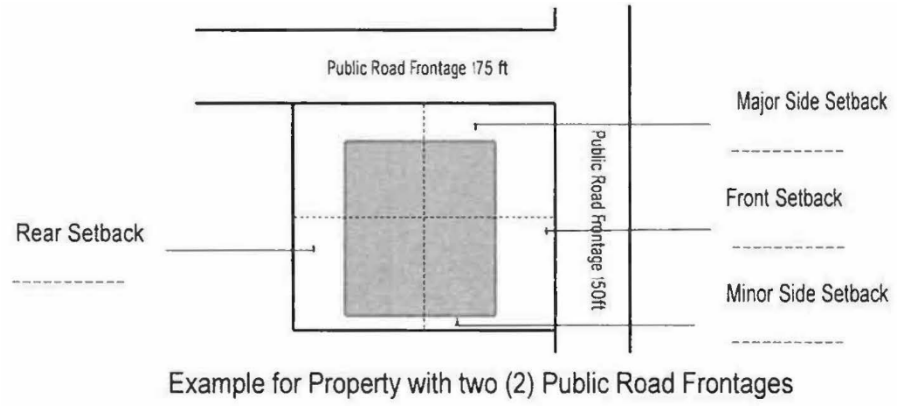
(c) Three public road frontages: The front yard setback is measured from the road with the shortest frontage (arterial, collector, or local). The two major side yard setbacks are measured from the other two road frontages (arterial, collector, or local). The remaining yard is a minor side yard.

(d) Building setbacks apply to both principal and accessory buildings and structure except where it explicitly states otherwise.

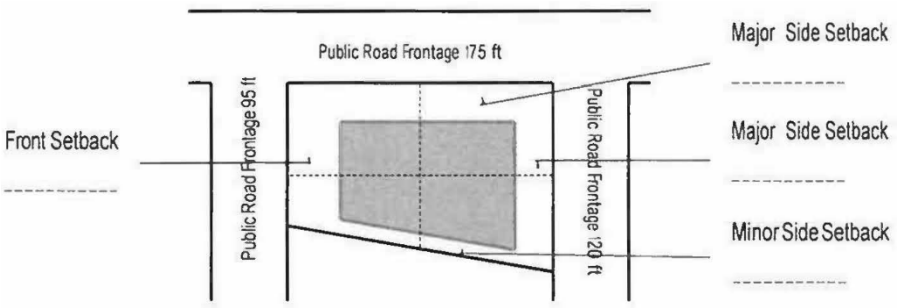
(e) Irregular shaped lots: The Planning and Zoning Administrator will determine setbacks for irregular shaped lots adhering to the spirit and intent of this section.



Example for Property with one (1) Public Road Frontage



Example for Property with two (2) Public Road Frontages



Example for Property with three (3) Public Road Frontages

10. *Nonconforming Uses*. Any lot with an existing structure that was developed and established in accordance with applicable ordinances prior to March 18, 1996 shall be considered a lawful, conforming use under the Unified Development Code (UDC). In the event of reconstruction, such properties may be rebuilt using the previously established building footprint. The Zoning Administrator or their designee shall have the authority to approve administrative variances to reduce dimensional standards such as setbacks, lot width, coverage for lots identified as nonconforming on the official map referenced in Appendix A, where such standards do not align with current zoning regulations.

Administrative variances may be granted only if:

1. The proposed reconstruction does not adversely impact adjacent properties, and

2. The request remains consistent with the intent and purpose of the Unified Development Code.

SECTION 2

THAT SECTION 9.01.00 of the Unified Development Code of the Code of Ordinances for the City of Kennesaw, Georgia, is hereby amended to read as follows:

9.01.00 Nonconforming Uses

A. The lawful use of any building, structure or land existing at the time of the enactment of this UDC may be continued even though such use does not conform with the provisions of this UDC except that the use of a principal nonconforming building, structure or land shall not be:

Changed to another nonconforming use;

Re-established after discontinuance or abandonment for one (1) year. Discontinuance or abandonment means the failure to devote the property to the permitted nonconforming use evidenced by an overt act or failure to act (or combination of the two) sufficient to support the implication of an intent to relinquish the right to continue the nonconforming use.

Expanded, enlarged or extended, either on the same or adjoining parcel, except in conformity with this ordinance;

Rebuilt, altered, replaced, or repaired after damage exceeding fifty percent (50%) of its replacement cost at the time of destruction as determined by the building official except in conformity with this ordinance. For those situations where the damage does not exceed fifty percent (50%) of its replacement value, any such rebuilding, alteration, replacement or repair shall be completed within twelve (12) months of such damage;

Altered, except if less than thirty percent (30%) of the floor space of a building or structure is found by the building inspector to be structurally unsafe then a permit may be issued to correct the unsafe condition.

Exception for Established Communities: Residential properties located within established neighborhoods developed and recorded prior to March 18, 1996 shall be considered conforming for the purposes of

rebuilding. In the event of damage, such properties may be reconstructed using the previously established building footprint, provided the use remains consistent with the original residential designation and all applicable building codes are met.

B. At the time of the enactment of this UDC, every owner of a nonconforming building or structure shall have sixty (60) days to indicate in writing to the Zoning Administrator which building or structure or group of buildings or structures will be considered the "principal" nonconforming building or structure defined in Section A above. In the event that more than one (1) building or structure is classified as "principal" under this section, said classification must be justified by the owner and accepted in writing by the Zoning Administrator. In the event that multiple buildings or structures are accepted by the Zoning Administrator as being the "principal" nonconforming building or structure as defined in Section A above, then all percentage figures stated in this section will pertain to the total area of the multiple buildings or structures so accepted.

C. All nonconforming buildings, structures and uses (shall be discontinued and made to conform within the time periods set forth below:

1. All nonconforming uses of land where no buildings are involved—Six (6) months from date of adoption of this UDC.
2. All nonconforming uses of land on which are located demountable or portable buildings or structures—twelve (12) months from date of adoption of this ordinance unless approved by the Georgia Department of Community Affairs (DCA).

SECTION 3

BE IT FURTHER ORDAINED THAT this ordinance shall be effective on and after its adoption and execution by the mayor, pursuant to Section 2.11 of the City Charter of the City of Kennesaw.

PASSED AND ADOPTED by the Kennesaw City Council on this _____ day of _____ , 2026.

ATTEST:

_____

Lea Alvarez, City Clerk

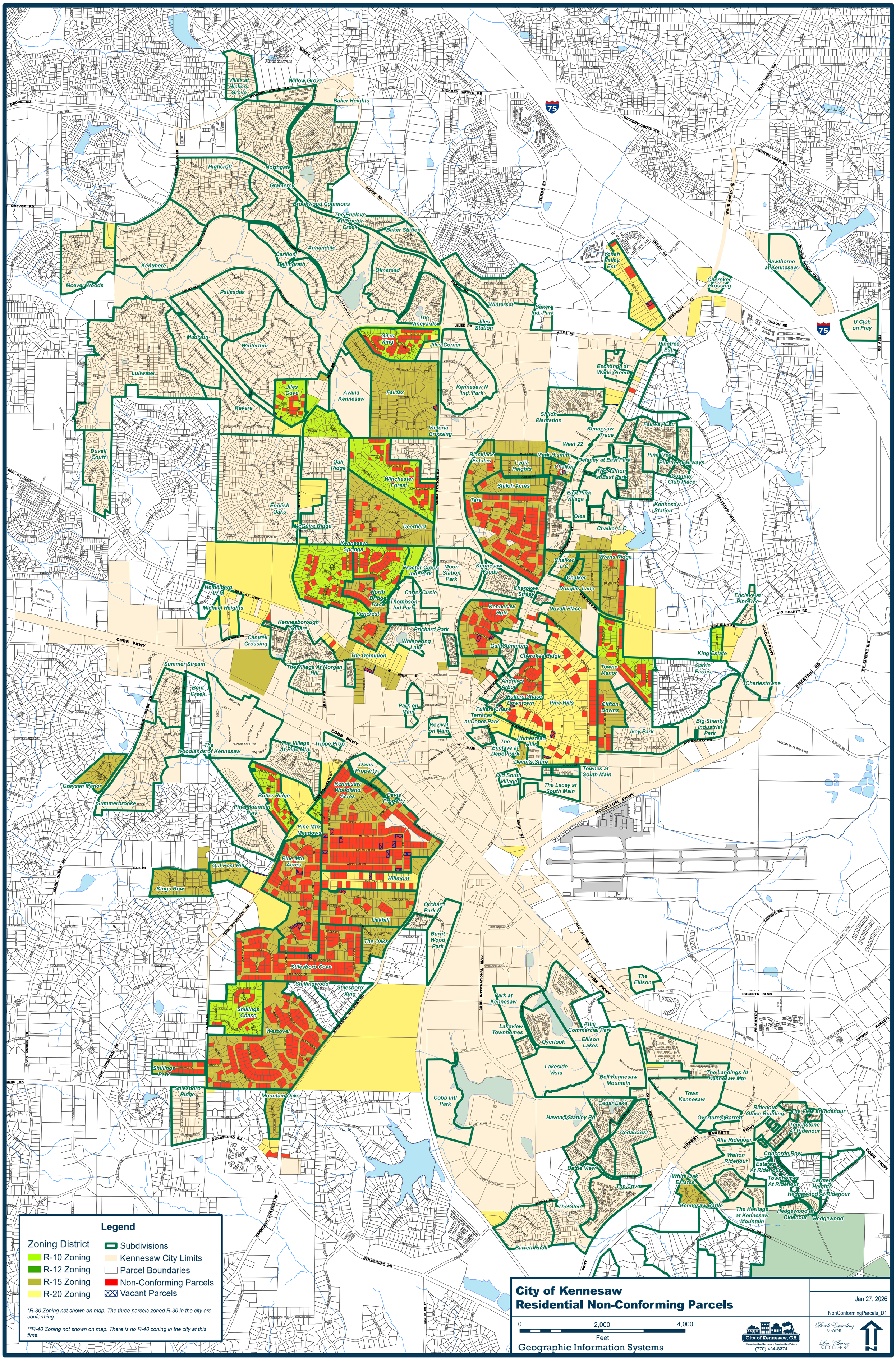
CITY OF KENNESAW:

_____

Derek Easterling, Mayor

APPENDIX A

MAP OF RESIDENTIAL NON-CONFORMING PARCEL


Villas at Hickory Grove
Willow Grove
Baker Heights
Highcroft
Northgate
Gramercy
Brookwood Commons
The Enclave At Proctor Creek
Baker Station
Annandale
Carillon
Bellingrath
Kentmere
Mcever Woods
Palisades
Madison
Winterthur
Lullwater
Revere
Duvall Court
Jiles Cove
Avana Kennesaw
Fairfax
Giles Xing
Jiles Corner
Olmstead
Winterset
The Vineyards
Jiles Station
Baker Ind. Park
Yonah Valley Est.
Hawthorne at Kennesaw
Cherokee Crossing
U Club on Frey
Pinetree Est.
Exchange at Wade Green
Shiloh Plantation
Kennesaw Trace
Fairway Est.
West 22
Blackjack Estates
Lydia Heights
Mark H.smith
Chalker LC
Delaney at East Park
Pine Tree
Pinetree Fairways
The Ashton at East Park
County Club Place
Shiloh Acres
East Park Village
Tara
Kennesaw Station
Olea
Chalker L.C
Oak Ridge
Winchester Forest
English Oaks
McGuire Ridge
Deerfield
Kennesaw Springs
Wrens Ridge
Chalker L.C
Chalker
Douglas Lane
Proctor Creek Ind. Park
Moon Station Park
Kennesaw Woods
Cherokee Street
Duvall Place
Enclave at Pine Tree
Heidelberg W.M
Michael Heights
North Bridge Trace
Carter Circle
Thompson Ind Park
Kencrest
Kennesborough Square
Cantrell Crossing
Prichard Park
Whispering Lake
Kennesaw Hgts
Galt Commons
Cherokee Ridge
King Estate
Towne Manor
Carrie Farms
Charlestowne
The Dominion
The Village At Morgan Hill
Andrews Arbor
Fullers Chase Downtown
Fullers Chase
Terraces at Depot Park
Pine Hills
Clifton Downs
Ivey Park
Big Shanty Industrial Park
Summer Stream
Bent Creek
The Woodlands of Kennesaw
Park on Main
Revival on Main
The Village At Pine Mtn.
Trippe Prop.
The Enclave at Depot Park
Homestead Hills
Devin's Shire
Old South Village
Townes at South Main
The Lacey at South Main
Greysen Manor
Summerbrooke
Butler Ridge
Pine Mountain Park
Davis Property
Kennesaw Woodland Acres
Davis Property
Pine Mtn. Meadows
Pine Mtn. Acres
Out Post Hill
Kings Row
Hillmont
Orchard Park N
Oakhill
The Oaks
Burnt Wood Park
Stilesboro Cove
Shillingwood
Stilesboro Xing
Shillings Chase
Westover
Shillings Park
Stilesboro Ridge
Mountain Oaks
Park at Kennesaw
The Ellison
Lakeview Townhomes
Attic Commercial Park
Overlook
Ellison Lakes
Lakeside Vista
Bell Kennesaw Mountain
"The Landings At Kennesaw Mtn
Cobb Intl Park
Cedar Lake
Haven@Stanley Rd
Town Kennesaw
Ridenour Office Building
The View at Ridenour
Overture@Barrett
Touchstone At Ridenour
Alta Ridenour
Walton Ridenour
Concorde Row
Estates At Ridenour
Battle View
White Oak Estates
Townhomes At Ridenour
Carmen Heights
Hedgewood At Ridenour
The Cove
Kennesaw Battle
The Heritage at Kennesaw Mountain
Hedgewood at Ridenour
Hedgewood
The Glen
Barrett Knoll
Cobb International Blvd
Roberts Blvd
Big Shanty Rd
Cobb Pkwy
Old 41 Hwy
Mcever Rd
Grove Rd
Baker Rd
Hickory Grove Rd
New Hope Rd
Jiles Rd
Moon Station Rd
Shiloh Rd
Wade Green Rd
Wooten Lake Rd
McCollum Pkwy
Cherokee St
Frey Rd
Chastain Rd
Dobbs Rd
Ellis Rd
Pine Mountain Rd
Kennesaw Due West Rd
Stilesboro Rd
Vaughn Rd
Airport Rd
Barrett Pkwy
Ernest Barrett Pkwy
Ben King Rd
Legacy Park Blvd
Main St
Legend
Zoning District
R-10 Zoning
R-12 Zoning
R-15 Zoning
R-20 Zoning
Subdivisions
Kennesaw City Limits
Parcel Boundaries
Non-Conforming Parcels
Vacant Parcels
*R-30 Zoning not shown on map. The three parcels zoned R-30 in the city are conforming.
**R-40 Zoning not shown on map. There is no R-40 zoning in the city at this time.
City of Kennesaw
Residential Non-Conforming Parcels
Jan 27, 2026
NonConformingParcels_D1
0
2,000
4,000
Feet
Geographic Information Systems
City of Kennesaw, GA
Honoring Our Heritage - Forging Our Future
(770) 424-8274
Derek Easterling
MAYOR
Lea Alvarez
CITY CLERK
N

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

ORDER CONFIRMATION

Salesperson: ROSE MILLER — Printed at 01/14/26 14:04 by rmill-tj

Acct #: 110016 — Ad #: 530840 — Status: New WHOLD

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

Start: 01/16/2026 — Stop: 01/16/2026
Times Ord: 1 — Times Run: ***
LEG 1.00 X 2.63 Words: 200
Total LEG 2.63
Class: 8003 PUBLIC HEARING
Rate: LEGL — Cost: 30.00
Ad Descrpt: PH-9232 MISC2026-02
Descr Cont: MDJ-9232 GPN-16 CITY OF K
Given by: REBECCA GOLDSTEIN
P.O. #: MISC2026-02
Created: rmill 01/14/26 13:59
Last Changed: rmill 01/14/26 14:03

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

PUB	ZONE	EDT	TP	RUN DATES
MDJ	A	95	S	01/16

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)

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MDJ-9232
GPN-16
CITY OF KENNESAW
PUBLIC NOTICE

Notice is hereby given that the City of Kennesaw shall hold public hearings to amend the Unified Development Code. The proposed amendment is to amend Appendix A, "Unified Development Code" Chapter 2, Section 2.01.03 "Residential Zoning Districts" and Chapter 9, Section 9.01.00 "Nonconforming Uses". A copy of the amendment to the Unified Development Code is on file in the Office of Planning and Zoning during normal business hours, Monday-Friday from 8 a.m. to 5 p.m. for public viewing.

Said meeting shall be held before the Planning Commission on February 4, 2026, at 6:30 p.m. and the Mayor and Council will hold a public hearing on February 16, 2025, at 6:30 p.m. Both meetings will be held at 2529 J. O. Stephenson Avenue, Kennesaw, Georgia. Any interested persons may attend and be heard relative hereto.

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/**

1:16-2026

Item Report

TO: The Planning Commission

FROM: Chanelle Campbell, Planning and Zoning Director

DATE: February 4, 2026

TITLE: **MISC2026-03** - Consideration for approval to adopt the official "2026 Zoning Map" for the City of Kennesaw.

Summary:

Recommendation:

Fiscal Impact:

Attachments:
1. MISC2026-03_Zoning Map Adoption_Ordinance
2. MISC2026-03_Rezoning Summary
3. MISC2026-03_2026 Zoning Map
4. MISC2026-03_2026 Zoning Map Adoption_Legal Ad

CITY OF KENNESAW

ORDINANCE NO. 2026- , 2026

AN ORDINANCE TO ADOPT THE OFFICIAL ZONING MAP OF THE CITY OF KENNESAW

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

WHEREAS, an Ordinance is necessary to adopt the Official Zoning Map of the City of Kennesaw, Georgia, and;

WHEREAS, notice as advertised in the Marietta Daily Journal on January 16, 2026; and

WHEREAS, the Kennesaw Planning Commission held a public hearing on this proposal on February 4, 2026 recommending approval; and

WHEREAS, the Mayor and Council held a public hearing on this proposal on February 16, 2026; and

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

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Kennesaw, Cobb County, Georgia, that the Official Zoning Map of the City of Kennesaw, Georgia is hereby adopted to reflect all zoning approvals regarding annexations and rezonings between January 1, 2025 and December 31, 2025; and

BE IT FURTHER ORDAINED THAT this Ordinance and the attached map shall become effective from and after its adoption and execution by the Mayor.

PASSED AND ADOPTED by the Kennesaw City Council on this _____day of _____ 2026.

Attest: City of Kennesaw

_____ _____

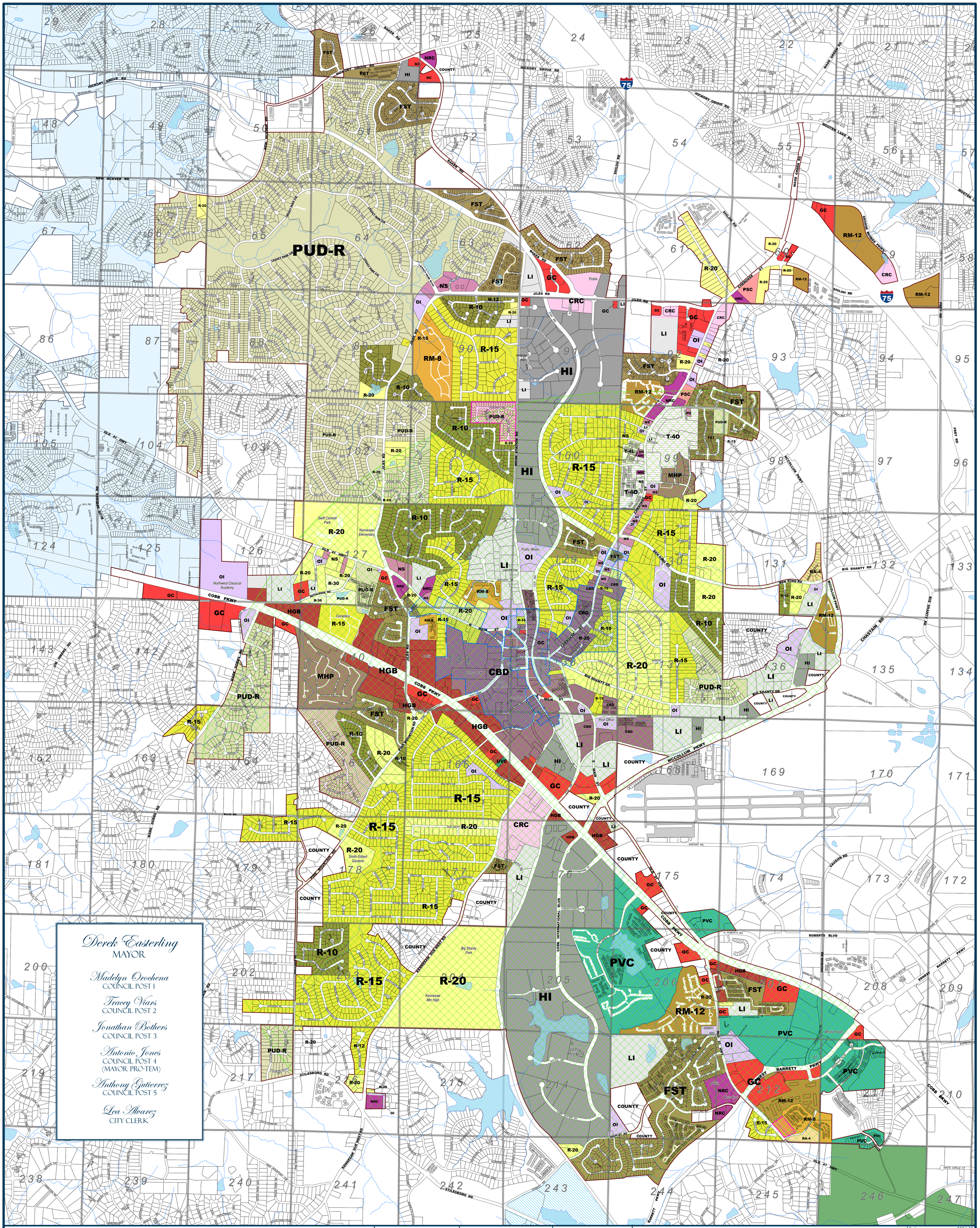
Lea Alvarez, City Clerk Derek Easterling, Mayor

2025 Rezoning and Annexation Summary

Case No.	Applicant's Name (Property Owner)	Application Type, Project Description	Project Address	Parcel ID#
RZ2025-01	Elliot Van Dyke	Rezoning from Light Industrial (LI) to Central Business District (CBD) to develop multifamily apartments and retail.	2615 South Main Street	20016700990

Zoning Corrections and Updates

1. Oak Ridge Subdivision
2. Mountain Oaks Subdivision
3. Woodland Acres Subdivision



Derek Easterling
MAYOR

Madelyn Orochena
COUNCIL POST 1

Tracey Viars
COUNCIL POST 2

Jonathan Bothers
COUNCIL POST 3

Antonio Jones
COUNCIL POST 4
(MAYOR PRO-TEM)

Anthony Gutierrez
COUNCIL POST 5

Lea Alvarez
CITY CLERK

Zoning Districts

CBD	HGB	NRC	PUD-R	R-20	RA-6		
CRC	HI	NS	PVC	R-30	RM-8		
FST	LI	OI	R-10	R-40	RM-12		
GC	MHP	PBSH	R-12	RA-4	RM-16		
		PSC	R-15	RA-5	UVC		

Form Based Code
- Open Space
- T-3
- T-4L
- T-4O
- T-5

Zoning Overlays
- Airport Hazard District
- Conservation Subdivision
- Historic Districts
- Historic Preservation Village
- Senior Living

- Acworth City Limits
- Kennesaw City Limits
- Kennesaw Mtn Nat'l Battlefield
- 139 Land Lots
- Marietta City Limits

ADOPTED OFFICIAL ZONING MAP

MAYOR DEREK EASTERLING *--- DRAFT ---*

CITY OF KENNESAW
PLANNING & ZONING DEPT.
"ALWAYS PLANNING FORWARD"

Derek Easterling MAYOR
Lea Alvarez CITY CLERK

Ordinance:	2024-03
Adopted:	Feb 19,2024
Revised:	Jan 28, 2026
File:	ZoningMap_ep

1" = 700'

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P.O. BOX 1633
ROME GA 30162-1633
(770)795-3050

ORDER CONFIRMATION

Salesperson: ROSE MILLER — Printed at 01/14/26 14:06 by rmill-tj

Acct #: 110016 — Ad #: 530843 — Status: New WHOLD

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

Start: 01/16/2026 — Stop: 01/16/2026
Times Ord: 1 — Times Run: ***
LEG 1.00 X 2.32 Words: 200
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Contact: LEA ALVAREZ
Phone: (770)424-8274
Fax#:
Email: LALVAREZ@KENNESAW-GA.GOV
Agency:

PUB	ZONE	EDT	TP	RUN DATES
MDJ	A	95	S	01/16

AUTHORIZATION

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_____ Name (print or type)

_____ Name (signature)

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MDJ-9233
GPN-16
CITY OF KENNESAW
PUBLIC NOTICE

Notice is hereby given that the City of Kennesaw shall hold public hearings to give consideration for the adoption of the official City of Kennesaw 2026 Zoning Map. A copy of the map is on file in the Planning and Zoning office located at 3080 Moon Station Rd, Kennesaw, GA 30144 for viewing during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday.

Said meeting shall be held before the Planning Commission on February 4, 2026, at 6:30 p.m. and the Mayor and Council will hold a public hearing on February 16, 2026, at 6:30 p.m. Both meetings to be held at 2529 J. O. Stephenson Avenue, Kennesaw, Georgia. Any interested persons may attend and be heard relative hereto.

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/**

1:16-2026