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

Planning Commission
Meeting Agenda
March 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 March 16, 2026.

3. Approval of the Meeting Minutes

A. Approval of meeting minutes: February 4, 2026

4. Old Business

A. **RZ2026-01** - Consideration to rezone the properties located at 1600 Old 41 Hwy and 0 Old 41 Hwy (parcel #20021200130 & 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 11.44 +/- acres and lies in land lot 140, tax parcels 13 & 156.

5. New Business

A. **ZV2026-01** - Consideration of a variance application submitted by Walton

Communities LLC for the properties located at 1600 Old 41 Hwy and 0 Old 41 Hwy (parcel # 20021200130, 20021201560). Said variance request is to reduce the minimum parking requirement for multi-family dwelling units from 1.75 spaces per dwelling unit to 1.5 spaces per dwelling unit. Property consists of 11.44 +/- acres and and lies in land lot 140, tax parcel 13 & 156.

B. **RZ2026-03** - Consideration to amend the zoning conditions as outlined in Ordinance # 2006-20 as submitted by Cedar Creek Professional Office Association, Inc., - Alan Barge for the property located at 6095 Pine Mountain Rd (parcel # 20014001470). Said request is to amend the zoning conditions outlined in Ordinance # 2006-20 to eliminate stipulation #14. Property consists of 2.88 +/- acres and lies in land lot 140, tax parcel 147.

6. Staff Comment

7. Adjourn

MINUTES OF PLANNING COMMISSION MEETING
CITY OF KENNESAW
Council Chambers
(2529 J.O. Stephenson Avenue, Kennesaw, GA 30144)
February 4, 2026
6:30 PM

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1. Call to Order / Roll Call

Vice Chair Vande Zande called the meeting to order at 6:30 p.m.
Roll Call: Rebecca Patterson, Carolyn Greenall, Robert Trim, Todd Vande Zande
Absent: Trey Bodenhamer
Staff Present: Chanelle Campbell (Planning & Zoning Administrator), and Rebecca Goldstein (Community Development Administrative Assistant)
Speakers Present: Kevin Moore (Applicant's Representative), Adam Rozen (Applicant's Representative), Cameron Heath (Applicant), Dave Schwickerath (HOA President, The Village at Pine Mountain), Stephen Snow (Representative, Cedar Creek Professional Office Association, Inc.), Charles Barge (President, Cedar Creek Professional Office Association), Al Colcombe (6205 Pine Mountain LLC), Caleb Hydrick (Resident, City of Kennesaw)

2. Announcements

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B. Pending zoning applications may be viewed on an interactive map via the Planning & Zoning webpage or using the following link: https://arcg.is/1q1ubX0.

C. New business items on this agenda will be heard by the Mayor and Council on February 16, 2026.

3. Approval of the Meeting Minutes

A. Approval of meeting minutes: January 7, 2026

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

4. New Business

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Vice Chair Vande Zande called for a motion to amend the agenda order.
Commissioner Trim motioned to amend the agenda order to allow case number RZ2026-01 to be heard first
Seconded by Commissioner Greenall
Vice Chair Vande Zande proceeded with a roll call for approval.
Vote taken, motion unanimously approved 3-0. Motion carried.

A. **RZ2026-01** - Consideration to rezone the properties located at 1600 Old 41 Highway (parcel #20021200130 & 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.

Ms. Chanelle Campbell presented this agenda item. This is a rezoning application submitted by Walton Communities, LLC requesting to rezone 11.68 +/- acres located at the intersection of Old 41 Hwy and Barrett Parkway. On January 23, 2026, staff received a letter from the applicant's representative, Attorney Kevin Moore, with Moore, Ingram, Johnson, and Steele, requesting that the case be postponed to the March calendar cycle. The additional time will allow staff to review the submitted traffic impact study and allow time to post the public notice for the accompanying variance application. Staff advertised the case in the Marietta Daily Journal (MDJ) and posted signs on the property on January 16, 2026. Because the case was legally advertised, a public hearing must be conducted. Staff recommended approval of the request to postpone.

Mr. Kevin Moore, representative for Walton Communities, requested the agenda item be postponed. He explained that additional time was needed for staff to review the submitted traffic study and to legally advertise a variance application for a reduction in the parking ratio.

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

Hearing no Commissioner comment, Vice Chair Vande Zande called for a motion to postpone the agenda item to the March 4, 2026, meeting.
Motion by Commissioner Greenall to approve the request to postpone the application to the March 4, 2026, meeting.
Seconded by Commissioner Patterson
Vice Chair Vande Zande proceeded with a roll call for approval.
Vote taken, motion unanimously approved 3-0. Motion carried.

5. 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

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development of fee simple town homes. Property consists of 8.823 +/- acres and lies in land lot 140, tax parcel 138.

Ms. Chanelle Campbell presented this application. This is a rezoning application submitted by DRB Group, LLC. The case was postponed from the January agenda and is now before the Planning Commission for consideration to rezone 8.82 +/- acres from Highway General Business (HGB) to Planned Unit Development-Residential (PUD-R). The applicant is requesting to rezone to develop eighty-nine (89) "for-sale" fee-simple townhomes. In 2006, Mayor and Council approved the rezoning of the adjacent 2.88 +/- acre parcel to the east to HGB for the development of a business office complex known today as Cedar Creek Professional Center. The first building was completed in 2000 while the remaining 8.82 +/- acres were left undeveloped. In 2018, the City of Kennesaw Community Development Department received an application for a proposed nursing home known as Devi Manor. Construction for the project began, then stalled in 2019, leaving the property in its current condition. The Comprehensive Plan designates the site's future land use as Community Activity Center (CAC), an area intended to accommodate a balanced mix of commercial, civic and residential uses. Given the site's lack of direct frontage on a major roadway and 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 west and the Village at Pine Mountain subdivision to the south.

On January 16, 2026, staff received a letter of opposition from the representative of the property located at 6095 Pine Mountain Road, which is the 2.88 +/- acre property fronting Pine Mountain Road. Additionally, staff received an application for rezoning from Cedar Creek Professional Office Association, located on the 2.88 +/- acre parcel at 6095 Pine Mountain Road, with a request to update the conditions from the 2006 rezoning ordinance to remove one of the conditions.

Staff recommends approval of the rezoning application submitted by DRB Group with conditions. Ms. Campbell announced that representatives for the applicant and the opposition party were present. Ms. Campbell invited the applicant to present.

Mr. Adam Rozen with Rozen, Rozen, and Reilly, introduced himself as the attorney representing DRB Group. He stated that they would be available to answer questions about the project, property access, and opposition from the adjoining property owner. He thanked the Commissioners for granting the applicant additional time to work with staff and the neighboring property owner on how to best develop the property. Mr. Rozen stated that the applicant began discussions with staff in August before submitting the application in October. After filing the rezoning application, the applicant voluntarily held a public input meeting in December. The only person in attendance is one of the owners at Cedar Creek Professional Office Center. No other community members were at that meeting and only the President of the adjoining residential subdivision communicated with the applicant directly.

Mr. Rozen addressed the zoning and future land use of the surrounding properties and

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the property subject to the current rezoning case. He highlighted that parcels along Highway 41 are zoned HGB. The HGB zoning allowed the previous approval of two office buildings and, more recently, the Devi Manor assisted living facility, at 6095 Pine Mountain Road. Transitioning away from Highway 41, there are adjoining residential uses including fee-simple townhomes and a mobile home park. The applicant believes an appropriate transition between the two uses would be additional residential units under the proposed PUD-R zoning district. The future land use for the site and properties along Highway 41 is CAC, which envisions a mixture of uses. Mr. Rozen stated that the residential component in that mixture of uses envisioned for CAC was missing from the intersection of Pine Mountain Road and Highway 41/Cobb Pkwy. The applicant believes that their proposal completes the mixture of uses expected with the CAC future land use designation.

Ms. Cameron Heath introduced DRB as a national home builder operating in 14 states, predominately on the East Coast with multiple neighborhoods around Metro-Atlanta. One of their communities is Barrett Pointe in Cobb County. She stated that DRB has an A+ rating from the Better Business Bureau and expressed that they work hard to ensure they are responsive to those comments. Ms. Heath reviewed the details for the neighborhood signage developed by the marketing team. The development will have an entrance monument close to the corner of the property along Pine Mountain Road, some temporary signage, and a slot on the larger commercial sign structure.

Ms. Heath stated that their target market is working professionals, young families, or empty nesters seeking a low-maintenance lifestyle. Two types of home elevations were presented. The first set of building elevations are 1,900 square feet with three to four bedrooms, and two to three and a half bathrooms. The exterior colors were selected based on discussion with city staff. The elevations feature a mixture of materials including brick, hardie plank, cementious siding, and shake. The second set of elevations are two-story, two-car floor plans with about 1,850 square feet, three to four bedrooms, and two and a half bathrooms. Both products will be sold in the low $400,000 range. DRB feels the designs are congruent to the market and existing and new construction products currently being offered.

Mr. Rozen presented the proposed site plan for the project. The proposal consists of eighty-nine townhomes on just under nine acres. Along the west side of the development, there will be an undisturbed stream buffer. At the southern side of the proposed development, there will be a twenty-foot landscaping buffer with landscaping continuing around the perimeter of the property. Staff worked with the applicant to ensure the project included meaningful features and amenities. These features and amenities include courtyards, walking areas, sidewalk connectivity, a dog park, and park-like landscaping throughout the development. The applicant is proposing gated access to the property via Pine Mountain Road and Highway 41/Cobb Pkwy with a fence around the perimeter of the property as part of the conditions recommended by staff.
Mr. Rozen presented the results of a voluntary traffic study. The traffic study compared the estimated number of trips generated for the proposed development to the estimated

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number of trips generated for the previously approved office buildings and assisted living facility. The presented results indicated that previously approved projects were estimated to generate more trips than the proposed town home development.

Mr. Rozen stated that one of the differences in discussion between the applicant and the Cedar Creek Professional Office Center is the issue of access on the property. He explained that the applicant believes access between the properties was intended to be connected so the property would have access to Pine Mountain Road. The applicant met with the counsel for the adjoining owner and the City to try and work through access concerns. The opposition submitted a letter that includes details about DRB not being consistent with a prior rezoning from 2006. He reminded the Commissioners that the prior rezoning was for the 2.88+/- acres adjacent to the property. He argued that while the subject property was envisioned to be office, it was not the subject of the rezoning and is not bound to the 2006 rezoning conditions. In the 2006 rezoning, condition fourteen provides access to the vacant eight acre parcel at the time of development. Mr. Rozen expressed the hope that now was the time for the property to be developed with access to Pine Mountain Road. He also shared that part of the access road to Pine Mountain Road was improved as part of a SPLOST project. The applicant shared a proposed timeline for the development of the project by DRB. They estimate completion of final build-out in the fall of 2029. Mr. Rozen announced that Ms. Heath and himself would be available if there were any questions.

Ms. Campbell stated that staff recommended approval of the application with conditions. She highlighted some of the twenty recommended conditions for the site. Ms. Campbell announced that staff was available for questions.

Vice Chair Vande Zande noted that a condition outlined by staff stated construction must begin within twenty-four months of the approval date. He asked if the applicant's slide stated that construction would not begin until 2029. Staff clarified that the slide stated that construction would be completed by 2029.

Vice Chair Vande Zande opened the floor for public comment.

Stephen Snow introduced himself as the attorney representing Cedar Creek Professional Office Association and twenty-one-year resident of Kennesaw. He stated that they submitted a statement in opposition to the rezoning request. He argued that the proposed rezoning contradicts the City of Kennesaw’s Future Land Use Map and violates multiple stipulations of Ordinance 2006-20, which rezoned Cedar Creek Professional Office Center’s 2.88 +/- acre property to HGB. The stipulations include stipulation four, stipulation six, stipulation eleven, and stipulation thirteen. He argued that the proposed development of eighty-nine townhomes did not match the ordinance’s expectation of two office buildings, that the proposed buffers and setbacks dwarfed what was originally approved, that the proposed materials were a different aesthetic from the originally required materials, and that the submitted traffic study indicated that traffic and stacking would be an issue on Pine Mountain Road contrary to the requirements of the ordinance.

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Mr. Snow also discussed issues with DRB's plans showing two access points. He stated that in a private meeting, DRB claimed to not have access rights on Cobb Parkway. He stated that DRB was seeking an easement to use the private drive on the grounds that they were landlocked. He argued that if DRB only has one access point, they should not be able to submit plans and a traffic study showing two access points. According to Mr. Snow's research, there is a reciprocal easement that allows DRB access to Cobb Parkway through King Crossing Court. He argued that because DRB has access to King Crossing Court, it can be used as an access point instead of Cedar Creek Professional Office's private drive. He stated that stipulation number fourteen of the ordinance states inter-parcel access and shared access drive shall be designed with adjoining vacant property once future development of the adjoining parcel is pursued. He explained that DRB was attempting to use the stipulation to gain access to the private drive. If DRB does not have access to Cobb Parkway, all the development's traffic would be on the private drive. Mr. Snow argued that the stipulation was based on the expectations by the developer, the City, and local residents that two office buildings, not eighty-nine townhomes, would be built on the 8.8 +/- acre lot and should not apply given that the proposed development has changed.

Mr. Snow requested that the Planning Commission place the rezoning request on hold to give DRB the opportunity and time to find out if they have access to Cobb Parkway through King Crossing Court. He asked the Planning Commission if they moved forward with the request to either require the development to comply with Ordinance 2006-20. Mr. Snow stated that Cedar Creek Professional Office Association submitted a rezoning request to strike stipulation fourteen from the ordinance. As an alternative, he suggested that the Planning Commission could allow the development to move forward, but strike stipulation fourteen so access is not required through Cedar Creek Professional Office Center. Mr. Snow stated that he was available for any questions.

Commissioner Greenall asked how Cedar Creek Professional Office Association's building was situated on the property and whether the proposed development's access to Pine Mountain Road would run through the existing building. Mr. Snow showed where the existing office building was located on the site and indicated that the proposed access would require driving past the building rather than around the building or through the building. Commissioner Trim provided additional information that the offices were located behind the Bank of America.

Commissioner Greenall observed that Mr. Snow's opposition was not necessarily to the development and how it looks. Commissioner Greenall asked if Mr. Snow would be okay with the project if the development did not allow access onto Pine Mountain Road. Mr. Snow responded that the use of the exit onto Pine Mountain Road was the primary concern.

Commissioner Trim asked if it would be acceptable to Mr. Snow for the entrance on Pine Mountain Road to be a right-in and right-out only turn. Mr. Snow responded that it

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would not be acceptable because traffic would still have to pass through the private drive. He stated that there is already an issue with the stacking of traffic outside on Pine Mountain Road trying to get to that intersection at Cobb Parkway. Commissioner Trim stated that if a left turn was eliminated, the stacking issue goes away. He explained that he looked into buying the eight-acre property years ago for a client and argued that only a portion of the access road off of Pine Mountain Road was private. Commissioner Trim also explained that the gate was put up because the property had become dangerous. The previous owner of Devi Manor abandoned the property and left it in its current half constructed state. Commissioner Trim agreed that there were safety concerns with the entrances but that stacking is not an issue if the entrance is right-in, right-out. Mr. Snow responded that right-in, right-out helps the situation, but does not eliminate people turning left off Pine Mountain Road to enter the subdivision. Commissioner Trim responded that a right-in, right-out would prohibit a left turn at that spot.

Commissioner Greenall asked how residents would enter the development without a second entrance. Commissioner Trim stated that the property has access to both Pine Mountain Road and Highway 41/Cobb Pkwy. Mr. Snow responded that they were told the applicant did not have access to both. Commissioner Trim stated that his research of the property indicated that there was access to both roads. Mr. Snow stated his research showed the same, but that they were told by the applicant that the Pine Mountain Road access was needed because the property was landlocked and had no other access. Commissioner Trim stated that he could only go off of what was submitted, not what was discussed in a private meeting. He asked the applicant if they were anticipating two points of ingress and egress. Mr. Rozen responded that they anticipated the development of the property to reflect what is conceptually shown on the site plan. He explained that they could not obtain a land disturbance permit to develop the proposed site plan if they do not have both access points. The applicant would have to come back to the Planning Commission to request one access point. He further explained that there were legal and real estate issues with both access points, including a concern with the easement to access Highway 41/Cobb Pkwy and a stipulation that binds the 2.88+/- acres on Pine Mountain Road to provide access to the property. Mr. Rozen argued that while the 2006 rezoning contemplated the future of the eight-acre property, the eight-acres were not subject to the conditions of the rezoning, hence why there was one set of plans for the two acres and another set of plans for the eight acres. He also stated that previous plans showed access from the eight-acre property to Pine Mountain Road without an issue when the proposed project was a large office building and then a large assisted living facility. Mr. Rozen reiterated that there were issues legally, but they believe they will be able to obtain what they have proposed. Commissioner Trim asked if the applicant was publicly stating in their plans that they want both points of access. Mr. Rozen responded in the affirmative.

Commissioner Trim again asked Mr. Snow if right-in, right-out only turns solved his and his client's issue with the development. Mr. Snow responded that although it would help, it does not fully address the issue of the number of trips projected to come from the development. He argued that the nature of the development had completely changed. Commissioner Trim responded that the nature of real estate completely

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change with the market going through major crashes in 2008 and during COVID. Commissioner Trim commented that to suggest that the Commission has to bind a property owner to stipulations and rules from an era that no longer exists would mean that nothing would get built. Mr. Snow agreed and expressed that holding Cedar Creek Professional Office Association to a stipulation made twenty years ago under different circumstances does not make sense. He stated that the Commission should allow the applicant to build their development, but that Cedar Creek Professional Office Association should not be held to stipulation fourteen from twenty years ago when the circumstances under which it was established no longer apply.

Commissioner Greenall asked the applicant why they were asking for two exits when only one was needed. She explained that she lives on Mack Dobbs Road and drives on Pine Mountain Road. She stated that she frequently sees people take a left onto Pine Mountain Road. She wondered if two exits were proposed because the applicant was unsure whether they had access to both exits. Mr. Rozen responded that there had been discussions that the property would be landlocked without access to Highway 41/ Cobb Pkwy. He stated that the applicant believes both access points are necessary because it would be better for the residents and traffic flow if entry and exit was divided between two exits instead of one exit.

Commissioner Greenall commented that the Planning Commission has heard from a lot of recently built communities with one exit and expressed that a single exit is possible. She did not understand why the applicant would want to risk traffic issues with the left turn on Pine Mountain Road. Commissioner Greenall described existing traffic issues on Pine Mountain Road including people speeding, people pulling out to make a left, the short distance between the left turn and the traffic light on Pine Mountain Road, and congestion on the road. She expressed that two exits seemed excessive when one would suffice and commented that the site had great flow if people were taking a right onto Cobb Parkway instead of waiting to take a left onto Pine Mountain Road. Mr. Rozen respectfully disagreed that one exit was sufficient. He claimed that for Cedar Creek Professional Office Association to allow prior developments access through property and then deny DRB access, even though previous developments generated more trips, was an instance of Cedar Creek Professional Office Association solely looking out for their best interest. The applicant believes that two access points is best for the development and traffic along Pine Mountain Road and Highway 41. Mr. Rozen expressed disappointment that a focus on real estate issues and legal issues detracted from conversations on what makes sense for the development and the two access points. He explained that both staff and the traffic study agreed that both access points are appropriate. He expressed that while it would be nice to compromise, Cedar Creek Professional Office Association's property is bound to give access to the applicant's property, a condition that runs with the land forever until it is changed. Mr. Rozen stated that Cedar Creek Professional Office Association wants the Commission to postpone the application until next month because it is when their application to remove the stipulation requiring access to his client's property will be heard. Mr. Rozen again expressed disappointment that the conversation was taking away from a good development that the applicant thinks should go on the property with two access points.

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Commissioner Greenall asked Mr. Snow if he was opposed to the nursing home that would have generated a lot of cars coming through. Mr. Snow responded that he was not involved when the nursing home was proposed and cannot speak to what the circumstances were. Commissioner Greenall asked if there was any opposition from Mr. Snow's client under a different attorney when the nursing home was proposed. Mr. Snow responded that he was not aware of any opposition or another attorney. Commissioner Greenall commented that it seemed odd that Cedar Creek Professional Office Associates was okay with the potential traffic from a nursing home. Mr. Snow stated that his understanding was that a gate blocked off access and that the road was not intended to be used. Mr. Snow addressed Mr. Trim's point about a right-in, right-out turn on Pine Mountain Road. He commented that there was a comment in the gallery asking how someone would travel north on Cobb Parkway with a right-in, right-out turn. Mr. Snow argued that the intention would be to turn left, not right, out of the private drive onto Pine Mountain Road and then make a left onto Cobb Parkway, which would lead to a stacking problem. Mr. Snow stated that the traffic study showed twenty-eight vehicles exiting during morning peak hours. He asked why all those trips could not go onto Cobb Parkway if the traffic study states that there is zero impact on Cobb Parkway. Commissioner Greenall commented that twenty-eight cars turning left onto Pine Mountain through Cedar Creek's property was a lot of traffic. Commission Trim clarified that the access road does not turn into Cedar Creek's parking lot. To enter Cedar Creek Professional Office Center, a left turn needs to be taken off of the access road. Commissioner Trim stated then when he researched the property and spoke to Planning and Zoning, he found that the property had access to both roads by right. He stated that the two parties could dispute access in court.

Mr. Snow responded that his review of the meeting minutes and current negotiations indicated that the intended purpose for the site was three office buildings. He commented that the intention has completely changed and that the Commission could not approve the proposed rezoning without ignoring four stipulations and holding firm to one stipulation.

Commissioner Trim commented that he has tracked the property for a while and that there was no objection to the senior nursing home. He discussed the impacts of that proposed development which included a medical facility with emergency vehicle access and families visiting. He argued that if the opposition was going to talk about consistency with 2006, then Mr. Snow needed to speak with his client about why they did not have an objection to the traffic the nursing home would have caused. Mr. Snow responded that whatever the reason was, his client is objecting now to the proposed development. He stated that they have the right to object to a proposal that is contrary to the negotiated stipulations in the 2006 ordinance.

Commissioner Greenall asked how many employees were in the building. Mr. Snow responded that each of the units are individually owned and that each of the different units has a different set of employees. Mr. Snow's client estimated that there were fifty employees. Commissioner Trim stated that the office center had no retail.

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Commissioner Greenall commented that she was trying to get an understanding of how many people would be trying to turn onto Pine Mountain in addition to the people from the proposed town homes. Mr. Snow responded that one unit in the office center is a compounding pharmacy, which is the highest volume unit.

Mr. Snow commented that he does not believe there has been a request from DRB to revise ordinance 2006-20. He argued that the stipulations in the ordinance specifically address the adjacent property to be developed and that the stipulations would not allow the development to go in as currently proposed.

Mr. Dave Schwickerath introduced himself as a real estate investor and representative of the Village of Pine Mountain home owner's association (HOA) who has lived in Kennesaw since 1984. He stated that no homeowners from the subdivision have voiced an opposition to the project to the HOA. He expressed to the Planning Commission that the HOA is supportive of a quality development on the site and believes the current proposal is one. He described the Village of Pine Mountain as a community of 133 two-bedroom and three-bedroom homes built between 1992 and 1993. Approximately half of the units are renter occupied and half are owner occupied. Mr. Schwickerath believes that both proposed entrances are necessary from a traffic safety standpoint and suggested that the City considers adding an additional left turn lane to alleviate traffic from population growth in the county. He thought that it is better to have more tax payers in quality units that have access to the City of Kennesaw. Mr. Schwickerath also expressed a concern about affordability and noted that while he was unsure how affordable the proposed homes were at $400,000, he stated that it was more affordable than the homes selling for $600,000 or $700,000 on Pine Mountain Road. He further expressed the need for two entrances and exits and stated that people coming home would want to turn left onto Pine Mountain instead of having to make a U-turn near the funeral home.

Commissioner Greenall commented that there are people who live in apartments and subdivisions along 41 that need to make a U-turn, so making the U-turn was doable. She also commented that she did not think it was any less crazy or dangerous to ask someone to take a left onto Pine Mountain Road than it was to cross three lanes to turn left off Cobb Parkway. Mr. Schwickerath responded he was not an expert in that field. Commissioner Greenall commented that she thought two exits would be an issue and then putting in a traffic light would be another issue given it would be 100 feet or less from an existing light.

Mr. Al Colcombe introduced himself as a representative for 6205 Pine Mountain Road, LLC speaking in opposition to the rezoning. He described the property as between Bank of America and the private drive. He stated that there are about fifteen to twenty people working at the property. He stated that he frequently enters the property by turning left from Pine Mountain and then turning right into the lot. Mr. Colcombe expressed concerns about traffic at the property and on Pine Mountain Road, noting an accident, multiple-near misses, a stacking issue when turning right to exit the property, and heavy traffic coming off Cobb Parkway. Mr. Colcombe restated his opposition to

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the rezoning on the grounds that traffic in the area was already bad and stated that they did not want more congestion or accident risk in the area.

Commissioner Greenall asked if Mr. Colcombe and 6205 Pine Mountain Road LLC were opposed to the nursing home. Mr. Colcombe responded that their business has only been at the location since 2019 and was not there at the time the nursing home was proposed.

Mr. Charles Barge introduced himself as president of Cedar Creek Professional Office Association. He stated that their attorney, Mr. Snow, was primarily speaking for them but wanted to address whether they opposed the Devi Manor medical facility. He explained that Devi Manor did not require a rezoning. No public notices were sent for the project. Therefore, Cedar Creek Professional Office Association was not aware of the project. Mr. Barge stated that he researched the minutes from previous board and annual meetings and found no mention of Devi Manor.

Commissioner Greenall asked if Mr. Barge would have opposed the nursing home if he knew about the traffic. Mr. Barge answered probably. He explained that he visits the site daily and sees traffic coming to the compounding pharmacy throughout the day. He said the only other use at the building that has customers coming and going is a State Farm insurance agent. He stated that the remaining business did not have much customer traffic and that most traffic came from employees.

Caleb Hydrick introduced himself as a City resident who lives in the neighborhood across from Big Shanty Park. He explained that he uses Pine Mountain Road everyday to get to work and banks at the Bank of America on the corner. He stated that even though the entrance at Bank of America is right-in, right-out, he constantly sees people turning left onto Pine Mountain Road. He also expressed concern that the proposed community would generate more traffic if it was gated and the gate broke down. He believed that the proposed development would add traffic and other problems to the intersection, especially if another red light was needed. He lodged his opposition to the rezoning application as someone who frequents the area.

Vice Chair Vande Zande asked if anyone else wished to speak regarding the request. Hearing no additional public comment, he closed the floor to public comment.

Ms. Campbell sought to provide clarification regarding information and questions brought up during the public comment period. She explained that Ordinance 2006-20 only pertained to the 2.88 +/- acres of land. While there were conceptual plans for the entire eleven acre lot, the concept never materialized. Stipulations were only placed on the 2.88 +/- acres of land. Staff made clear to both sides what was originally proposed, but due to an unfavorable market, it was not completed. Ms. Campbell addressed the comments about different setback requirements. She explained that the old setbacks were in place because the property was zoned HGB. Because the applicant is asking for fee simple townhomes, a less intense use than HGB, the setbacks and the buffers are smaller.

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Ms. Campbell also discussed the possibility of more intense uses on the property. Currently, the 8.8 +/- acres of land has no zoning conditions other than the HGB requirements. The zoning district allows hotels, assisted living facilities, or Fraternity or Sorority houses to be built by right. Staff had conversations with both sides about the best option for the site. The majority of the concern is traffic. Ms. Campbell explained that townhomes with a capped number of units would significantly reduce the traffic in comparison to a hotel, an assisted living facility, or a medical facility. Staff came to the conclusion that the site should be suitable for CAC. CAC is meant for a mixture of uses that produce a vibrant commercial-civic blend, which is what the applicant is proposing. Staff has taken all of these things into consideration. Ms. Campbell acknowledged that traffic will always be a concern. She stated that traffic will always be added when there is development. She explained that the only way there will never be traffic is if the site remains vacant in its current state.

Ms. Campbell corrected the comment Mr. Snow made in reference to the gate. She explained the gate was not to block off access. As Commissioner Trim highlighted, the site was becoming unsafe due to trash, dumping, and residents illegally entering the property. To protect residents and ensure no further code enforcement issues occurred at the site, the gates and fence were installed. Ms. Campbell also addressed stipulation fourteen of Ordinance 2006-20. She read aloud the condition, which states that inter-parcel access and shared access drive shall be designed with adjoining vacant property once future development of adjoining parcel is pursued.She explained that the condition did not highlight that the site needs to be commercial, it says once future development is pursued. She stated that staff understood that there are limitations to the site and expressed the desire for inter-parcel connection to ensure the subject property could be developed by DRB or someone else in the future. Ms. Campbell again announced that staff was available answer any questions.

Commissioner Greenall stated that to Ms. Campbell's point, a hotel or nursing home could be developed on the site and not require a rezoning. She asked if Mr. Snow's client would oppose those kinds of development. She was skeptical about the opposition's ability to contest a by-right development. Mr. Snow responded that under the changing conditions, his client would oppose the use of the private drive for that purpose when it has access to Cobb Parkway. Commissioner Greenall asked if Mr. Snow would want a future development to only have access through 41 no matter what was built there. Mr. Snow responded that the intended use for the site was specifically noted to be three office buildings. He stated that stipulation number two of the rezoning says for the purpose of general business slash office development with reference to that rezoning drawing prepared for Pebblebrook Development, LLC on April 14, 2006. He argued that the office buildings were the specific future development being referred to. Mr. Snow stated that as long as that future development is different, he anticipated his clients would object to the use of the private drive for that purpose when they have full ready access to Cobb Parkway through King Crossing Court.

Commissioner Trim commented that the proposed design does not have the same

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accent, look, and feel to match what is existing on surrounding properties. He asked if there was a reason staff did not require more stone. Ms. Campbell responded that the initial designs presented to staff did not include any stacked stone. After conversations with the applicant, the initial submission was revised. She stated that staff was open to stacked stone and noted that there was a condition to insure the development is in congruence with the existing environment. Commissioner Trim did not see much stacked stone and asked the applicant for further information. Ms. Heath responded that there was at minimum a brick water table and that some elevation had brick up to the first floor. She noted that brick was not a required architectural feature and that the proposed elevations were customary to new home communities currently on the market. She explained that in trying to balance affordability, aesthetics, and the surrounding area, DRB thought the presented elevations were the best compromise. Commissioner Trim located the brick on the elevations after zooming in and noted the difference was hard to see because of the similar color. Ms. Heath stated that the colors could be changed. Commissioner Greenall asked if homeowners could repaint to whatever color they wanted. Ms. Heath responded that there would be an HOA with an architectural board to come up with standards so every townhome is not a different color. She stated that the goal was a uniform look and that homeowners would probably not be able to chose whatever color they wanted. She stated that they worked with staff and the proposed elevations seemed to appease everyone.

Vice Chair Vande Zande asked if there was reference earlier in the presentation that SPLOST funding was used to develop the access point on Pine Mountain Road. Mr. Rozen showed the project plans for the SPLOST project and right-of-way. He showed that the access road has a yellow line on a portion of the access road that then stops. He said that SPLOST funds were used to develop a portion of the road. Vice Chair Vande Zande commented that SPLOST funds could not be used to develop a private road. He asked if up until the striping ended, the road was considered a county or city road instead of a private drive. Mr. Rozen responded that he thought the road was public up until the point where the striping on the road ends and that is was a public right-of way. Vice Chair Vande Zande asked if Mr. Snow agreed that a portion of the drive is public. Mr. Snow responded that his understanding was that the private drive was constructed with the building between 2006 and 2009 but lacked the topping on the surface. He guessed that the road might have been topped under SPLOST but was unsure. Vice Chair Vance Zande asked if Mr. Snow knew for sure that SPLOST funds were used to develop that section of the road. Mr. Barge stated that the SPLOST project was to add a third lane on Pine Mountain Road. He agreed with Mr. Snow that the original road was developed by Pebblebrooke Development but did not have the top coating. He commented that they just put the top coating on the parking lot last year. Vice Chair Vande Zande commented that it appeared that all the way up until the striping stops is owned by the public right-of-way. Mr. Barge stated that the entire road was not repaved. Vice Chair Vande Zande responded that he understood that the entire road was not topped. Mr. Rozen stated that his intention was not to say that the entire road was improved, just a portion. Vice Chair Vande Zande stated that he did not know how far back the improvements with SPLOST funds went. Mr. Rozen responded that the driveway goes into the subject property expecting it to be accessed but that the

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public used funds on the paving topping does not go all the way back. Mr. Colcombe stated that their understanding was that the drive was topped because of stormwater concerns related to the road improvements, not to improve the drive. Vice Chair Vande Zane stated that his question was about whether the county, city, or someone used SPLOST funds to improve a private road, not the purpose. He explained that he lived in a neighborhood with private roads where they have to pay for the improvements themselves. He wanted to know if someone else had gotten SPLOST funds to cover a private road, and if so, how they did so.

Vice Chair Vande Zande asked if there were any additional Commissioner comments.Hearing no additional Commissioner comments, Vice Chair Vande Zande called for a motion.
Commissioner Trim motioned to approve with the following conditions as outlined by staff:

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 Townhomes.
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

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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
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.

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Seconded by Commissioner Greenall
Vice Chair Vande Zande proceeded with a roll call for approval.
Vote taken. Commissioner Patterson and Commissioner Trim voted in favor.
Commissioner Greenall voted against. Motion approved 2-1. Motion carried.

6. New Business

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.

Ms. Chanelle Campbell presented this agenda item. This is a request to rezone the unassigned right-of-way consisting of 0.11+/- acres fronting 2995 and 2997 North Main Street. The request is to rezone the property to R-15, Single Family Residential, as submitted by the applicant Dean Klein. In 2025, Mayor and Council approved the sale of the right-of-way fronting the properties located at this address. This action authorized the transfer of the right-of-way area to the applicant, allowing the land to be incorporated into their existing residential parcels. The request is consistent with the established residential pattern and does not introduce any changes that would impact the adjacent parcels or modify the existing neighborhood character. For these reasons, staff recommended approval of the request to rezone. Staff advertised this case in the Marietta Daily Journal (MDJ) and posted public notice signage on the property on January 16, 2026.

Ms. Campbell clarified that the rezoning was for a piece of right-of-way highlighted on the survey as "Proposed Tract A" and "Proposed Tract B". The city has approved the transfer and sale of the right-of-way. As part of the process to combine the right-of-way with the existing property, the applicant will be completing a final plat application to combine the right-of-way into their parcel.

Vice Chair Vande Zande opened the floor for Public Comment. Hearing no public comment, he closed the floor to public comment and opened the floor for Commissioner comments. Hearing no Commissioner comments, Vice Chair Vande Zande closed the floor to Commissioner comment.

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

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.

Ms. Chanelle Campbell presented this agenda item. This is a Preliminary Plat submission for the proposed development of a distillery and a restaurant located at

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2690 Keene Street consisting of 0.61 +/- acres. As part of the preparation for this new development on a vacant parcel, the applicant submitted a Preliminary Plat to formally outline the proposed site layout and confirm addressing for future units. An internal review of the submission was completed by staff, which also included Cobb Fire and Cobb Water. The proposed layout is consistent with applicable development standards and zoning requirements for the site. Staff recommends approval of the Preliminary Plat contingent upon the applicant addressing any outstanding development issues related to the site. This step will ensure proper addressing, infrastructure coordination, and align with the city's procedure as the project continues to move forward. Ms. Campbell announced that the applicant was present should the Commissioners have any questions. She also announced that she was available to answer any questions.

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

Vice Chair Vande Zande asked if the application was to move the distillery up the road to a new location. Ms. Campbell responded in the affirmative.

Hearing no additional Commissioner comment, Vice Chair Vande Zande closed the floor to commissioner comment and called for a motion.
Motion to approve by Commissioner Greenall
Seconded by Commissioner Trim
Vice Chair Vande Zande proceeded with a roll call for approval.
Vote taken, motion unanimously approved 3-0. Motion carried.

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.

Ms. Chanelle Campbell presented this agenda item. This is an application for a text amendment submitted by the City of Kennesaw. In 2023, staff received a variance application for a lot within Woodland Acres. The property was zoned R-15, which requires a minimum lot size of 15,000 square feet. The subject lot, however, contained only 11,999 square feet and was required to come through the variance process. This discrepancy prompted a 2024 text amendment to formally identify Woodland Acres as a non-conforming subdivision. During further research, staff determined that on March 18, 1996, a major update to the Unified Development Code and zoning districts established new zoning districts with revised development standards. The revisions did not address the status of existing lots that no longer met those standards. As a result, several older subdivisions, such as Woodland Acres, contained legally established lots that became non-conforming solely due to the 1996 code changes. Staff went through all the subdivisions in the city and checked them against current development standards. Staff found a significant number of parcels were non-conforming. A majority of the parcels were located in Kennesaw Woodland Acres, which had 240 non-conforming lots.

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Stilesboro Cove had 180 non-conforming lots, Tara had 133, and Westover had 164. Prior to 1996, there was a zoning district that had a minimum lot size of 8,000 square feet. After the rezoning and creation of new districts in 1996, those 8,000 square foot lots remained but were rezoned to R-10, which requires a 10,000 square foot minimum lot size.

Ms. Campbell explained that under the current ordinance, a variance would be required to rebuild a house on a non-conforming lot if it was significantly damaged or destroyed. The variance process would involve public notices and a public hearing. The proposed ordinance would give staff the responsibility to administratively review these lots to ensure the property could be rebuilt within the existing lot size. The proposed change adds language allowing any existing structures developed prior to 1996 to go through a staff review instead of the public hearing process. Staff also updated the language for the non-conforming uses in Section 9 of the Unified Development Code, which states that if there were any issues regarding the non-conforming lots, staff would complete an administrative review to consider lot size, setbacks, and other factors, so these properties could be rebuilt.

Vice Chair Vande Zande asked if the process would be automatic or if the homeowner would need to initiate a request for legally non-conforming status. Ms. Campbell responded that the public would not need to initiate a request. She explained that staff went through and identified the legally non-conforming parcels on a map that will be used internally to identify the properties. GIS will also add a notation internally that a property is legally non-conforming. The information would be used to notate the status of the property in the event that a property owner comes to staff.

Vice Chair Vande Zande opened the floor for Commissioner comment.

Commissioner Trim asked if the proposed ordinance makes it easier for people with non-conforming lots. Ms. Campbell responded in the affirmative.

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

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

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

Ms. Chanelle Campbell presented this agenda item. This application is a consideration to adopt the official 2026 Zoning Map for the City of Kennesaw. The official zoning map

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adoption is completed annually to update the map and reflect any zoning transaction that occurred in the last year. Last year, there was one rezoning, which was for The Lacy located at 2615 South Main Street. The case rezoned the property from Light Industrial (LI) to Central Business District (CBD). The map will be updated to reflect the change. The updated map will also eliminate the identification placed around Woodland Acres since staff has identified more non-conforming properties. Rather than placing all the information on a single map, there will be a separate non-conforming map that highlights those properties. The application was advertised in the Marietta Daily Journal (MDJ) on January 16, 2026.

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

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

7. Staff Comment

Ms. Chanelle Campbel announced that two cases would be on the March agenda. The first is a rezoning application from Cedar Creek Professional Office Associates to remove a condition from the ordinance. The second rezoning case is the postponed case for 1600 Old 41 Highway.

8. Adjourn

Vice Chair Vande Zande called for a motion.
Motion to adjourn by Commissioner Trim
Seconded by Commissioner Greenall
Vice Chair Vande Zande adjourned the meeting at 8:11 p.m.

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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 (POSTPONED)
MARCH 16, 2026

PLANNING COMMISSION
FEBRUARY 4, 2026 (POSTPONED)
MARCH 3, 2026

LEGAL ADVERTISEMENTS
JANUARY 16, 2026
FEBRUARY 13, 2026

PUBLIC NOTICE SIGN
JANUARY 16, 2026
FEBRUARY 17, 2026 (UPDATED)

CONTACT US

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

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01/ZV2026-01

Property Addresses
1600 Old 41 Hwy & 0 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: 11.44 +/-

RECOMMENDATION

Staff Recommendation:
Approval with conditions of the rezoning and **approval** of the variance request.
Please see page 12 for basis for recommendation.

ADJACENT PROPERTY DETAILS

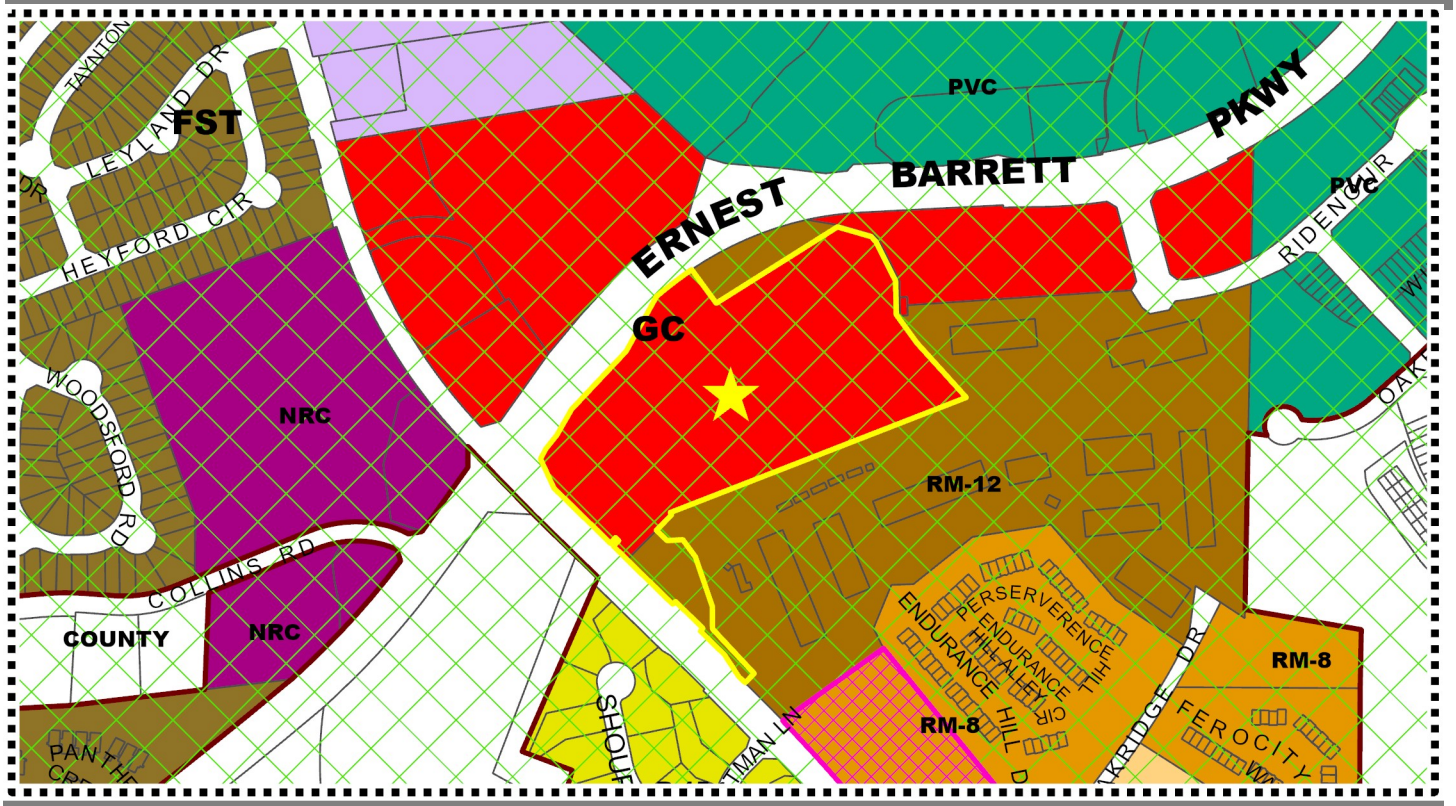
Surrounding Zoning Dist. and Future Land Use

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/ ZV2026-01

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) and RM-12, Multifamily district. To the south, the parcels are bordered by multifamily zoning district designated as RM-12, Multifamily. To the east, the properties adjoins parcels zoned General Commercial (GC) and RM-12, Multifamily. Parcels to the north are also zoned General Commercial (GC) and RM-12, Multifamily, while to the west there are a mixture of parcels zoned R-15, Single Family residential and parcels that lie outside the Kennesaw city limits.

This mix of adjacent zoning districts reflects a transition area between commercial uses and established multifamily residential development.

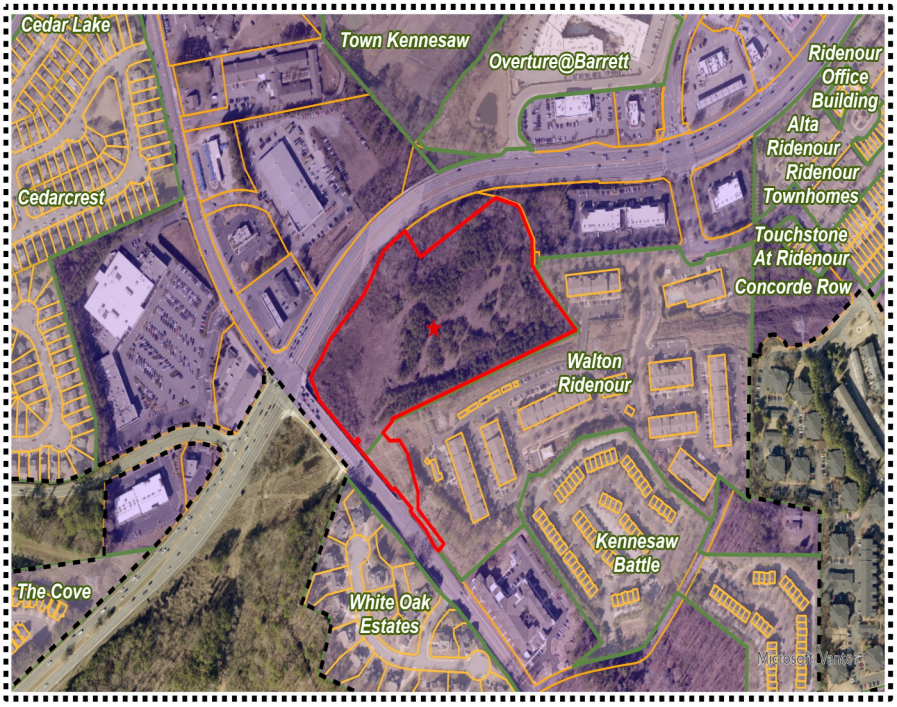
STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01/ZV2026-01

AERIAL MAP

LOCATION:

The 11.44 +/- 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.

ZONING CASE #: RZ2026-01/ZV2026-01

EXISTING SITE CONDITIONS





STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01/ZV2026-01

DESCRIPTION OF ZONING REQUEST: **REZONING AND VARIANCE**

This is a rezoning and concurrent variance request submitted for 1600 Old 41 Hwy and 0 Old 41 Hwy.

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.

VARIANCE:

Request to reduce the requirements for multi-family dwelling units as required in section 6.06.09 of the UDC from 1.75 spaces per dwelling unit to 1.5 spaces per dwelling unit.

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 parking: 273 surface spaces (1.5 spaces per unit)

Proposed Amenities: Amenities will Clubhouse and outdoor amenity space.

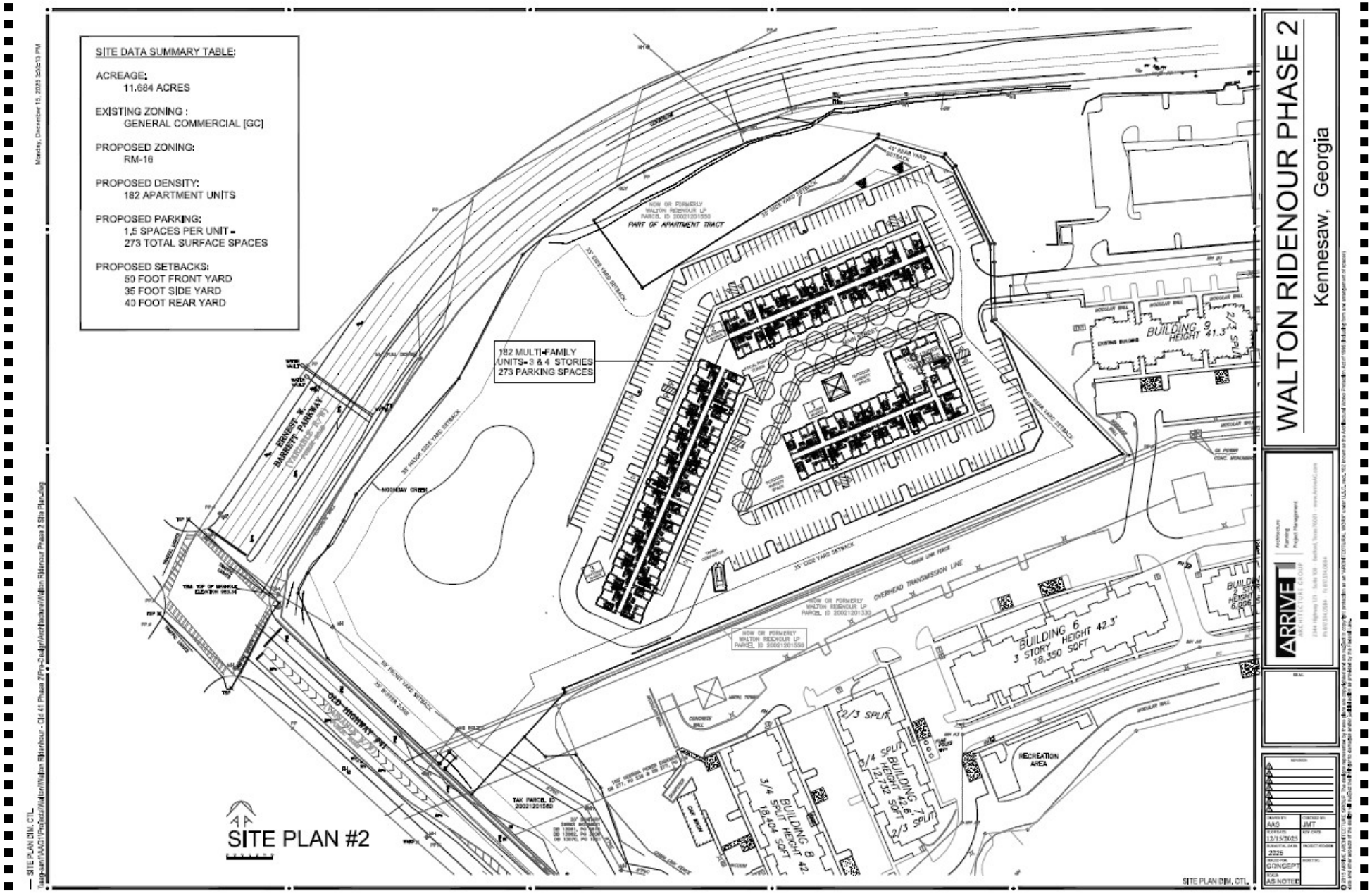
UNIFIED DEVELOPMENT CODE

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/ZV2026-01



PROPOSED RENDERING

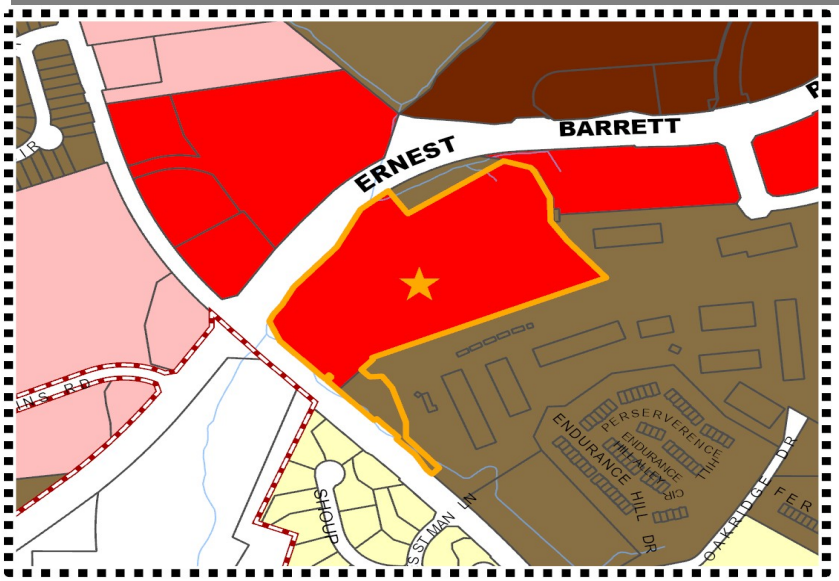
ZONING CASE #: RZ2026-01/ZV2026-01



STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01/ZV2026-01

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 properties as a Community Activity Center (CAC) and Residential High (RH). The Community Activity Center is 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/ZV2026-01

TRANSPORTATION DATA:

AERIAL OF ROAD #1



ROAD #1

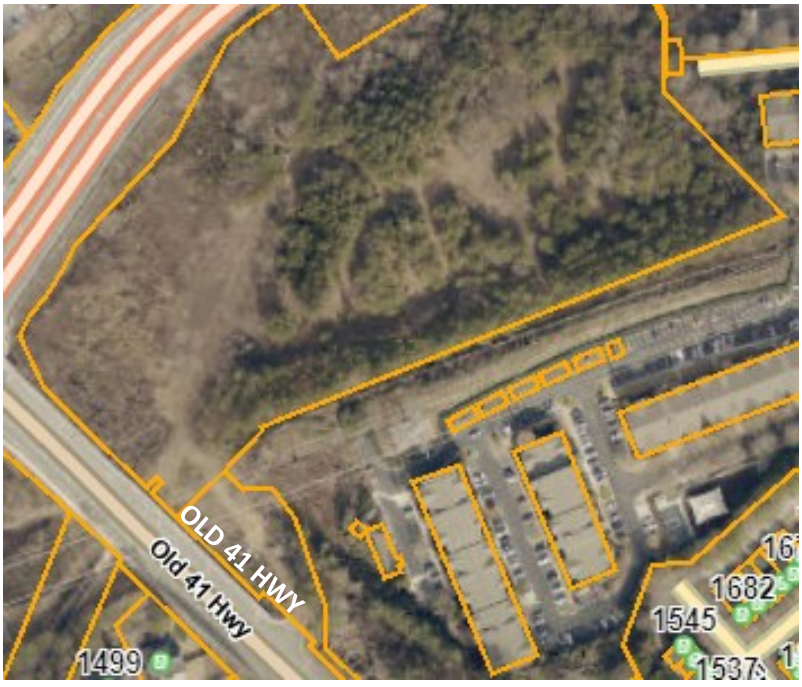
Roadway Name
Ernest Barrett Pkwy

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/ZV2026-01

ENVIRONMENTAL

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

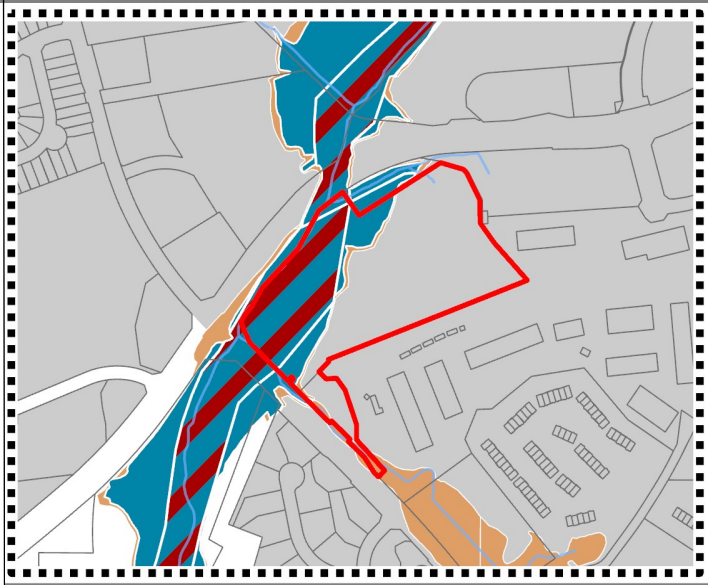
Wetlands:
- ✓ Yes
- ___ No
- ___ Not Verified

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/ZV2026-01

FLOOD ZONE ANALYSIS



Due to the presence of significant floodway on the parcel; the site was review based on the requirements outlined in the Unified Development Code; per section 1.09.02 which define Density is defined as:

1. The overall intensity of land use for the total project.

2. Residential density is the number of housing units permitted per acre in the zoning district involved in accordance with the terms of the zoning ordinance or as authorized under conditional zoning by the Mayor and City Council. The maximum residential density per developable acre authorized for R-40, R-30, R-20, R-15, R-12, R-10, PUD-R, RA-4, RA-5, RA-6 RM-8, RM-12, RM-16, FST and MHP zoning districts are set forth in Chapter Four of the Unified Development Code. These maximums could be lowered by conditional zoning by the Mayor and City Council. A developable acre shall not include any part or parts of rivers, streams, floodplains and natural lakes which are not the result of manmade dams. The maximum allowable dwelling units per acre shall in no event exceed any of the following:

a. The maximum set forth in article VIII of this appendix for such zoning district;

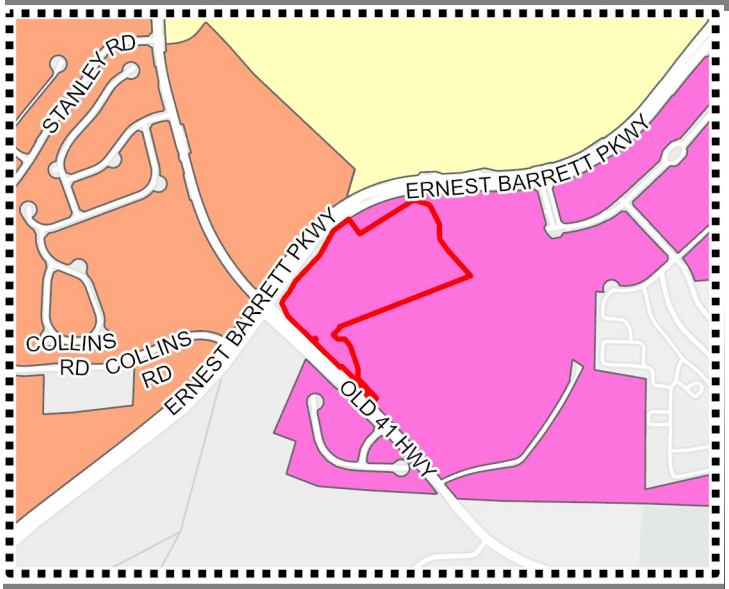
b. The maximum dwelling units per acre which can be constructed without violating any other restrictions, limitations, and/or requirements of such zoning district or the maximum authorized under conditional zoning by the Mayor and City Council.

The site is heavily constrained by the presence of the regulated floodway, which occupies a substantial portion of the parcel and sharply reduces the amount of land that can be safely developed.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01/ZV2026-01

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/ZV2026-01

TRAFFIC ANALYSIS

The applicant completed a traffic study for the proposed multifamily development with primary access via the existing Ridenour Boulevard which serves as an interparcel access roadway. The study was conducted to evaluate how the project would affect traffic conditions in the surrounding roadway network. The study's purpose was to quantify the additional vehicle trip 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. The areas of the study included:

1. Ernest West Barrett Parkway at Ridenour Boulevard/Crater Lake Drive
2. Ernest West Barrett Parkway at Old 41 Hwy
3. Ridenour Boulevard at Ridenour Boulevard
4. Ridenour Boulevard at Ridenour Road



Conclusion:

The traffic impact study indicates that the that the signalized study intersection of Ernest West Barrett Parkway at Ridenour Boulevard/Crater Lake Drive will continue to operate at an overall level of service (LOS) "C" in both the AM and PM peak hours. The signalized intersection of Ernest West Barrett Parkway at Old 41 Highway will continue to operate at an overall LOS "E" in the AM peak hour and LOS "F" in the PM peak hour, consistent with existing conditions. The stop-controlled approaches at all unsignalized study intersections will continue to operate at LOS "A" during both the AM and PM peak hours as in existing conditions. Overall, the impact of site-generated trips on the study area roadway network is minimal.

LETTER OF OBJECTION - DATED 02/05/2026

Chanelle Campbell

From: Alexis Daniel <alexis.snell@gmail.com>
Sent: Thursday, February 5, 2026 9:34 AM
To: Chanelle Campbell
Cc: Bill Daniel
Subject: Voicing opposition to RZ2026-01

Good morning Chanelle,

My husband and I were at the Planning Commission Meeting last night to speak against the rezoning request for RZ2026-01. We understand the issue has been tabled until the March 4th meeting. We just wanted to confirm we would have an opportunity to address the council and share our concerns and opposition to the rezoning request. Please let us know if there is anything we need to provide in advance.

Thank you for your help!
Alexis Daniel

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01/ZV2026-01

PLANNING AND ZONING

Site Visit:
☑ Yes
☐ No

Staff Member:
Name: Chanelle Campbell
Date of Visit: 01/29/26 & 03/02/26

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

FEBRUARY 2026 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.

FEBRUARY 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. Completion of the Traffic Impact Study (TIS) for staff evaluation
2. Submission of variance application to run concurrent with the rezoning public hearing.

FEBRUARY 4, 2026 PLANNING COMMISSION RECOMMENDATION:

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

FEBRUARY 16, 2026 MAYOR AND COUNCIL DECISION:

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

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01/ZV2026-01

STAFF ANALYSIS - **REZONING**

The applicant, Walton Communities, LLC, represented by J. Kevin Moore of Moore, Ingram, Johnson & Steele, LLP, is requesting to rezone approximately 11.444 +/- acres to RM-16, Multifamily Residential for the development of a multifamily community. The total acreage consists of two parcels: 10.753 ± acres currently zoned General Commercial (GC) and 0.691 +/- acres zoned RM-12, Multifamily Residential.

Development of the Property is significantly constrained by its topography and the extent of regulated floodplain areas, which limit both the buildable area and the range of feasible site design options. The parcel is located at the intersection of Old 41 Highway and Barrett Parkway and is positioned between established multifamily communities to the east and south. The site has a floodplain that covers approximately 4.305 +/- acres of the proposed rezoning site. This would leave approximately 7.325 +/- acres of developable land which means that approximately half of the western portion of the site is encumbered by floodplain, creating a natural barrier and further restricting development potential on that side of the property.

Building placement, access, utilities, and stormwater management must all be configured around the protected floodway corridor. These combined physical conditions which includes steep grades and limited access points have historically made the site challenging to develop and continue to shape the scale, layout, and density of any proposed project.

Staff has evaluated the rezoning request in accordance with the standards for decision outlined in Section 10.01.02, Rezoning Procedures, and the requirements of Section 2.01.03.14, Multifamily Residential District (sixteen units per acre) of the Unified Development Code (UDC), with the following observations:

Per the Unified Development Code, the RM-16 district is intended to accommodate multifamily residential uses and compatible institutional or recreational uses at higher densities. The subject property is bordered to the east and south by the existing Walton Ridenour multifamily community, which currently maintains a 98% occupancy rate, demonstrating sustained demand for quality rental housing in this area.

The proposed site plan incorporates a series of residential buildings supported by community-oriented amenities, including a clubhouse, outdoor gathering areas, and a centrally located gazebo. The layout also provides interparcel access from Ridenour Boulevard, ensuring seamless internal circulation and connectivity with the surrounding Walton Ridenour community.

According to the Traffic Impact Study dated January 29, 2026, the addition of the proposed development is not expected to significantly affect existing traffic volumes or degrade current levels of service along the adjacent roadway network. These elements collectively support a cohesive, well-integrated residential community that aligns with the established development pattern and infrastructure capacity of the area.

The applicant’s architectural submission reflects a building design that will be complementary to the existing Walton Ridenour community. Exterior materials will include a combination of high□quality finishes, including—but not limited to—brick and Hardi-plank siding, ensuring visual compatibility with the surrounding development. Residents of the proposed community will also have access to the broader amenity network within Walton Ridenour, reinforcing internal connectivity and shared community resources. Access to the new development will be provided internally through the existing Walton Ridenour community, eliminating the need for additional curb cuts and maintaining a unified circulation pattern.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01/ZV2026-01

STAFF ANALYSIS - **VARIANCE**

The applicant has submitted a concurrent variance application to deviate from *section 6.06.00* of the Unified Development Code. The applicant is requesting to:

1. Reduce the minimum parking requirement from 1.75 spaces per unit to 1.5 spaces per unit

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

Type of Use	Required Parking Spaces
Multi-Family Dwelling Units	1.75 spaces per dwelling unit

According to the requirements outlined in section 6.06.00 of the Unified Development Code, the proposal includes a total of two hundred and seventy three (273) parking spaces on site.

Section 9.02.00 of the Unified Development Code states that variances may be granted using the following criteria:

A. There is extraordinary and exceptional conditions pertaining to the property because of its size, shape or topography;

B. The application of the UDC standards to property creates practical difficulty or unnecessary hardship.

C. The practical difficulty and/or unnecessary hardship are conditions which are peculiar to the property involved; and

D. Relief, if granted, would not cause substantial detriment to the public good or impede the purposes and intent of the UDC

The proposed site is heavily encumbered by floodplain areas and an on-site streams, which substantially limit the amount of usable land and restrict where development can occur. In addition to these environmental constraints, the challenging topography further reduces the buildable area, creating steep transitions and uneven grades that complicate site design, access, and construction feasibility.

Taken together, these extraordinary physical conditions create limitations that are unique to this parcel and not commonly found on surrounding properties. Because these constraints directly impair the reasonable use of the land under standard zoning requirements, the circumstances meet the threshold for considering a variance, as the hardship arises from the inherent characteristics of the property rather than from actions of the applicant.

The proposed use, density, and overall character, as submitted by the applicant, are in conformance with the policy and intent of the Comprehensive Plan. The strategic location of the proposed development will contribute to the revitalization of South Main Street, ensuring that the development is concentrated and intentional. The presence of this development will foster a balanced mix of retail, entertainment, residential, and community gathering spaces, thereby facilitating economic growth and ensuring the viability of the city's downtown area.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01/ZV2026-01

ZONING ADMINISTRATOR'S RECOMMENDATION: APPROVAL WITH CONDIONSS

Based on the findings outlined in the analysis section of the staff report, City Staff recommends **approval with conditions** of the rezoning request from General Commercial (GC) and RM-12, Multifamily to RM-16, Multifamily.

Further more City Staff recommends **approval** of the following variance request:

1. Reduce the required parking from 1.75 spaces per dwelling unit to 1.5 spaces per dwelling unit.

PROPOSED ZONING CONDITIONS:

1. The rezoning of the Subject Property to RM-16, Multifamily zoning district shall be in accordance with the technical and conceptual site plans submitted concurrently with the application and shall comply with the required front, side, and rear setbacks, as well as the overall density as outlined in the UDC for RM-16 zoning district.
2. 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 application and compatible with surrounding development with the Ridenour/ Walton development.
3. 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.
4. Compliance with the recommendations from the City Engineer and/or the City's Public Works Director regarding detention, water quality and stormwater management.
5. The applicant will be required to complete sidewalk connectivity along Old 41 Highway, extending the pedestrian network from the existing Legacy at Walton Kennesaw Mountain (62+) community.
6. The proposed community shall utilize the City or Cobb County; utility services as is typical for such residential development.
7. All utilities servicing the residences with the proposed community shall be underground.
8. The proposed development shall include amenities for use and enjoyment of its residents as follows:
    a. A Clubhouse
    b. Community courtyards, gathering places, outdoor amenity space
    c. Pedestrian connectivity

8. Dumpsters will be positioned so as to prevent visual intrusion from streets, connection points to the community spaces and, wherever possible with screening by landscaping, walls and/or vegetation. Dumpsters shall have rubber lids and bumpers to minimize noise during their emptying.
9. Minor modifications to the within and foregoing stipulations/conditions, lighting, landscaping, signage, architecture, site fixtures and the like may be approved by the City's Planning and Zoning Administrator or staff designee as needed or necessary.
10. 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 #: RZ2026-01/ZV2026-01

PLANNING COMMISSION RECOMMENDATION:

To be determined on March 4, 2026.

MAYOR AND COUNCIL RECOMMENDATION:

To be determined on March 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: _____ 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.

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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.

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

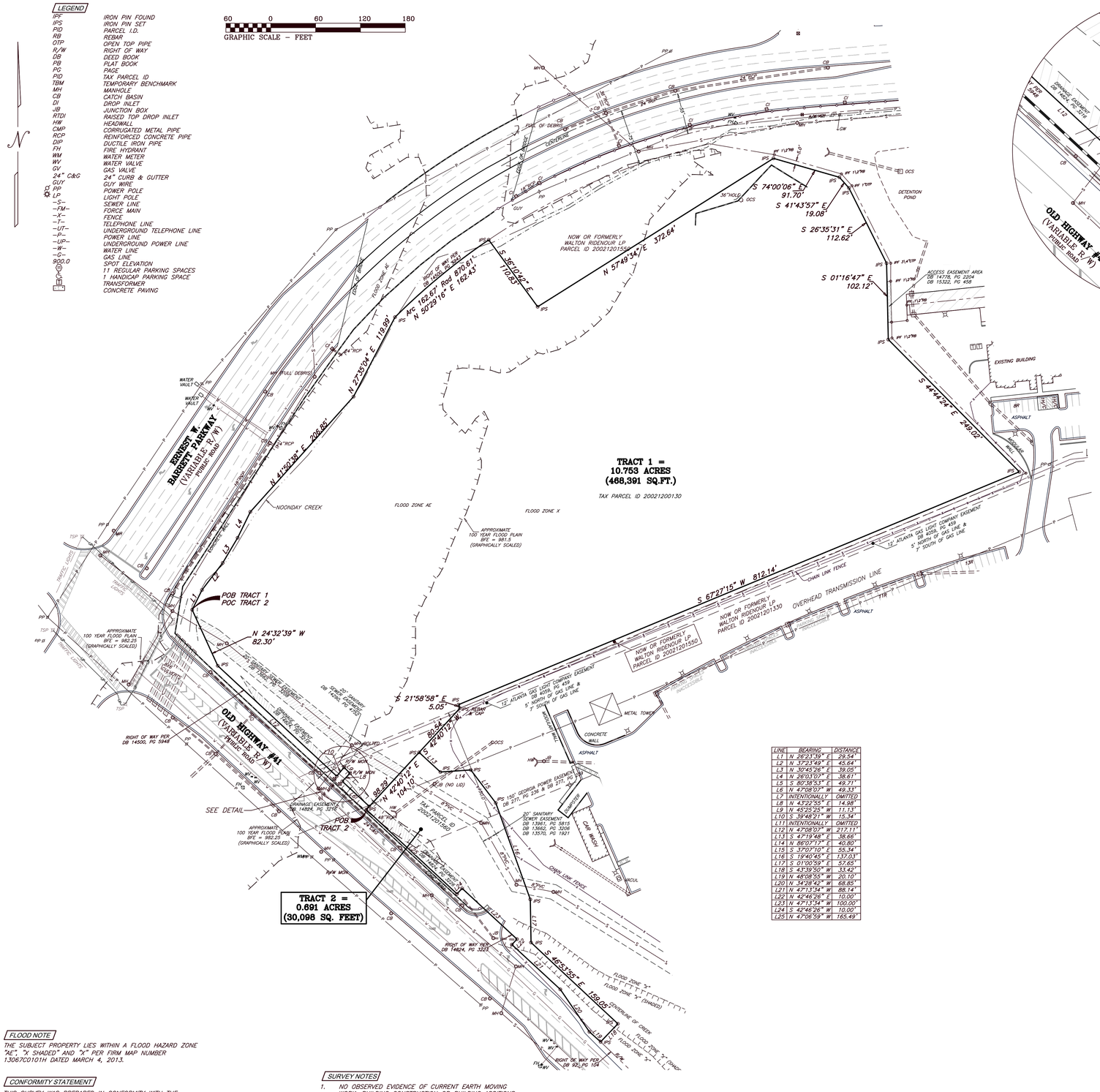
Interest	Penalty	Fees	Total Due	Amount Paid	Balance
$0.00	$0.00	$0.00	$0.00	$20,861.17	**$0.00**

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

LEGEND

IPF	IRON PIN FOUND
IPC	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 REGULAR PARKING SPACES
	1 HANDICAP PARKING SPACE
	TRANSFORMER
	CONCRETE PAVING

GRAPHIC SCALE – FEET
60 0 60 120 180



LINE	BEARING	DISTANCE
L1	N 26°23'59" 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 178,746 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)

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' 59" 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).

PARCEL ID
20021200130

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
As submitted with email at 12:02:21 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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JOHNSON & STEELE
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

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
Lea 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: [signature] Date December 17, 2025
Matthew L. Teague, Director of New Development

Signed, sealed and delivered in presence of: [signature] December 17th, 2025
Notary Date

REPRESENTIVE Moore Ingram Johnson & Steele, LLP - J. Kevin Moore

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

Representative Signature BY: [signature] Date December 18, 2025
J. Kevin Moore; GA Bar No. 519728; Attorneys for Applicant and Titleholder

Signed, sealed and delivered in presence of: [signature] December 18, 2025
Notary Commission Expires 01-10-2027 Date

TITLEHOLDER: Granite Falls Station LLC (Phone #) [redacted]

Signature: BY: [signature] Address 4963 Tyne Ridge Court, Nashville, TN 37220
Thomas J Brown, Sole Member

Signed, sealed and delivered in presence of: [signature] 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"):

W I T N E S S E T H

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

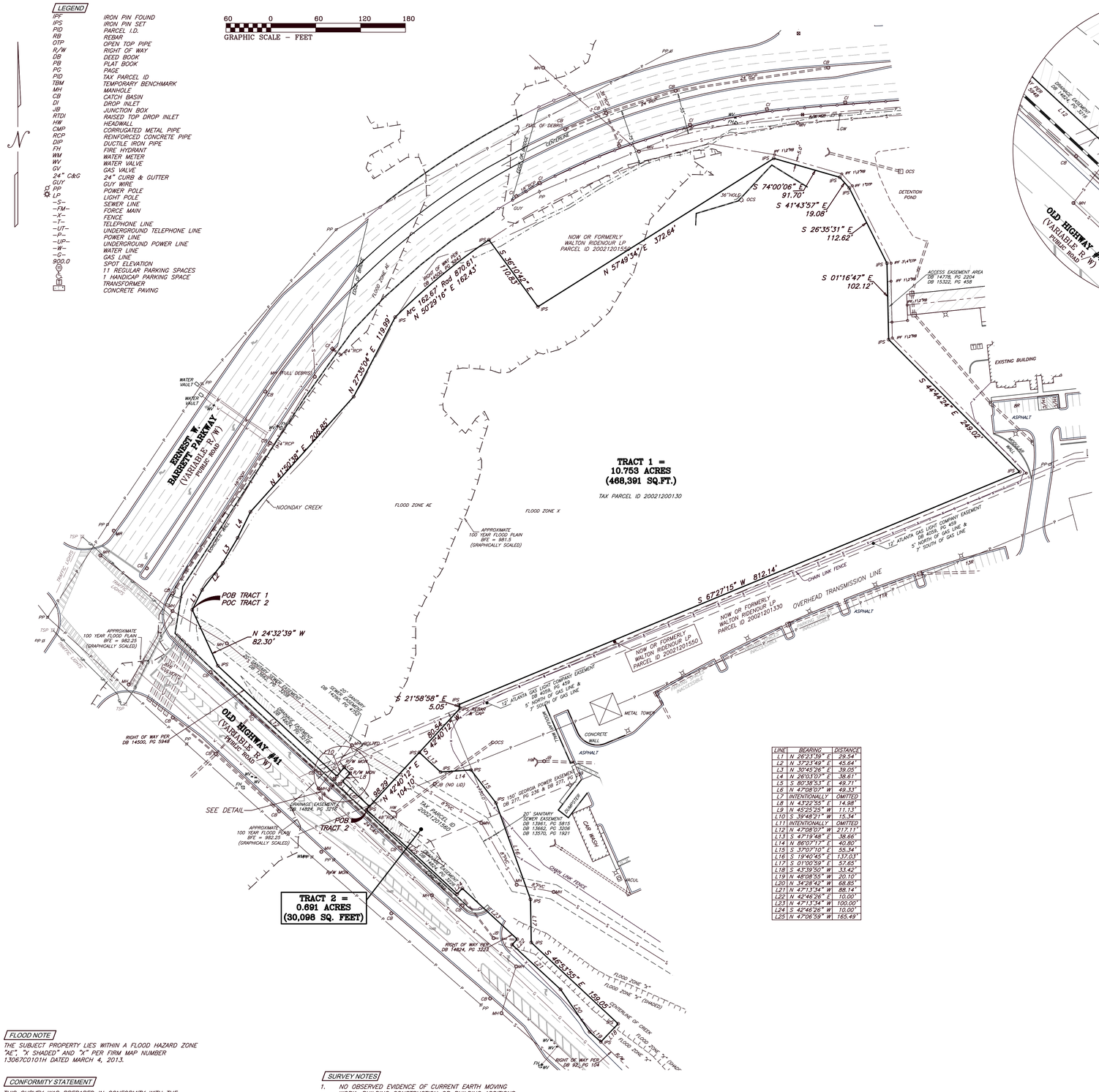
Interest	Penalty	Fees	Total Due	Amount Paid	Balance
$0.00	$0.00	$0.00	$0.00	$20,861.17	**$0.00**

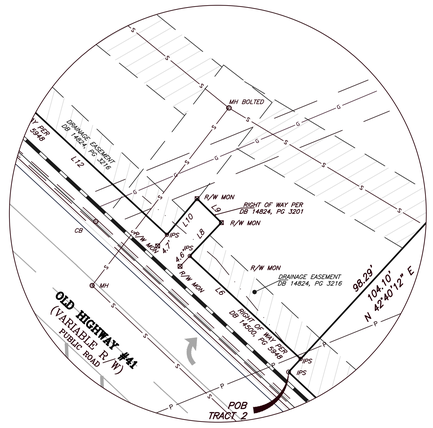
Scan this code with your mobile phone to view this billl!

LEGEND

IPF	IRON PIN FOUND
IPC	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 REGULAR PARKING SPACES
	1 HANDICAP PARKING SPACE
	TRANSFORMER
	CONCRETE PAVING

GRAPHIC SCALE – FEET
60 0 60 120 180





DETAIL
NOT TO SCALE

LINE	BEARING	DISTANCE
L1	N 26°23'59" 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'

VICINITY MAP



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

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' 59" 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).

PARCEL ID
20021200130

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 178,746 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)

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
As submitted on June 27 2025 03 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	

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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

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

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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Marietta, GA 30060
(770) 429-1499
FAX (770) 429-8631

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

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

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: _____ 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] (World#) [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

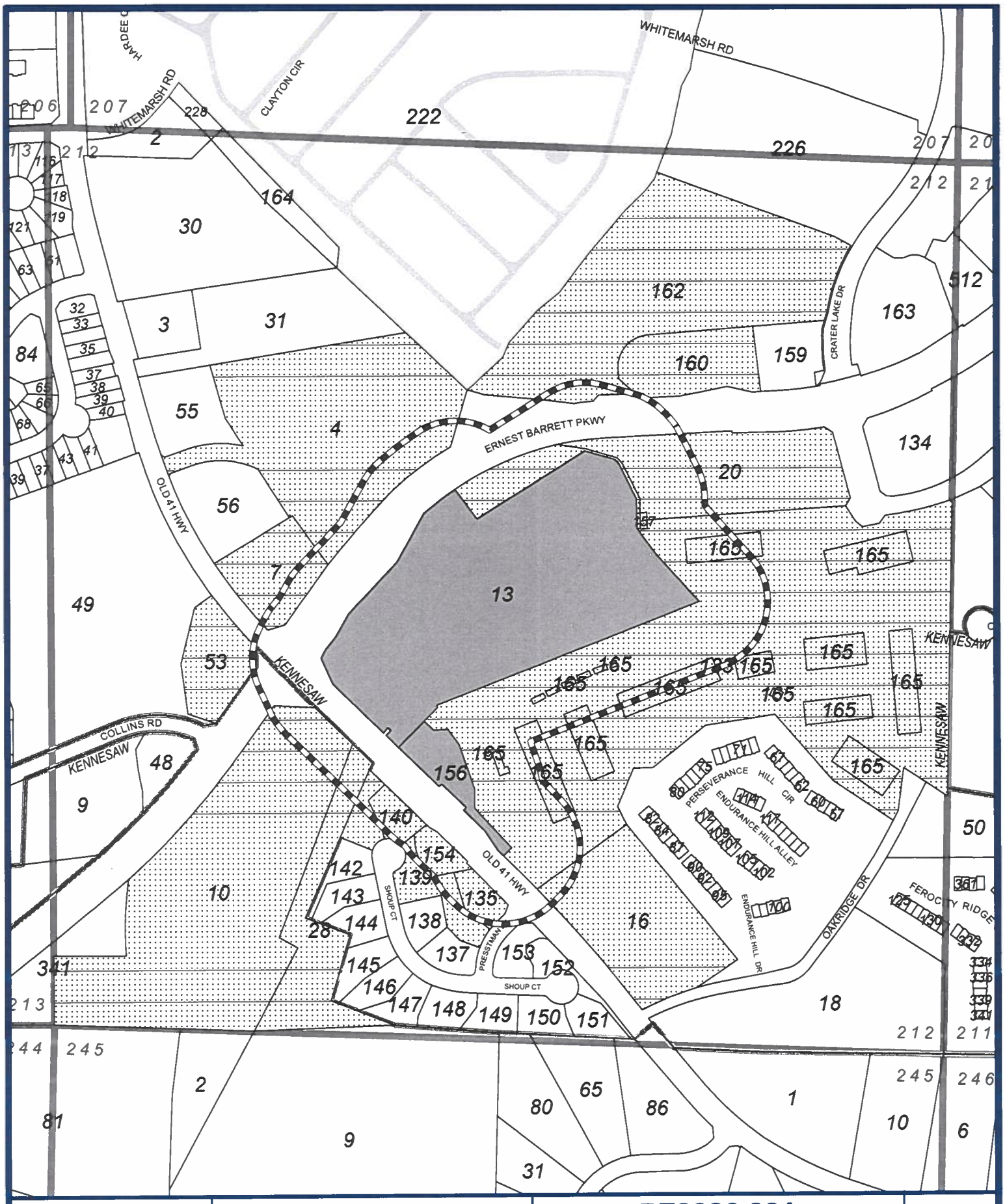
TITLEHOLDER: Granite Falls Station LLC (Phone #) [redacted]

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

Z\P&Z FORMS\Applications 2025

Page 3


WHITEMARSH RD
CLAYTON CIR
WHITEMARSH RD
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CRATER LAKE DR
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ERNEST BARRETT PKWY
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OLD 41 HWY
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KENNESAW
COLLINS RD
KENNESAW
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ENDURANCE HILL ALLEY
ENDURANCE HILL DR
OAKRIDGE DR
FEROCITY RIDGE
KENNESAW
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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'

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

ORDER CONFIRMATION

Salesperson: ROSE MILLER — Printed at 01/14/26 14:09 by rmill-tj

Acct #: 110016 — Ad #: 530845 — 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 2.95 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.

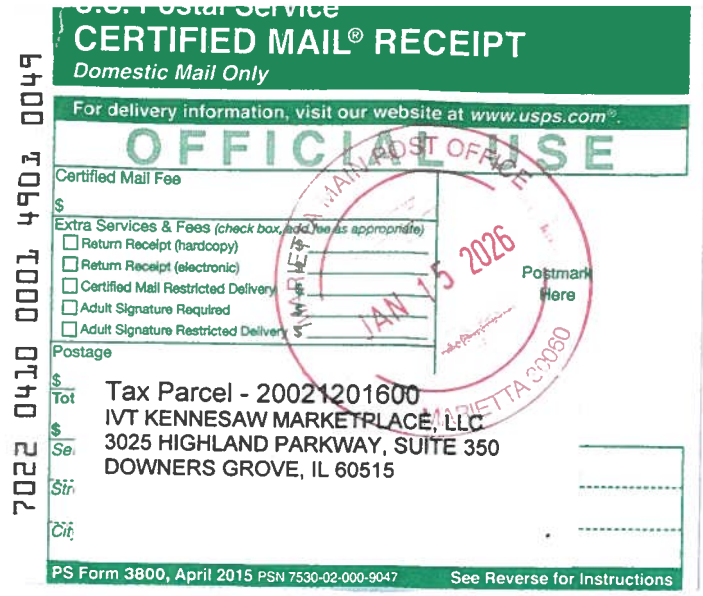
Said meetings shall be held before the Planning Commission on February 4, 2026, at 6:30 p.m. with a final scheduled hearing and adoption by the Mayor and Council to be considered on February 16, 2026, at 6:30 p.m. Meetings will be held in the Kennesaw City Council Chambers, 2529 J.O. Stephenson Avenue, 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/**

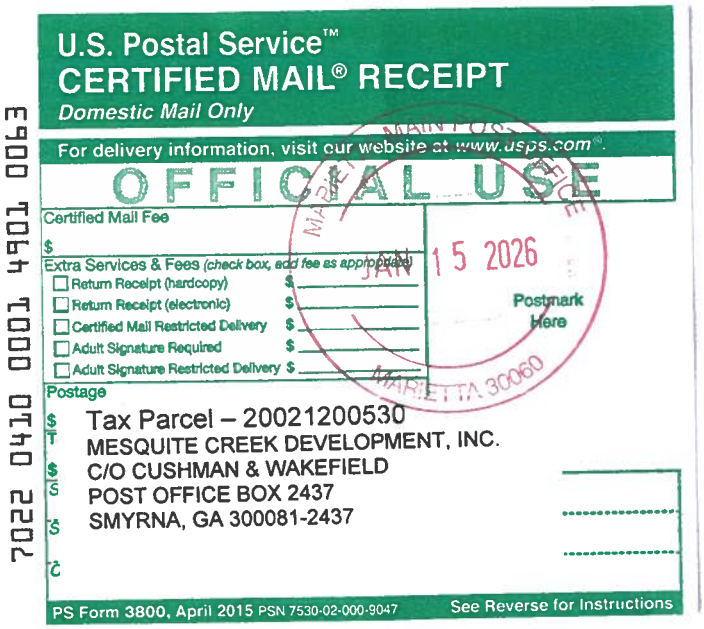
1:16-2026


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 770-590-8266
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
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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

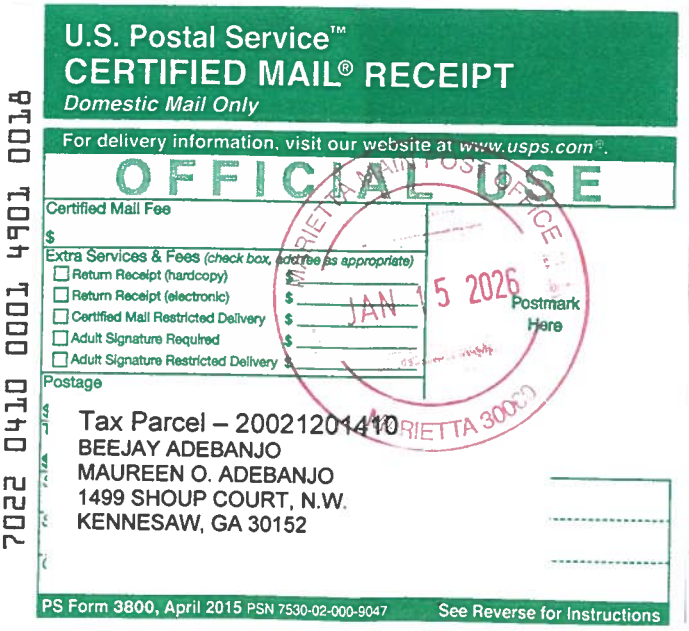

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IVT KENNESAW MARKETPLACE, LLC
3025 HIGHLAND PARKWAY, SUITE 350
DOWNERS GROVE, IL 60515
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WALTON AT KENNESAW MOUNTAIN, LLC
2281 AKERS MILL ROAD, BLDG 4100
ATLANTA,GA 30339
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MESQUITE CREEK DEVELOPMENT, INC.
C/O CUSHMAN & WAKEFIELD
POST OFFICE BOX 2437
SMYRNA, GA 300081-2437
PS Form 3800, April 2015 PSN 7530-02-000-9047
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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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Tax Parcel – 20021201410
BEEJAY ADEBANJO
MAUREEN O. ADEBANJO
1499 SHOUP COURT, N.W.
KENNESAW, GA 30152
PS Form 3800, April 2015 PSN 7530-02-000-9047
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LAMARCUS J. DAUGHRITY
CARLY R. DAUGHRITY
1498 SHOUP COURT, N.W.
KENNESAW, GA 30152

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RANDALL MILDENHALL
KRISTA MILDENHALL
1444 PRESSTMAN LANE, N.W.
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1680 OLD 41 HIGHWAY, LLC
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ATLANTA, GA 31139

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HOUSING AUTHORITY OF COBB COUNTY
2950 ATLANTA ROAD
SMYRNA, GA 30080

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CRP GREP OVERTURE BARRETT OWNER, LLC
465 MEETING STREET, SUITE 500
CHARLESTON, SC 29403

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Tax Parcel – 20021200200
FAIRWAY RIDENOUR, LLC
SUITE 210
728 SHADES CREEK PARKWAY
BIRMINGHAM, AL 35223

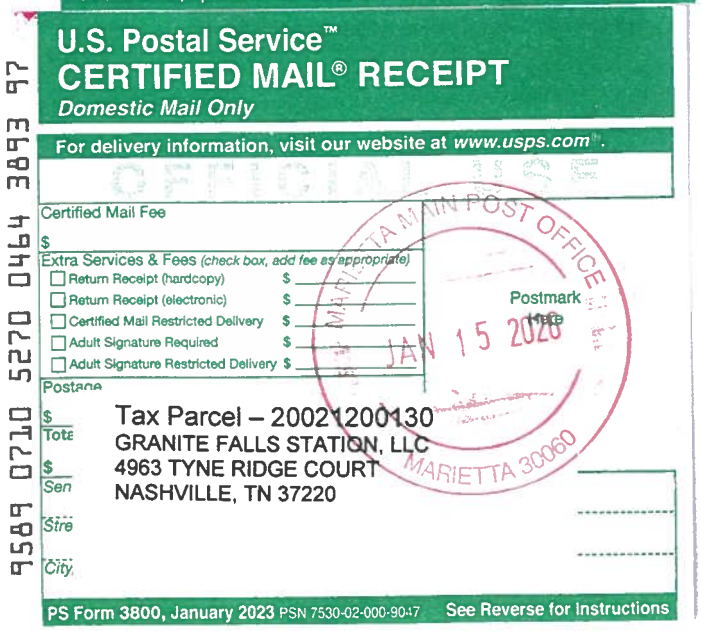
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SENAD & VERINA CAJIC
1446 PRESSTMAN LANE
KENNESAW, GA 30152
PS Form 3800, January 2023 PSN 7530-02-000-9047
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GLORIA A. DOWNEY
1500 SHOUP COURT
KENNESAW, GA 30152
PS Form 3800, January 2023 PSN 7530-02-000-9047
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Street
City,
MARIETTA MAIN POST OFFICE
JAN 15 2026
Postmark Here
MARIETTA 30060
Tax Parcel – 20021201570
SHOPPES AT RIDENOUR, LLC
2281 AKERS MILL ROAD, BLDG. 4100
ATLANTA, GA 30339
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124 BARKLEY LANE
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KENNESAW GA 30152

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SENAD & VERINA CAJIC
1446 PRESSTMAN LANE
KENNESAW, GA 30152

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1500 SHOUP COURT
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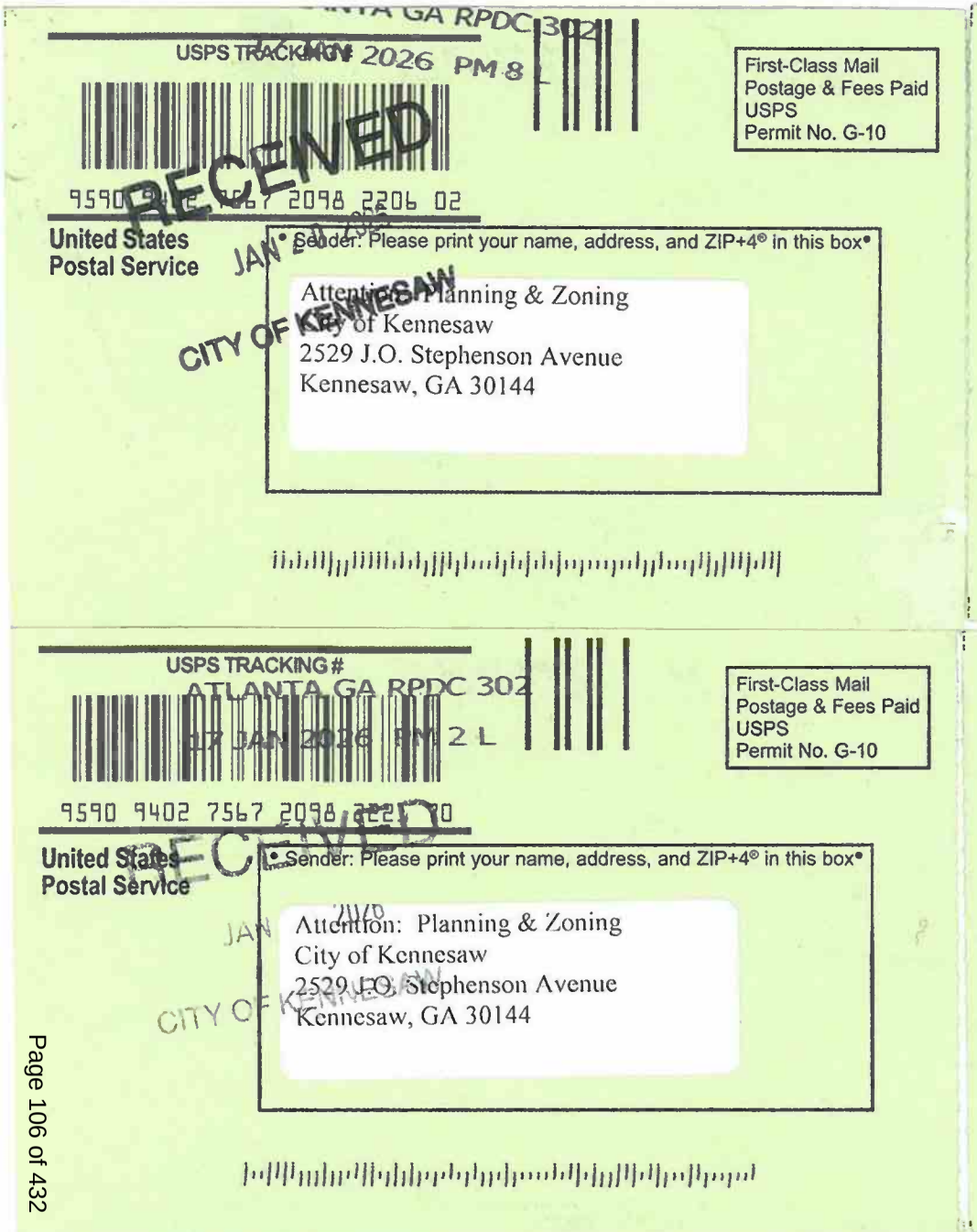
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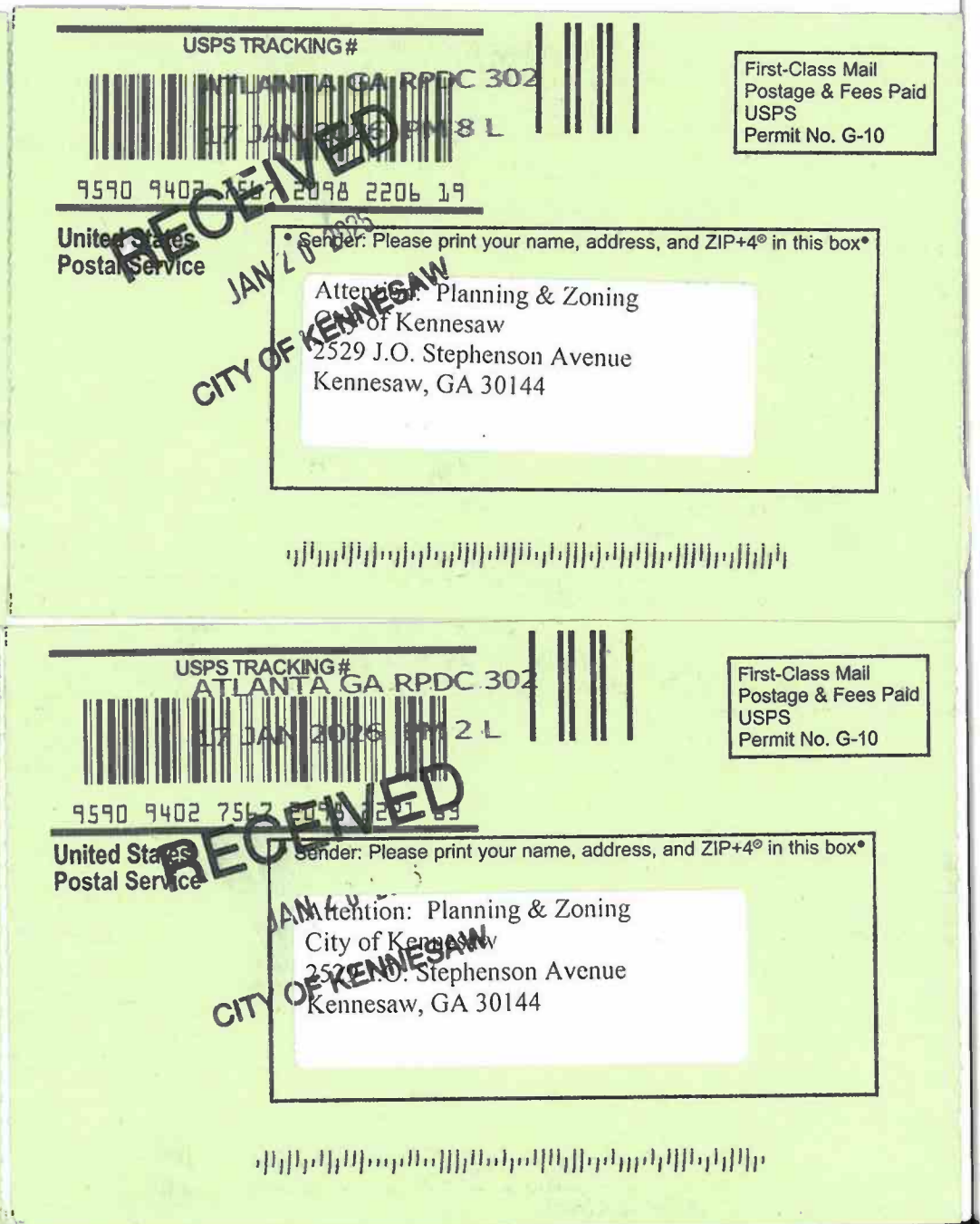
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Kennesaw, GA 30144
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CHARLESTON, SC 29403

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IVT KENNESAW MARKETPLACE, LLC
3025 HIGHLAND PARKWAY, SUITE 350
DOWNERS GROVE, IL 60515

9590 9402 8958 4064 4658 45

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CITY OF KENNESAW
LAND USE NOTICE

APPLICATION # ZV2026-01

PURPOSE Variance to reduce the parking requirement for multi-family residential dwelling units.

DATE OF PUBLIC MEETING: 3/4/2026 TIME: 6:30PM

DATE OF PUBLIC MEETING: 3/16/2026 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

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.

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02.17.2026 09:47

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LAND USE NOTICE

APPLICATION # ZV2026-01

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02.17.2026 09:41

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

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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)

TRAFFIC IMPACT STUDY
FOR
PROPOSED RESIDENTIAL DEVELOPMENT AT ERNEST WEST BARRETT PARKWAY & RIDENOUR BOULEVARD

CITY OF KENNESAW, GEORGIA



Prepared for:

Walton Communities
2281 Akers Mill Rd SE, Bldg. 4100
Atlanta, GA 30339

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

January 29, 2026
A & R Project # 26-002

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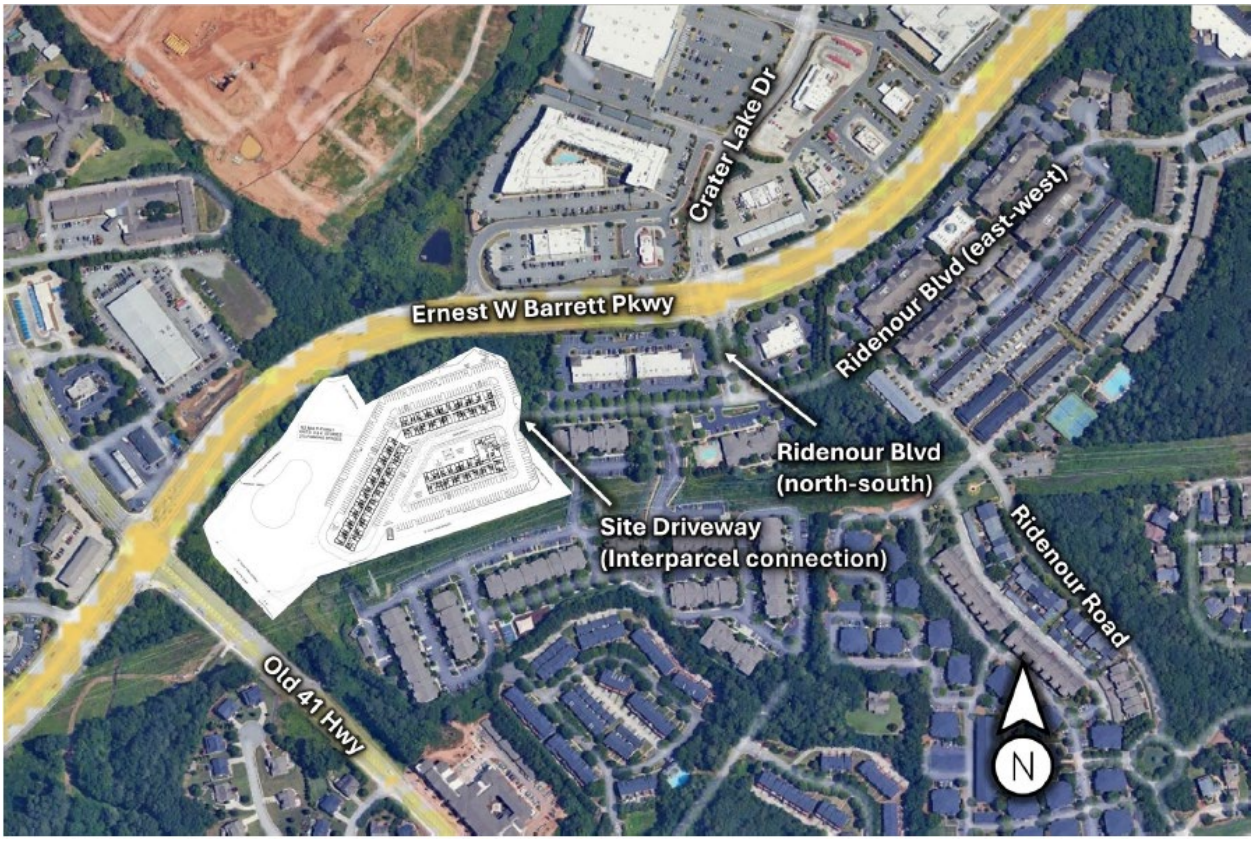
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1.0 INTRODUCTION

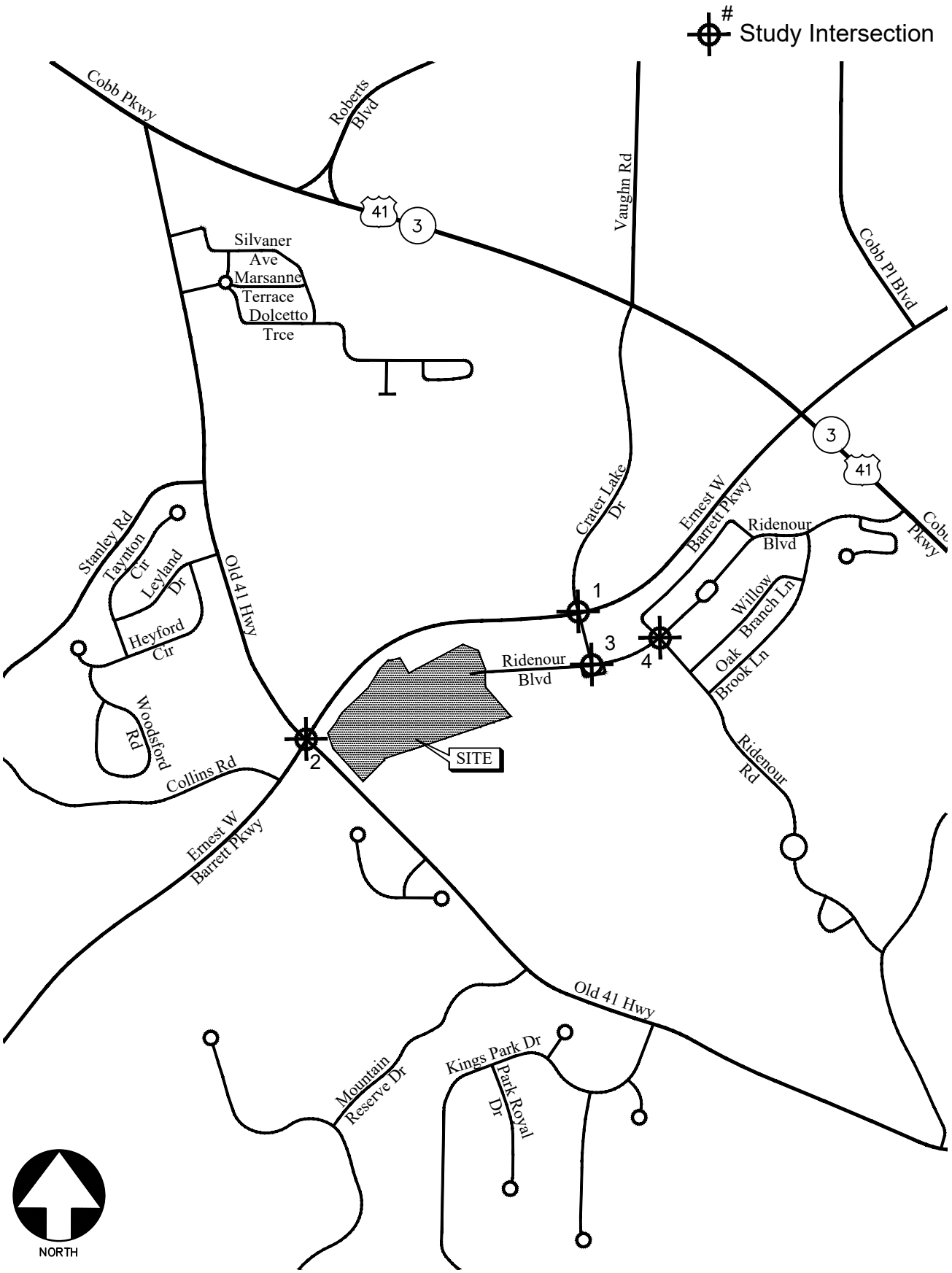
Traffic impacts were evaluated for the proposed residential development located at the southeast corner of the intersection of Ernest West Barrett Parkway at Old 41 Highway in the City of Kennesaw, Cobb County, Georgia. The development proposes 131 low-rise multifamily dwelling units and 51 mid-rise multifamily dwelling units. Access to the site is proposed via the existing Ridenour Boulevard, which will serve as an interparcel access roadway.



The AM and PM peak hours have been analyzed in this study. This study includes the evaluation of traffic operations at the intersections of:

1. Ernest West Barrett Parkway at Ridenour Boulevard/Crater Lake Drive
2. Ernest West Barrett Parkway at Old 41 Highway
3. Ridenour Boulevard at Ridenour Boulevard
4. Ridenour Boulevard at Ridenour Road

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 Ernest West Barrett Parkway

Ernest West Barrett Parkway is an east-west, six-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: 067-0653) indicate that the daily traffic volume on Ernest West Barrett Parkway in 2024 was 49,700 vehicles per day southwest of Collins Road. GDOT classifies Ernest West Barrett Parkway as an urban principal arterial roadway, while the Cobb County DOT classifies it as an arterial roadway.

2.1.2 Old 41 Highway

Old 41 Highway is a north-south, two-lane, undivided roadway with a posted speed limit of 35 mph in the vicinity of the site. Georgia Department of Transportation (GDOT) traffic counts (Station ID: 067-0856) indicate that the daily traffic volume on Old 41 Highway in 2024 was 17,000 vehicles per day southeast of Leyland Drive. GDOT classifies Old 41 Highway as an urban minor arterial roadway, while the Cobb County DOT classifies it as an arterial roadway north of Ernest Barrett Parkway and a major collector south of Ernest Barrett Parkway.

2.1.3 Crater Lake Drive

Crater Lake Drive is a north-south, two-lane, median-divided roadway with an assumed speed limit of 25 mph in the vicinity of the site.

2.1.4 Ridenour Boulevard

Ridenour Boulevard is an east–west, two-lane, undivided roadway with an assumed speed limit of 25 mph in the vicinity of the site. A short north–south segment also connects Ernest West Barrett Parkway to Ridenour Boulevard; this segment is a two-lane, median-divided roadway with an assumed speed limit of 25 mph in the vicinity of the site.

2.1.5 Ridenour Road

Ridenour Road is a north-south, two-lane, undivided residential roadway with an assumed speed limit of 25 mph 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's Highway Capacity Manual, 7th edition (HCM 7). Synchro software, which utilizes the HCM methodology, was used for the 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 designated 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, 7th 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 of 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 intersection.

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, 7th 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 favourable, 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 are not able to 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.

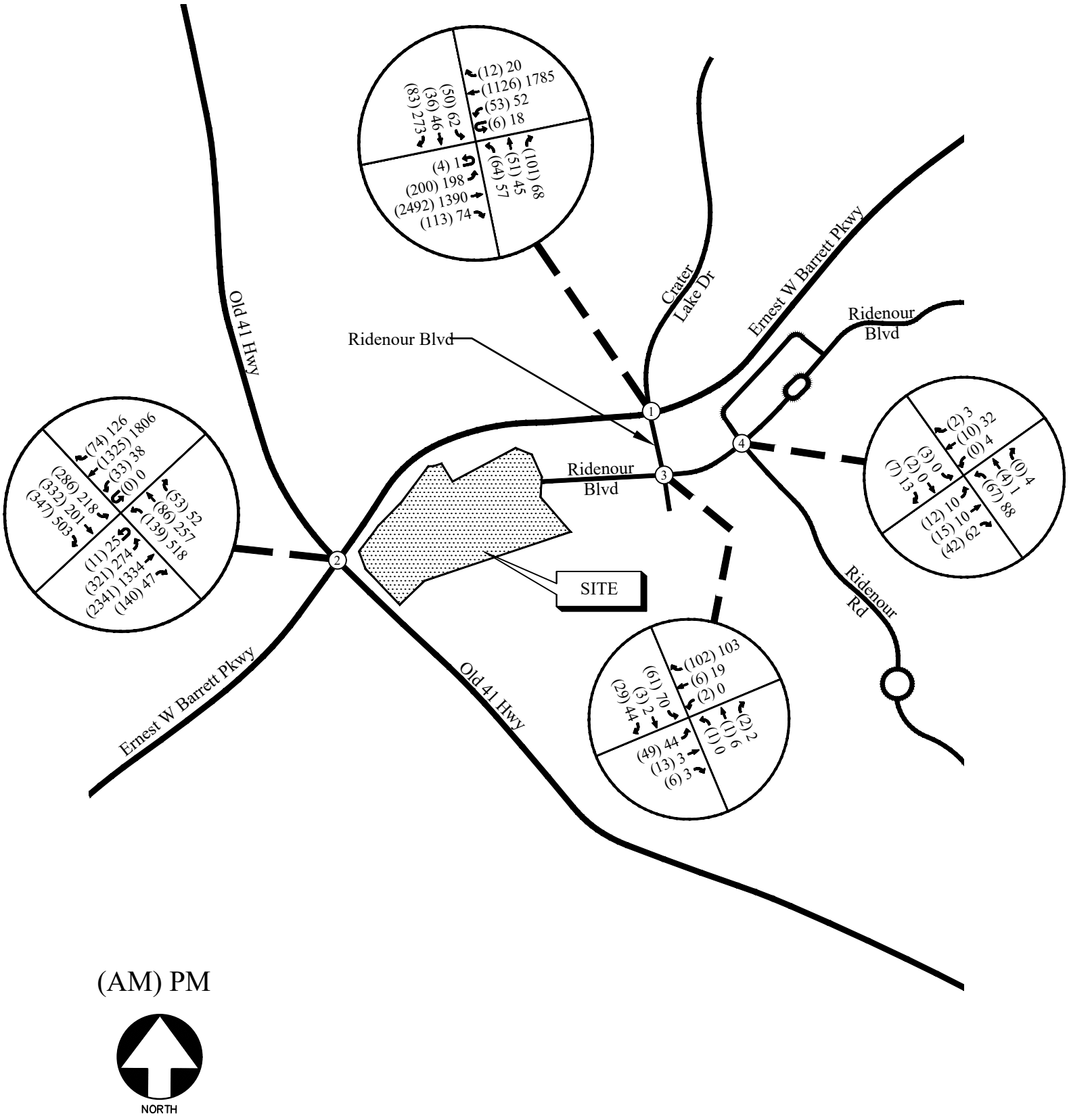
4.0 EXISTING 2026 TRAFFIC ANALYSIS

4.1 Existing Traffic Volumes

Existing traffic counts were obtained at the following study intersections:

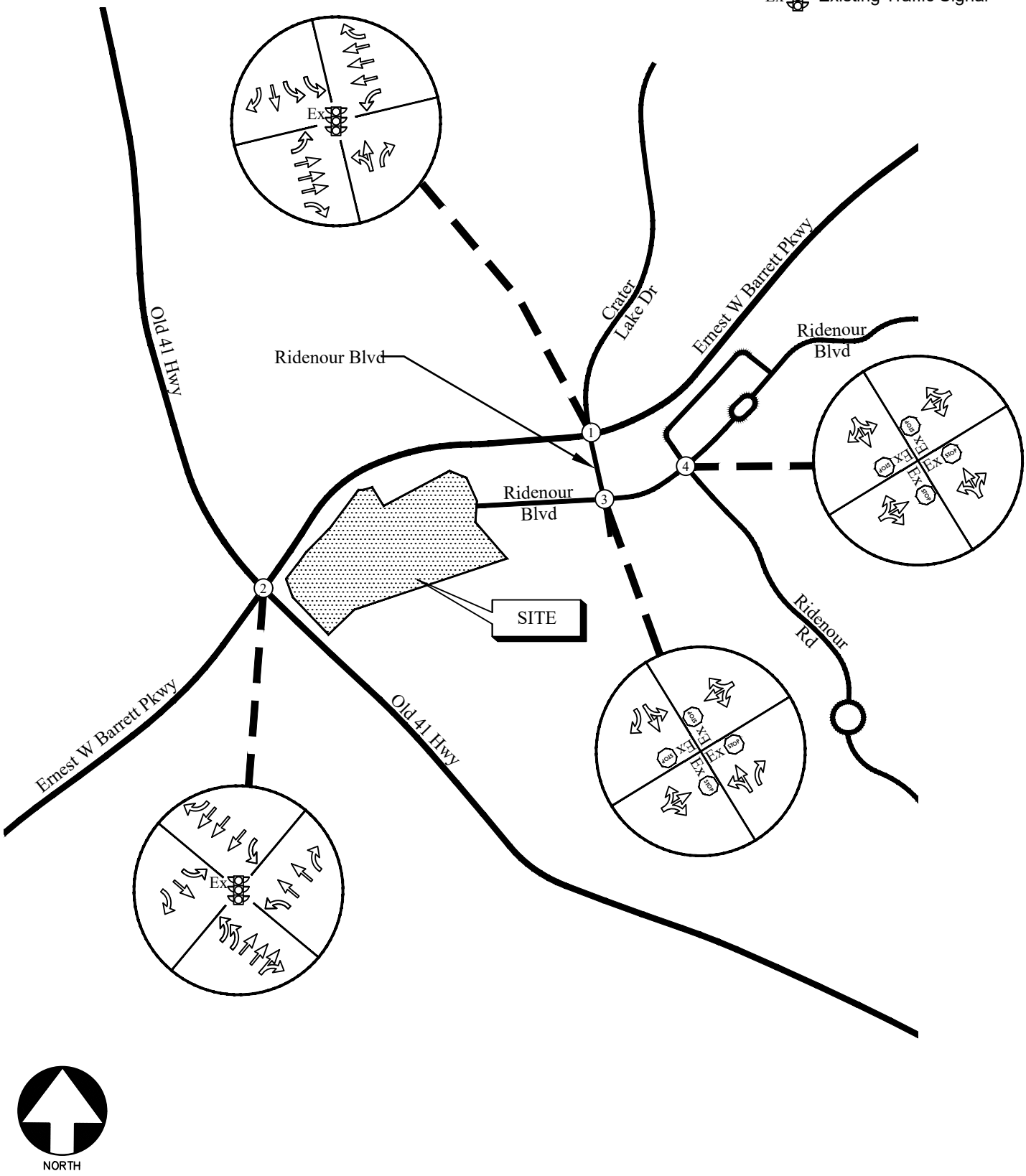
1. Ernest West Barrett Parkway at Ridenour Boulevard/Crater Lake Drive
2. Ernest West Barrett Parkway at Old 41 Highway
3. Ridenour Boulevard at Ridenour Boulevard
4. Ridenour Boulevard at Ridenour Road

Turning movement counts were collected on Wednesday, January 21, 2026. All turning movement counts were recorded during the AM and PM peak hours between 7:00am to 9:00am and 4:00pm to 6:00pm, respectively. The four consecutive 15-minute interval volumes that summed to produce 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 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 2026 traffic operations were analyzed at the study intersections in accordance with the HCM methodology. The results of the analyses are shown in Table 3.

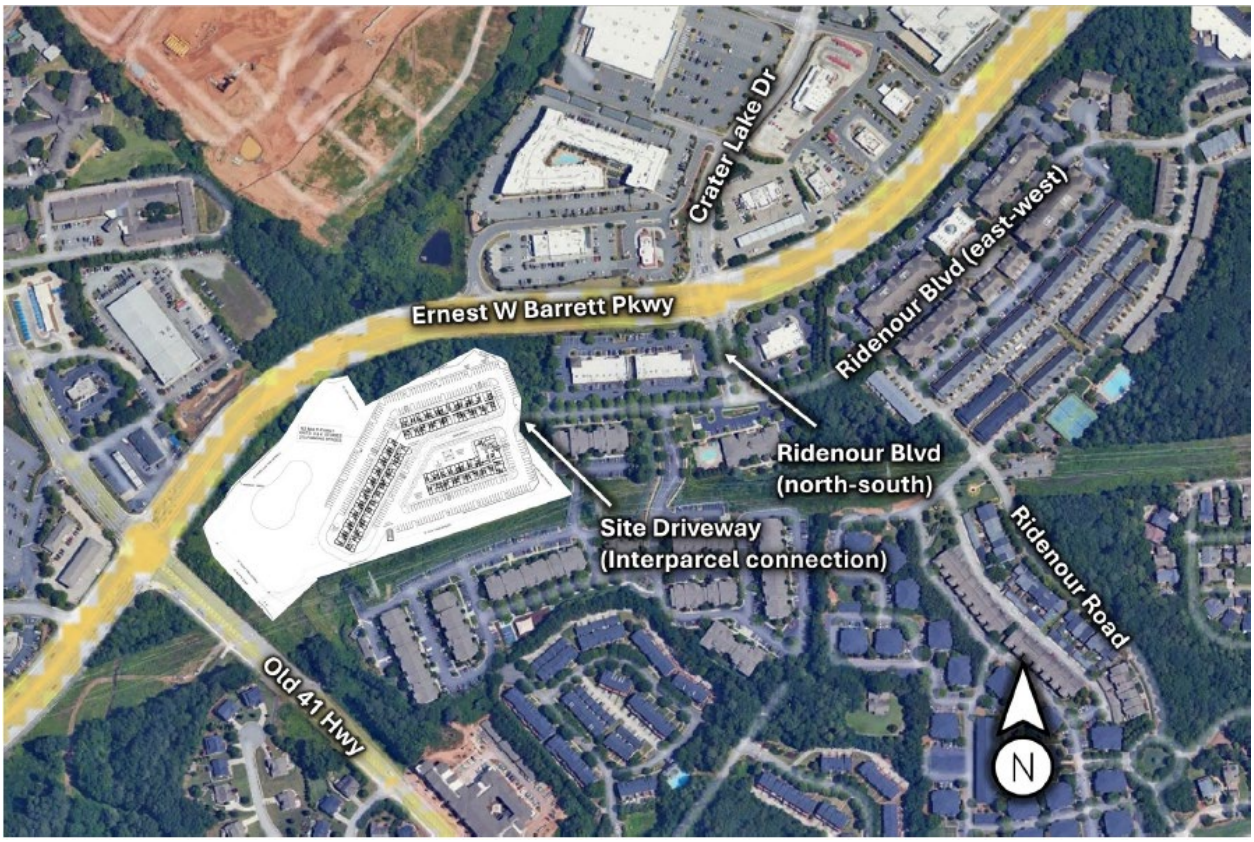
TABLE 3 – EXISTING INTERSECTION OPERATIONS

	Intersection	Traffic Control	LOS (Delay)	
			AM Peak Hour	PM Peak Hour
1	**Ernest West Barrett Parkway @ Ridenour Boulevard/ Crater Lake Drive**	Signalized	**C (20.4)**	**C (25.8)**
	-Eastbound Approach		B (16.0)	B (16.5)
	-Westbound Approach		B (13.3)	B (19.2)
	-Northbound Approach		F (85.7)	E (64.7)
	-Southbound Approach		E (61.5)	F (81.0)
2	**Ernest West Barrett Parkway @ Old 41 Highway**	Signalized	**E (70.0)**	**F (91.9)**
	-Eastbound Approach		E (55.8)	D (50.5)
	-Westbound Approach		E (55.2)	C (26.7)
	-Northbound Approach		E (58.2)	F (201.0)
	-Southbound Approach		F (137.1)	F (209.0)
3	**Ridenour Boulevard @ Ridenour Boulevard**	All-Stop Controlled	**A (7.8)**	**A (7.9)**
	-Eastbound Approach		A (7.8)	A (7.9)
	-Westbound Approach		A (7.3)	A (7.5)
	-Northbound Approach		A (7.6)	A (7.6)
	-Southbound Approach		A (8.3)	A (8.3)
4	**Ridenour Boulevard @ Ridenour Road**	All-Stop Controlled	**A (7.4)**	**A (7.6)**
	-Eastbound Approach		A (7.2)	A (7.2)
	-Westbound Approach		A (7.2)	A (7.5)
	-Northbound Approach		A (7.8)	A (8.0)
	-Southbound Approach		A (7.0)	A (6.8)

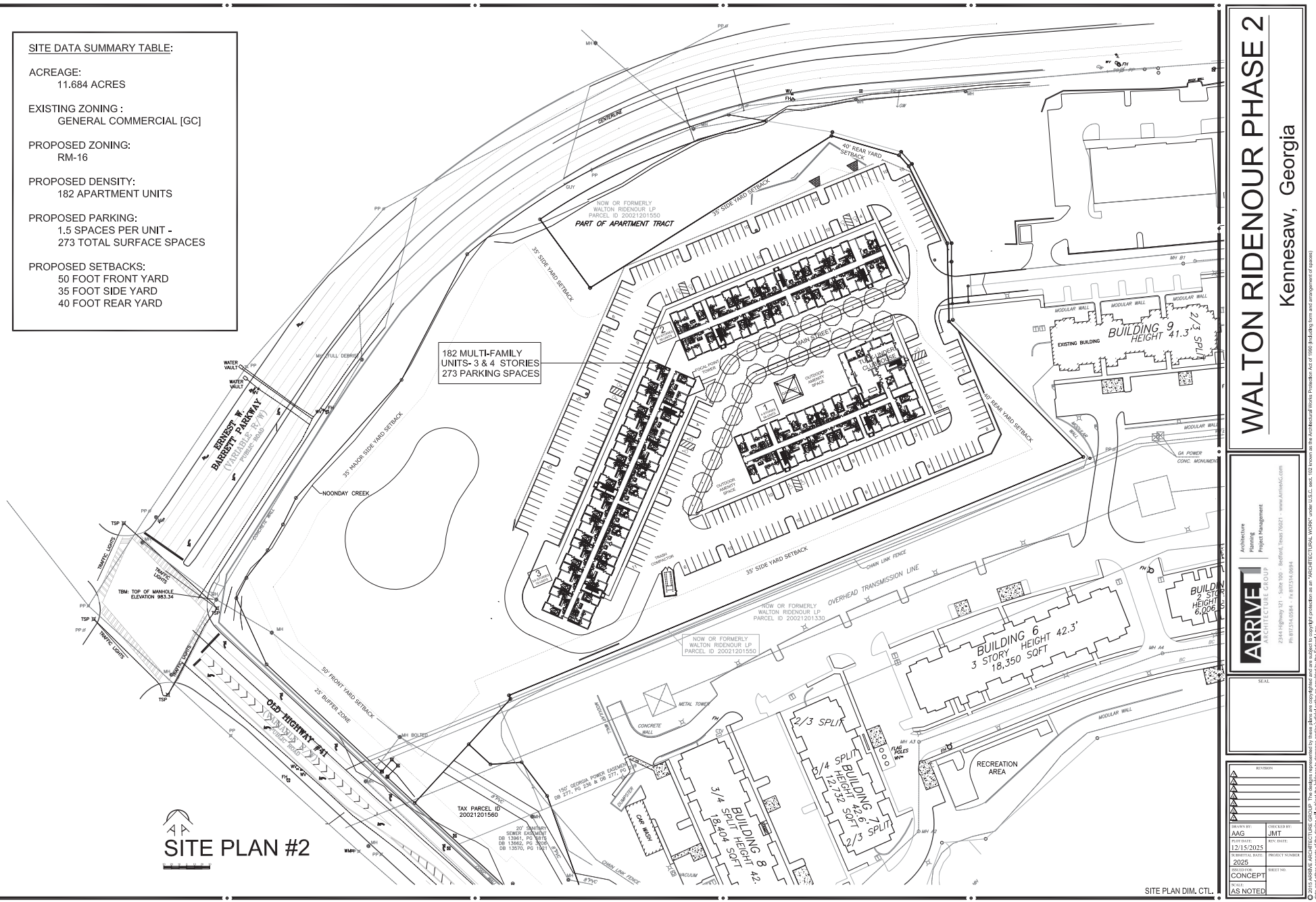
The results of the existing traffic operations analysis indicate that the signalized study intersection of Ernest West Barrett Parkway at Ridenour Boulevard/Crater Lake Drive is operating at an overall level of service (LOS) "C" in both the AM and PM peak hours. The signalized intersection of Ernest West Barrett Parkway at Old 41 Highway is operating at an overall LOS "E" in the AM peak hour and LOS "F" in the PM peak hour. The stop-controlled approaches at all unsignalized study intersections are operating at LOS "A" during both the AM and PM peak hours.

5.0 PROPOSED DEVELOPMENT

The residential development will be located at the southeast corner of the intersection of Ernest West Barrett Parkway at Old 41 Highway in the City of Kennesaw, Cobb County, Georgia. The development proposes 131 low-rise multifamily dwelling units and 51 mid-rise multifamily dwelling units. Access to the site is proposed via the existing Ridenour Boulevard, which will serve as an interparcel access roadway.



A site plan is shown in Figure 4.



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 817.514.0084 · Fx 817.514.0694

SEAL

REVISION

DRAWN BY:	CHECKED BY:
AAG	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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Monday, December 15, 2025 3:33:13 PM
SITE PLAN DIM. CTL.
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5.1 Trip Generation

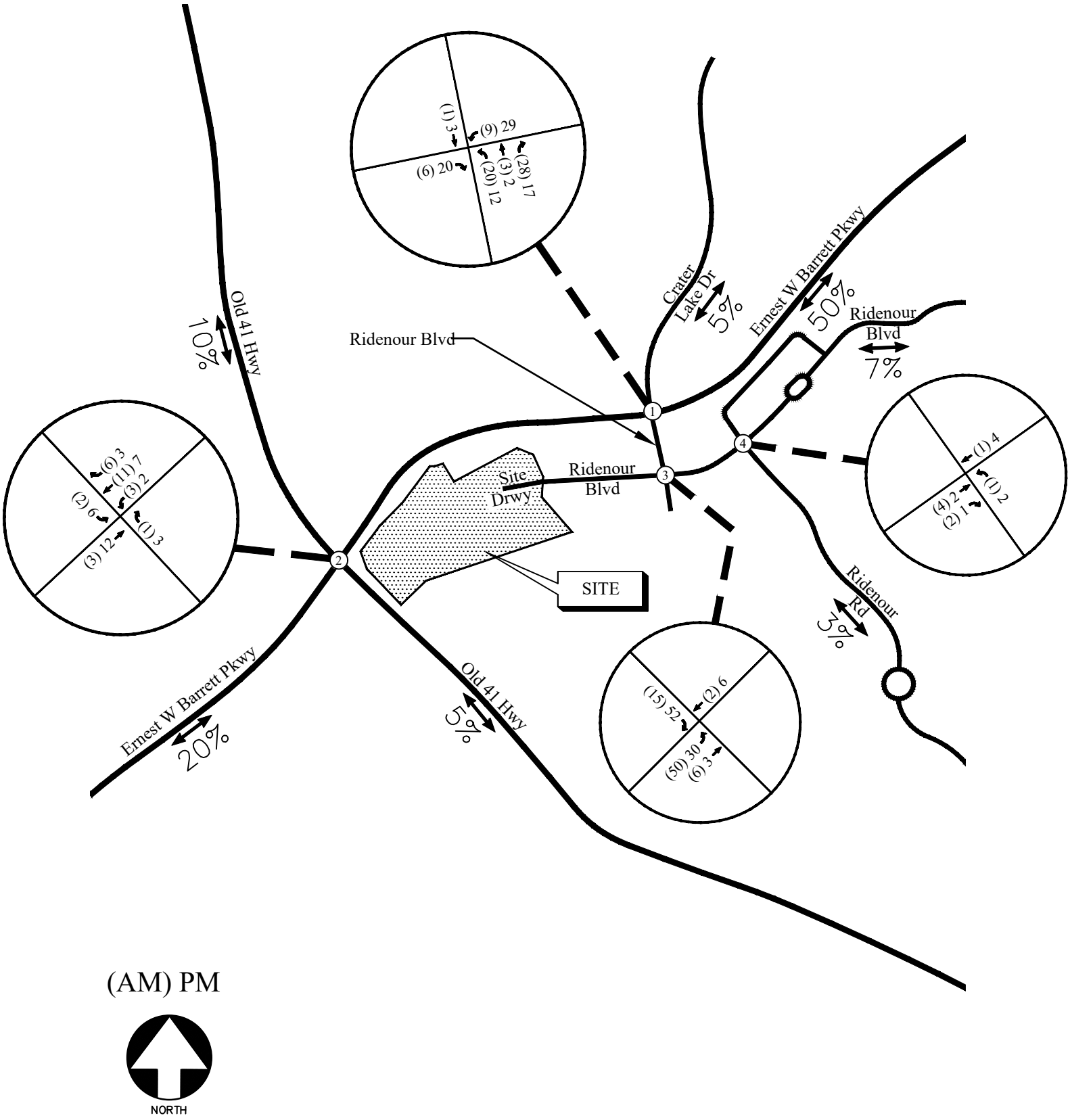
Trip generation estimates for the project were based on the rates and equations published in the 12th edition of the Institute of Transportation Engineers (ITE) Trip Generation report. This reference contains traffic volume count data collected at similar facilities nationwide. The trip generation was based on the following ITE Land Use category: *220 – Multifamily Housing (Low-Rise)-Not Close to Rail Transit) and 221 – Multifamily Housing (Mid-Rise).* The calculated total trip generation for the proposed development is 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	2-way
ITE 220 – Multifamily Housing (Low-Rise)-Not Close to Rail Transit)	131 units	14	45	59	44	26	70	858
ITE 221 – Multifamily Housing (Mid-Rise)	51 units	3	11	14	14	7	21	215
Total New Trips		**17**	**56**	**73**	**58**	**33**	**91**	**1,073**

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 and AM and PM peak hour new 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 2028 TRAFFIC ANALYSIS

The future 2028 traffic operations are analyzed for the "Build" and "No-Build" conditions.

6.1 Future "No-Build" Conditions

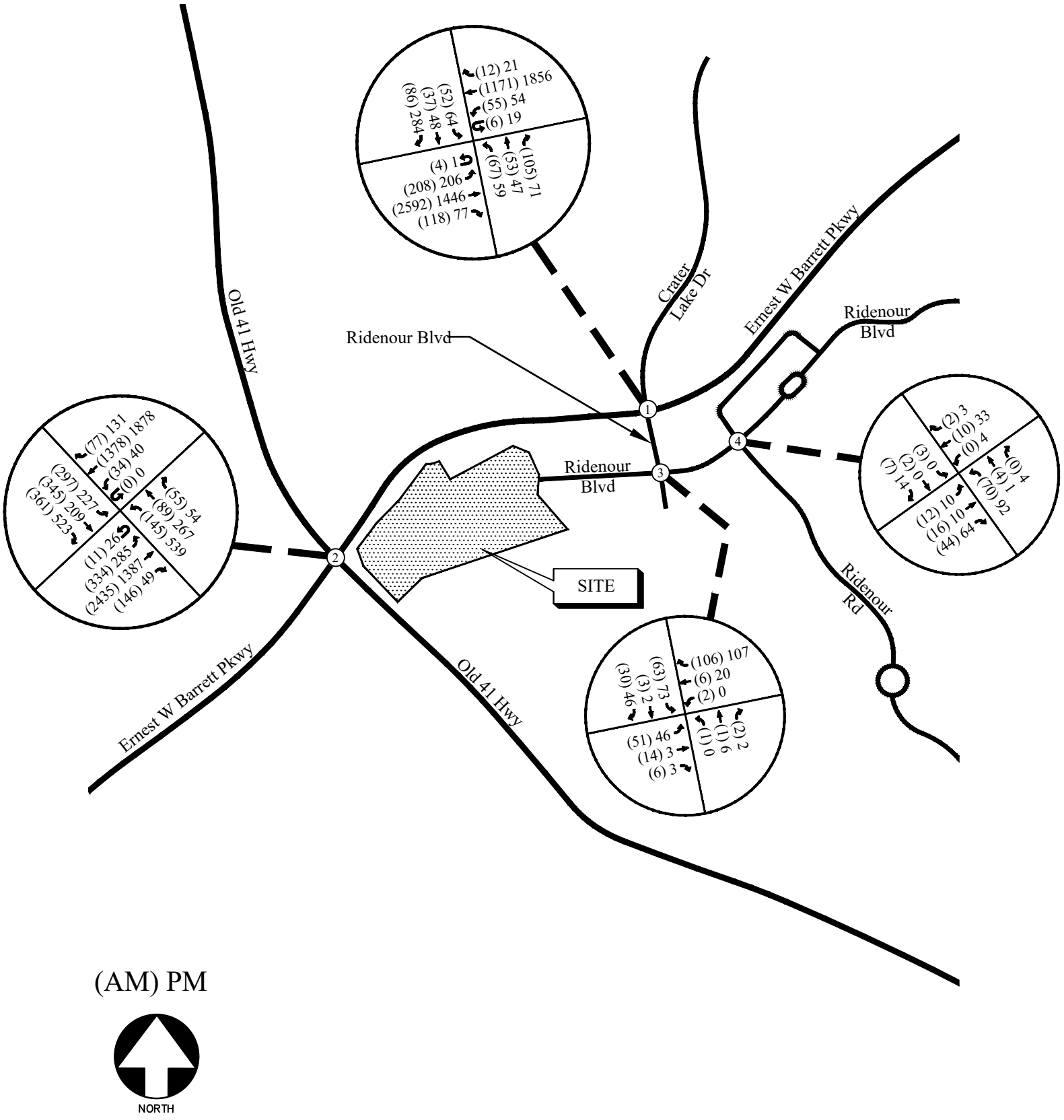
The "No-Build" (or background) conditions provide an assessment of how traffic will operate in the study horizon year without the study site being developed as proposed, with projected increases in through traffic volumes due to normal annual growth. The Future "No-Build" volumes consist of the existing traffic volumes (Figure 2) plus increases for annual growth of through traffic.

6.1.1 Annual Traffic Growth

In order 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 (2022-2024) years revealed growth of approximately 2% in the area. This growth factor was applied to the existing traffic volumes between collector and arterial roadways 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.

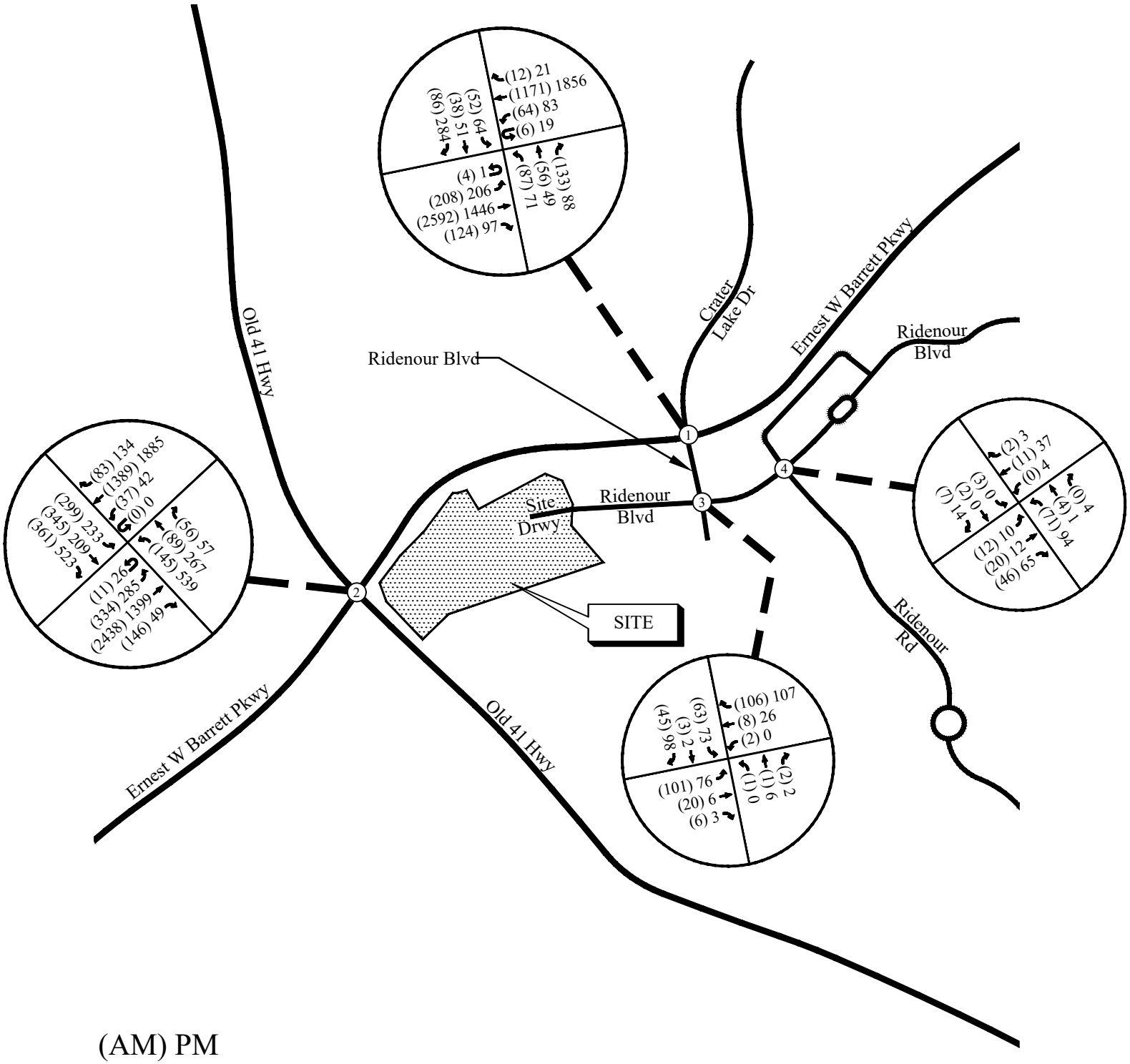
6.2 Future "Build" Conditions

The "Build" or development conditions include the estimated background traffic from the "No-Build" conditions plus the added traffic from the proposed development. To evaluate future traffic operations in this area, the additional traffic volumes from the site (Figure 5) were added to 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.



(AM) PM

NORTH

FUTURE (BUILD) WEEKDAY PEAK HOUR VOLUMES FIGURE 8

A&R Engineering Inc.

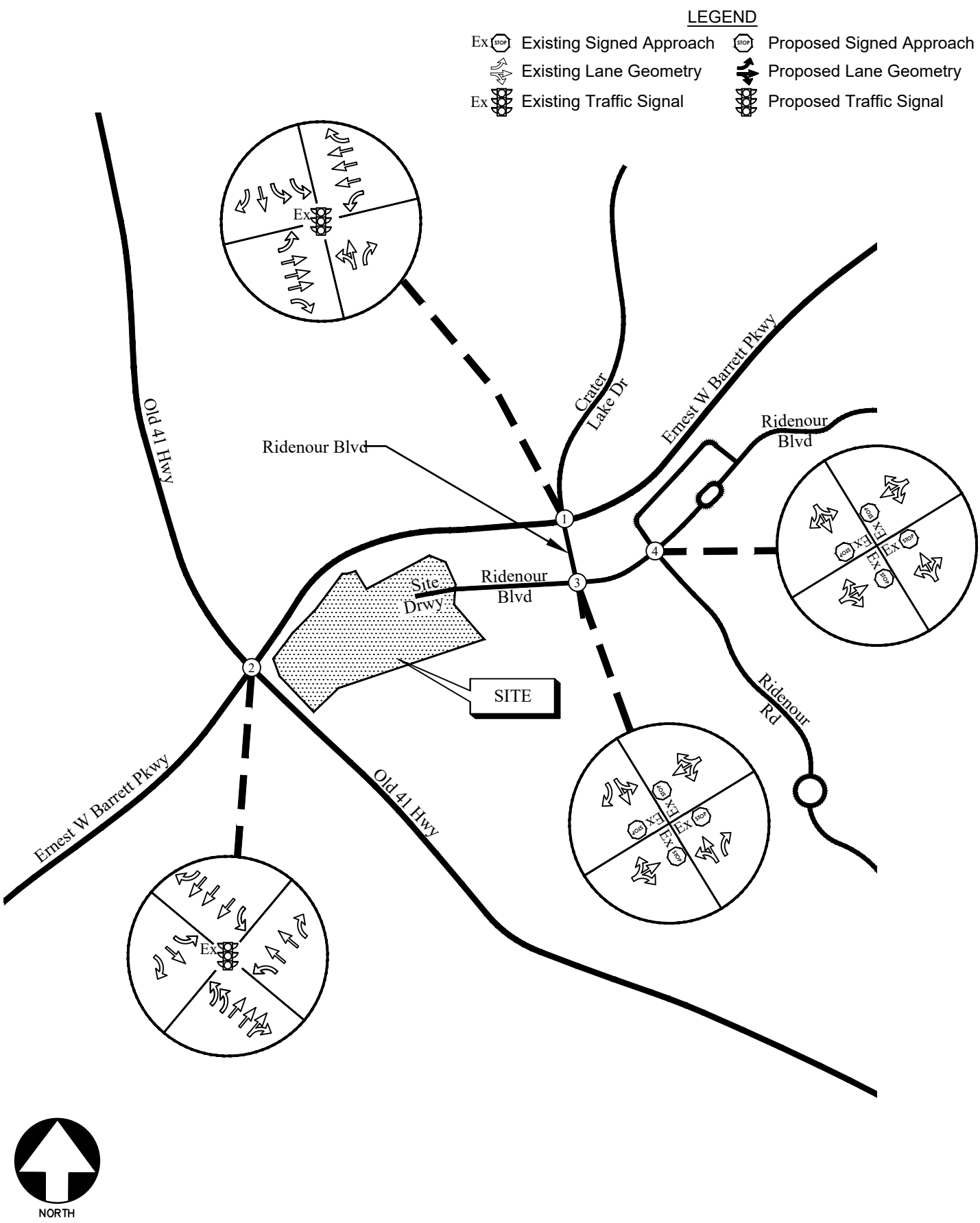
6.3 Future Traffic Operations

The future "No-Build" and "Build" traffic operations were analyzed using the volumes in Figures 6 and 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 in Figure 8.

TABLE 5 – FUTURE INTERSECTION OPERATIONS

	Intersection	LOS (Delay)			
		NO BUILD		BUILD	
		AM Peak	PM Peak	AM Peak	PM Peak
1	**Ernest West Barrett Parkway @ Ridenour Boulevard/ Crater Lake Drive**	**C (21.3)**	**C (27.7)**	**C (24.6)**	**C (28.1)**
	-Eastbound Approach	B (16.8)	B (18.4)	B (16.9)	B (18.7)
	-Westbound Approach	B (13.8)	C (21.6)	B (14.1)	C (21.5)
	-Northbound Approach	F (89.8)	E (63.8)	F (131.0)	E (67.1)
	-Southbound Approach	E (61.6)	F (81.7)	E (61.6)	F (81.5)
2	**Ernest West Barrett Parkway @ Old 41 Highway**	**E (77.9)**	**F (101.7)**	**E (78.7)**	**F (101.7)**
	-Eastbound Approach	E (65.9)	D (53.6)	E (67.5)	D (53.8)
	-Westbound Approach	E (56.7)	C (33.9)	E (56.9)	C (34.8)
	-Northbound Approach	E (58.4)	F (224.2)	E (58.4)	F (223.8)
	-Southbound Approach	F (150.0)	F (224.4)	F (149.9)	F (223.2)
3	**Ridenour Boulevard @ Ridenour Boulevard**	**A (7.8)**	**A (8.0)**	**A (8.1)**	**A (8.2)**
	-Eastbound Approach	A (7.9)	A (8.0)	A (8.5)	A (8.4)
	-Westbound Approach	A (7.3)	A (7.6)	A (7.5)	A (7.9)
	-Northbound Approach	A (7.6)	A (7.7)	A (7.7)	A (7.9)
	-Southbound Approach	A (8.3)	A (8.4)	A (8.4)	A (8.4)
4	**Ridenour Boulevard @ Ridenour Road**	**A (7.4)**	**A (7.6)**	**A (7.4)**	**A (7.7)**
	-Eastbound Approach	A (7.2)	A (7.3)	A (7.2)	A (7.3)
	-Westbound Approach	A (7.2)	A (7.5)	A (7.2)	A (7.6)
	-Northbound Approach	A (7.8)	A (8.1)	A (7.8)	A (8.1)
	-Southbound Approach	A (7.0)	A (6.8)	A (7.0)	A (6.8)

The results of the future "No-Build" and "Build" operations analyses indicate that the signalized study intersection of Ernest West Barrett Parkway at Ridenour Boulevard/Crater Lake Drive will continue to operate at an overall level of service (LOS) "C" in both the AM and PM peak hours. The signalized intersection of Ernest West Barrett Parkway at Old 41 Highway will continue to operate at an overall LOS "E" in the AM peak hour and LOS "F" in the PM peak hour, consistent with existing conditions. The stop-controlled approaches at all unsignalized study intersections will continue to operate at LOS "A" during both the AM and PM peak hours as in existing conditions. Overall, the impact of site-generated trips on the study area roadway network is minimal.



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 located at the southeast corner of the intersection of Ernest West Barrett Parkway at Old 41 Highway in the City of Kennesaw, Cobb County, Georgia. The development proposes 131 low-rise multifamily dwelling units and 51 mid-rise multifamily dwelling units. Access to the site is proposed via the existing Ridenour Boulevard, which will serve as an interparcel access roadway.

Existing and future operations after completion of the project were analyzed at the intersections of:

1. Ernest West Barrett Parkway at Ridenour Boulevard/Crater Lake Drive
2. Ernest West Barrett Parkway at Old 41 Highway
3. Ridenour Boulevard at Ridenour Boulevard
4. Ridenour Boulevard at Ridenour Road

The analysis included the evaluation of future operations for “No-Build” and “Build” conditions, with the differences between “No-Build” and “Build” accounting for an increase in traffic due to the proposed development.

The results of the future “No-Build” and “Build” operations analyses indicate that the signalized study intersection of Ernest West Barrett Parkway at Ridenour Boulevard/Crater Lake Drive will continue to operate at an overall level of service (LOS) “C” in both the AM and PM peak hours. The signalized intersection of Ernest West Barrett Parkway at Old 41 Highway will continue to operate at an overall LOS “E” in the AM peak hour and LOS “F” in the PM peak hour, consistent with existing conditions. The stop-controlled approaches at all unsignalized study intersections will continue to operate at LOS “A” during both the AM and PM peak hours as in existing conditions. Overall, the impact of site-generated trips on the study area roadway network is minimal.

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
Ernest W Barrett Pkwy @ Old Highway 41
7-9 am | 4-6 pm

File Name : 20260016
Site Code : 20260016
Start Date : 01-21-2026
Page No : 1

Groups Printed- Cars, Buses & Trucks

	Old Highway 41 NW Northbound				Old Highway 41 NW Southbound				Ernest W Barrett Pkwy Eastbound					Ernest W Barrett Pkwy Westbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	U-Turn	App. Total	Left	Thru	Right	App. Total	Int. Total
07:00 AM	22	11	4	37	43	62	46	151	52	563	38	3	656	9	159	16	184	1028
07:15 AM	20	15	12	47	37	85	55	177	83	578	65	0	726	2	243	13	258	1208
07:30 AM	34	15	11	60	89	92	83	264	76	539	37	1	653	7	250	8	265	1242
07:45 AM	35	25	15	75	75	60	82	217	80	664	40	0	784	2	368	20	390	1466
Total	111	66	42	219	244	299	266	809	291	2344	180	4	2819	20	1020	57	1097	4944
08:00 AM	28	28	8	64	58	89	86	233	70	562	27	5	664	11	374	23	408	1369
08:15 AM	42	18	19	79	64	91	96	251	95	576	36	5	712	13	333	23	369	1411
08:30 AM	25	20	19	64	77	79	91	247	90	551	29	0	670	6	219	18	243	1224
08:45 AM	24	25	19	68	25	57	99	181	68	419	21	2	510	10	235	14	259	1018
Total	119	91	65	275	224	316	372	912	323	2108	113	12	2556	40	1161	78	1279	5022
*** BREAK ***																		
04:00 PM	90	45	15	150	39	40	109	188	45	298	14	4	361	8	424	23	455	1154
04:15 PM	86	51	13	150	61	36	131	228	77	344	10	5	436	7	494	31	532	1346
04:30 PM	88	41	16	145	48	57	126	231	70	291	10	3	374	12	436	47	495	1245
04:45 PM	119	39	12	170	61	39	102	202	83	361	13	11	468	6	398	22	426	1266
Total	383	176	56	615	209	172	468	849	275	1294	47	23	1639	33	1752	123	1908	5011
05:00 PM	125	67	18	210	48	74	145	267	58	294	7	4	363	10	471	43	524	1364
05:15 PM	183	99	6	288	62	52	126	240	57	329	19	6	411	14	385	28	427	1366
05:30 PM	91	52	16	159	47	36	130	213	76	350	8	4	438	8	552	33	593	1403
05:45 PM	73	37	8	118	63	37	89	189	80	300	12	5	397	8	418	48	474	1178
Total	472	255	48	775	220	199	490	909	271	1273	46	19	1609	40	1826	152	2018	5311
Grand Total	1085	588	211	1884	897	986	1596	3479	1160	7019	386	58	8623	133	5759	410	6302	20288
Apprch %	57.6	31.2	11.2		25.8	28.3	45.9		13.5	81.4	4.5	0.7		2.1	91.4	6.5		
Total %	5.3	2.9	1	9.3	4.4	4.9	7.9	17.1	5.7	34.6	1.9	0.3	42.5	0.7	28.4	2	31.1	

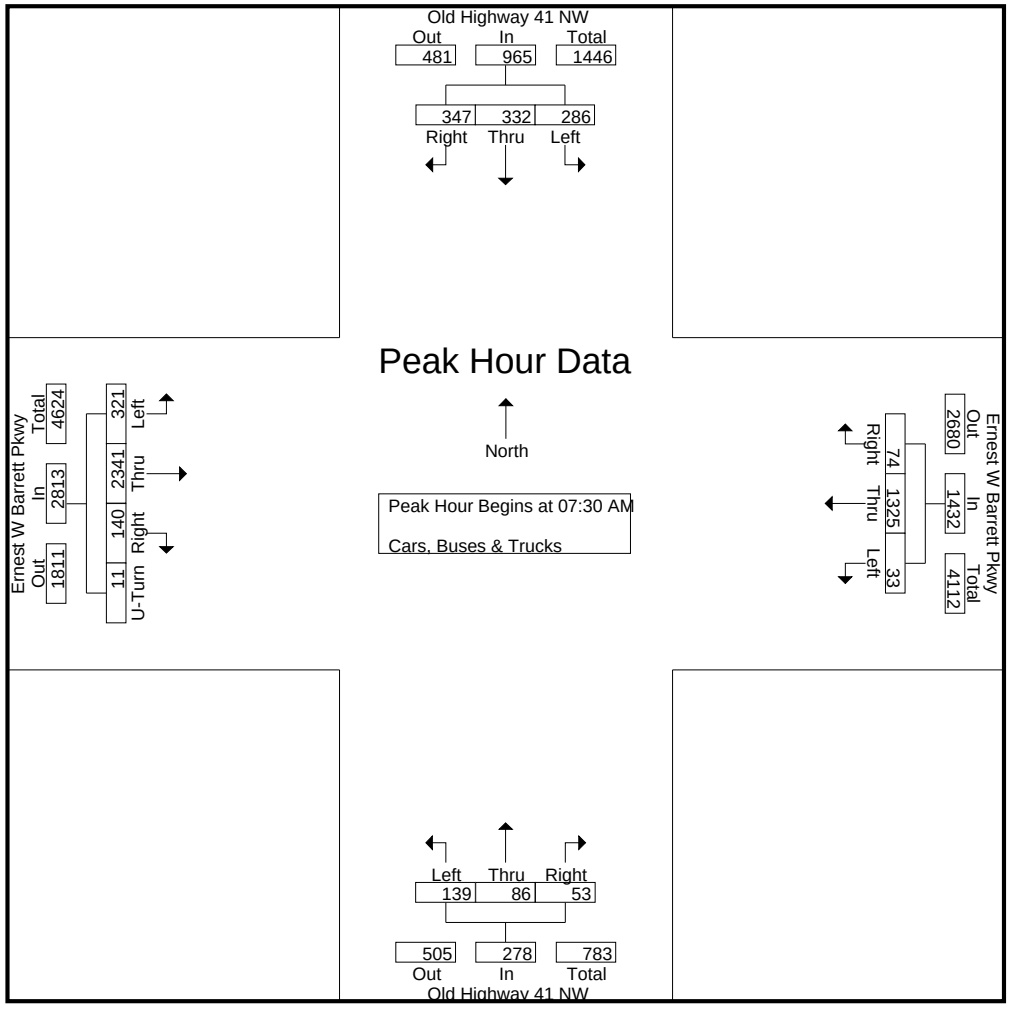
A & R Engineering, Inc.

2160 Kingston Court Suite 'O'
Marietta, GA 30067

TMC Data
Ernest W Barrett Pkwy @ Old Highway 41
7-9 am | 4-6 pm

File Name : 20260016
Site Code : 20260016
Start Date : 01-21-2026
Page No : 2

	Old Highway 41 NW Northbound				Old Highway 41 NW Southbound				Ernest W Barrett Pkwy Eastbound					Ernest W Barrett Pkwy Westbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	U-Turn	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	34	15	11	60	**89**	**92**	83	**264**	76	539	37	1	653	7	250	8	265	1242
07:45 AM	35	25	15	75	75	60	82	217	80	**664**	**40**	0	**784**	2	368	20	390	**1466**
08:00 AM	28	**28**	8	64	58	89	86	233	70	562	27	**5**	664	11	**374**	**23**	**408**	1369
08:15 AM	**42**	18	**19**	**79**	64	91	**96**	251	**95**	576	36	5	712	**13**	333	23	369	1411
Total Volume	139	86	53	278	286	332	347	965	321	2341	140	11	2813	33	1325	74	1432	5488
% App. Total	50	30.9	19.1		29.6	34.4	36		11.4	83.2	5	0.4		2.3	92.5	5.2		
PHF	.827	.768	.697	.880	.803	.902	.904	.914	.845	.881	.875	.550	.897	.635	.886	.804	.877	.936



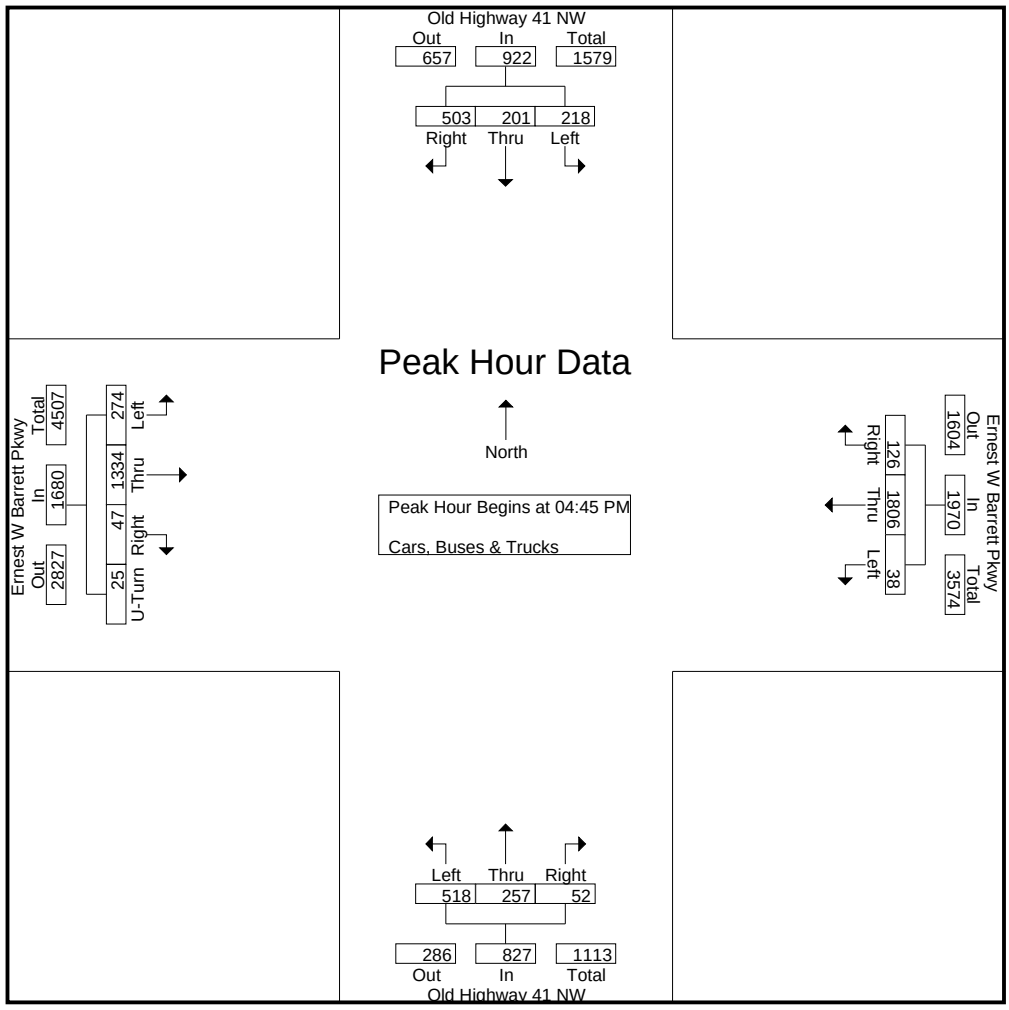
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TMC Data
Ernest W Barrett Pkwy @ Old Highway 41
7-9 am | 4-6 pm

File Name : 20260016
Site Code : 20260016
Start Date : 01-21-2026
Page No : 3

	Old Highway 41 NW Northbound				Old Highway 41 NW Southbound				Ernest W Barrett Pkwy Eastbound					Ernest W Barrett Pkwy Westbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	U-Turn	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	119	39	12	170	61	39	102	202	**83**	**361**	13	**11**	**468**	6	398	22	426	1266
05:00 PM	125	67	**18**	210	48	**74**	**145**	**267**	58	294	7	4	363	10	471	**43**	524	1364
05:15 PM	**183**	**99**	6	**288**	**62**	52	126	240	57	329	**19**	6	411	**14**	385	28	427	1366
05:30 PM	91	52	16	159	47	36	130	213	76	350	8	4	438	8	**552**	33	**593**	**1403**
Total Volume	518	257	52	827	218	201	503	922	274	1334	47	25	1680	38	1806	126	1970	5399
% App. Total	62.6	31.1	6.3		23.6	21.8	54.6		16.3	79.4	2.8	1.5		1.9	91.7	6.4		
PHF	.708	.649	.722	.718	.879	.679	.867	.863	.825	.924	.618	.568	.897	.679	.818	.733	.831	.962



A & R Engineering, Inc.

2160 Kingston Court Suite 'O'
Marietta, GA 30067

TMC Data
Ernest W Barrett Pkwy @ Ridenour Blvd-
Crater Lake Drive
7-9 am | 4-6 pm

File Name : 20260017
Site Code : 20260017
Start Date : 01-21-2026
Page No : 1

Groups Printed- Cars, Buses & Trucks

	Ridenour Blvd Northbound				Crater Lake Drive Southbound				Ernest W Barrett Pkwy Eastbound					Ernest W Barrett Pkwy Westbound					
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	U-Turn	App. Total	Left	Thru	Right	U-Turn	App. Total	Int. Total
07:00 AM	12	4	23	39	15	5	9	29	55	649	16	0	720	6	189	3	1	199	987
07:15 AM	26	9	30	65	21	2	13	36	39	528	16	0	583	9	230	0	1	240	924
07:30 AM	13	12	18	43	10	10	29	49	42	638	24	0	704	12	237	2	0	251	1047
07:45 AM	20	10	35	65	18	11	21	50	52	625	29	2	708	15	296	2	1	314	1137
Total	71	35	106	212	64	28	72	164	188	2440	85	2	2715	42	952	7	3	1004	4095
08:00 AM	17	16	21	54	9	11	17	37	43	549	22	1	615	16	351	1	1	369	1075
08:15 AM	10	14	20	44	14	8	19	41	56	615	30	1	702	9	294	4	2	309	1096
08:30 AM	17	11	25	53	9	6	26	41	49	703	32	0	784	13	185	5	2	205	1083
08:45 AM	12	13	25	50	11	5	20	36	50	463	12	2	527	15	231	2	3	251	864
Total	56	54	91	201	43	30	82	155	198	2330	96	4	2628	53	1061	12	8	1134	4118
*** BREAK ***																			
04:00 PM	19	12	26	57	26	18	65	109	38	290	20	0	348	10	432	7	5	454	968
04:15 PM	13	11	14	38	22	14	65	101	55	357	18	0	430	14	468	4	3	489	1058
04:30 PM	16	11	20	47	16	9	78	103	41	314	22	0	377	15	435	4	4	458	985
04:45 PM	11	12	21	44	10	7	52	69	43	365	15	0	423	12	397	6	5	420	956
Total	59	46	81	186	74	48	260	382	177	1326	75	0	1578	51	1732	21	17	1821	3967
05:00 PM	17	11	13	41	14	16	78	108	59	354	19	1	433	11	485	6	6	508	1090
05:15 PM	22	16	18	56	14	17	85	116	26	334	19	1	380	8	280	5	2	295	847
05:30 PM	11	10	15	36	15	13	65	93	44	338	21	0	403	16	520	3	6	545	1077
05:45 PM	13	13	20	46	15	19	54	88	44	317	19	2	382	12	363	3	4	382	898
Total	63	50	66	179	58	65	282	405	173	1343	78	4	1598	47	1648	17	18	1730	3912
Grand Total	249	185	344	778	239	171	696	1106	736	7439	334	10	8519	193	5393	57	46	5689	16092
Apprch %	32	23.8	44.2		21.6	15.5	62.9		8.6	87.3	3.9	0.1		3.4	94.8	1	0.8		
Total %	1.5	1.1	2.1	4.8	1.5	1.1	4.3	6.9	4.6	46.2	2.1	0.1	52.9	1.2	33.5	0.4	0.3	35.4	

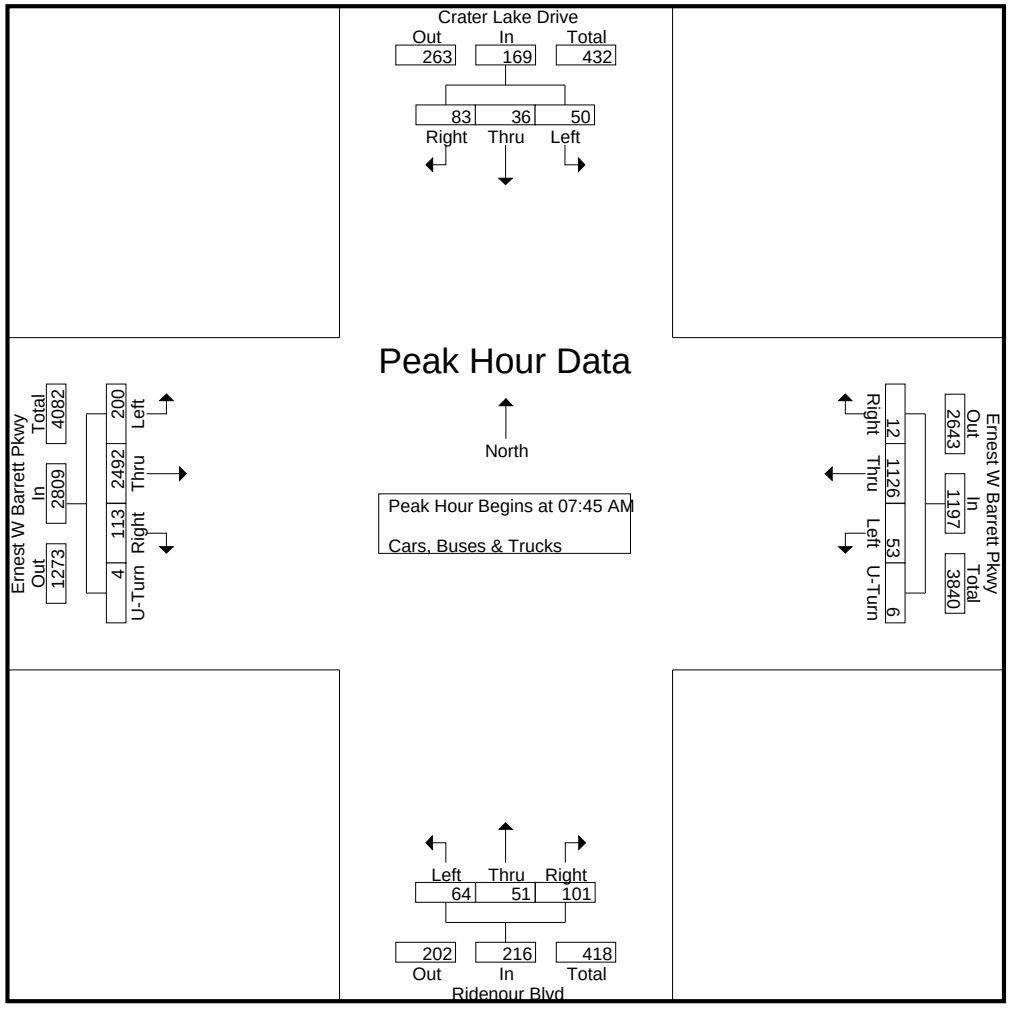
A & R Engineering, Inc.

2160 Kingston Court Suite 'O'
Marietta, GA 30067

TMC Data
Ernest W Barrett Pkwy @ Ridenour Blvd-
Crater Lake Drive
7-9 am | 4-6 pm

File Name : 20260017
Site Code : 20260017
Start Date : 01-21-2026

	Ridenour Blvd Northbound				Crater Lake Drive Southbound				Ernest W Barrett Pkwy Eastbound					Ernest W Barrett Pkwy Westbound					
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	U-Turn	App. Total	Left	Thru	Right	U-Turn	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 07:45 AM																			
07:45 AM	**20**	10	**35**	**65**	**18**	**11**	21	**50**	52	625	29	**2**	708	15	296	2	1	314	**1137**
08:00 AM	17	**16**	21	54	9	11	17	37	43	549	22	1	615	**16**	**351**	1	1	**369**	1075
08:15 AM	10	14	20	44	14	8	19	41	**56**	615	30	1	702	9	294	4	**2**	309	1096
08:30 AM	17	11	25	53	9	6	**26**	41	49	**703**	**32**	0	**784**	13	185	**5**	2	205	1083
Total Volume	64	51	101	216	50	36	83	169	200	2492	113	4	2809	53	1126	12	6	1197	4391
% App. Total	29.6	23.6	46.8		29.6	21.3	49.1		7.1	88.7	4	0.1		4.4	94.1	1	0.5		
PHF	.800	.797	.721	.831	.694	.818	.798	.845	.893	.886	.883	.500	.896	.828	.802	.600	.750	.811	.965



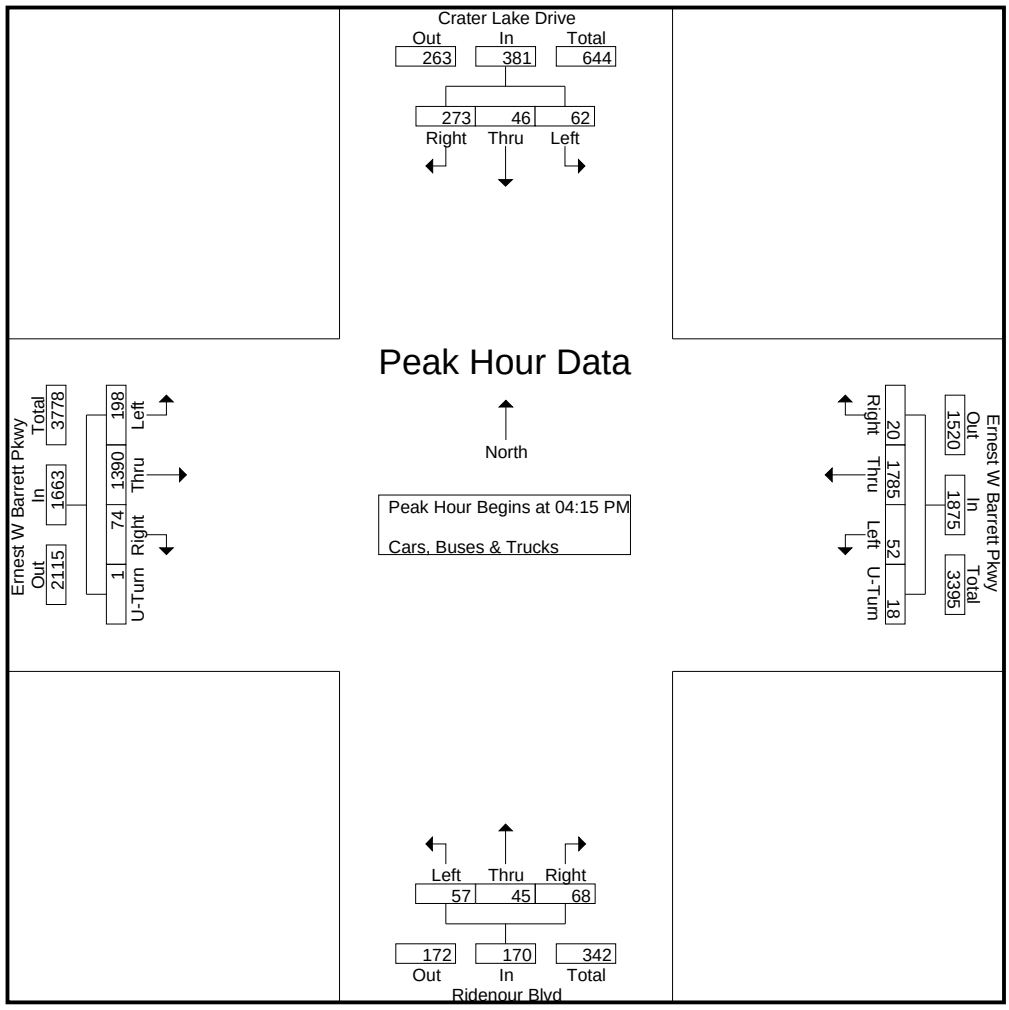
A & R Engineering, Inc.

2160 Kingston Court Suite 'O'
Marietta, GA 30067

TMC Data
Ernest W Barrett Pkwy @ Ridenour Blvd-
Crater Lake Drive
7-9 am | 4-6 pm

File Name : 20260017
Site Code : 20260017
Start Date : 01-21-2026
Page No : 3

	Ridenour Blvd Northbound				Crater Lake Drive Southbound				Ernest W Barrett Pkwy Eastbound					Ernest W Barrett Pkwy Westbound					
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	U-Turn	App. Total	Left	Thru	Right	U-Turn	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 04:15 PM																			
04:15 PM	13	11	14	38	**22**	14	65	101	55	357	18	0	430	14	468	4	3	489	1058
04:30 PM	16	11	20	**47**	16	9	**78**	103	41	314	**22**	0	377	**15**	435	4	4	458	985
04:45 PM	11	**12**	**21**	44	10	7	52	69	43	**365**	15	0	423	12	397	**6**	5	420	956
05:00 PM	**17**	11	13	41	14	**16**	78	**108**	**59**	354	19	**1**	**433**	11	**485**	6	**6**	**508**	**1090**
Total Volume	57	45	68	170	62	46	273	381	198	1390	74	1	1663	52	1785	20	18	1875	4089
% App. Total	33.5	26.5	40		16.3	12.1	71.7		11.9	83.6	4.4	0.1		2.8	95.2	1.1	1		
PHF	.838	.938	.810	.904	.705	.719	.875	.882	.839	.952	.841	.250	.960	.867	.920	.833	.750	.923	.938



A & R Engineering, Inc.

2160 Kingston Court Suite 'O'
Marietta, GA 30067

TMC Data
Ridenour Blvd @ Ridenour Road
7-9 am | 4-6 pm

File Name : 20260018
Site Code : 20260018
Start Date : 01-21-2026
Page No : 1

Groups Printed- Cars, Buses & Trucks

	Ridenour Road Northbound				Ridenour Road Southbound				Ridenour Blvd Eastbound				Ridenour Blvd 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	17	0	0	17	0	0	2	2	3	7	16	26	0	2	1	3	48
07:15 AM	21	0	0	21	2	0	1	3	1	3	15	19	0	2	0	2	45
07:30 AM	10	3	0	13	1	1	2	4	3	1	6	10	0	4	1	5	32
07:45 AM	19	1	0	20	0	1	2	3	5	4	5	14	0	2	0	2	39
Total	67	4	0	71	3	2	7	12	12	15	42	69	0	10	2	12	164
08:00 AM	8	1	0	9	0	0	1	1	2	1	7	10	0	2	1	3	23
08:15 AM	12	0	1	13	0	1	2	3	3	6	3	12	0	5	0	5	33
08:30 AM	10	0	1	11	0	0	3	3	1	2	12	15	1	4	1	6	35
08:45 AM	11	0	0	11	1	0	0	1	0	4	9	13	0	5	0	5	30
Total	41	1	2	44	1	1	6	8	6	13	31	50	1	16	2	19	121
*** BREAK ***																	
04:00 PM	20	0	0	20	0	0	6	6	0	1	10	11	0	9	2	11	48
04:15 PM	19	0	0	19	0	0	4	4	3	3	15	21	0	6	2	8	52
04:30 PM	22	1	1	24	0	0	3	3	3	2	17	22	2	13	0	15	64
04:45 PM	26	0	2	28	0	0	4	4	3	3	14	20	1	5	1	7	59
Total	87	1	3	91	0	0	17	17	9	9	56	74	3	33	5	41	223
05:00 PM	21	0	1	22	0	0	2	2	1	2	16	19	1	8	0	9	52
05:15 PM	18	1	0	19	0	0	6	6	1	1	13	15	0	5	0	5	45
05:30 PM	14	0	2	16	0	0	5	5	2	2	11	15	1	9	1	11	47
05:45 PM	15	1	0	16	0	0	3	3	1	2	13	16	0	6	0	6	41
Total	68	2	3	73	0	0	16	16	5	7	53	65	2	28	1	31	185
Grand Total	263	8	8	279	4	3	46	53	32	44	182	258	6	87	10	103	693
Apprch %	94.3	2.9	2.9		7.5	5.7	86.8		12.4	17.1	70.5		5.8	84.5	9.7		
Total %	38	1.2	1.2	40.3	0.6	0.4	6.6	7.6	4.6	6.3	26.3	37.2	0.9	12.6	1.4	14.9	

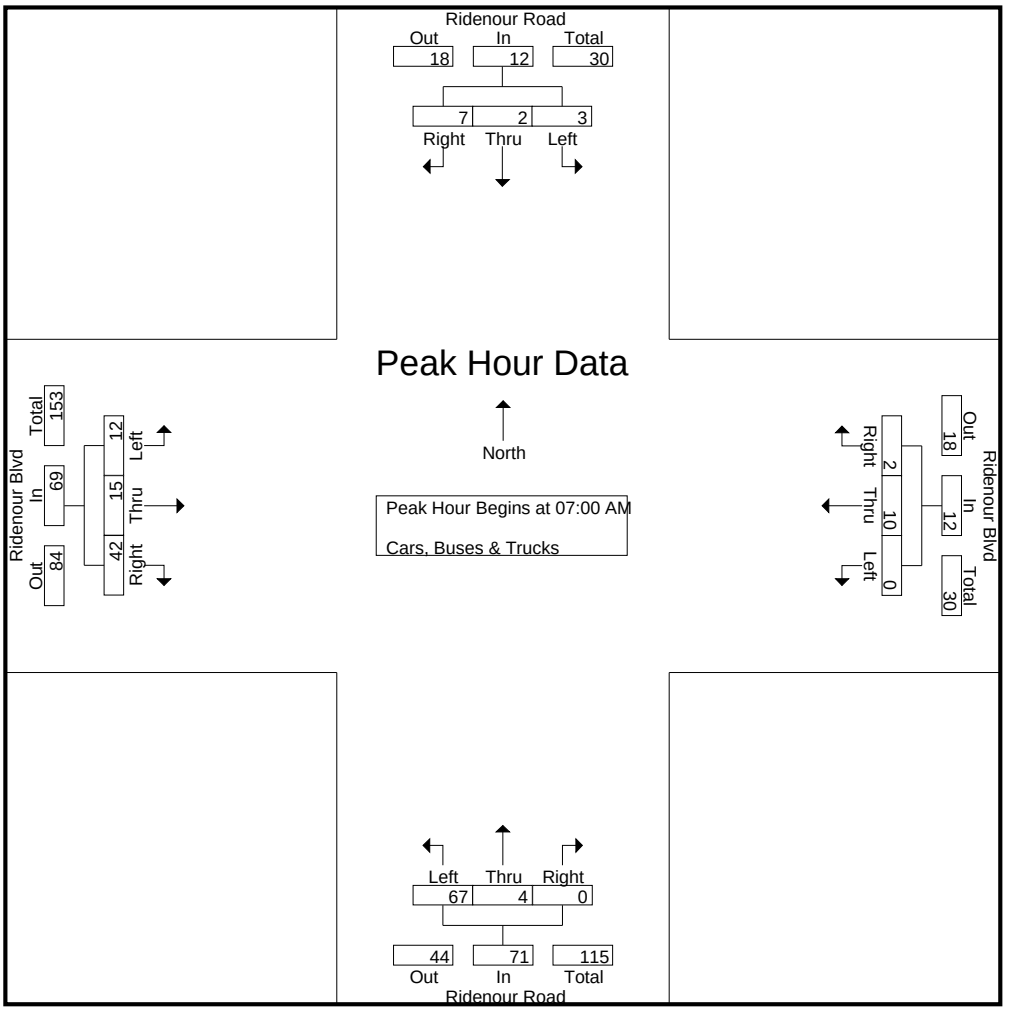
A & R Engineering, Inc.

2160 Kingston Court Suite 'O'
Marietta, GA 30067

TMC Data
Ridenour Blvd @ Ridenour Road
7-9 am | 4-6 pm

File Name : 20260018
Site Code : 20260018
Start Date : 01-21-2026
Page No : 2

	Ridenour Road Northbound				Ridenour Road Southbound				Ridenour Blvd Eastbound				Ridenour Blvd 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 07:00 AM																	
07:00 AM	17	0	0	17	0	0	**2**	2	3	**7**	**16**	**26**	0	2	**1**	3	**48**
07:15 AM	**21**	0	0	**21**	**2**	0	1	3	1	3	15	19	0	2	0	2	45
07:30 AM	10	**3**	0	13	1	**1**	2	**4**	3	1	6	10	0	**4**	1	**5**	32
07:45 AM	19	1	0	20	0	1	2	3	**5**	4	5	14	0	2	0	2	39
Total Volume	67	4	0	71	3	2	7	12	12	15	42	69	0	10	2	12	164
% App. Total	94.4	5.6	0		25	16.7	58.3		17.4	21.7	60.9		0	83.3	16.7		
PHF	.798	.333	.000	.845	.375	.500	.875	.750	.600	.536	.656	.663	.000	.625	.500	.600	.854



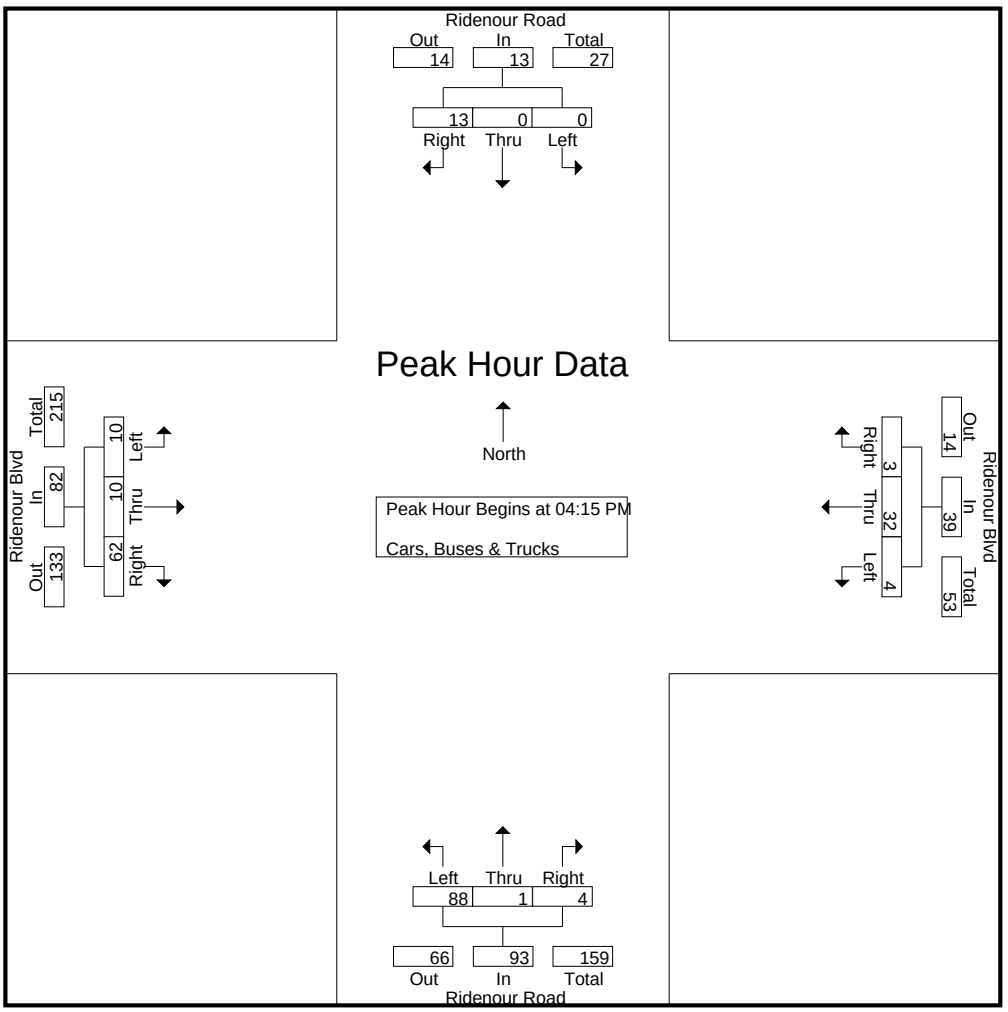
A & R Engineering, Inc.

2160 Kingston Court Suite 'O'
Marietta, GA 30067

TMC Data
Ridenour Blvd @ Ridenour Road
7-9 am | 4-6 pm

File Name : 20260018
Site Code : 20260018
Start Date : 01-21-2026
Page No : 3

	Ridenour Road Northbound				Ridenour Road Southbound				Ridenour Blvd Eastbound				Ridenour Blvd 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 04:15 PM																	
04:15 PM	19	0	0	19	0	0	**4**	**4**	**3**	**3**	15	21	0	6	**2**	8	52
04:30 PM	22	**1**	1	24	0	0	3	3	3	2	**17**	**22**	**2**	**13**	0	**15**	**64**
04:45 PM	**26**	0	**2**	**28**	0	0	4	4	3	3	14	20	1	5	1	7	59
05:00 PM	21	0	1	22	0	0	2	2	1	2	16	19	1	8	0	9	52
Total Volume	88	1	4	93	0	0	13	13	10	10	62	82	4	32	3	39	227
% App. Total	94.6	1.1	4.3		0	0	100		12.2	12.2	75.6		10.3	82.1	7.7		
PHF	.846	.250	.500	.830	.000	.000	.813	.813	.833	.833	.912	.932	.500	.615	.375	.650	.887



A & R Engineering, Inc.

2160 Kingston Court Suite 'O'
Marietta, GA 30067

TMC Data
Ridenour Blvd North-South @ Ridenour Blvd East-West
7-9 am | 4-6 pm

File Name : 20260019
Site Code : 20260019
Start Date : 01-21-2026
Page No : 1

Groups Printed- Cars, Buses & Trucks

	Ridenour Blvd Northbound				Ridenour Blvd Southbound				Ridenour Blvd Eastbound				Ridenour Blvd 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	2	0	5	7	5	0	2	7	11	2	4	17	0	0	21	21	52
07:15 AM	0	0	0	0	8	0	9	17	13	3	0	16	0	0	18	18	51
07:30 AM	0	0	1	1	16	0	3	19	12	1	1	14	1	2	28	31	65
07:45 AM	1	0	0	1	12	0	9	21	20	3	0	23	0	2	23	25	70
Total	3	0	6	9	41	0	23	64	56	9	5	70	1	4	90	95	238
08:00 AM	0	0	1	1	19	2	7	28	8	4	0	12	1	2	26	29	70
08:15 AM	0	1	0	1	14	1	10	25	9	5	5	19	0	0	25	25	70
08:30 AM	1	1	0	2	10	5	8	23	13	3	1	17	0	1	21	22	64
08:45 AM	0	0	0	0	12	0	1	13	19	2	0	21	0	2	15	17	51
Total	1	2	1	4	55	8	26	89	49	14	6	69	1	5	87	93	255
*** BREAK ***																	
04:00 PM	0	0	0	0	22	0	14	36	16	1	0	17	0	2	25	27	80
04:15 PM	0	1	0	1	17	0	17	34	12	0	2	14	0	4	23	27	76
04:30 PM	0	1	1	2	16	2	10	28	11	2	0	13	0	2	29	31	74
04:45 PM	0	1	0	1	14	0	5	19	8	0	0	8	0	4	30	34	62
Total	0	3	1	4	69	2	46	117	47	3	2	52	0	12	107	119	292
05:00 PM	0	3	1	4	23	0	12	35	13	1	1	15	0	9	21	30	84
05:15 PM	0	0	0	0	17	0	9	26	7	2	0	9	2	5	33	40	75
05:30 PM	0	0	0	0	19	0	15	34	11	2	0	13	0	6	22	28	75
05:45 PM	0	1	0	1	15	0	11	26	11	2	0	13	1	1	17	19	59
Total	0	4	1	5	74	0	47	121	42	7	1	50	3	21	93	117	293
Grand Total	4	9	9	22	239	10	142	391	194	33	14	241	5	42	377	424	1078
Apprch %	18.2	40.9	40.9		61.1	2.6	36.3		80.5	13.7	5.8		1.2	9.9	88.9		
Total %	0.4	0.8	0.8	2	22.2	0.9	13.2	36.3	18	3.1	1.3	22.4	0.5	3.9	35	39.3	

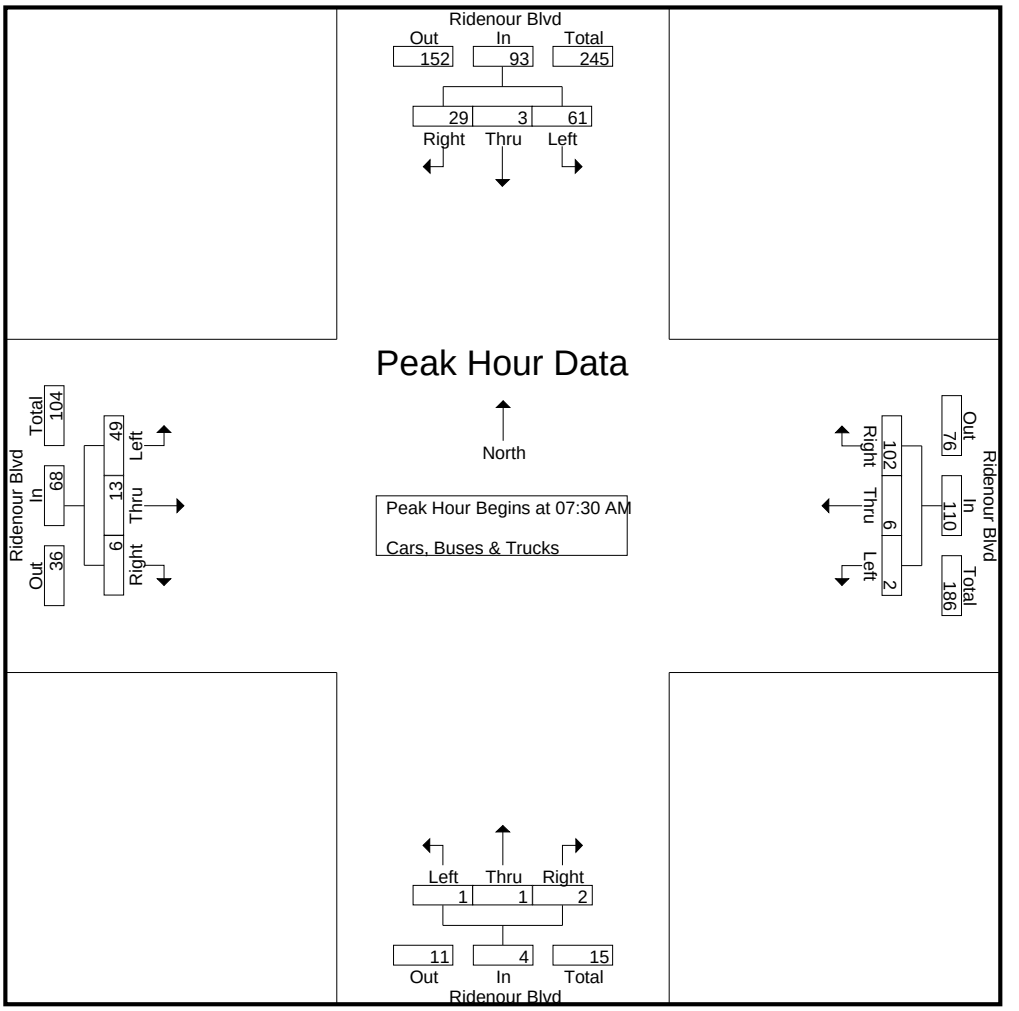
A & R Engineering, Inc.

2160 Kingston Court Suite 'O'
Marietta, GA 30067

TMC Data
Ridenour Blvd North-South @ Ridenour Blvd East-West
7-9 am | 4-6 pm

File Name : 20260019
Site Code : 20260019
Start Date : 01-21-2026
Page No : 2

	Ridenour Blvd Northbound				Ridenour Blvd Southbound				Ridenour Blvd Eastbound				Ridenour Blvd 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**	16	0	3	19	12	1	1	14	**1**	**2**	**28**	**31**	65
07:45 AM	**1**	0	0	1	12	0	9	21	**20**	3	0	**23**	0	2	23	25	**70**
08:00 AM	0	0	1	1	**19**	**2**	7	**28**	8	4	0	12	1	2	26	29	70
08:15 AM	0	**1**	0	1	14	1	**10**	25	9	**5**	**5**	19	0	0	25	25	70
Total Volume	1	1	2	4	61	3	29	93	49	13	6	68	2	6	102	110	275
% App. Total	25	25	50		65.6	3.2	31.2		72.1	19.1	8.8		1.8	5.5	92.7		
PHF	.250	.250	.500	1.00	.803	.375	.725	.830	.613	.650	.300	.739	.500	.750	.911	.887	.982



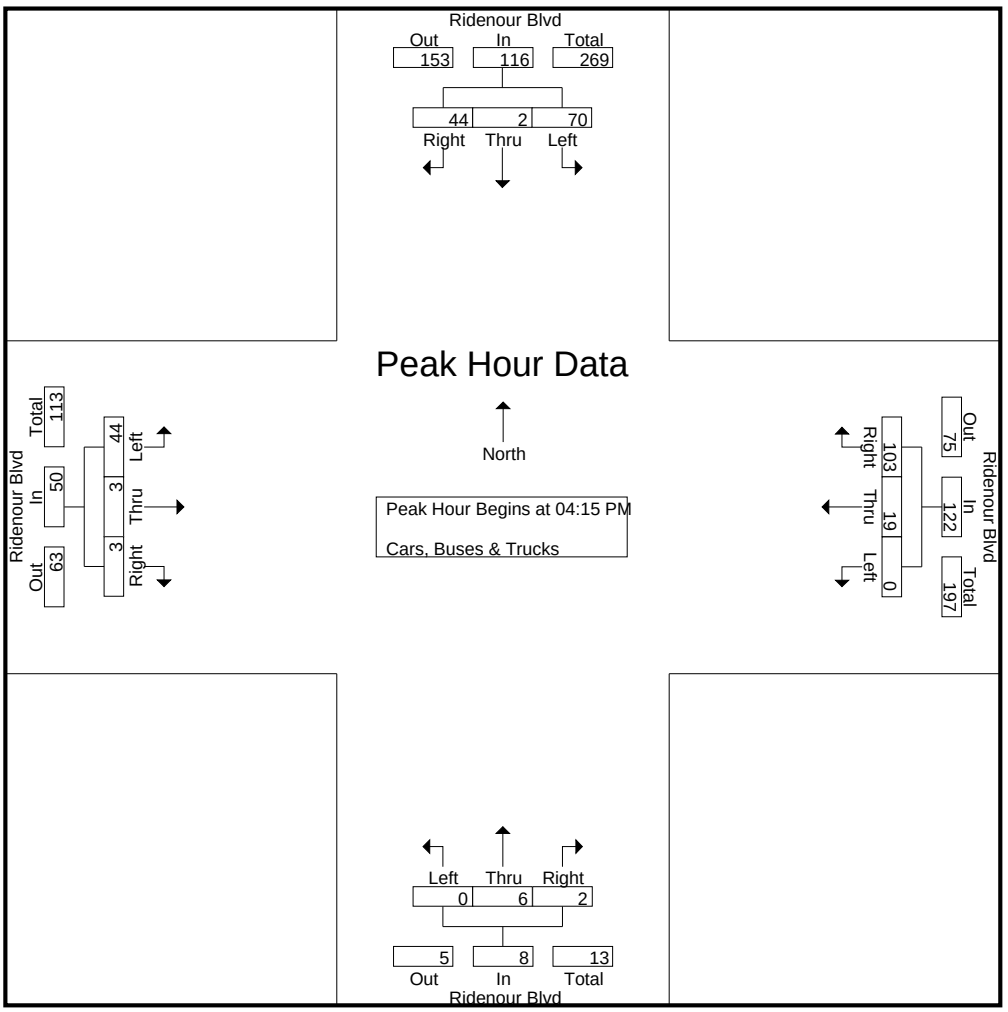
A & R Engineering, Inc.

2160 Kingston Court Suite 'O'
Marietta, GA 30067

TMC Data
Ridenour Blvd North-South @ Ridenour Blvd East-West
7-9 am | 4-6 pm

File Name : 20260019
Site Code : 20260019
Start Date : 01-21-2026
Page No : 3

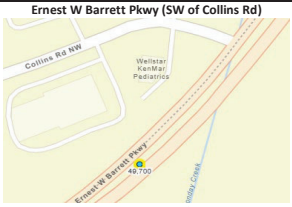
	Ridenour Blvd Northbound				Ridenour Blvd Southbound				Ridenour Blvd Eastbound				Ridenour Blvd Westbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:15 PM																	
04:15 PM	0	1	0	1	17	0	**17**	34	12	0	**2**	14	0	4	23	27	76
04:30 PM	0	1	**1**	2	16	**2**	10	28	11	**2**	0	13	0	2	29	31	74
04:45 PM	0	1	0	1	14	0	5	19	8	0	0	8	0	4	**30**	**34**	62
05:00 PM	0	**3**	1	**4**	**23**	0	12	**35**	**13**	1	1	**15**	0	**9**	21	30	**84**
Total Volume	0	6	2	8	70	2	44	116	44	3	3	50	0	19	103	122	296
% App. Total	0	75	25		60.3	1.7	37.9		88	6	6		0	15.6	84.4		
PHF	.000	.500	.500	.500	.761	.250	.647	.829	.846	.375	.375	.833	.000	.528	.858	.897	.881

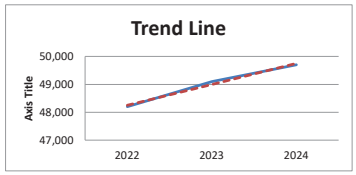


LINEAR REGRESSION OF DAILY TRAFFIC

Location	Growth Rate	R Squared	Station ID	Route	2022	2023	2024
Ernest W Barrett Pkwy (SW of Collins Rd)	1.5%	0.99	067-0653	00822800	48,200	49,100	49,700
Old 41 Hwy (SE of White Road Ct)	1.6%	1.00	067-2861	00289600	19,000	19,300	19,600
US 41 (Cobb Pkwy) (SE of Ridenour Blvd)	1.2%	1.00	067-0018	00000300	32,800	33,200	33,600
Barrett Lakes Blvd NW (NE of Cobb Pkwy)	1.5%	0.88	067-8527	00679900	5,200	5,330	5,360
Old 41 Hwy (S of Leyland Dr)	2.5%	0.84	067-0856	00289600	16,200	16,300	17,000
Weighted Average	**1.6%**	1.00	Sum of Count Stations =		121,400	123,230	125,260

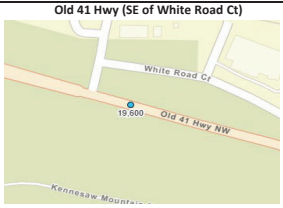
Location	Traffic Counter	RCLINK	2022	2023	2024
Ernest W Barrett Pkwy (SW of Collins Rd)	067-0653	00822800	48,200	49,100	49,700

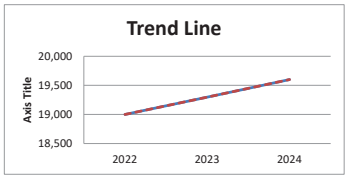




Growth Rate	1.5%	Intercept	-1,468,250	Slope	750.00
Trend Line			48,250	49,000	49,750

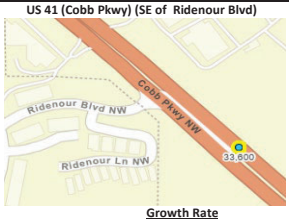
Location	Traffic Counter	RCLINK	2022	2023	2024
Old 41 Hwy (SE of White Road Ct)	067-2861	00289600	19,000	19,300	19,600

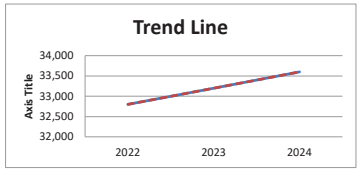




Growth Rate	1.6%	Intercept	-587,600	Slope	300.00
Trend Line			19,000	19,300	19,600

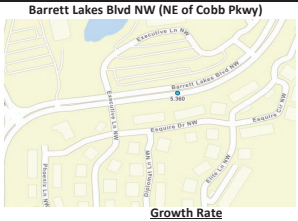
Location	Traffic Counter	RCLINK	2022	2023	2024
US 41 (Cobb Pkwy) (SE of Ridenour Blvd)	067-0018	00000300	32,800	33,200	33,600

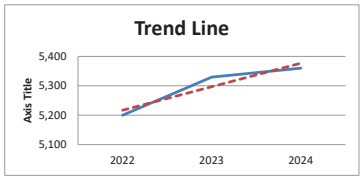




Growth Rate	1.2%	Intercept	-776,000	Slope	400.00
Trend Line			32,800	33,200	33,600

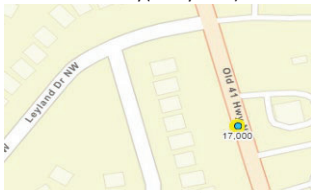
Location	Traffic Counter	RCLINK	2022	2023	2024
Barrett Lakes Blvd NW (NE of Cobb Pkwy)	067-8527	00679900	5,200	5,330	5,360

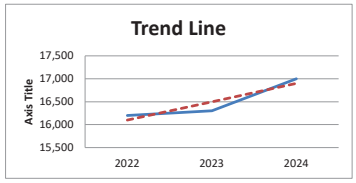




Growth Rate	1.5%	Intercept	-156,543	Slope	80.00
Trend Line			5,217	5,297	5,377

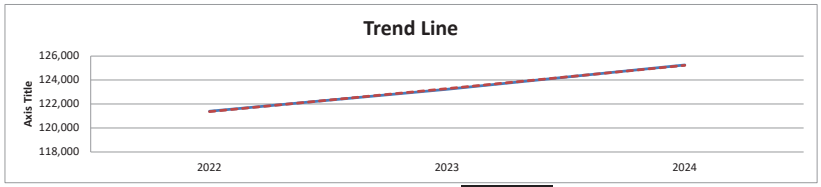
Location	Traffic Counter	RCLINK	2022	2023	2024
Old 41 Hwy (S of Leyland Dr)	067-0856	00289600	16,200	16,300	17,000





Growth Rate	2.5%	Intercept	-792,700	Slope	400.00
Trend Line			16,100	16,500	16,900

Weighted Average			2022	2023	2024
Sum of Count Stations			121,400	123,230	125,260



Growth Rate	1.6%	Intercept	-3,781,093	Slope	1,930.00
Trend Line			121,367	123,297	125,227

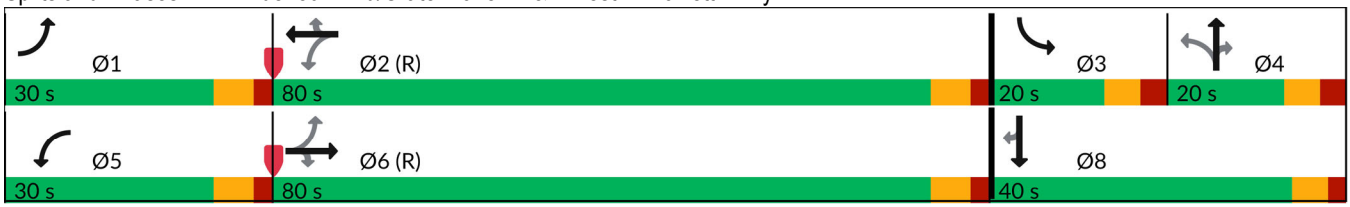
EXISTING INTERSECTION ANALYSIS

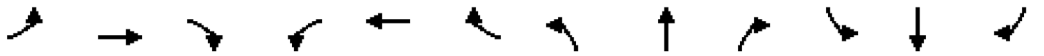
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	204	2492	113	59	1126	12	64	51	101	50	36	83
Future Volume (vph)	204	2492	113	59	1126	12	64	51	101	50	36	83
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	490		90	370		180	0		0	190		155
Storage Lanes	1		1	1		1	0		1	2		1
Taper Length (ft)	100			155			25			50		
Lane Util. Factor	1.00	0.91	1.00	1.00	0.91	1.00	1.00	1.00	1.00	0.97	1.00	1.00
Frt			0.850			0.850			0.850			0.850
Flt Protected	0.950			0.950				0.973		0.950		
Satd. Flow (prot)	1770	4940	1583	1770	4940	1583	0	1812	1583	3433	1863	1583
Flt Permitted	0.188			0.044				0.806		0.950		
Satd. Flow (perm)	350	4940	1583	82	4940	1583	0	1501	1583	3433	1863	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			127			127			124			86
Link Speed (mph)		45			45			25			25	
Link Distance (ft)		1947			1025			313			444	
Travel Time (s)		29.5			15.5			8.5			12.1	
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96
Heavy Vehicles (%)	2%	5%	2%	2%	5%	2%	2%	2%	2%	2%	2%	2%
Shared Lane Traffic (%)												
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		24			24			36			24	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Turn Type	pm+pt	NA	Perm	pm+pt	NA	Perm	Perm	NA	Perm	Prot	NA	Perm
Protected Phases	1	6		5	2			4		3	8	
Permitted Phases	6		6	2		2	4		4			8
Detector Phase	1	6	6	5	2	2	4	4	4	3	8	8
Switch Phase												
Minimum Initial (s)	5.0	15.0	15.0	5.0	15.0	15.0	8.0	8.0	8.0	5.0	8.0	8.0
Minimum Split (s)	15.0	40.5	40.5	15.0	40.5	40.5	45.0	45.0	45.0	15.0	46.0	46.0
Total Split (s)	30.0	80.0	80.0	30.0	80.0	80.0	20.0	20.0	20.0	20.0	40.0	40.0
Total Split (%)	20.0%	53.3%	53.3%	20.0%	53.3%	53.3%	13.3%	13.3%	13.3%	13.3%	26.7%	26.7%
Yellow Time (s)	4.5	4.5	4.5	4.5	4.5	4.5	4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0	3.0	3.0	3.0	3.0	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	0.0
Total Lost Time (s)	6.5	6.5	6.5	6.5	6.5	6.5		7.0	7.0	7.0	6.0	6.0
Lead/Lag	Lead	Lag	Lag	Lead	Lag	Lag	Lag	Lag	Lag	Lead		
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes		
Recall Mode	None	C-Min	C-Min	None	C-Min	C-Min	None	None	None	None	None	None

Intersection Summary	
Area Type:	Other
Cycle Length: 150	

Actuated Cycle Length: 150
Offset: 0 (0%), Referenced to phase 2:WBTL and 6:EBTL, Start of Green
Natural Cycle: 150
Control Type: Actuated-Coordinated

Splits and Phases: 1: Ridenour Blvd/Crater Lake Dr & Ernest W Barrett Pkwy





Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	204	2492	113	59	1126	12	64	51	101	50	36	83
Future Volume (veh/h)	204	2492	113	59	1126	12	64	51	101	50	36	83
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		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	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1826	1870	1870	1826	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	213	2596	118	61	1173	12	67	53	105	52	38	86
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96
Percent Heavy Veh, %	2	5	2	2	5	2	2	2	2	2	2	2
Cap, veh/h	404	3355	1067	136	3225	1026	109	57	137	102	305	258
Arrive On Green	0.06	0.67	0.67	0.03	0.65	0.65	0.09	0.09	0.09	0.03	0.16	0.16
Sat Flow, veh/h	1781	4985	1585	1781	4985	1585	821	658	1585	3456	1870	1585
Grp Volume(v), veh/h	213	2596	118	61	1173	12	120	0	105	52	38	86
Grp Sat Flow(s),veh/h/ln	1781	1662	1585	1781	1662	1585	1479	0	1585	1728	1870	1585
Q Serve(g_s), s	6.0	53.3	3.9	1.7	16.3	0.4	12.0	0.0	9.7	2.2	2.6	7.2
Cycle Q Clear(g_c), s	6.0	53.3	3.9	1.7	16.3	0.4	12.1	0.0	9.7	2.2	2.6	7.2
Prop In Lane	1.00		1.00	1.00		1.00	0.56		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	404	3355	1067	136	3225	1026	166	0	137	102	305	258
V/C Ratio(X)	0.53	0.77	0.11	0.45	0.36	0.01	0.72	0.00	0.76	0.51	0.12	0.33
Avail Cap(c_a), veh/h	582	3355	1067	361	3225	1026	166	0	137	299	424	359
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.09	0.09	0.09	1.00	1.00	1.00	1.00	0.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	9.1	16.7	8.7	26.3	12.2	9.4	68.1	0.0	67.0	71.7	53.7	55.6
Incr Delay (d2), s/veh	0.1	0.2	0.0	2.3	0.3	0.0	14.5	0.0	22.2	3.9	0.2	0.8
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	0.0	0.0
%ile BackOfQ(50%),veh/ln	2.1	18.2	1.3	1.5	5.8	0.2	5.3	0.0	4.8	1.1	1.3	3.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	9.2	16.9	8.7	28.6	12.5	9.4	82.6	0.0	89.2	75.6	53.8	56.3
LnGrp LOS	A	B	A	C	B	A	F		F	E	D	E
Approach Vol, veh/h		2927			1246			225			176	
Approach Delay, s/veh		16.0			13.3			85.7			61.5	
Approach LOS		B			B			F			E	

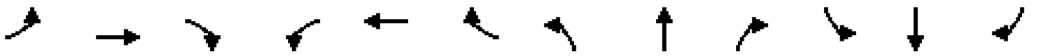
Timer - Assigned Phs	1	2	3	4	5	6		8				
Phs Duration (G+Y+Rc), s	15.0	103.6	11.4	20.0	11.1	107.5		31.4				
Change Period (Y+Rc), s	6.5	6.5	7.0	7.0	6.5	6.5		* 7				
Max Green Setting (Gmax), s	23.5	73.5	13.0	13.0	23.5	73.5		* 34				
Max Q Clear Time (g_c+I1), s	8.0	18.3	4.2	14.1	3.7	55.3		9.2				
Green Ext Time (p_c), s	0.5	21.7	0.1	0.0	0.1	17.8		0.4				

Intersection Summary	
HCM 7th Control Delay, s/veh	20.4
HCM 7th LOS	C

Notes

User approved pedestrian interval to be less than phase max green.

* HCM 7th computational engine requires equal clearance times for the phases crossing the barrier.

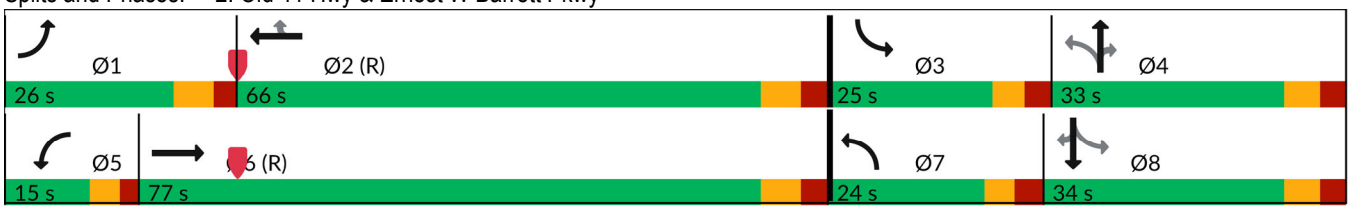


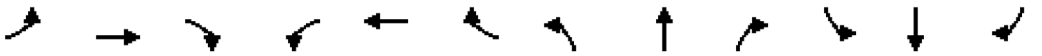
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	332	2341	140	33	1325	74	139	86	53	286	332	347
Future Volume (vph)	332	2341	140	33	1325	74	139	86	53	286	332	347
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	650		0	340		400	380		700	295		0
Storage Lanes	2		0	1		1	1		1	1		1
Taper Length (ft)	200			150			70			110		
Lane Util. Factor	0.97	0.91	0.91	1.00	0.91	1.00	1.00	0.95	1.00	1.00	1.00	1.00
Frt		0.992				0.850			0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	3433	4908	0	1770	4940	1583	1770	3539	1583	1770	1863	1583
Flt Permitted	0.950			0.950			0.153			0.621		
Satd. Flow (perm)	3433	4908	0	1770	4940	1583	285	3539	1583	1157	1863	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		8				167			171			226
Link Speed (mph)		45			45			35			35	
Link Distance (ft)		903			1947			1225			635	
Travel Time (s)		13.7			29.5			23.9			12.4	
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Heavy Vehicles (%)	2%	5%	2%	2%	5%	2%	2%	2%	2%	2%	2%	2%
Shared Lane Traffic (%)												
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		36			24			12			12	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Turn Type	Prot	NA		Prot	NA	Perm	pm+pt	NA	Perm	pm+pt	NA	Perm
Protected Phases	1	6		5	2		7	4		3	8	
Permitted Phases						2	4		4	8		8
Detector Phase	1	6		5	2	2	7	4	4	3	8	8
Switch Phase												
Minimum Initial (s)	5.0	14.0		5.0	14.0	14.0	5.0	6.0	6.0	5.0	6.0	6.0
Minimum Split (s)	48.5	39.5		15.0	39.5	39.5	15.0	48.5	48.5	15.0	48.5	48.5
Total Split (s)	26.0	77.0		15.0	66.0	66.0	24.0	33.0	33.0	25.0	34.0	34.0
Total Split (%)	17.3%	51.3%		10.0%	44.0%	44.0%	16.0%	22.0%	22.0%	16.7%	22.7%	22.7%
Yellow Time (s)	4.5	4.5		3.5	4.5	4.5	3.5	4.0	4.0	3.5	4.0	4.0
All-Red Time (s)	2.5	3.0		2.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Lost Time Adjust (s)	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	7.0	7.5		5.5	7.5	7.5	6.5	7.0	7.0	6.5	7.0	7.0
Lead/Lag	Lead	Lag		Lead	Lag	Lag	Lead	Lag	Lag	Lead	Lag	Lag
Lead-Lag Optimize?	Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Recall Mode	None	C-Min		None	C-Min	C-Min	None	None	None	None	None	None

Intersection Summary	
Area Type:	Other
Cycle Length: 150	

Actuated Cycle Length: 150
Offset: 90 (60%), Referenced to phase 2:WBT and 6:EBT, Start of Green
Natural Cycle: 155
Control Type: Actuated-Coordinated

Splits and Phases: 2: Old 41 Hwy & Ernest W Barrett Pkwy





Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	332	2341	140	33	1325	74	139	86	53	286	332	347
Future Volume (veh/h)	332	2341	140	33	1325	74	139	86	53	286	332	347
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		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	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1826	1870	1870	1826	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	353	2490	149	35	1410	79	148	91	56	304	353	369
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Percent Heavy Veh, %	2	5	2	2	5	2	2	2	2	2	2	2
Cap, veh/h	400	2568	152	46	2160	687	198	501	224	415	337	285
Arrive On Green	0.12	0.53	0.53	0.01	0.14	0.14	0.08	0.14	0.14	0.12	0.18	0.18
Sat Flow, veh/h	3456	4813	284	1781	4985	1585	1781	3554	1585	1781	1870	1585
Grp Volume(v), veh/h	353	1709	930	35	1410	79	148	91	56	304	353	369
Grp Sat Flow(s),veh/h/ln	1728	1662	1775	1781	1662	1585	1781	1777	1585	1781	1870	1585
Q Serve(g_s), s	15.1	74.1	77.0	2.9	40.1	6.5	10.5	3.4	4.7	18.5	27.0	27.0
Cycle Q Clear(g_c), s	15.1	74.1	77.0	2.9	40.1	6.5	10.5	3.4	4.7	18.5	27.0	27.0
Prop In Lane	1.00		0.16	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	400	1773	947	46	2160	687	198	501	224	415	337	285
V/C Ratio(X)	0.88	0.96	0.98	0.77	0.65	0.12	0.75	0.18	0.25	0.73	1.05	1.29
Avail Cap(c_a), veh/h	438	1773	947	113	2160	687	256	616	275	415	337	285
HCM Platoon Ratio	1.00	1.00	1.00	0.33	0.33	0.33	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	0.94	0.94	0.94	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	65.3	33.6	34.3	73.9	53.6	39.2	50.6	56.8	57.4	48.8	61.5	61.5
Incr Delay (d2), s/veh	17.8	14.4	25.3	22.0	1.5	0.3	8.4	0.2	0.6	6.6	62.3	155.6
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	0.0	0.0
%ile BackOfQ(50%),veh/ln	7.5	31.5	37.6	1.6	18.2	2.7	5.2	1.5	1.9	2.2	18.6	23.1
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	83.1	48.1	59.6	95.9	55.1	39.5	59.0	57.0	57.9	55.4	123.8	217.1
LnGrp LOS	F	D	E	F	E	D	E	E	E	E	F	F
Approach Vol, veh/h		2992			1524			295			1026	
Approach Delay, s/veh		55.8			55.2			58.2			137.1	
Approach LOS		E			E			E			F	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	24.3	72.5	25.0	28.2	9.3	87.5	19.2	34.0
Change Period (Y+Rc), s	7.0	7.5	6.5	7.0	5.5	7.5	6.5	7.0
Max Green Setting (Gmax), s	19.0	58.5	18.5	26.0	9.5	69.5	17.5	27.0
Max Q Clear Time (g_c+I1), s	17.1	42.1	20.5	6.7	4.9	79.0	12.5	29.0
Green Ext Time (p_c), s	0.3	12.7	0.0	0.6	0.0	0.0	0.1	0.0

Intersection Summary	
HCM 7th Control Delay, s/veh	70.0
HCM 7th LOS	E

Notes

User approved pedestrian interval to be less than phase max green.

Intersection	
Intersection Delay, s/veh	7.8
Intersection LOS	A

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	49	13	6	2	6	102	1	1	2	61	3	29
Future Vol, veh/h	49	13	6	2	6	102	1	1	2	61	3	29
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	53	14	7	2	7	111	1	1	2	66	3	32
Number of Lanes	0	1	0	0	1	0	0	1	1	0	1	1

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	2	2
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	2	2	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	2	2	1	1
HCM Control Delay, s/veh	7.8	7.3	7.6	8.3
HCM LOS	A	A	A	A

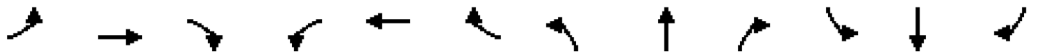
Lane	NBLn1	NBLn2	EBLn1	WBLn1	SBLn1	SBLn2
Vol Left, %	50%	0%	72%	2%	95%	0%
Vol Thru, %	50%	0%	19%	5%	5%	0%
Vol Right, %	0%	100%	9%	93%	0%	100%
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop
Traffic Vol by Lane	2	2	68	110	64	29
LT Vol	1	0	49	2	61	0
Through Vol	1	0	13	6	3	0
RT Vol	0	2	6	102	0	29
Lane Flow Rate	2	2	74	120	70	32
Geometry Grp	5	5	2	2	5	5
Degree of Util (X)	0.003	0.003	0.09	0.124	0.103	0.037
Departure Headway (Hd)	5.288	4.333	4.405	3.73	5.352	4.171
Convergence, Y/N	Yes	Yes	Yes	Yes	Yes	Yes
Cap	679	829	817	966	664	847
Service Time	3	2.045	2.408	1.732	3.134	1.952
HCM Lane V/C Ratio	0.003	0.002	0.091	0.124	0.105	0.038
HCM Control Delay, s/veh	8	7.1	7.8	7.3	8.8	7.1
HCM Lane LOS	A	A	A	A	A	A
HCM 95th-tile Q	0	0	0.3	0.4	0.3	0.1

Intersection	
Intersection Delay, s/veh	7.4
Intersection LOS	A

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	12	15	42	0	10	2	67	4	0	3	2	7
Future Vol, veh/h	12	15	42	0	10	2	67	4	0	3	2	7
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	13	16	46	0	11	2	73	4	0	3	2	8
Number of Lanes	0	1	0	0	1	0	0	1	0	0	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	1	1
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	1	1	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	1	1	1	1
HCM Control Delay, s/veh	7.2	7.2	7.8	7
HCM LOS	A	A	A	A

Lane	NBLn1	EBLn1	WBLn1	SBLn1
Vol Left, %	94%	17%	0%	25%
Vol Thru, %	6%	22%	83%	17%
Vol Right, %	0%	61%	17%	58%
Sign Control	Stop	Stop	Stop	Stop
Traffic Vol by Lane	71	69	12	12
LT Vol	67	12	0	3
Through Vol	4	15	10	2
RT Vol	0	42	2	7
Lane Flow Rate	77	75	13	13
Geometry Grp	1	1	1	1
Degree of Util (X)	0.092	0.079	0.015	0.014
Departure Headway (Hd)	4.288	3.772	4.05	3.848
Convergence, Y/N	Yes	Yes	Yes	Yes
Cap	835	943	876	924
Service Time	2.319	1.823	2.11	1.897
HCM Lane V/C Ratio	0.092	0.08	0.015	0.014
HCM Control Delay, s/veh	7.8	7.2	7.2	7
HCM Lane LOS	A	A	A	A
HCM 95th-tile Q	0.3	0.3	0	0

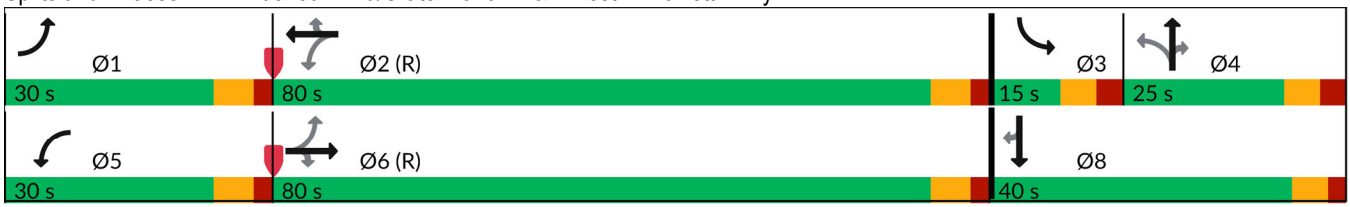


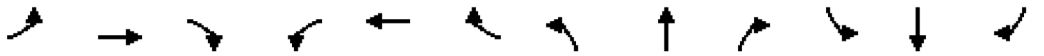
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	199	1390	74	70	1785	20	57	45	68	62	46	273
Future Volume (vph)	199	1390	74	70	1785	20	57	45	68	62	46	273
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	490		90	370		180	0		0	190		155
Storage Lanes	1		1	1		1	0		1	2		1
Taper Length (ft)	100			155			25			50		
Lane Util. Factor	1.00	0.91	1.00	1.00	0.91	1.00	1.00	1.00	1.00	0.97	1.00	1.00
Frt			0.850			0.850			0.850			0.850
Flt Protected	0.950			0.950				0.973		0.950		
Satd. Flow (prot)	1770	4940	1583	1770	4940	1583	0	1812	1583	3433	1863	1583
Flt Permitted	0.056			0.153				0.799		0.950		
Satd. Flow (perm)	104	4940	1583	285	4940	1583	0	1488	1583	3433	1863	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			127			127			124			268
Link Speed (mph)		45			45			25			25	
Link Distance (ft)		1947			1025			313			444	
Travel Time (s)		29.5			15.5			8.5			12.1	
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Heavy Vehicles (%)	2%	5%	2%	2%	5%	2%	2%	2%	2%	2%	2%	2%
Shared Lane Traffic (%)												
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		24			24			36			24	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Turn Type	pm+pt	NA	Perm	pm+pt	NA	Perm	Perm	NA	Perm	Prot	NA	Perm
Protected Phases	1	6		5	2			4		3	8	
Permitted Phases	6		6	2		2	4		4			8
Detector Phase	1	6	6	5	2	2	4	4	4	3	8	8
Switch Phase												
Minimum Initial (s)	5.0	15.0	15.0	5.0	15.0	15.0	8.0	8.0	8.0	5.0	8.0	8.0
Minimum Split (s)	15.0	40.5	40.5	15.0	40.5	40.5	45.0	45.0	45.0	15.0	46.0	46.0
Total Split (s)	30.0	80.0	80.0	30.0	80.0	80.0	25.0	25.0	25.0	15.0	40.0	40.0
Total Split (%)	20.0%	53.3%	53.3%	20.0%	53.3%	53.3%	16.7%	16.7%	16.7%	10.0%	26.7%	26.7%
Yellow Time (s)	4.5	4.5	4.5	4.5	4.5	4.5	4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0	3.0	3.0	3.0	3.0	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	0.0
Total Lost Time (s)	6.5	6.5	6.5	6.5	6.5	6.5		7.0	7.0	7.0	6.0	6.0
Lead/Lag	Lead	Lag	Lag	Lead	Lag	Lag	Lag	Lag	Lag	Lead		
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes		
Recall Mode	None	C-Min	C-Min	None	C-Min	C-Min	None	None	None	None	None	None

Intersection Summary	
Area Type:	Other
Cycle Length: 150	

Actuated Cycle Length: 150
Offset: 0 (0%), Referenced to phase 2:WBTL and 6:EBTL, Start of Green
Natural Cycle: 140
Control Type: Actuated-Coordinated

Splits and Phases: 1: Ridenour Blvd/Crater Lake Dr & Ernest W Barrett Pkwy





Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	199	1390	74	70	1785	20	57	45	68	62	46	273
Future Volume (veh/h)	199	1390	74	70	1785	20	57	45	68	62	46	273
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		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	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1826	1870	1870	1826	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	212	1479	79	74	1899	21	61	48	72	66	49	290
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Percent Heavy Veh, %	2	5	2	2	5	2	2	2	2	2	2	2
Cap, veh/h	242	3179	1011	265	3033	964	118	78	189	108	369	312
Arrive On Green	0.06	0.64	0.64	0.03	0.61	0.61	0.12	0.12	0.12	0.03	0.20	0.20
Sat Flow, veh/h	1781	4985	1585	1781	4985	1585	676	657	1585	3456	1870	1585
Grp Volume(v), veh/h	212	1479	79	74	1899	21	109	0	72	66	49	290
Grp Sat Flow(s),veh/h/ln	1781	1662	1585	1781	1662	1585	1333	0	1585	1728	1870	1585
Q Serve(g_s), s	6.7	22.9	2.9	2.3	36.1	0.8	10.4	0.0	6.3	2.8	3.2	27.0
Cycle Q Clear(g_c), s	6.7	22.9	2.9	2.3	36.1	0.8	11.6	0.0	6.3	2.8	3.2	27.0
Prop In Lane	1.00		1.00	1.00		1.00	0.56		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	242	3179	1011	265	3033	964	196	0	189	108	369	312
V/C Ratio(X)	0.87	0.47	0.08	0.28	0.63	0.02	0.56	0.00	0.38	0.61	0.13	0.93
Avail Cap(c_a), veh/h	413	3179	1011	488	3033	964	197	0	190	184	424	359
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.75	0.75	0.75	1.00	1.00	1.00	1.00	0.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	25.9	14.0	10.4	11.6	18.6	11.7	63.1	0.0	60.9	71.8	49.6	59.2
Incr Delay (d2), s/veh	8.1	0.4	0.1	0.6	1.0	0.0	3.4	0.0	1.3	5.5	0.2	27.9
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	0.0	0.0
%ile BackOfQ(50%),veh/ln	5.2	8.2	1.0	0.9	13.3	0.3	4.2	0.0	2.6	1.4	1.6	13.3
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	34.0	14.4	10.5	12.2	19.6	11.7	66.4	0.0	62.2	77.3	49.8	87.0
LnGrp LOS	C	B	B	B	B	B	E		E	E	D	F
Approach Vol, veh/h		1770			1994			181			405	
Approach Delay, s/veh		16.5			19.2			64.7			81.0	
Approach LOS		B			B			E			F	

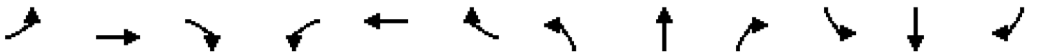
Timer - Assigned Phs	1	2	3	4	5	6		8				
Phs Duration (G+Y+Rc), s	15.7	97.8	11.7	24.9	11.3	102.2		36.6				
Change Period (Y+Rc), s	6.5	6.5	7.0	7.0	6.5	6.5		* 7				
Max Green Setting (Gmax), s	23.5	73.5	8.0	18.0	23.5	73.5		* 34				
Max Q Clear Time (g_c+I1), s	8.7	38.1	4.8	13.6	4.3	24.9		29.0				
Green Ext Time (p_c), s	0.5	28.8	0.0	0.3	0.1	29.0		0.6				

Intersection Summary	
HCM 7th Control Delay, s/veh	25.8
HCM 7th LOS	C

Notes

User approved pedestrian interval to be less than phase max green.

* HCM 7th computational engine requires equal clearance times for the phases crossing the barrier.

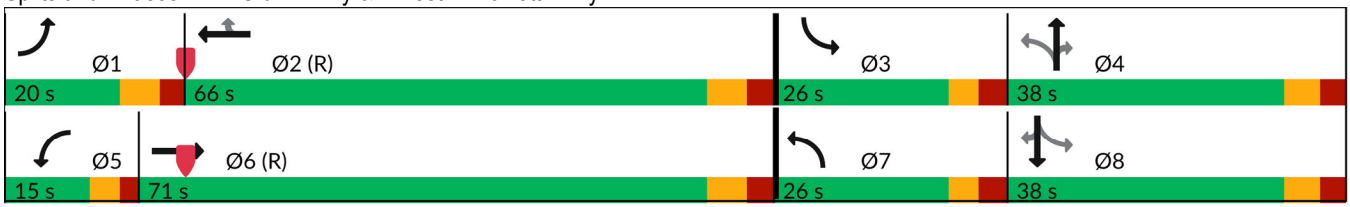


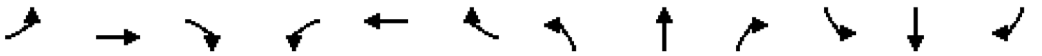
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	299	1334	47	38	1806	126	518	257	52	218	201	503
Future Volume (vph)	299	1334	47	38	1806	126	518	257	52	218	201	503
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	650		0	340		400	380		700	295		0
Storage Lanes	2		0	1		1	1		1	1		1
Taper Length (ft)	200			150			70			110		
Lane Util. Factor	0.97	0.91	0.91	1.00	0.91	1.00	1.00	0.95	1.00	1.00	1.00	1.00
Frt		0.995				0.850			0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	3433	4920	0	1770	4940	1583	1770	3539	1583	1770	1863	1583
Flt Permitted	0.950			0.950			0.425			0.569		
Satd. Flow (perm)	3433	4920	0	1770	4940	1583	792	3539	1583	1060	1863	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		4				127			120			129
Link Speed (mph)		45			45			35			35	
Link Distance (ft)		903			1947			1225			635	
Travel Time (s)		13.7			29.5			23.9			12.4	
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96
Heavy Vehicles (%)	2%	5%	2%	2%	5%	2%	2%	2%	2%	2%	2%	2%
Shared Lane Traffic (%)												
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		36			24			12			12	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Turn Type	Prot	NA		Prot	NA	Perm	pm+pt	NA	Perm	pm+pt	NA	Perm
Protected Phases	1	6		5	2		7	4		3	8	
Permitted Phases						2	4		4	8		8
Detector Phase	1	6		5	2	2	7	4	4	3	8	8
Switch Phase												
Minimum Initial (s)	5.0	14.0		5.0	14.0	14.0	5.0	6.0	6.0	5.0	6.0	6.0
Minimum Split (s)	48.5	39.5		15.0	39.5	39.5	15.0	48.5	48.5	15.0	48.5	48.5
Total Split (s)	20.0	71.0		15.0	66.0	66.0	26.0	38.0	38.0	26.0	38.0	38.0
Total Split (%)	13.3%	47.3%		10.0%	44.0%	44.0%	17.3%	25.3%	25.3%	17.3%	25.3%	25.3%
Yellow Time (s)	4.5	4.5		3.5	4.5	4.5	3.5	4.0	4.0	3.5	4.0	4.0
All-Red Time (s)	2.5	3.0		2.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Lost Time Adjust (s)	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	7.0	7.5		5.5	7.5	7.5	6.5	7.0	7.0	6.5	7.0	7.0
Lead/Lag	Lead	Lag		Lead	Lag	Lag	Lead	Lag	Lag	Lead	Lag	Lag
Lead-Lag Optimize?	Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Recall Mode	None	C-Min		None	C-Min	C-Min	None	None	None	None	None	None

Intersection Summary	
Area Type:	Other
Cycle Length: 150	

Actuated Cycle Length: 150
Offset: 0 (0%), Referenced to phase 2:WBT and 6:EBT, Start of Green
Natural Cycle: 155
Control Type: Actuated-Coordinated

Splits and Phases: 2: Old 41 Hwy & Ernest W Barrett Pkwy





Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	299	1334	47	38	1806	126	518	257	52	218	201	503
Future Volume (veh/h)	299	1334	47	38	1806	126	518	257	52	218	201	503
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		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	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1826	1870	1870	1826	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	311	1390	49	40	1881	131	540	268	54	227	209	524
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96
Percent Heavy Veh, %	2	5	2	2	5	2	2	2	2	2	2	2
Cap, veh/h	299	2263	80	51	1944	618	357	792	353	419	387	328
Arrive On Green	0.09	0.46	0.46	0.06	0.78	0.78	0.13	0.22	0.22	0.11	0.21	0.21
Sat Flow, veh/h	3456	4943	174	1781	4985	1585	1781	3554	1585	1781	1870	1585
Grp Volume(v), veh/h	311	934	505	40	1881	131	540	268	54	227	209	524
Grp Sat Flow(s),veh/h/ln	1728	1662	1795	1781	1662	1585	1781	1777	1585	1781	1870	1585
Q Serve(g_s), s	13.0	31.8	31.8	3.3	50.8	3.3	19.5	9.5	4.1	14.9	15.0	31.0
Cycle Q Clear(g_c), s	13.0	31.8	31.8	3.3	50.8	3.3	19.5	9.5	4.1	14.9	15.0	31.0
Prop In Lane	1.00		0.10	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	299	1521	822	51	1944	618	357	792	353	419	387	328
V/C Ratio(X)	1.04	0.61	0.61	0.78	0.97	0.21	1.51	0.34	0.15	0.54	0.54	1.60
Avail Cap(c_a), veh/h	299	1521	822	113	1944	618	357	792	353	448	387	328
HCM Platoon Ratio	1.00	1.00	1.00	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	0.69	0.69	0.69	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	68.5	30.7	30.7	70.2	15.6	10.4	46.8	49.0	46.9	39.9	53.1	59.5
Incr Delay (d2), s/veh	62.3	1.9	3.4	15.8	10.9	0.5	244.9	0.3	0.2	1.1	1.5	283.8
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	0.0	0.0
%ile BackOfQ(50%),veh/ln	8.2	12.8	14.2	1.7	7.7	1.2	28.4	4.3	1.7	6.7	7.2	38.2
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	130.8	32.5	34.1	86.0	26.6	11.0	291.7	49.2	47.1	41.1	54.7	343.3
LnGrp LOS	F	C	C	F	C	B	F	D	D	D	D	F
Approach Vol, veh/h		1750			2052			862			960	
Approach Delay, s/veh		50.5			26.7			201.0			209.0	
Approach LOS		D			C			F			F	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	20.0	66.0	23.6	40.4	9.8	76.2	26.0	38.0
Change Period (Y+Rc), s	7.0	7.5	6.5	7.0	5.5	7.5	6.5	7.0
Max Green Setting (Gmax), s	13.0	58.5	19.5	31.0	9.5	63.5	19.5	31.0
Max Q Clear Time (g_c+I1), s	15.0	52.8	16.9	11.5	5.3	33.8	21.5	33.0
Green Ext Time (p_c), s	0.0	5.4	0.2	1.7	0.0	19.3	0.0	0.0

Intersection Summary	
HCM 7th Control Delay, s/veh	91.9
HCM 7th LOS	F

Notes

User approved pedestrian interval to be less than phase max green.

Intersection	
Intersection Delay, s/veh	7.9
Intersection LOS	A

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	44	3	3	0	19	103	0	6	2	70	2	44
Future Vol, veh/h	44	3	3	0	19	103	0	6	2	70	2	44
Peak Hour Factor	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	50	3	3	0	22	117	0	7	2	80	2	50
Number of Lanes	0	1	0	0	1	0	0	1	1	0	1	1

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	2	2
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	2	2	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	2	2	1	1
HCM Control Delay, s/veh	7.9	7.5	7.6	8.3
HCM LOS	A	A	A	A

Lane	NBLn1	NBLn2	EBLn1	WBLn1	SBLn1	SBLn2
Vol Left, %	0%	0%	88%	0%	97%	0%
Vol Thru, %	100%	0%	6%	16%	3%	0%
Vol Right, %	0%	100%	6%	84%	0%	100%
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop
Traffic Vol by Lane	6	2	50	122	72	44
LT Vol	0	0	44	0	70	0
Through Vol	6	0	3	19	2	0
RT Vol	0	2	3	103	0	44
Lane Flow Rate	7	2	57	139	82	50
Geometry Grp	5	5	2	2	5	5
Degree of Util (X)	0.01	0.003	0.072	0.148	0.122	0.058
Departure Headway (Hd)	5.076	4.372	4.558	3.843	5.368	4.178
Convergence, Y/N	Yes	Yes	Yes	Yes	Yes	Yes
Cap	707	821	789	939	660	844
Service Time	2.79	2.086	2.565	1.846	3.161	1.969
HCM Lane V/C Ratio	0.01	0.002	0.072	0.148	0.124	0.059
HCM Control Delay, s/veh	7.8	7.1	7.9	7.5	8.9	7.2
HCM Lane LOS	A	A	A	A	A	A
HCM 95th-tile Q	0	0	0.2	0.5	0.4	0.2

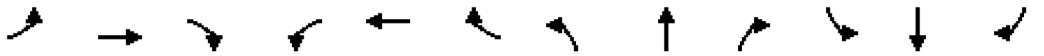
Intersection	
Intersection Delay, s/veh	7.6
Intersection LOS	A

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	10	10	62	4	32	3	88	1	4	0	0	13
Future Vol, veh/h	10	10	62	4	32	3	88	1	4	0	0	13
Peak Hour Factor	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	11	11	70	4	36	3	99	1	4	0	0	15
Number of Lanes	0	1	0	0	1	0	0	1	0	0	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	1	1
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	1	1	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	1	1	1	1
HCM Control Delay, s/veh	7.2	7.5	8	6.8
HCM LOS	A	A	A	A

Lane	NBLn1	EBLn1	WBLn1	SBLn1
Vol Left, %	95%	12%	10%	0%
Vol Thru, %	1%	12%	82%	0%
Vol Right, %	4%	76%	8%	100%
Sign Control	Stop	Stop	Stop	Stop
Traffic Vol by Lane	93	82	39	13
LT Vol	88	10	4	0
Through Vol	1	10	32	0
RT Vol	4	62	3	13
Lane Flow Rate	104	92	44	15
Geometry Grp	1	1	1	1
Degree of Util (X)	0.126	0.096	0.051	0.015
Departure Headway (Hd)	4.344	3.745	4.187	3.65
Convergence, Y/N	Yes	Yes	Yes	Yes
Cap	820	943	844	965
Service Time	2.396	1.824	2.269	1.73
HCM Lane V/C Ratio	0.127	0.098	0.052	0.016
HCM Control Delay, s/veh	8	7.2	7.5	6.8
HCM Lane LOS	A	A	A	A
HCM 95th-tile Q	0.4	0.3	0.2	0

FUTURE "NO-BUILD" INTERSECTION ANALYSIS

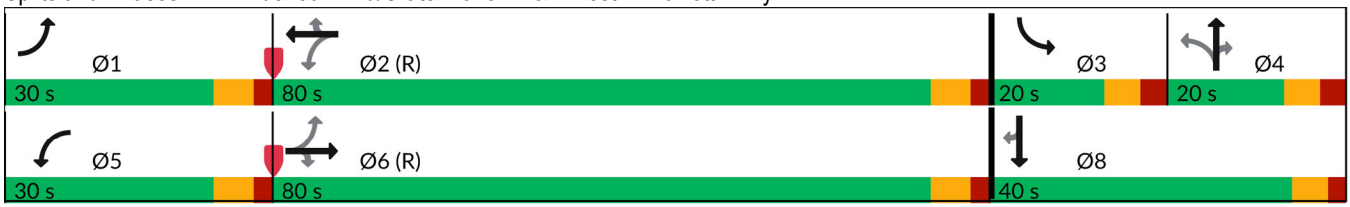


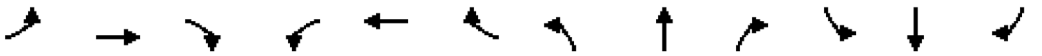
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	212	2592	118	61	1171	12	67	53	105	52	37	86
Future Volume (vph)	212	2592	118	61	1171	12	67	53	105	52	37	86
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	490		90	370		180	0		0	190		155
Storage Lanes	1		1	1		1	0		1	2		1
Taper Length (ft)	100			155			25			50		
Lane Util. Factor	1.00	0.91	1.00	1.00	0.91	1.00	1.00	1.00	1.00	0.97	1.00	1.00
Frt			0.850			0.850			0.850			0.850
Flt Protected	0.950			0.950				0.973		0.950		
Satd. Flow (prot)	1770	4940	1583	1770	4940	1583	0	1812	1583	3433	1863	1583
Flt Permitted	0.175			0.044				0.805		0.950		
Satd. Flow (perm)	326	4940	1583	82	4940	1583	0	1500	1583	3433	1863	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			127			127			124			90
Link Speed (mph)		45			45			25			25	
Link Distance (ft)		1947			1025			313			444	
Travel Time (s)		29.5			15.5			8.5			12.1	
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96
Heavy Vehicles (%)	2%	5%	2%	2%	5%	2%	2%	2%	2%	2%	2%	2%
Shared Lane Traffic (%)												
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		24			24			36			24	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Turn Type	pm+pt	NA	Perm	pm+pt	NA	Perm	Perm	NA	Perm	Prot	NA	Perm
Protected Phases	1	6		5	2			4		3	8	
Permitted Phases	6		6	2		2	4		4			8
Detector Phase	1	6	6	5	2	2	4	4	4	3	8	8
Switch Phase												
Minimum Initial (s)	5.0	15.0	15.0	5.0	15.0	15.0	8.0	8.0	8.0	5.0	8.0	8.0
Minimum Split (s)	15.0	40.5	40.5	15.0	40.5	40.5	45.0	45.0	45.0	15.0	46.0	46.0
Total Split (s)	30.0	80.0	80.0	30.0	80.0	80.0	20.0	20.0	20.0	20.0	40.0	40.0
Total Split (%)	20.0%	53.3%	53.3%	20.0%	53.3%	53.3%	13.3%	13.3%	13.3%	13.3%	26.7%	26.7%
Yellow Time (s)	4.5	4.5	4.5	4.5	4.5	4.5	4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0	3.0	3.0	3.0	3.0	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	0.0
Total Lost Time (s)	6.5	6.5	6.5	6.5	6.5	6.5		7.0	7.0	7.0	6.0	6.0
Lead/Lag	Lead	Lag	Lag	Lead	Lag	Lag	Lag	Lag	Lag	Lead		
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes		
Recall Mode	None	C-Min	C-Min	None	C-Min	C-Min	None	None	None	None	None	None

Intersection Summary	
Area Type:	Other
Cycle Length: 150	

Actuated Cycle Length: 150
Offset: 0 (0%), Referenced to phase 2:WBTL and 6:EBTL, Start of Green
Natural Cycle: 150
Control Type: Actuated-Coordinated

Splits and Phases: 1: Ridenour Blvd/Crater Lake Dr & Ernest W Barrett Pkwy





Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	212	2592	118	61	1171	12	67	53	105	52	37	86
Future Volume (veh/h)	212	2592	118	61	1171	12	67	53	105	52	37	86
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		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	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1826	1870	1870	1826	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	221	2700	123	64	1220	12	70	55	109	54	39	90
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96
Percent Heavy Veh, %	2	5	2	2	5	2	2	2	2	2	2	2
Cap, veh/h	392	3352	1066	130	3214	1022	109	56	137	103	305	259
Arrive On Green	0.06	0.67	0.67	0.03	0.64	0.64	0.09	0.09	0.09	0.03	0.16	0.16
Sat Flow, veh/h	1781	4985	1585	1781	4985	1585	824	648	1585	3456	1870	1585
Grp Volume(v), veh/h	221	2700	123	64	1220	12	125	0	109	54	39	90
Grp Sat Flow(s),veh/h/ln	1781	1662	1585	1781	1662	1585	1472	0	1585	1728	1870	1585
Q Serve(g_s), s	6.3	58.1	4.1	1.8	17.3	0.4	12.7	0.0	10.1	2.3	2.7	7.6
Cycle Q Clear(g_c), s	6.3	58.1	4.1	1.8	17.3	0.4	12.7	0.0	10.1	2.3	2.7	7.6
Prop In Lane	1.00		1.00	1.00		1.00	0.56		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	392	3352	1066	130	3214	1022	165	0	137	103	305	259
V/C Ratio(X)	0.56	0.81	0.12	0.49	0.38	0.01	0.76	0.00	0.79	0.52	0.13	0.35
Avail Cap(c_a), veh/h	567	3352	1066	354	3214	1022	165	0	137	299	424	359
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.09	0.09	0.09	1.00	1.00	1.00	1.00	0.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	9.5	17.6	8.7	30.3	12.5	9.5	68.4	0.0	67.2	71.7	53.6	55.7
Incr Delay (d2), s/veh	0.1	0.2	0.0	2.8	0.3	0.0	18.1	0.0	26.5	4.1	0.2	0.8
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	0.0	0.0
%ile BackOfQ(50%),veh/ln	2.2	19.9	1.4	1.6	6.2	0.2	5.7	0.0	5.2	1.1	1.3	3.1
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	9.6	17.8	8.7	33.1	12.9	9.6	86.5	0.0	93.7	75.8	53.8	56.5
LnGrp LOS	A	B	A	C	B	A	F		F	E	D	E
Approach Vol, veh/h		3044			1296			234			183	
Approach Delay, s/veh		16.8			13.8			89.8			61.6	
Approach LOS		B			B			F			E	

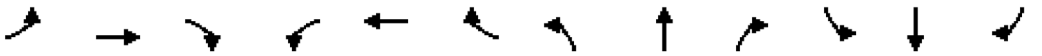
Timer - Assigned Phs	1	2	3	4	5	6		8				
Phs Duration (G+Y+Rc), s	15.3	103.2	11.5	20.0	11.2	107.4		31.5				
Change Period (Y+Rc), s	6.5	6.5	7.0	7.0	6.5	6.5		* 7				
Max Green Setting (Gmax), s	23.5	73.5	13.0	13.0	23.5	73.5		* 34				
Max Q Clear Time (g_c+I1), s	8.3	19.3	4.3	14.7	3.8	60.1		9.6				
Green Ext Time (p_c), s	0.5	22.8	0.1	0.0	0.1	13.3		0.5				

Intersection Summary		
HCM 7th Control Delay, s/veh		21.3
HCM 7th LOS		C

Notes

User approved pedestrian interval to be less than phase max green.

* HCM 7th computational engine requires equal clearance times for the phases crossing the barrier.

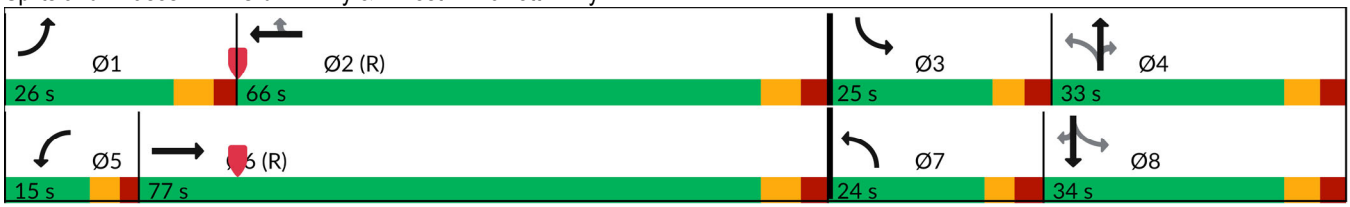


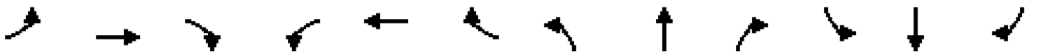
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	345	2435	146	34	1378	77	145	89	55	297	345	361
Future Volume (vph)	345	2435	146	34	1378	77	145	89	55	297	345	361
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	650		0	340		400	380		700	295		0
Storage Lanes	2		0	1		1	1		1	1		1
Taper Length (ft)	200			150			70			110		
Lane Util. Factor	0.97	0.91	0.91	1.00	0.91	1.00	1.00	0.95	1.00	1.00	1.00	1.00
Frt		0.992				0.850			0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	3433	4908	0	1770	4940	1583	1770	3539	1583	1770	1863	1583
Flt Permitted	0.950			0.950			0.154			0.619		
Satd. Flow (perm)	3433	4908	0	1770	4940	1583	287	3539	1583	1153	1863	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		8				167			171			222
Link Speed (mph)		45			45			35			35	
Link Distance (ft)		903			1947			1225			635	
Travel Time (s)		13.7			29.5			23.9			12.4	
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Heavy Vehicles (%)	2%	5%	2%	2%	5%	2%	2%	2%	2%	2%	2%	2%
Shared Lane Traffic (%)												
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		36			24			12			12	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Turn Type	Prot	NA		Prot	NA	Perm	pm+pt	NA	Perm	pm+pt	NA	Perm
Protected Phases	1	6		5	2		7	4		3	8	
Permitted Phases						2	4		4	8		8
Detector Phase	1	6		5	2	2	7	4	4	3	8	8
Switch Phase												
Minimum Initial (s)	5.0	14.0		5.0	14.0	14.0	5.0	6.0	6.0	5.0	6.0	6.0
Minimum Split (s)	48.5	39.5		15.0	39.5	39.5	15.0	48.5	48.5	15.0	48.5	48.5
Total Split (s)	26.0	77.0		15.0	66.0	66.0	24.0	33.0	33.0	25.0	34.0	34.0
Total Split (%)	17.3%	51.3%		10.0%	44.0%	44.0%	16.0%	22.0%	22.0%	16.7%	22.7%	22.7%
Yellow Time (s)	4.5	4.5		3.5	4.5	4.5	3.5	4.0	4.0	3.5	4.0	4.0
All-Red Time (s)	2.5	3.0		2.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Lost Time Adjust (s)	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	7.0	7.5		5.5	7.5	7.5	6.5	7.0	7.0	6.5	7.0	7.0
Lead/Lag	Lead	Lag		Lead	Lag	Lag	Lead	Lag	Lag	Lead	Lag	Lag
Lead-Lag Optimize?	Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Recall Mode	None	C-Min		None	C-Min	C-Min	None	None	None	None	None	None

Intersection Summary	
Area Type:	Other
Cycle Length: 150	

Actuated Cycle Length: 150
Offset: 90 (60%), Referenced to phase 2:WBT and 6:EBT, Start of Green
Natural Cycle: 155
Control Type: Actuated-Coordinated

Splits and Phases: 2: Old 41 Hwy & Ernest W Barrett Pkwy





Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	345	2435	146	34	1378	77	145	89	55	297	345	361
Future Volume (veh/h)	345	2435	146	34	1378	77	145	89	55	297	345	361
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		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	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1826	1870	1870	1826	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	367	2590	155	36	1466	82	154	95	59	316	367	384
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Percent Heavy Veh, %	2	5	2	2	5	2	2	2	2	2	2	2
Cap, veh/h	412	2553	150	46	2129	677	203	510	228	416	337	285
Arrive On Green	0.12	0.53	0.53	0.01	0.14	0.14	0.09	0.14	0.14	0.12	0.18	0.18
Sat Flow, veh/h	3456	4814	284	1781	4985	1585	1781	3554	1585	1781	1870	1585
Grp Volume(v), veh/h	367	1776	969	36	1466	82	154	95	59	316	367	384
Grp Sat Flow(s),veh/h/ln	1728	1662	1775	1781	1662	1585	1781	1777	1585	1781	1870	1585
Q Serve(g_s), s	15.7	79.5	79.5	3.0	42.0	6.8	10.9	3.5	5.0	18.5	27.0	27.0
Cycle Q Clear(g_c), s	15.7	79.5	79.5	3.0	42.0	6.8	10.9	3.5	5.0	18.5	27.0	27.0
Prop In Lane	1.00		0.16	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	412	1762	941	46	2129	677	203	510	228	416	337	285
V/C Ratio(X)	0.89	1.01	1.03	0.77	0.69	0.12	0.76	0.19	0.26	0.76	1.09	1.35
Avail Cap(c_a), veh/h	438	1762	941	113	2129	677	256	616	275	416	337	285
HCM Platoon Ratio	1.00	1.00	1.00	0.33	0.33	0.33	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	0.93	0.93	0.93	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	65.1	35.2	35.2	73.9	54.9	39.8	50.1	56.5	57.1	49.4	61.5	61.5
Incr Delay (d2), s/veh	19.1	23.3	37.3	21.9	1.7	0.3	9.6	0.2	0.6	8.0	75.4	177.2
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	0.0	0.0
%ile BackOfQ(50%),veh/ln	7.9	35.8	41.9	1.7	19.1	2.8	5.4	1.6	2.0	2.9	19.8	24.8
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	84.2	58.6	72.5	95.9	56.7	40.2	59.8	56.7	57.7	57.4	136.9	238.7
LnGrp LOS	F	F	F	F	E	D	E	E	E	E	F	F
Approach Vol, veh/h		3112			1584			308			1067	
Approach Delay, s/veh		65.9			56.7			58.4			150.0	
Approach LOS		E			E			E			F	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	24.9	71.6	25.0	28.5	9.4	87.0	19.5	34.0
Change Period (Y+Rc), s	7.0	7.5	6.5	7.0	5.5	7.5	6.5	7.0
Max Green Setting (Gmax), s	19.0	58.5	18.5	26.0	9.5	69.5	17.5	27.0
Max Q Clear Time (g_c+I1), s	17.7	44.0	20.5	7.0	5.0	81.5	12.9	29.0
Green Ext Time (p_c), s	0.2	11.7	0.0	0.6	0.0	0.0	0.1	0.0

Intersection Summary	
HCM 7th Control Delay, s/veh	77.9
HCM 7th LOS	E

Notes

User approved pedestrian interval to be less than phase max green.

Intersection	
Intersection Delay, s/veh	7.8
Intersection LOS	A

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	51	14	6	2	6	106	1	1	2	63	3	30
Future Vol, veh/h	51	14	6	2	6	106	1	1	2	63	3	30
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	55	15	7	2	7	115	1	1	2	68	3	33
Number of Lanes	0	1	0	0	1	0	0	1	1	0	1	1

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	2	2
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	2	2	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	2	2	1	1
HCM Control Delay, s/veh	7.9	7.3	7.6	8.3
HCM LOS	A	A	A	A

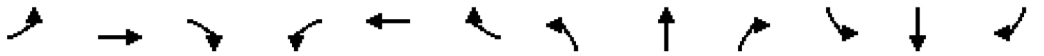
Lane	NBLn1	NBLn2	EBLn1	WBLn1	SBLn1	SBLn2
Vol Left, %	50%	0%	72%	2%	95%	0%
Vol Thru, %	50%	0%	20%	5%	5%	0%
Vol Right, %	0%	100%	8%	93%	0%	100%
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop
Traffic Vol by Lane	2	2	71	114	66	30
LT Vol	1	0	51	2	63	0
Through Vol	1	0	14	6	3	0
RT Vol	0	2	6	106	0	30
Lane Flow Rate	2	2	77	124	72	33
Geometry Grp	5	5	2	2	5	5
Degree of Util (X)	0.003	0.003	0.095	0.129	0.107	0.038
Departure Headway (Hd)	5.309	4.354	4.42	3.742	5.366	4.184
Convergence, Y/N	Yes	Yes	Yes	Yes	Yes	Yes
Cap	676	824	815	963	661	843
Service Time	3.024	2.068	2.424	1.744	3.154	1.971
HCM Lane V/C Ratio	0.003	0.002	0.094	0.129	0.109	0.039
HCM Control Delay, s/veh	8	7.1	7.9	7.3	8.8	7.1
HCM Lane LOS	A	A	A	A	A	A
HCM 95th-tile Q	0	0	0.3	0.4	0.4	0.1

Intersection	
Intersection Delay, s/veh	7.4
Intersection LOS	A

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	12	16	44	0	10	2	70	4	0	3	2	7
Future Vol, veh/h	12	16	44	0	10	2	70	4	0	3	2	7
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	13	17	48	0	11	2	76	4	0	3	2	8
Number of Lanes	0	1	0	0	1	0	0	1	0	0	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	1	1
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	1	1	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	1	1	1	1
HCM Control Delay, s/veh	7.2	7.2	7.8	7
HCM LOS	A	A	A	A

Lane	NBLn1	EBLn1	WBLn1	SBLn1
Vol Left, %	95%	17%	0%	25%
Vol Thru, %	5%	22%	83%	17%
Vol Right, %	0%	61%	17%	58%
Sign Control	Stop	Stop	Stop	Stop
Traffic Vol by Lane	74	72	12	12
LT Vol	70	12	0	3
Through Vol	4	16	10	2
RT Vol	0	44	2	7
Lane Flow Rate	80	78	13	13
Geometry Grp	1	1	1	1
Degree of Util (X)	0.096	0.082	0.015	0.014
Departure Headway (Hd)	4.294	3.773	4.057	3.855
Convergence, Y/N	Yes	Yes	Yes	Yes
Cap	833	941	874	922
Service Time	2.325	1.828	2.121	1.907
HCM Lane V/C Ratio	0.096	0.083	0.015	0.014
HCM Control Delay, s/veh	7.8	7.2	7.2	7
HCM Lane LOS	A	A	A	A
HCM 95th-tile Q	0.3	0.3	0	0

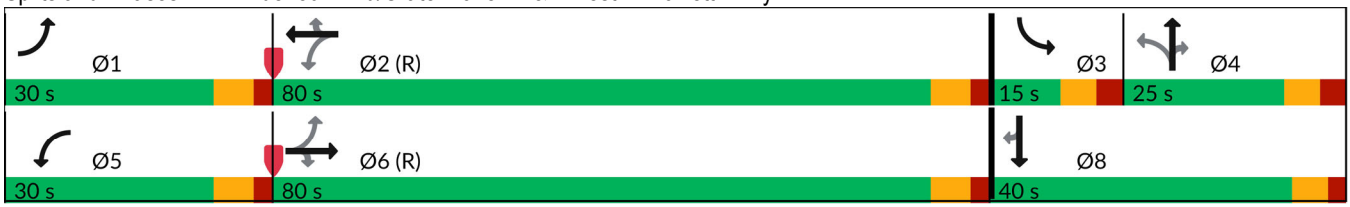


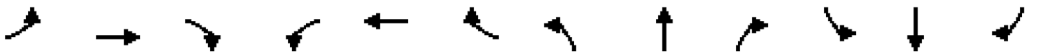
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	207	1446	77	73	1856	21	59	47	71	64	48	284
Future Volume (vph)	207	1446	77	73	1856	21	59	47	71	64	48	284
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	490		90	370		180	0		0	190		155
Storage Lanes	1		1	1		1	0		1	2		1
Taper Length (ft)	100			155			25			50		
Lane Util. Factor	1.00	0.91	1.00	1.00	0.91	1.00	1.00	1.00	1.00	0.97	1.00	1.00
Frt			0.850			0.850			0.850			0.850
Flt Protected	0.950			0.950				0.973		0.950		
Satd. Flow (prot)	1770	4940	1583	1770	4940	1583	0	1812	1583	3433	1863	1583
Flt Permitted	0.048			0.141				0.799		0.950		
Satd. Flow (perm)	89	4940	1583	263	4940	1583	0	1488	1583	3433	1863	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			127			127			124			267
Link Speed (mph)		45			45			25			25	
Link Distance (ft)		1947			1025			313			444	
Travel Time (s)		29.5			15.5			8.5			12.1	
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Heavy Vehicles (%)	2%	5%	2%	2%	5%	2%	2%	2%	2%	2%	2%	2%
Shared Lane Traffic (%)												
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		24			24			36			24	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Turn Type	pm+pt	NA	Perm	pm+pt	NA	Perm	Perm	NA	Perm	Prot	NA	Perm
Protected Phases	1	6		5	2			4		3	8	
Permitted Phases	6		6	2		2	4		4			8
Detector Phase	1	6	6	5	2	2	4	4	4	3	8	8
Switch Phase												
Minimum Initial (s)	5.0	15.0	15.0	5.0	15.0	15.0	8.0	8.0	8.0	5.0	8.0	8.0
Minimum Split (s)	15.0	40.5	40.5	15.0	40.5	40.5	45.0	45.0	45.0	15.0	46.0	46.0
Total Split (s)	30.0	80.0	80.0	30.0	80.0	80.0	25.0	25.0	25.0	15.0	40.0	40.0
Total Split (%)	20.0%	53.3%	53.3%	20.0%	53.3%	53.3%	16.7%	16.7%	16.7%	10.0%	26.7%	26.7%
Yellow Time (s)	4.5	4.5	4.5	4.5	4.5	4.5	4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0	3.0	3.0	3.0	3.0	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	0.0
Total Lost Time (s)	6.5	6.5	6.5	6.5	6.5	6.5		7.0	7.0	7.0	6.0	6.0
Lead/Lag	Lead	Lag	Lag	Lead	Lag	Lag	Lag	Lag	Lag	Lead		
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes		
Recall Mode	None	C-Min	C-Min	None	C-Min	C-Min	None	None	None	None	None	None

Intersection Summary	
Area Type:	Other
Cycle Length: 150	

Actuated Cycle Length: 150
Offset: 0 (0%), Referenced to phase 2:WBTL and 6:EBTL, Start of Green
Natural Cycle: 140
Control Type: Actuated-Coordinated

Splits and Phases: 1: Ridenour Blvd/Crater Lake Dr & Ernest W Barrett Pkwy





Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	207	1446	77	73	1856	21	59	47	71	64	48	284
Future Volume (veh/h)	207	1446	77	73	1856	21	59	47	71	64	48	284
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		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	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1826	1870	1870	1826	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	220	1538	82	78	1974	22	63	50	76	68	51	302
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Percent Heavy Veh, %	2	5	2	2	5	2	2	2	2	2	2	2
Cap, veh/h	246	3143	999	250	2944	936	122	82	200	108	382	324
Arrive On Green	0.07	0.63	0.63	0.03	0.59	0.59	0.13	0.13	0.13	0.03	0.20	0.20
Sat Flow, veh/h	1781	4985	1585	1781	4985	1585	669	654	1585	3456	1870	1585
Grp Volume(v), veh/h	220	1538	82	78	1974	22	113	0	76	68	51	302
Grp Sat Flow(s),veh/h/ln	1781	1662	1585	1781	1662	1585	1323	0	1585	1728	1870	1585
Q Serve(g_s), s	8.3	24.7	3.0	2.6	40.3	0.9	10.8	0.0	6.6	2.9	3.3	28.1
Cycle Q Clear(g_c), s	8.3	24.7	3.0	2.6	40.3	0.9	12.0	0.0	6.6	2.9	3.3	28.1
Prop In Lane	1.00		1.00	1.00		1.00	0.56		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	246	3143	999	250	2944	936	204	0	200	108	382	324
V/C Ratio(X)	0.90	0.49	0.08	0.31	0.67	0.02	0.55	0.00	0.38	0.63	0.13	0.93
Avail Cap(c_a), veh/h	397	3143	999	472	2944	936	204	0	200	184	424	359
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.72	0.72	0.72	1.00	1.00	1.00	1.00	0.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	32.3	14.8	10.8	12.7	20.8	12.7	62.3	0.0	60.2	71.8	48.8	58.7
Incr Delay (d2), s/veh	11.0	0.4	0.1	0.7	1.2	0.0	3.2	0.0	1.2	5.8	0.2	29.5
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	0.0	0.0
%ile BackOfQ(50%),veh/ln	5.5	8.9	1.1	1.0	15.1	0.3	4.3	0.0	2.8	1.4	1.6	14.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	43.3	15.2	10.9	13.4	22.0	12.8	65.5	0.0	61.4	77.6	49.0	88.2
LnGrp LOS	D	B	B	B	C	B	E		E	E	D	F
Approach Vol, veh/h		1840			2074			189			421	
Approach Delay, s/veh		18.4			21.6			63.8			81.7	
Approach LOS		B			C			E			F	

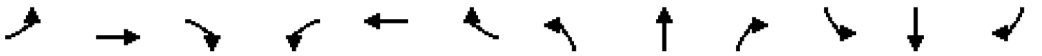
Timer - Assigned Phs	1	2	3	4	5	6		8				
Phs Duration (G+Y+Rc), s	17.3	95.1	11.7	25.9	11.3	101.1		37.6				
Change Period (Y+Rc), s	6.5	6.5	7.0	7.0	6.5	6.5		* 7				
Max Green Setting (Gmax), s	23.5	73.5	8.0	18.0	23.5	73.5		* 34				
Max Q Clear Time (g_c+I1), s	10.3	42.3	4.9	14.0	4.6	26.7		30.1				
Green Ext Time (p_c), s	0.5	26.6	0.0	0.3	0.1	29.7		0.5				

Intersection Summary	
HCM 7th Control Delay, s/veh	27.7
HCM 7th LOS	C

Notes

User approved pedestrian interval to be less than phase max green.

* HCM 7th computational engine requires equal clearance times for the phases crossing the barrier.

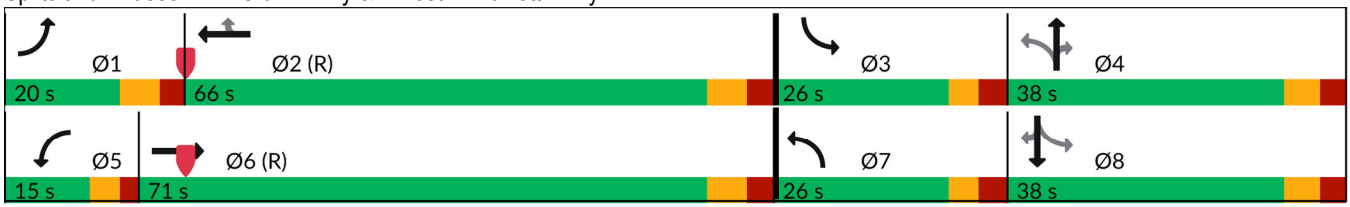


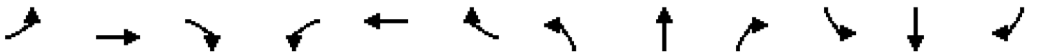
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	311	1387	49	40	1878	131	539	267	54	227	209	523
Future Volume (vph)	311	1387	49	40	1878	131	539	267	54	227	209	523
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	650		0	340		400	380		700	295		0
Storage Lanes	2		0	1		1	1		1	1		1
Taper Length (ft)	200			150			70			110		
Lane Util. Factor	0.97	0.91	0.91	1.00	0.91	1.00	1.00	0.95	1.00	1.00	1.00	1.00
Frt		0.995				0.850			0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	3433	4920	0	1770	4940	1583	1770	3539	1583	1770	1863	1583
Flt Permitted	0.950			0.950			0.411			0.549		
Satd. Flow (perm)	3433	4920	0	1770	4940	1583	766	3539	1583	1023	1863	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		4				127			120			127
Link Speed (mph)		45			45			35			35	
Link Distance (ft)		903			1947			1225			635	
Travel Time (s)		13.7			29.5			23.9			12.4	
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96
Heavy Vehicles (%)	2%	5%	2%	2%	5%	2%	2%	2%	2%	2%	2%	2%
Shared Lane Traffic (%)												
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		36			24			12			12	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Turn Type	Prot	NA		Prot	NA	Perm	pm+pt	NA	Perm	pm+pt	NA	Perm
Protected Phases	1	6		5	2		7	4		3	8	
Permitted Phases						2	4		4	8		8
Detector Phase	1	6		5	2	2	7	4	4	3	8	8
Switch Phase												
Minimum Initial (s)	5.0	14.0		5.0	14.0	14.0	5.0	6.0	6.0	5.0	6.0	6.0
Minimum Split (s)	48.5	39.5		15.0	39.5	39.5	15.0	48.5	48.5	15.0	48.5	48.5
Total Split (s)	20.0	71.0		15.0	66.0	66.0	26.0	38.0	38.0	26.0	38.0	38.0
Total Split (%)	13.3%	47.3%		10.0%	44.0%	44.0%	17.3%	25.3%	25.3%	17.3%	25.3%	25.3%
Yellow Time (s)	4.5	4.5		3.5	4.5	4.5	3.5	4.0	4.0	3.5	4.0	4.0
All-Red Time (s)	2.5	3.0		2.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Lost Time Adjust (s)	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	7.0	7.5		5.5	7.5	7.5	6.5	7.0	7.0	6.5	7.0	7.0
Lead/Lag	Lead	Lag		Lead	Lag	Lag	Lead	Lag	Lag	Lead	Lag	Lag
Lead-Lag Optimize?	Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Recall Mode	None	C-Min		None	C-Min	C-Min	None	None	None	None	None	None

Intersection Summary	
Area Type:	Other
Cycle Length: 150	

Actuated Cycle Length: 150
Offset: 0 (0%), Referenced to phase 2:WBT and 6:EBT, Start of Green
Natural Cycle: 155
Control Type: Actuated-Coordinated

Splits and Phases: 2: Old 41 Hwy & Ernest W Barrett Pkwy





Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	311	1387	49	40	1878	131	539	267	54	227	209	523
Future Volume (veh/h)	311	1387	49	40	1878	131	539	267	54	227	209	523
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		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	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1826	1870	1870	1826	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	324	1445	51	42	1956	136	561	278	56	236	218	545
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96
Percent Heavy Veh, %	2	5	2	2	5	2	2	2	2	2	2	2
Cap, veh/h	299	2256	80	54	1944	618	351	779	347	417	387	328
Arrive On Green	0.09	0.46	0.46	0.06	0.78	0.78	0.13	0.22	0.22	0.12	0.21	0.21
Sat Flow, veh/h	3456	4943	174	1781	4985	1585	1781	3554	1585	1781	1870	1585
Grp Volume(v), veh/h	324	971	525	42	1956	136	561	278	56	236	218	545
Grp Sat Flow(s),veh/h/ln	1728	1662	1794	1781	1662	1585	1781	1777	1585	1781	1870	1585
Q Serve(g_s), s	13.0	33.7	33.7	3.5	58.5	3.4	19.5	9.9	4.3	15.5	15.7	31.0
Cycle Q Clear(g_c), s	13.0	33.7	33.7	3.5	58.5	3.4	19.5	9.9	4.3	15.5	15.7	31.0
Prop In Lane	1.00		0.10	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	299	1517	819	54	1944	618	351	779	347	417	387	328
V/C Ratio(X)	1.08	0.64	0.64	0.78	1.01	0.22	1.60	0.36	0.16	0.57	0.56	1.66
Avail Cap(c_a), veh/h	299	1517	819	113	1944	618	351	779	347	440	387	328
HCM Platoon Ratio	1.00	1.00	1.00	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	0.65	0.65	0.65	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	68.5	31.3	31.3	70.0	16.5	10.4	46.6	49.6	47.4	39.8	53.4	59.5
Incr Delay (d2), s/veh	75.5	2.1	3.8	14.3	18.0	0.5	281.6	0.3	0.2	1.5	1.9	311.9
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	0.0	0.0
%ile BackOfQ(50%),veh/ln	8.8	13.6	15.0	1.7	9.3	1.2	31.4	4.5	1.7	7.0	7.6	40.7
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	144.0	33.4	35.1	84.3	34.5	11.0	328.2	49.9	47.6	41.3	55.3	371.4
LnGrp LOS	F	C	D	F	F	B	F	D	D	D	E	F
Approach Vol, veh/h		1820			2134			895			999	
Approach Delay, s/veh		53.6			33.9			224.2			224.4	
Approach LOS		D			C			F			F	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	20.0	66.0	24.1	39.9	10.0	76.0	26.0	38.0
Change Period (Y+Rc), s	7.0	7.5	6.5	7.0	5.5	7.5	6.5	7.0
Max Green Setting (Gmax), s	13.0	58.5	19.5	31.0	9.5	63.5	19.5	31.0
Max Q Clear Time (g_c+I1), s	15.0	60.5	17.5	11.9	5.5	35.7	21.5	33.0
Green Ext Time (p_c), s	0.0	0.0	0.1	1.8	0.0	19.2	0.0	0.0

Intersection Summary	
HCM 7th Control Delay, s/veh	101.7
HCM 7th LOS	F

Notes

User approved pedestrian interval to be less than phase max green.

Intersection	
Intersection Delay, s/veh	8
Intersection LOS	A

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	46	3	3	0	20	107	0	6	2	73	2	46
Future Vol, veh/h	46	3	3	0	20	107	0	6	2	73	2	46
Peak Hour Factor	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	52	3	3	0	23	122	0	7	2	83	2	52
Number of Lanes	0	1	0	0	1	0	0	1	1	0	1	1

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	2	2
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	2	2	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	2	2	1	1
HCM Control Delay, s/veh	8	7.6	7.7	8.4
HCM LOS	A	A	A	A

Lane	NBLn1	NBLn2	EBLn1	WBLn1	SBLn1	SBLn2
Vol Left, %	0%	0%	88%	0%	97%	0%
Vol Thru, %	100%	0%	6%	16%	3%	0%
Vol Right, %	0%	100%	6%	84%	0%	100%
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop
Traffic Vol by Lane	6	2	52	127	75	46
LT Vol	0	0	46	0	73	0
Through Vol	6	0	3	20	2	0
RT Vol	0	2	3	107	0	46
Lane Flow Rate	7	2	59	144	85	52
Geometry Grp	5	5	2	2	5	5
Degree of Util (X)	0.01	0.003	0.075	0.155	0.127	0.061
Departure Headway (Hd)	5.1	4.396	4.581	3.861	5.383	4.191
Convergence, Y/N	Yes	Yes	Yes	Yes	Yes	Yes
Cap	704	816	785	934	658	840
Service Time	2.816	2.112	2.588	1.864	3.181	1.989
HCM Lane V/C Ratio	0.01	0.002	0.075	0.154	0.129	0.062
HCM Control Delay, s/veh	7.9	7.1	8	7.6	9	7.3
HCM Lane LOS	A	A	A	A	A	A
HCM 95th-tile Q	0	0	0.2	0.5	0.4	0.2

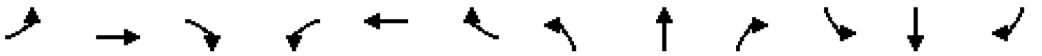
Intersection	
Intersection Delay, s/veh	7.6
Intersection LOS	A

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	10	10	64	4	33	3	92	1	4	0	0	14
Future Vol, veh/h	10	10	64	4	33	3	92	1	4	0	0	14
Peak Hour Factor	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	11	11	72	4	37	3	103	1	4	0	0	16
Number of Lanes	0	1	0	0	1	0	0	1	0	0	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	1	1
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	1	1	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	1	1	1	1
HCM Control Delay, s/veh	7.3	7.5	8.1	6.8
HCM LOS	A	A	A	A

Lane	NBLn1	EBLn1	WBLn1	SBLn1
Vol Left, %	95%	12%	10%	0%
Vol Thru, %	1%	12%	83%	0%
Vol Right, %	4%	76%	8%	100%
Sign Control	Stop	Stop	Stop	Stop
Traffic Vol by Lane	97	84	40	14
LT Vol	92	10	4	0
Through Vol	1	10	33	0
RT Vol	4	64	3	14
Lane Flow Rate	109	94	45	16
Geometry Grp	1	1	1	1
Degree of Util (X)	0.132	0.098	0.052	0.016
Departure Headway (Hd)	4.353	3.752	4.2	3.659
Convergence, Y/N	Yes	Yes	Yes	Yes
Cap	820	940	840	963
Service Time	2.404	1.835	2.286	1.741
HCM Lane V/C Ratio	0.133	0.1	0.054	0.017
HCM Control Delay, s/veh	8.1	7.3	7.5	6.8
HCM Lane LOS	A	A	A	A
HCM 95th-tile Q	0.5	0.3	0.2	0

FUTURE "BUILD" INTERSECTION ANALYSIS

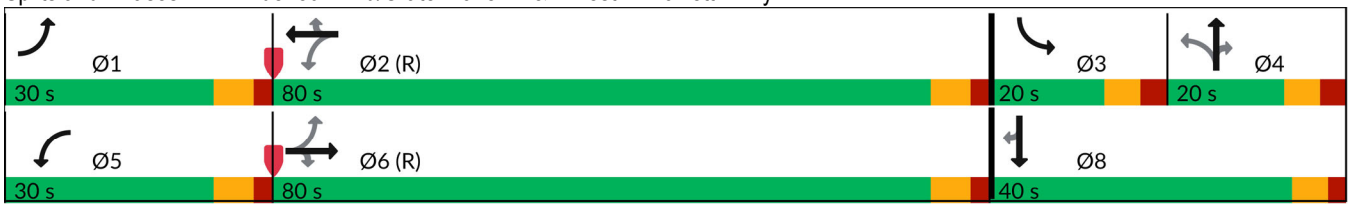


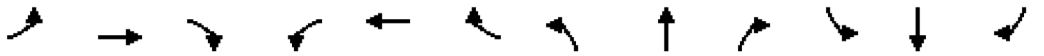
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	212	2592	124	70	1171	12	87	56	133	52	38	86
Future Volume (vph)	212	2592	124	70	1171	12	87	56	133	52	38	86
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	490		90	370		180	0		0	190		155
Storage Lanes	1		1	1		1	0		1	2		1
Taper Length (ft)	100			155			25			50		
Lane Util. Factor	1.00	0.91	1.00	1.00	0.91	1.00	1.00	1.00	1.00	0.97	1.00	1.00
Frt			0.850			0.850			0.850			0.850
Flt Protected	0.950			0.950				0.970		0.950		
Satd. Flow (prot)	1770	4940	1583	1770	4940	1583	0	1807	1583	3433	1863	1583
Flt Permitted	0.177			0.044				0.790		0.950		
Satd. Flow (perm)	330	4940	1583	82	4940	1583	0	1472	1583	3433	1863	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			127			127			139			90
Link Speed (mph)		45			45			25			25	
Link Distance (ft)		1947			1025			313			444	
Travel Time (s)		29.5			15.5			8.5			12.1	
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96
Heavy Vehicles (%)	2%	5%	2%	2%	5%	2%	2%	2%	2%	2%	2%	2%
Shared Lane Traffic (%)												
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		24			24			36			24	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Turn Type	pm+pt	NA	Perm	pm+pt	NA	Perm	Perm	NA	Perm	Prot	NA	Perm
Protected Phases	1	6		5	2			4		3	8	
Permitted Phases	6		6	2		2	4		4			8
Detector Phase	1	6	6	5	2	2	4	4	4	3	8	8
Switch Phase												
Minimum Initial (s)	5.0	15.0	15.0	5.0	15.0	15.0	8.0	8.0	8.0	5.0	8.0	8.0
Minimum Split (s)	15.0	40.5	40.5	15.0	40.5	40.5	45.0	45.0	45.0	15.0	46.0	46.0
Total Split (s)	30.0	80.0	80.0	30.0	80.0	80.0	20.0	20.0	20.0	20.0	40.0	40.0
Total Split (%)	20.0%	53.3%	53.3%	20.0%	53.3%	53.3%	13.3%	13.3%	13.3%	13.3%	26.7%	26.7%
Yellow Time (s)	4.5	4.5	4.5	4.5	4.5	4.5	4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0	3.0	3.0	3.0	3.0	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	0.0
Total Lost Time (s)	6.5	6.5	6.5	6.5	6.5	6.5		7.0	7.0	7.0	6.0	6.0
Lead/Lag	Lead	Lag	Lag	Lead	Lag	Lag	Lag	Lag	Lag	Lead		
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes		
Recall Mode	None	C-Min	C-Min	None	C-Min	C-Min	None	None	None	None	None	None

Intersection Summary	
Area Type:	Other
Cycle Length: 150	

Actuated Cycle Length: 150
Offset: 0 (0%), Referenced to phase 2:WBTL and 6:EBTL, Start of Green
Natural Cycle: 150
Control Type: Actuated-Coordinated

Splits and Phases: 1: Ridenour Blvd/Crater Lake Dr & Ernest W Barrett Pkwy





Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	212	2592	124	70	1171	12	87	56	133	52	38	86
Future Volume (veh/h)	212	2592	124	70	1171	12	87	56	133	52	38	86
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		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	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1826	1870	1870	1826	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	221	2700	129	73	1220	12	91	58	139	54	40	90
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96
Percent Heavy Veh, %	2	5	2	2	5	2	2	2	2	2	2	2
Cap, veh/h	392	3349	1065	131	3214	1022	115	49	137	103	305	259
Arrive On Green	0.06	0.67	0.67	0.03	0.64	0.64	0.09	0.09	0.09	0.03	0.16	0.16
Sat Flow, veh/h	1781	4985	1585	1781	4985	1585	882	562	1585	3456	1870	1585
Grp Volume(v), veh/h	221	2700	129	73	1220	12	149	0	139	54	40	90
Grp Sat Flow(s),veh/h/ln	1781	1662	1585	1781	1662	1585	1443	0	1585	1728	1870	1585
Q Serve(g_s), s	6.3	58.2	4.4	2.1	17.3	0.4	13.0	0.0	13.0	2.3	2.7	7.6
Cycle Q Clear(g_c), s	6.3	58.2	4.4	2.1	17.3	0.4	13.0	0.0	13.0	2.3	2.7	7.6
Prop In Lane	1.00		1.00	1.00		1.00	0.61		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	392	3349	1065	131	3214	1022	164	0	137	103	305	259
V/C Ratio(X)	0.56	0.81	0.12	0.56	0.38	0.01	0.91	0.00	1.01	0.52	0.13	0.35
Avail Cap(c_a), veh/h	567	3349	1065	354	3214	1022	164	0	137	299	424	359
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.09	0.09	0.09	1.00	1.00	1.00	1.00	0.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	9.5	17.6	8.8	31.6	12.5	9.5	69.5	0.0	68.5	71.7	53.7	55.7
Incr Delay (d2), s/veh	0.1	0.2	0.0	3.6	0.3	0.0	45.1	0.0	80.0	4.1	0.2	0.8
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	0.0	0.0
%ile BackOfQ(50%),veh/ln	2.2	19.9	1.4	1.8	6.2	0.2	7.9	0.0	8.4	1.1	1.3	3.1
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	9.6	17.8	8.8	35.2	12.9	9.6	114.7	0.0	148.5	75.8	53.9	56.5
LnGrp LOS	A	B	A	D	B	A	F		F	E	D	E
Approach Vol, veh/h		3050			1305			288			184	
Approach Delay, s/veh		16.9			14.1			131.0			61.6	
Approach LOS		B			B			F			E	

Timer - Assigned Phs	1	2	3	4	5	6		8				
Phs Duration (G+Y+Rc), s	15.3	103.2	11.5	20.0	11.3	107.3		31.5				
Change Period (Y+Rc), s	6.5	6.5	7.0	7.0	6.5	6.5		* 7				
Max Green Setting (Gmax), s	23.5	73.5	13.0	13.0	23.5	73.5		* 34				
Max Q Clear Time (g_c+I1), s	8.3	19.3	4.3	15.0	4.1	60.2		9.6				
Green Ext Time (p_c), s	0.5	22.8	0.1	0.0	0.1	13.1		0.5				

Intersection Summary	
HCM 7th Control Delay, s/veh	24.6
HCM 7th LOS	C

Notes

User approved pedestrian interval to be less than phase max green.

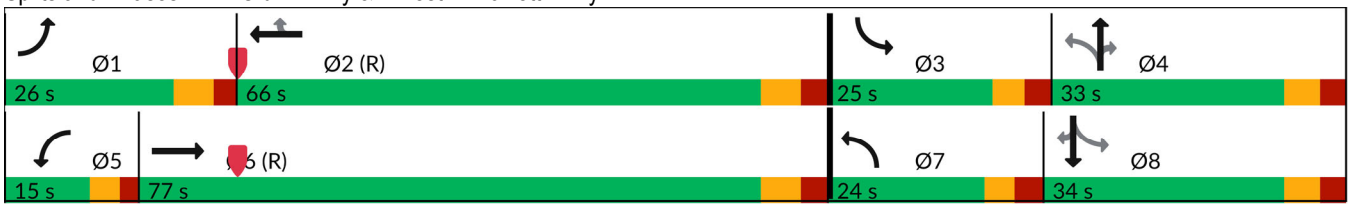
* HCM 7th computational engine requires equal clearance times for the phases crossing the barrier.

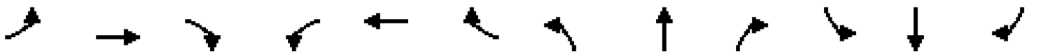
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	345	2438	146	37	1389	83	145	89	56	299	345	361
Future Volume (vph)	345	2438	146	37	1389	83	145	89	56	299	345	361
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	650		0	340		400	380		700	295		0
Storage Lanes	2		0	1		1	1		1	1		1
Taper Length (ft)	200			150			70			110		
Lane Util. Factor	0.97	0.91	0.91	1.00	0.91	1.00	1.00	0.95	1.00	1.00	1.00	1.00
Frt		0.992				0.850			0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	3433	4908	0	1770	4940	1583	1770	3539	1583	1770	1863	1583
Flt Permitted	0.950			0.950			0.154			0.619		
Satd. Flow (perm)	3433	4908	0	1770	4940	1583	287	3539	1583	1153	1863	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		8				167			171			222
Link Speed (mph)		45			45			35			35	
Link Distance (ft)		903			1947			1225			635	
Travel Time (s)		13.7			29.5			23.9			12.4	
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Heavy Vehicles (%)	2%	5%	2%	2%	5%	2%	2%	2%	2%	2%	2%	2%
Shared Lane Traffic (%)												
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		36			24			12			12	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Turn Type	Prot	NA		Prot	NA	Perm	pm+pt	NA	Perm	pm+pt	NA	Perm
Protected Phases	1	6		5	2		7	4		3	8	
Permitted Phases						2	4		4	8		8
Detector Phase	1	6		5	2	2	7	4	4	3	8	8
Switch Phase												
Minimum Initial (s)	5.0	14.0		5.0	14.0	14.0	5.0	6.0	6.0	5.0	6.0	6.0
Minimum Split (s)	48.5	39.5		15.0	39.5	39.5	15.0	48.5	48.5	15.0	48.5	48.5
Total Split (s)	26.0	77.0		15.0	66.0	66.0	24.0	33.0	33.0	25.0	34.0	34.0
Total Split (%)	17.3%	51.3%		10.0%	44.0%	44.0%	16.0%	22.0%	22.0%	16.7%	22.7%	22.7%
Yellow Time (s)	4.5	4.5		3.5	4.5	4.5	3.5	4.0	4.0	3.5	4.0	4.0
All-Red Time (s)	2.5	3.0		2.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Lost Time Adjust (s)	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	7.0	7.5		5.5	7.5	7.5	6.5	7.0	7.0	6.5	7.0	7.0
Lead/Lag	Lead	Lag		Lead	Lag	Lag	Lead	Lag	Lag	Lead	Lag	Lag
Lead-Lag Optimize?	Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Recall Mode	None	C-Min		None	C-Min	C-Min	None	None	None	None	None	None

Intersection Summary	
Area Type:	Other
Cycle Length: 150	

Actuated Cycle Length: 150
Offset: 90 (60%), Referenced to phase 2:WBT and 6:EBT, Start of Green
Natural Cycle: 155
Control Type: Actuated-Coordinated

Splits and Phases: 2: Old 41 Hwy & Ernest W Barrett Pkwy





Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	345	2438	146	37	1389	83	145	89	56	299	345	361
Future Volume (veh/h)	345	2438	146	37	1389	83	145	89	56	299	345	361
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		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	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1826	1870	1870	1826	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	367	2594	155	39	1478	88	154	95	60	318	367	384
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Percent Heavy Veh, %	2	5	2	2	5	2	2	2	2	2	2	2
Cap, veh/h	412	2542	150	50	2129	677	203	510	228	416	337	285
Arrive On Green	0.12	0.53	0.53	0.01	0.14	0.14	0.09	0.14	0.14	0.12	0.18	0.18
Sat Flow, veh/h	3456	4815	283	1781	4985	1585	1781	3554	1585	1781	1870	1585
Grp Volume(v), veh/h	367	1778	971	39	1478	88	154	95	60	318	367	384
Grp Sat Flow(s),veh/h/ln	1728	1662	1775	1781	1662	1585	1781	1777	1585	1781	1870	1585
Q Serve(g_s), s	15.7	79.2	79.2	3.3	42.4	7.3	10.9	3.5	5.1	18.5	27.0	27.0
Cycle Q Clear(g_c), s	15.7	79.2	79.2	3.3	42.4	7.3	10.9	3.5	5.1	18.5	27.0	27.0
Prop In Lane	1.00		0.16	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	412	1755	937	50	2129	677	203	510	228	416	337	285
V/C Ratio(X)	0.89	1.01	1.04	0.77	0.69	0.13	0.76	0.19	0.26	0.77	1.09	1.35
Avail Cap(c_a), veh/h	438	1755	937	113	2129	677	256	616	275	416	337	285
HCM Platoon Ratio	1.00	1.00	1.00	0.33	0.33	0.33	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	0.93	0.93	0.93	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	65.1	35.4	35.4	73.8	55.1	40.0	50.1	56.5	57.2	49.5	61.5	61.5
Incr Delay (d2), s/veh	19.1	24.8	39.1	20.3	1.8	0.4	9.6	0.2	0.6	8.3	75.4	177.2
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	0.0	0.0
%ile BackOfQ(50%),veh/ln	7.9	36.0	42.1	1.8	19.3	3.1	5.4	1.6	2.1	3.0	19.8	24.8
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	84.2	60.2	74.5	94.1	56.9	40.4	59.8	56.7	57.8	57.8	136.9	238.7
LnGrp LOS	F	F	F	F	E	D	E	E	E	E	F	F
Approach Vol, veh/h		3116			1605			309			1069	
Approach Delay, s/veh		67.5			56.9			58.4			149.9	
Approach LOS		E			E			E			F	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	24.9	71.6	25.0	28.5	9.8	86.7	19.5	34.0
Change Period (Y+Rc), s	7.0	7.5	6.5	7.0	5.5	7.5	6.5	7.0
Max Green Setting (Gmax), s	19.0	58.5	18.5	26.0	9.5	69.5	17.5	27.0
Max Q Clear Time (g_c+I1), s	17.7	44.4	20.5	7.1	5.3	81.2	12.9	29.0
Green Ext Time (p_c), s	0.2	11.5	0.0	0.6	0.0	0.0	0.1	0.0

Intersection Summary	
HCM 7th Control Delay, s/veh	78.7
HCM 7th LOS	E

Notes

User approved pedestrian interval to be less than phase max green.

Intersection	
Intersection Delay, s/veh	8.1
Intersection LOS	A

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	101	20	6	2	8	106	1	1	2	63	3	45
Future Vol, veh/h	101	20	6	2	8	106	1	1	2	63	3	45
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	110	22	7	2	9	115	1	1	2	68	3	49
Number of Lanes	0	1	0	0	1	0	0	1	1	0	1	1

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	2	2
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	2	2	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	2	2	1	1
HCM Control Delay, s/veh	8.5	7.5	7.7	8.4
HCM LOS	A	A	A	A

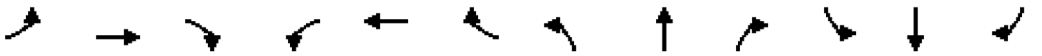
Lane	NBLn1	NBLn2	EBLn1	WBLn1	SBLn1	SBLn2
Vol Left, %	50%	0%	80%	2%	95%	0%
Vol Thru, %	50%	0%	16%	7%	5%	0%
Vol Right, %	0%	100%	5%	91%	0%	100%
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop
Traffic Vol by Lane	2	2	127	116	66	45
LT Vol	1	0	101	2	63	0
Through Vol	1	0	20	8	3	0
RT Vol	0	2	6	106	0	45
Lane Flow Rate	2	2	138	126	72	49
Geometry Grp	5	5	2	2	5	5
Degree of Util (X)	0.003	0.003	0.173	0.135	0.111	0.06
Departure Headway (Hd)	5.489	4.532	4.501	3.858	5.595	4.411
Convergence, Y/N	Yes	Yes	Yes	Yes	Yes	Yes
Cap	653	790	799	932	642	813
Service Time	3.212	2.255	2.513	1.87	3.314	2.13
HCM Lane V/C Ratio	0.003	0.003	0.173	0.135	0.112	0.06
HCM Control Delay, s/veh	8.2	7.3	8.5	7.5	9	7.4
HCM Lane LOS	A	A	A	A	A	A
HCM 95th-tile Q	0	0	0.6	0.5	0.4	0.2

Intersection	
Intersection Delay, s/veh	7.4
Intersection LOS	A

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	12	20	46	0	11	2	71	4	0	3	2	7
Future Vol, veh/h	12	20	46	0	11	2	71	4	0	3	2	7
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	13	22	50	0	12	2	77	4	0	3	2	8
Number of Lanes	0	1	0	0	1	0	0	1	0	0	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	1	1
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	1	1	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	1	1	1	1
HCM Control Delay, s/veh	7.2	7.2	7.8	7
HCM LOS	A	A	A	A

Lane	NBLn1	EBLn1	WBLn1	SBLn1
Vol Left, %	95%	15%	0%	25%
Vol Thru, %	5%	26%	85%	17%
Vol Right, %	0%	59%	15%	58%
Sign Control	Stop	Stop	Stop	Stop
Traffic Vol by Lane	75	78	13	12
LT Vol	71	12	0	3
Through Vol	4	20	11	2
RT Vol	0	46	2	7
Lane Flow Rate	82	85	14	13
Geometry Grp	1	1	1	1
Degree of Util (X)	0.098	0.089	0.016	0.014
Departure Headway (Hd)	4.306	3.786	4.071	3.868
Convergence, Y/N	Yes	Yes	Yes	Yes
Cap	831	938	870	918
Service Time	2.341	1.843	2.139	1.924
HCM Lane V/C Ratio	0.099	0.091	0.016	0.014
HCM Control Delay, s/veh	7.8	7.2	7.2	7
HCM Lane LOS	A	A	A	A
HCM 95th-tile Q	0.3	0.3	0	0

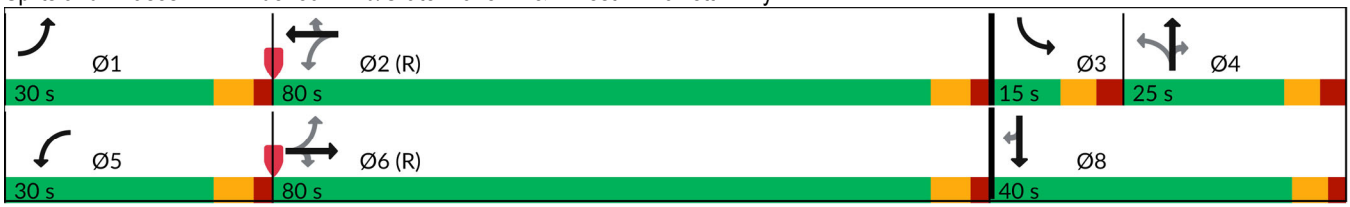


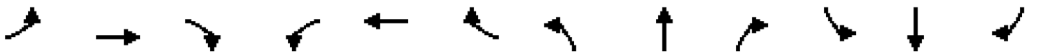
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	207	1446	97	102	1856	21	71	49	88	64	51	284
Future Volume (vph)	207	1446	97	102	1856	21	71	49	88	64	51	284
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	490		90	370		180	0		0	190		155
Storage Lanes	1		1	1		1	0		1	2		1
Taper Length (ft)	100			155			25			50		
Lane Util. Factor	1.00	0.91	1.00	1.00	0.91	1.00	1.00	1.00	1.00	0.97	1.00	1.00
Frt			0.850			0.850			0.850			0.850
Flt Protected	0.950			0.950				0.971		0.950		
Satd. Flow (prot)	1770	4940	1583	1770	4940	1583	0	1809	1583	3433	1863	1583
Flt Permitted	0.046			0.137				0.787		0.950		
Satd. Flow (perm)	86	4940	1583	255	4940	1583	0	1466	1583	3433	1863	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			127			127			124			267
Link Speed (mph)		45			45			25			25	
Link Distance (ft)		1947			1025			313			444	
Travel Time (s)		29.5			15.5			8.5			12.1	
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Heavy Vehicles (%)	2%	5%	2%	2%	5%	2%	2%	2%	2%	2%	2%	2%
Shared Lane Traffic (%)												
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		24			24			36			24	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Turn Type	pm+pt	NA	Perm	pm+pt	NA	Perm	Perm	NA	Perm	Prot	NA	Perm
Protected Phases	1	6		5	2			4		3	8	
Permitted Phases	6		6	2		2	4		4			8
Detector Phase	1	6	6	5	2	2	4	4	4	3	8	8
Switch Phase												
Minimum Initial (s)	5.0	15.0	15.0	5.0	15.0	15.0	8.0	8.0	8.0	5.0	8.0	8.0
Minimum Split (s)	15.0	40.5	40.5	15.0	40.5	40.5	45.0	45.0	45.0	15.0	46.0	46.0
Total Split (s)	30.0	80.0	80.0	30.0	80.0	80.0	25.0	25.0	25.0	15.0	40.0	40.0
Total Split (%)	20.0%	53.3%	53.3%	20.0%	53.3%	53.3%	16.7%	16.7%	16.7%	10.0%	26.7%	26.7%
Yellow Time (s)	4.5	4.5	4.5	4.5	4.5	4.5	4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0	3.0	3.0	3.0	3.0	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	0.0
Total Lost Time (s)	6.5	6.5	6.5	6.5	6.5	6.5		7.0	7.0	7.0	6.0	6.0
Lead/Lag	Lead	Lag	Lag	Lead	Lag	Lag	Lag	Lag	Lag	Lead		
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes		
Recall Mode	None	C-Min	C-Min	None	C-Min	C-Min	None	None	None	None	None	None

Intersection Summary	
Area Type:	Other
Cycle Length: 150	

Actuated Cycle Length: 150
Offset: 0 (0%), Referenced to phase 2:WBTL and 6:EBTL, Start of Green
Natural Cycle: 140
Control Type: Actuated-Coordinated

Splits and Phases: 1: Ridenour Blvd/Crater Lake Dr & Ernest W Barrett Pkwy





Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	207	1446	97	102	1856	21	71	49	88	64	51	284
Future Volume (veh/h)	207	1446	97	102	1856	21	71	49	88	64	51	284
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		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	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1826	1870	1870	1826	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	220	1538	103	109	1974	22	76	52	94	68	54	302
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Percent Heavy Veh, %	2	5	2	2	5	2	2	2	2	2	2	2
Cap, veh/h	246	3110	989	256	2944	936	130	69	200	108	382	324
Arrive On Green	0.07	0.62	0.62	0.04	0.59	0.59	0.13	0.13	0.13	0.03	0.20	0.20
Sat Flow, veh/h	1781	4985	1585	1781	4985	1585	725	548	1585	3456	1870	1585
Grp Volume(v), veh/h	220	1538	103	109	1974	22	128	0	94	68	54	302
Grp Sat Flow(s),veh/h/ln	1781	1662	1585	1781	1662	1585	1273	0	1585	1728	1870	1585
Q Serve(g_s), s	8.3	25.2	3.9	3.6	40.3	0.9	14.1	0.0	8.3	2.9	3.5	28.1
Cycle Q Clear(g_c), s	8.3	25.2	3.9	3.6	40.3	0.9	14.6	0.0	8.3	2.9	3.5	28.1
Prop In Lane	1.00		1.00	1.00		1.00	0.59		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	246	3110	989	256	2944	936	199	0	200	108	382	324
V/C Ratio(X)	0.90	0.49	0.10	0.43	0.67	0.02	0.64	0.00	0.47	0.63	0.14	0.93
Avail Cap(c_a), veh/h	397	3110	989	466	2944	936	199	0	200	184	424	359
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.71	0.71	0.71	1.00	1.00	1.00	1.00	0.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	31.8	15.3	11.3	13.1	20.8	12.7	63.5	0.0	60.9	71.8	48.9	58.7
Incr Delay (d2), s/veh	10.9	0.4	0.2	1.1	1.2	0.0	6.9	0.0	1.7	5.8	0.2	29.4
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	0.0	0.0
%ile BackOfQ(50%),veh/ln	5.4	9.1	1.4	1.5	15.1	0.3	5.2	0.0	3.5	1.4	1.7	14.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	42.7	15.7	11.5	14.2	22.0	12.8	70.5	0.0	62.6	77.6	49.1	88.1
LnGrp LOS	D	B	B	B	C	B	E		E	E	D	F
Approach Vol, veh/h		1861			2105			222			424	
Approach Delay, s/veh		18.7			21.5			67.1			81.5	
Approach LOS		B			C			E			F	

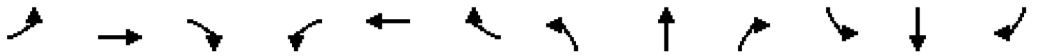
Timer - Assigned Phs	1	2	3	4	5	6		8				
Phs Duration (G+Y+Rc), s	17.3	95.1	11.7	25.9	12.3	100.1		37.6				
Change Period (Y+Rc), s	6.5	6.5	7.0	7.0	6.5	6.5		* 7				
Max Green Setting (Gmax), s	23.5	73.5	8.0	18.0	23.5	73.5		* 34				
Max Q Clear Time (g_c+I1), s	10.3	42.3	4.9	16.6	5.6	27.2		30.1				
Green Ext Time (p_c), s	0.5	26.6	0.0	0.2	0.2	29.8		0.5				

Intersection Summary	
HCM 7th Control Delay, s/veh	28.1
HCM 7th LOS	C

Notes

User approved pedestrian interval to be less than phase max green.

* HCM 7th computational engine requires equal clearance times for the phases crossing the barrier.

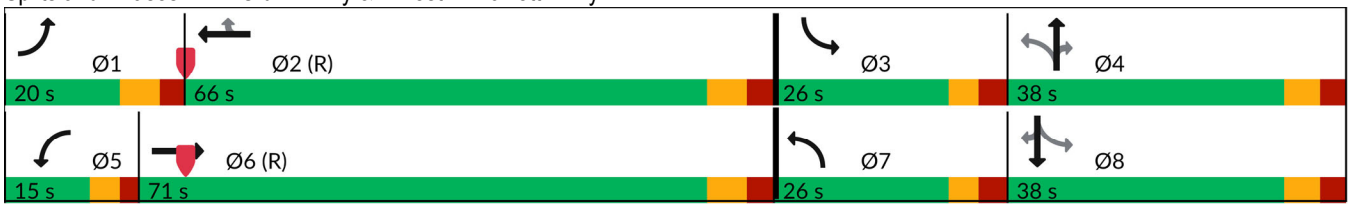


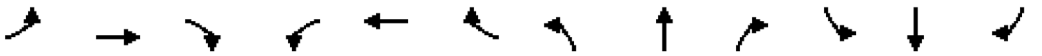
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	311	1399	49	42	1885	134	539	267	57	233	209	523
Future Volume (vph)	311	1399	49	42	1885	134	539	267	57	233	209	523
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	650		0	340		400	380		700	295		0
Storage Lanes	2		0	1		1	1		1	1		1
Taper Length (ft)	200			150			70			110		
Lane Util. Factor	0.97	0.91	0.91	1.00	0.91	1.00	1.00	0.95	1.00	1.00	1.00	1.00
Frt		0.995				0.850			0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	3433	4920	0	1770	4940	1583	1770	3539	1583	1770	1863	1583
Flt Permitted	0.950			0.950			0.412			0.547		
Satd. Flow (perm)	3433	4920	0	1770	4940	1583	767	3539	1583	1019	1863	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		4				130			120			127
Link Speed (mph)		45			45			35			35	
Link Distance (ft)		903			1947			1225			635	
Travel Time (s)		13.7			29.5			23.9			12.4	
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96
Heavy Vehicles (%)	2%	5%	2%	2%	5%	2%	2%	2%	2%	2%	2%	2%
Shared Lane Traffic (%)												
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		36			24			12			12	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Turn Type	Prot	NA		Prot	NA	Perm	pm+pt	NA	Perm	pm+pt	NA	Perm
Protected Phases	1	6		5	2		7	4		3	8	
Permitted Phases						2	4		4	8		8
Detector Phase	1	6		5	2	2	7	4	4	3	8	8
Switch Phase												
Minimum Initial (s)	5.0	14.0		5.0	14.0	14.0	5.0	6.0	6.0	5.0	6.0	6.0
Minimum Split (s)	48.5	39.5		15.0	39.5	39.5	15.0	48.5	48.5	15.0	48.5	48.5
Total Split (s)	20.0	71.0		15.0	66.0	66.0	26.0	38.0	38.0	26.0	38.0	38.0
Total Split (%)	13.3%	47.3%		10.0%	44.0%	44.0%	17.3%	25.3%	25.3%	17.3%	25.3%	25.3%
Yellow Time (s)	4.5	4.5		3.5	4.5	4.5	3.5	4.0	4.0	3.5	4.0	4.0
All-Red Time (s)	2.5	3.0		2.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Lost Time Adjust (s)	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	7.0	7.5		5.5	7.5	7.5	6.5	7.0	7.0	6.5	7.0	7.0
Lead/Lag	Lead	Lag		Lead	Lag	Lag	Lead	Lag	Lag	Lead	Lag	Lag
Lead-Lag Optimize?	Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Recall Mode	None	C-Min		None	C-Min	C-Min	None	None	None	None	None	None

Intersection Summary	
Area Type:	Other
Cycle Length: 150	

Actuated Cycle Length: 150
Offset: 0 (0%), Referenced to phase 2:WBT and 6:EBT, Start of Green
Natural Cycle: 155
Control Type: Actuated-Coordinated

Splits and Phases: 2: Old 41 Hwy & Ernest W Barrett Pkwy





Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	311	1399	49	42	1885	134	539	267	57	233	209	523
Future Volume (veh/h)	311	1399	49	42	1885	134	539	267	57	233	209	523
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		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	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1826	1870	1870	1826	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	324	1457	51	44	1964	140	561	278	59	243	218	545
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96
Percent Heavy Veh, %	2	5	2	2	5	2	2	2	2	2	2	2
Cap, veh/h	299	2250	79	57	1944	618	351	769	343	419	387	328
Arrive On Green	0.09	0.45	0.45	0.06	0.78	0.78	0.13	0.22	0.22	0.12	0.21	0.21
Sat Flow, veh/h	3456	4945	173	1781	4985	1585	1781	3554	1585	1781	1870	1585
Grp Volume(v), veh/h	324	979	529	44	1964	140	561	278	59	243	218	545
Grp Sat Flow(s),veh/h/ln	1728	1662	1795	1781	1662	1585	1781	1777	1585	1781	1870	1585
Q Serve(g_s), s	13.0	34.2	34.2	3.7	58.5	3.5	19.5	10.0	4.5	15.9	15.7	31.0
Cycle Q Clear(g_c), s	13.0	34.2	34.2	3.7	58.5	3.5	19.5	10.0	4.5	15.9	15.7	31.0
Prop In Lane	1.00		0.10	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	299	1512	816	57	1944	618	351	769	343	419	387	328
V/C Ratio(X)	1.08	0.65	0.65	0.78	1.01	0.23	1.60	0.36	0.17	0.58	0.56	1.66
Avail Cap(c_a), veh/h	299	1512	816	113	1944	618	351	769	343	436	387	328
HCM Platoon Ratio	1.00	1.00	1.00	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	0.64	0.64	0.64	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	68.5	31.6	31.6	69.7	16.5	10.5	46.6	50.0	47.8	39.6	53.4	59.5
Incr Delay (d2), s/veh	75.5	2.2	4.0	13.6	18.9	0.5	281.6	0.3	0.2	1.8	1.9	311.9
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	0.0	0.0
%ile BackOfQ(50%),veh/ln	8.8	13.7	15.3	1.8	9.4	1.3	31.4	4.5	1.8	7.2	7.6	40.7
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	144.0	33.8	35.5	83.3	35.4	11.0	328.2	50.3	48.1	41.4	55.3	371.4
LnGrp LOS	F	C	D	F	F	B	F	D	D	D	E	F
Approach Vol, veh/h		1832			2148			898			1006	
Approach Delay, s/veh		53.8			34.8			223.8			223.2	
Approach LOS		D			C			F			F	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	20.0	66.0	24.6	39.4	10.3	75.7	26.0	38.0
Change Period (Y+Rc), s	7.0	7.5	6.5	7.0	5.5	7.5	6.5	7.0
Max Green Setting (Gmax), s	13.0	58.5	19.5	31.0	9.5	63.5	19.5	31.0
Max Q Clear Time (g_c+I1), s	15.0	60.5	17.9	12.0	5.7	36.2	21.5	33.0
Green Ext Time (p_c), s	0.0	0.0	0.1	1.8	0.0	19.1	0.0	0.0

Intersection Summary	
HCM 7th Control Delay, s/veh	101.7
HCM 7th LOS	F

Notes

User approved pedestrian interval to be less than phase max green.

Intersection	
Intersection Delay, s/veh	8.2
Intersection LOS	A

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	76	6	3	0	26	107	0	6	2	73	2	98
Future Vol, veh/h	76	6	3	0	26	107	0	6	2	73	2	98
Peak Hour Factor	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	86	7	3	0	30	122	0	7	2	83	2	111
Number of Lanes	0	1	0	0	1	0	0	1	1	0	1	1

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	2	2
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	2	2	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	2	2	1	1
HCM Control Delay, s/veh	8.4	7.9	7.9	8.4
HCM LOS	A	A	A	A

Lane	NBLn1	NBLn2	EBLn1	WBLn1	SBLn1	SBLn2
Vol Left, %	0%	0%	89%	0%	97%	0%
Vol Thru, %	100%	0%	7%	20%	3%	0%
Vol Right, %	0%	100%	4%	80%	0%	100%
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop
Traffic Vol by Lane	6	2	85	133	75	98
LT Vol	0	0	76	0	73	0
Through Vol	6	0	6	26	2	0
RT Vol	0	2	3	107	0	98
Lane Flow Rate	7	2	97	151	85	111
Geometry Grp	5	5	2	2	5	5
Degree of Util (X)	0.01	0.003	0.127	0.17	0.132	0.136
Departure Headway (Hd)	5.281	4.576	4.736	4.055	5.583	4.39
Convergence, Y/N	Yes	Yes	Yes	Yes	Yes	Yes
Cap	678	781	758	886	643	817
Service Time	3.013	2.308	2.756	2.072	3.308	2.114
HCM Lane V/C Ratio	0.01	0.003	0.128	0.17	0.132	0.136
HCM Control Delay, s/veh	8.1	7.3	8.4	7.9	9.2	7.8
HCM Lane LOS	A	A	A	A	A	A
HCM 95th-tile Q	0	0	0.4	0.6	0.5	0.5

Intersection	
Intersection Delay, s/veh	7.7
Intersection LOS	A

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	10	12	65	4	37	3	94	1	4	0	0	14
Future Vol, veh/h	10	12	65	4	37	3	94	1	4	0	0	14
Peak Hour Factor	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	11	13	73	4	42	3	106	1	4	0	0	16
Number of Lanes	0	1	0	0	1	0	0	1	0	0	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	1	1
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	1	1	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	1	1	1	1
HCM Control Delay, s/veh	7.3	7.6	8.1	6.8
HCM LOS	A	A	A	A

Lane	NBLn1	EBLn1	WBLn1	SBLn1
Vol Left, %	95%	11%	9%	0%
Vol Thru, %	1%	14%	84%	0%
Vol Right, %	4%	75%	7%	100%
Sign Control	Stop	Stop	Stop	Stop
Traffic Vol by Lane	99	87	44	14
LT Vol	94	10	4	0
Through Vol	1	12	37	0
RT Vol	4	65	3	14
Lane Flow Rate	111	98	49	16
Geometry Grp	1	1	1	1
Degree of Util (X)	0.135	0.102	0.058	0.016
Departure Headway (Hd)	4.367	3.767	4.209	3.675
Convergence, Y/N	Yes	Yes	Yes	Yes
Cap	815	935	838	957
Service Time	2.424	1.854	2.298	1.764
HCM Lane V/C Ratio	0.136	0.105	0.058	0.017
HCM Control Delay, s/veh	8.1	7.3	7.6	6.8
HCM Lane LOS	A	A	A	A
HCM 95th-tile Q	0.5	0.3	0.2	0

TRAFFIC VOLUME WORKSHEETS

26-002 Proposed Residential Development at Ernest Barrett Pkwy & Ridenour Road, Kennesaw, Cobb County, GA

Traffic Volumes

A&R Engineering
January 2026

1. Ernest W Barrett@Crater Lake

A.M. Peak Hour

	Ridenour Boulevard Northbound						Crater Lake Drive Southbound						Ermest West Barrett Pakway Eastbound						Ermest West Barrett Pakway Westbound				
Condition	U	L	T	R	Tot		U	L	T	R	Tot		U	L	T	R	Tot		U	L	T	R	Tot
Existing 2026 Traffic Counts:	0	64	51	101	216		0	50	36	83	169		4	200	2492	113	2809		6	53	1126	12	1197
Growth Factor (%):	2	2	2	2			2	2	2	2			2	2	2	2			2	2	2	2	
No-Build 2028 Volumes:	0	67	53	105	225		0	52	37	86	175		4	208	2592	118	2922		6	55	1171	12	1244
Total New Trips:	0	20	3	28	51		0	0	1	0	1		0	0	0	6	6		0	9	0	0	9
Future 2028 Traffic Volumes:	0	87	56	133	276		0	52	38	86	176		4	208	2592	124	2928		6	64	1171	12	1253

P.M. Peak Hour

	Ridenour Boulevard Northbound						Crater Lake Drive Southbound						Ermest West Barrett Pakway Eastbound						Ermest West Barrett Pakway Westbound				
Condition	U	L	T	R	Tot		U	L	T	R	Tot		U	L	T	R	Tot		U	L	T	R	Tot
Existing 2026 Traffic Counts:	0	57	45	68	170		0	62	46	273	381		1	198	1390	74	1663		18	52	1785	20	1875
Growth Factor (%):	2	2	2	2			2	2	2	2			2	2	2	2			2	2	2	2	
No-Build 2028 Volumes:	0	59	47	71	177		0	64	48	284	396		1	206	1446	77	1730		19	54	1856	21	1950
Total New Trips:	0	12	2	17	31		0	0	3	0	3		0	0	0	20	20		0	29	0	0	29
Future 2028 Traffic Volumes:	0	71	49	88	208		0	64	51	284	399		1	206	1446	97	1750		19	83	1856	21	1979

Number of Years = 2 (2026 to 2028)
Growth Factor (%) = 2

26-002 Proposed Residential Development at Ernest Barrett Pkwy & Ridenour Road, Kennesaw, Cobb County, GA

Traffic Volumes

A&R Engineering
January 2026

2.Ernest W Barrett@Old 41 Hwy

A.M. Peak Hour

	Old 41 Highway **Northbound**						Old 41 Highway **Southbound**						Ermest West Barrett Pakway **Eastbound**						Ermest West Barrett Pakway **Westbound**				
Condition	U	L	T	R	Tot		U	L	T	R	Tot		U	L	T	R	Tot		U	L	T	R	Tot
Existing 2026 Traffic Counts:	0	139	86	53	278		0	286	332	347	965		11	321	2341	140	2813		0	33	1325	74	1432
Growth Factor (%):	2	2	2	2			2	2	2	2			2	2	2	2			2	2	2	2	
No-Build 2028 Volumes:	0	145	89	55	289		0	297	345	361	1003		11	334	2435	146	2926		0	34	1378	77	1489
Total New Trips:	0	0	0	1	1		0	2	0	0	2		0	0	3	0	3		0	3	11	6	20
Future 2028 Traffic Volumes:	0	145	89	56	290		0	299	345	361	1005		11	334	2438	146	2929		0	37	1389	83	1509

P.M. Peak Hour

	Old 41 Highway **Northbound**						Old 41 Highway **Southbound**						Ermest West Barrett Pakway **Eastbound**						Ermest West Barrett Pakway **Westbound**				
Condition	U	L	T	R	Tot		U	L	T	R	Tot		U	L	T	R	Tot		U	L	T	R	Tot
Existing 2026 Traffic Counts:	0	518	257	52	827		0	218	201	503	922		25	274	1334	47	1680		0	38	1806	126	1970
Growth Factor (%):	2	2	2	2			2	2	2	2			2	2	2	2			2	2	2	2	
No-Build 2028 Volumes:	0	539	267	54	860		0	227	209	523	959		26	285	1387	49	1747		0	40	1878	131	2049
Total New Trips:	0	0	0	3	3		0	6	0	0	6		0	0	12	0	12		0	2	7	3	12
Future 2028 Traffic Volumes:	0	539	267	57	863		0	233	209	523	965		26	285	1399	49	1759		0	42	1885	134	2061

Number of Years = 2 (2026 to 2028)
Growth Factor (%) = 2

26-002 Proposed Residential Development at Ernest Barrett Pkwy & Ridenour Road, Kennesaw, Cobb County, GA

Traffic Volumes

A&R Engineering
January 2026

3.Ridenour Blvd @ Ridenour Blvd

A.M. Peak Hour

	Ridenour Boulevard **Northbound**						Ridenour Boulevard **Southbound**						Ridenour Boulevard **Eastbound**						Ridenour Boulevard **Westbound**				
Condition	U	L	T	R	Tot		U	L	T	R	Tot		U	L	T	R	Tot		U	L	T	R	Tot
Existing 2026 Traffic Counts:	0	1	1	2	4		0	61	3	29	93		0	49	13	6	68		0	2	6	102	110
Growth Factor (%):	2	2	2	2			2	2	2	2			2	2	2	2			2	2	2	2	
No-Build 2028 Volumes:	0	1	1	2	4		0	63	3	30	96		0	51	14	6	71		0	2	6	106	114
Total New Trips:	0	0	0	0	0		0	0	0	15	15		0	50	6	0	56		0	0	2	0	2
Future 2028 Traffic Volumes:	0	1	1	2	4		0	63	3	45	111		0	101	20	6	127		0	2	8	106	116

P.M. Peak Hour

	Ridenour Boulevard **Northbound**						Ridenour Boulevard **Southbound**						Ridenour Boulevard **Eastbound**						Ridenour Boulevard **Westbound**				
Condition	U	L	T	R	Tot		U	L	T	R	Tot		U	L	T	R	Tot		U	L	T	R	Tot
Existing 2026 Traffic Counts:	0	0	6	2	8		0	70	2	44	116		0	44	3	3	50		0	0	19	103	122
Growth Factor (%):	2	2	2	2			2	2	2	2			2	2	2	2			2	2	2	2	
No-Build 2028 Volumes:	0	0	6	2	8		0	73	2	46	121		0	46	3	3	52		0	0	20	107	127
Total New Trips:	0	0	0	0	0		0	0	0	52	52		0	30	3	0	33		0	0	6	0	6
Future 2028 Traffic Volumes:	0	0	6	2	8		0	73	2	98	173		0	76	6	3	85		0	0	26	107	133

Number of Years = 2 (2026 to 2028)
Growth Factor (%) = 2

26-002 Proposed Residential Development at Ernest Barrett Pkwy & Ridenour Road, Kennesaw, Cobb County, GA

Traffic Volumes

A&R Engineering
January 2026

4. Ridenour Blvd @ Ridenour Rd

A.M. Peak Hour

	Ridenour Road Northbound						Ridenour Road Southbound						Ridenour Boulevard Eastbound						Ridenour Boulevard Westbound				
Condition	U	L	T	R	Tot		U	L	T	R	Tot		U	L	T	R	Tot		U	L	T	R	Tot
Existing 2026 Traffic Counts:	0	67	4	0	71		0	3	2	7	12		0	12	15	42	69		0	0	10	2	12
Growth Factor (%):	2	2	2	2			2	2	2	2			2	2	2	2			2	2	2	2	
No-Build 2028 Volumes:	0	70	4	0	74		0	3	2	7	12		0	12	16	44	72		0	0	10	2	12
Total New Trips:	0	1	0	0	1		0	0	0	0	0		0	0	4	2	6		0	0	1	0	1
Future 2028 Traffic Volumes:	0	71	4	0	75		0	3	2	7	12		0	12	20	46	78		0	0	11	2	13

P.M. Peak Hour

	Ridenour Road Northbound						Ridenour Road Southbound						Ridenour Boulevard Eastbound						Ridenour Boulevard Westbound				
Condition	U	L	T	R	Tot		U	L	T	R	Tot		U	L	T	R	Tot		U	L	T	R	Tot
Existing 2026 Traffic Counts:	0	88	1	4	93		0	0	0	13	13		0	10	10	62	82		0	4	32	3	39
Growth Factor (%):	2	2	2	2			2	2	2	2			2	2	2	2			2	2	2	2	
No-Build 2028 Volumes:	0	92	1	4	97		0	0	0	14	14		0	10	10	64	84		0	4	33	3	40
Total New Trips:	0	2	0	0	2		0	0	0	0	0		0	0	2	1	3		0	0	4	0	4
Future 2028 Traffic Volumes:	0	94	1	4	99		0	0	0	14	14		0	10	12	65	87		0	4	37	3	44

Number of Years = 2 (2026 to 2028)
Growth Factor (%) = 2

Chanelle Campbell

From: Alexis Daniel <alexis.snell@gmail.com>
Sent: Thursday, February 5, 2026 9:34 AM
To: Chanelle Campbell
Cc: Bill Daniel
Subject: Voicing opposition to RZ2026-01

Good morning Chanelle,

My husband and I were at the Planning Commission Meeting last night to speak against the rezoning request for RZ2026-01. We understand the issue has been tabled until the March 4th meeting. We just wanted to confirm we would have an opportunity to address the council and share our concerns and opposition to the rezoning request. Please let us know if there is anything we need to provide in advance.

Thank you for your help!
Alexis Daniel

Item Report

TO: The Planning Commission

FROM: Chanelle Campbell, Planning and Zoning Director

DATE: March 4, 2026

TITLE: **ZV2026-01** - Consideration of a variance application submitted by Walton Communities LLC for the properties located at 1600 Old 41 Hwy and 0 Old 41 Hwy (parcel # 20021200130, 20021201560). Said variance request is to reduce the minimum parking requirement for multi-family dwelling units from 1.75 spaces per dwelling unit to 1.5 spaces per dwelling unit. Property consists of 11.44 +/- acres and and lies in land lot 140, tax parcel 13 & 156.

Summary:

Recommendation:

Fiscal Impact:

Attachments:
1. ZV2026-01 - 1600 Old 41 Hwy - Application Packet
2. RZ2026-01_1600 Old 41 Hwy_Staff Analysis

Date Received 1/30/26

Staff's Initials RG

VARIANCE APPLICATION

Required Fee $375.00

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

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

Date of Consultation 11/05/2025 Staff's Initials _____

PURPOSE OF VARIANCE REQUEST Variance for reduction of parking ratio from 1.75 spaces to 1.5 spaces per unit.

LAND USE PROPERTY ADDRESS Old 41 Highway (unassigned)

Land Lot 212 Tax Parcel 20021200130 20021201560 Lot Size 11.684+/- Current Zoning GC, RM-12

APPLICANT Walton Communities, LLC

APPLICANT EMAIL [redacted]

Applicant address 2281 Akers Mill Road, S.E., Building 4100, Atlanta, GA 30339

(Home#) Not Applicable (Work#) [redacted] (Cell#) [redacted]

Applicant Signature BY: _____
Walton Communities, LLC
Matthew L. Teague, Director of New Development

Signed, sealed and delivered in presence of: Carolyn E. Cook January 29, 2026
Notary Date

CAROLYN E COOK NOTARY PUBLIC COBB COUNTY, GA EXP. JAN. 10, 2027

REPRESENTATIVE Moore Ingram Johnson & Steele, LLP - J. Kevin Moore

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

Representative Signature BY: _____
MOORE INGRAM JOHNSON & STEELE, LLP
J. Kevin Moore; GA Bar No. 519728; Attorneys for Applicant and Titleholder

Signed, sealed and delivered in presence of: Carolyn E. Cook January 29, 2026
Notary Date

CAROLYN E COOK NOTARY PUBLIC COBB COUNTY, GA EXP. JAN. 10, 2027

TITLEHOLDER: Granite Falls Station, LLC **Telephone:** [redacted]
Granite Falls Station, LLC

Signature: BY: _____ Address: 4963 Tyne Ridge Court, Nashville, TN 37220
Thomas J. Brown, Sole Member

Signed, sealed and delivered in presence of: _____ January 26, 2026
Notary Date

L WARD ENTREKIN NOTARY PUBLIC DEKALB COUNTY, GEORGIA MY COMMISSION EXPIRES DECEMBER 17, 2027

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:
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 29th day of January, 2026

Walton Communities, LLC

BY: _____

Applicants Signature

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.

CITY OF KENNESAW

Section 1909, Part 4 Standards for Decisions - Variances

Zoning Variances may be granted in such individual cases of practical difficulty or unnecessary hardships as follows:

(1) There is extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.

The Subject Property is encumbered with floodplain and streams; as well as, challenging topography resulting in extraordinary conditions for any development.

(2) The application of this chapter to this particular piece of Property would create practical difficulty or unnecessary hardship.

Due to the challenges above, satisfying the parking ratio creates practical difficulties for successful development.

(3) Such conditions are peculiar to the particular piece of Property involved.

The conditions are unique to the Subject Property.

(4) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this Chapter.

Applicant has developed both adjacent properties for multi-family uses, and the reduction in the parking ratio will not cause any detriment to the public welfare or the intent of this Chapter.

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:
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:

I certify that the foregoing information is true and correct, this 29th day of January, 2026

MOORE INGRAM JOHNSON & STEELE, LLP

BY: _____

Applicants Signature

J. Kevin Moore; GA Bar No. 519728
Attorneys for Applicant and Titleholder

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

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

CERTIFICATION AUTHORIZATION

I hereby attest to the fact that a certified mailing to property owners within 200 feet was sent out on February 12, 2026 in accordance with the application requirements.

MOORE INGRAM JOHNSON & STEELE, LLP

February 25, 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 25th day of February 2026

Carolyn E. Cook

Notary Public

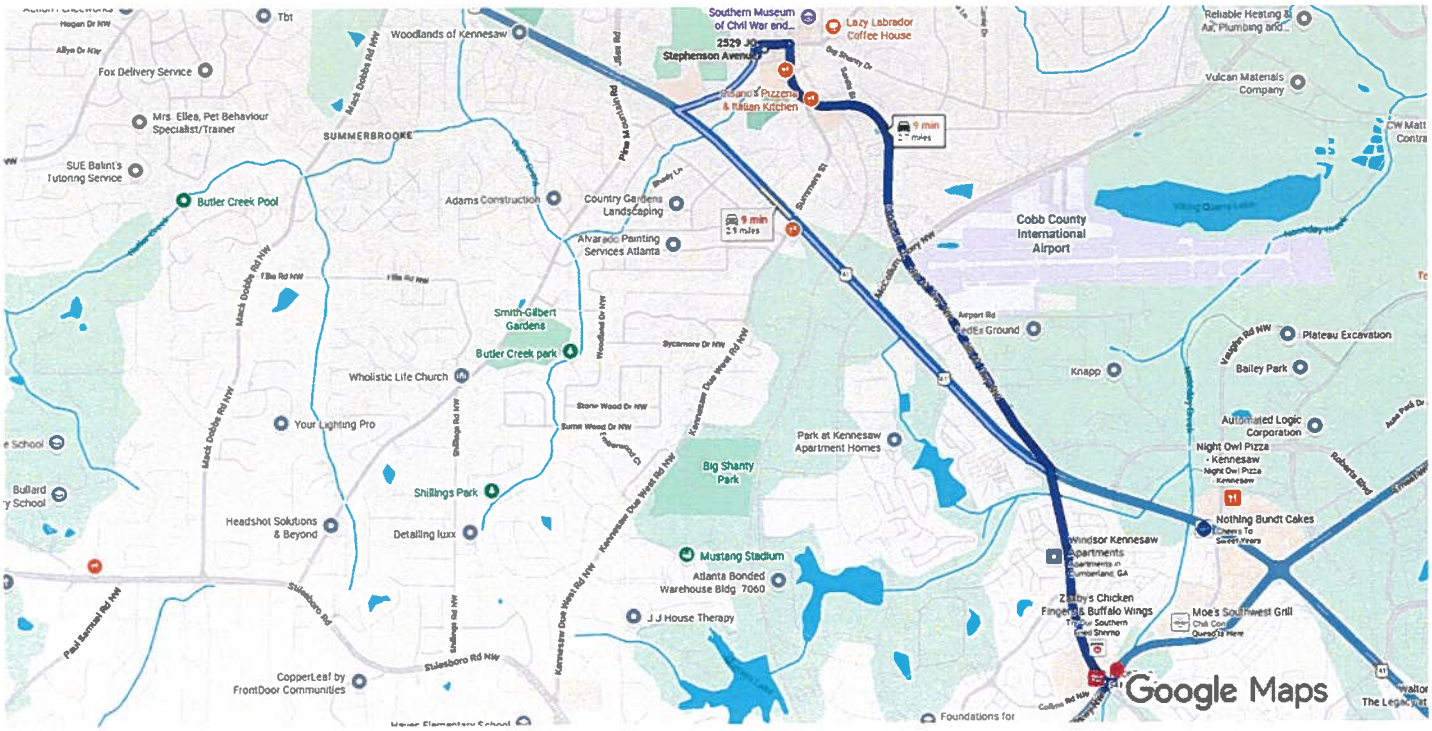
My Commission Expires January 10, 2027

CAROLYN E COOK NOTARY PUBLIC EXP. JAN. 10, 2027 COBB COUNTY, GA

Google Maps

2529 J.O. Stephenson Ave, Kennesaw, GA 30144 to 1630 Old 41 Hwy NW, Kennesaw, GA 30152

Drive 2.7 miles, 9 min



Imagery ©2026 , Map data ©2026 Google 1000 ft

2529 J.O. Stephenson Ave
Kennesaw, GA 30144

1. Head toward J.O. Stephenson Ave
   177 ft
2. Turn right onto J.O. Stephenson Ave
   0.1 mi
3. Turn right onto S Main St
   0.9 mi
4. Continue onto Old 41 Hwy NW
   1.6 mi
5. Use the middle lane to turn left onto Ernest W Barrett Pkwy NW
   Destination will be on the right
   236 ft

1630 Old 41 Hwy NW
Kennesaw, GA 30152

20 & 2nd

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 Skinner
Notary Public, Cobb County, GA
My Commission Expires July 3, 2015

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.

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: 12/3/2025

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 bill!!

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

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 bill!

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).

RESOLUTION OF GRANITE FALLS STATION, LLC

THE UNDERSIGNED, being the Sole Member of **GRANITE FALLS STATION, LLC**, a limited liability company organized and existing under the laws of the State of Georgia (hereinafter referred to as "Granite Falls Station"), does state as follows:

WHEREAS, Granite Falls Station is the owner of certain real property 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 (hereinafter collectively the "Property" or the "Subject Property"); and

WHEREAS, Granite Falls Station consents to the filing of a Variance Application for the Property in the City of Kennesaw, Cobb County, Georgia, by Walton Communities, LLC, as Applicant, and, in connection therewith, Granite Falls Station, as owner, must execute a portion of the Variance Application and any other ancillary documentation (hereinafter collectively referred to as "Application") to consummate the contemplated filing of the Application, and written documentation is required to authorize the Application and to specifically authorize the execution on behalf of Granite Falls Station of all documents necessary to consummate the filing of the Application; and

WHEREAS, the undersigned has reviewed and approved the form of the Application and related documents; and

WHEREAS, the undersigned is the Sole Member of Granite Falls Station.

NOW, THEREFORE, BE IT RESOLVED that Thomaas J. Brown, as the Sole Member, is authorized to execute the aforesaid Variance Application and any and all other documents necessary or appropriate to file and complete the variance process for the Subject Property with the City of Kennesaw, Cobb County, Georgia, on such terms, conditions, and provisions as is deemed necessary and appropriate; such execution of any documents being conclusive evidence that the undersigned deems the terms, conditions, and provisions thereof to be proper and in the best interest of Granite Falls Station.

RESOLVED, FURTHER, that any and all acts of Thomas J. Brown are pursuant to the authority granted by Granite Falls Station and are accepted as actions of Granite Falls Station.

IN WITNESS WHEREOF, the undersigned Sole Member of GRANITE FALLS STATION, LLC has hereunto set his hand and seal as of the day and year written below.

GRANITE FALLS STATION, LLC

BY: _____
Thomas J. Brown
Sole Member

Date Executed: January 26th, 2026

ATTACHMENT TO VARIANCE APPLICATION

Application No.: _____
Hearing Dates: **March 4, 2026**
March 16, 2026

BEFORE THE PLANNING COMMISSION AND THE MAYOR AND CITY COUNCIL FOR THE CITY OF KENNESAW, GEORGIA

CONSTITUTIONAL CHALLENGE
ATTACHMENT TO VARIANCE APPLICATION

COME NOW, Applicant, WALTON COMMUNITIES, LLC (hereinafter referred to as "Applicant"), and Titleholder, GRANITE FALLS STATION, LLC (hereinafter referred to as "Owner" or "Titleholder"), and assert the following:

1.

By Application for Variance, Applicant and Titleholder applied for a variance as to the requirements of the Unified Development Code for the City of Kennesaw, and seek a variance for reduction of parking ratio from 1.75 spaces to 1.5 spaces per unit; all as more fully set forth in the subject Variance Application (hereinafter referred to as the "Parking Requirement").

2.

The Unified Development Code for the City of Kennesaw was established by the governing authority of the City of Kennesaw, Georgia, being hereinafter referred to as the "Unified Development Code of the City of Kennesaw" or in the alternative the "Ordinance."

3.

By Variance Application, Applicant and Titleholder applied for a variance specifically as to certain real property lying and being in the City of Kennesaw, Cobb County, Georgia, a

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

more particular description and delineation of the subject property being set forth in said Application (hereinafter referred to as the "Subject Property" or "Property").

4.

The Variance Application seeks a waiver of the zoning requirements of the Parking Requirement, as applied to the Subject Property.

5.

There is no question but that enforcement of the Parking Requirement would create an unnecessary hardship in that same would deny reasonable use of the Property while causing no substantial detriment to the public good. The Variance Application does not seek a use of the Property which is prohibited by any ordinance or resolution.

6.

The Unified Development Code of the City of Kennesaw and the Code of the City of Kennesaw are unconstitutional as applied to the Property in that said Ordinances deprive 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. Said Ordinances, as they presently exist, violate the Applicant's and Titleholder's right to unfettered use of their Property in that a refusal to grant the requested variance from said Ordinances would result in unwarranted loss of existing and proposed reasonable residential use. Further, said Ordinances do not bear a substantial relation to the public health, safety, morality, or general welfare and are therefore confiscatory and void as applied to the Property. Further, said Ordinances are

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unconstitutional in that same are arbitrary and unreasonable resulting in relatively little gain or benefit to the public, while inflicting serious injury and loss upon the Applicant and Titleholder.

7.

The Unified Development Code of the City of Kennesaw and the Code of the City of Kennesaw are further unconstitutional in that the procedures contained therein pertaining to the public hearing held in connection with the Variance 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 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 29th day of January, 2026.

MOORE INGRAM JOHNSON & STEELE, LLP

BY: _____

J. KEVIN MOORE
Georgia Bar No. 519728

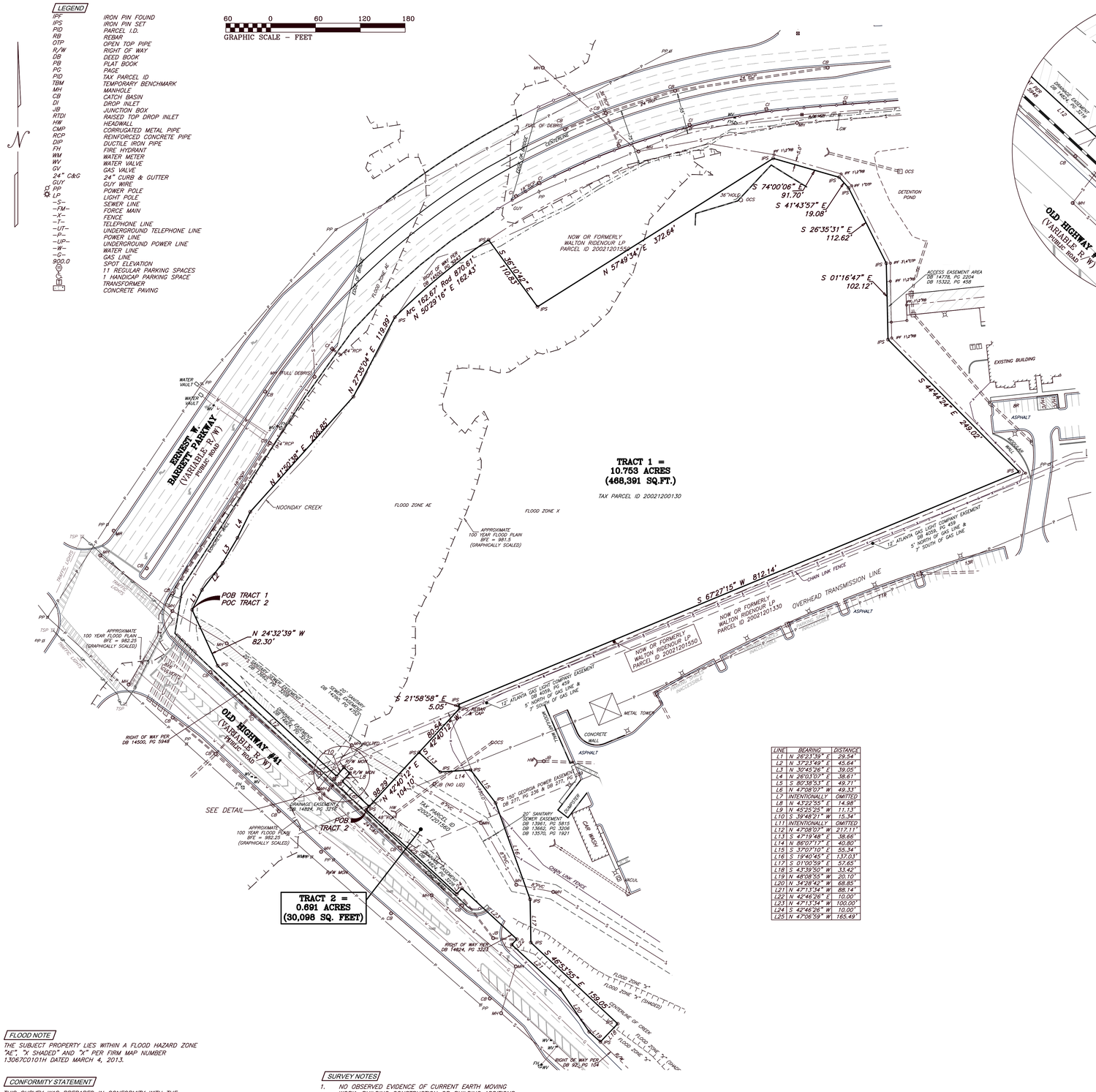
Attorneys for Applicant and Titleholder

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

LEGEND

IPF	IRON PIN FOUND
IPC	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 REGULAR PARKING SPACES
	1 HANDICAP PARKING SPACE
	TRANSFORMER
	CONCRETE PAVING

GRAPHIC SCALE – FEET
60 0 60 120 180


TRACT 1 = 10.753 ACRES (468,391 SQ.FT.)
TAX PARCEL ID 20021200130
TRACT 2 = 0.691 ACRES (30,098 SQ. FEET)
POB TRACT 1
POC TRACT 2
POB TRACT 2
BERNEST W. BARRETT PARKWAY (VARIABLE R/W) PUBLIC ROAD
OLD HIGHWAY #41 (VARIABLE R/W) PUBLIC ROAD
NOONDAY CREEK
FLOOD ZONE AE
FLOOD ZONE X
APPROXIMATE 100 YEAR FLOOD PLAIN BFE = 982.25 (GRAPHICALLY SCALED)
NOW OR FORMERLY WALTON RIDENOUR LP PARCEL ID 20021201550
NOW OR FORMERLY WALTON RIDENOUR LP PARCEL ID 20021201330
TAX PARCEL ID 20021201560
EXISTING BUILDING
DETENTION POND
ACCESS EASEMENT AREA DB 14778, PG 2304 DB 15322, PG 458
OVERHEAD TRANSMISSION LINE
CHAIN LINK FENCE
ASPHALT
CONCRETE WALL
METAL TOWER
CAR WASH
CANOPY
DRIVE-THRU
DUMPSTER
SEE DETAIL
S 67°27'15" W 812.14'
S 21°58'58" E 5.05'
S 42°40'12" E 80.54'
N 24°32'39" W 82.30'
N 42°40'12" E 104.10'
S 47°19'48" E 98.29'
S 74°00'06" E 91.70'
S 41°43'57" E 19.08'
S 26°35'31" E 112.62'
S 01°16'47" E 102.12'
S 44°44'24" E 249.02'
N 57°49'34" E 372.64'
S 36°10'42" E 110.53'
N 27°36'04" E 119.99'
N 41°50'38" E 206.85'
S 40°33'55" E 159.05'
N 42°40'12" E 104.10'
S 47°19'48" E 98.29'
ARC 152.67' Rad 870.61' N 50°29'16" E 152.43'
FLOOD ZONE "X" (SHADED)
CENTERLINE OF CREEK
FLOOD TYPE "A" (UNOFF. FLOOD ZONE "X")
R/W MON
RIGHT OF WAY PER DB 14824, PG 3221
RIGHT OF WAY PER DB 14824, PG 3201
RIGHT OF WAY PER DB 14500, PG 5948
DRAINAGE EASEMENT DB 14824, PG 3216
DRAINAGE EASEMENT DB 14824, PG 3207
12' ATLANTA GAS LIGHT COMPANY EASEMENT DB 4609, PG 459 & DB 4609, PG 458
5' NORTH OF GAS LINE & 5' SOUTH OF GAS LINE
20' SANITARY SEWER EASEMENT DB 13661, PG 3206 DB 13570, PG 1921
150' GEORGIA POWER EASEMENT DB 277, PG 236 & DB 277, PG 238
8" DIP (NO I.D.)
36" HOLE
MH BOLTED
MH (WALL DEBRIS)
WATER VAULT
TSP
GAS VALVE
GAS METER
GAS LINE
WATER LINE
OHP
OCS
UGP
UGT
FENCE
GUY
CONCRETE
ASPHALT
BR
SIDEWALK
CONCRETE
CURB & GUTTER
CONCRETE PAVING
DRIVE-THRU
CANOPY
CAR WASH
DUMPSTER
CONCRETE WALL
METAL TOWER
OVERHEAD TRANSMISSION LINE
CHAIN LINK FENCE
EXISTING BUILDING
DETENTION POND
ACCESS EASEMENT AREA
NOW OR FORMERLY WALTON RIDENOUR LP PARCEL ID 20021201550
NOW OR FORMERLY WALTON RIDENOUR LP PARCEL ID 20021201330
TAX PARCEL ID 20021201560
SEE DETAIL
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POB TRACT 1
POC TRACT 2
TRACT 1 = 10.753 ACRES (468,391 SQ.FT.)
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NOONDAY CREEK
FLOOD ZONE AE
FLOOD ZONE X
APPROXIMATE 100 YEAR FLOOD PLAIN BFE = 982.25 (GRAPHICALLY SCALED)
APPROXIMATE 100 YEAR FLOOD PLAIN BFE = 981.5 (GRAPHICALLY SCALED)
RIGHT OF WAY PER DB 14500, PG 5948
RIGHT OF WAY PER DB 14824, PG 3221
RIGHT OF WAY PER DB 97, PG 104

SITE PLAN #2

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

ERNEST W. BARRETT PARKWAY
(VARIABLE R/W)
PUBLIC ROAD

OLD HIGHWAY #41
(VARIABLE R/W)
PUBLIC ROAD

NOONDAY CREEK

50' FRONT YARD SETBACK

25' BUFFER ZONE

35' MAJOR SIDE YARD SETBACK

35' SIDE YARD SETBACK

40' REAR YARD SETBACK

MAIN STREET

OUTDOOR AMENITY SPACE

FOCAL POINT TOWER

GAZEBO

TUCK-UNDER CLUBHOUSE

TRASH COMPACTOR

RECREATION AREA

BUILDING 6
3 STORY HEIGHT 42.3'
18,350 SQFT

BUILDING 7
2/3 SPLIT
3/4 SPLIT
HEIGHT 42.6'
12,732 SQFT

BUILDING 8
3/4 SPLIT HEIGHT 42.
18,404 SQFT

BUILDING 9
HEIGHT 41.3'
2/3 SPLIT

EXISTING BUILDING

TBM: TOP OF MANHOLE ELEVATION 983.34

TAX PARCEL ID
20021201560

NOW OR FORMERLY
WALTON RIDENOUR LP
PARCEL ID 20021201550

PART OF APARTMENT TRACT

20' SANITARY SEWER EASEMENT
DB 13961, PG 3818
DB 13662, PG 3306
DB 13570, PG 1921

150' GEORGIA POWER EASEMENT
DB 277, PG 236 & DB 277, PG 519

OVERHEAD TRANSMISSION LINE

CHAIN LINK FENCE

CONCRETE WALL

MODULAR WALL

METAL TOWER

CAR WASH

DUMPSTER

VACUUM

TRAFFIC LIGHTS

CENTERLINE

ROCK WALL

SITE PLAN DIM. CTL.

SCALE:	AS NOTED
ISSUED FOR:	CONCEPT
SUBMITTAL DATE:	2025
PLOT DATE:	12/15/2025
REV. DATE:	
PROJECT NUMBER	
SHEET NO.	
DRAWN BY:	AAG
CHECKED BY:	JMT
REVISION	

SEAL

ARRIVE ARCHITECTURE GROUP
Architecture
Planning
Project Management
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Ph 817.514.0584 · Fx 817.514.0694

WALTON RIDENOUR PHASE 2

Kennesaw, Georgia

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MOORE INGRAM JOHNSON & STEELE, LLP

Attorneys at Law
326 Roswell Street, Suite 100
Marietta, Georgia 30060
[redacted]

February 12, 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 Variance 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 [redacted]
Property:	1600 Old 41 Highway, Kennesaw, Georgia 30144
Parcel Identification Numbers:	20021200130; 20021201560
Description of Proposal:	Variance request to reduce the minimum parking requirement for multi-family dwelling units from 1.75 spaces per dwelling unit to 1.5 spaces per dwelling unit.

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: March 4, 2026
Time: 6:30 p.m.

Mayor and City Council Hearing
Date: March 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			
ZV2026-001			

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 Sherry CITY CLERK

Scale: 1" = 246'
Print Date: 2/2/2026
ZV2026_001

Date Received 1/30/26

Staff's Initials RG

VARIANCE APPLICATION

Required Fee $375.00

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

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

Date of Consultation 11/05/2025 Staff's Initials _____

PURPOSE OF VARIANCE REQUEST Variance for reduction of parking ratio from 1.75 spaces to 1.5 spaces per unit.

LAND USE PROPERTY ADDRESS Old 41 Highway (unassigned)

Land Lot 212 Tax Parcel 20021200130 20021201560 Lot Size 11.684+/- Current Zoning GC, RM-12

APPLICANT Walton Communities, LLC

APPLICANT EMAIL [redacted]

Applicant address 2281 Akers Mill Road, S.E., Building 4100, Atlanta, GA 30339

(Home#) Not Applicable (Work#) [redacted] (Cell#) [redacted]

Applicant Signature BY: Walton Communities, LLC
Matthew L. Teague, Director of New Development

Signed, sealed and delivered in presence of: Carolyn E. Cook January 29, 2026
Notary Date

CAROLYN E COOK NOTARY PUBLIC EXP JAN 10, 2027 COBB COUNTY, GA

REPRESENTATIVE Moore Ingram Johnson & Steele, LLP - J. Kevin Moore

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

Representative Signature BY: MOORE INGRAM JOHNSON & STEELE, LLP
J. Kevin Moore; GA Bar No. 519728; Attorneys for Applicant and Titleholder

Signed, sealed and delivered in presence of: Carolyn E. Cook January 29, 2026
Notary Date

CAROLYN E COOK NOTARY PUBLIC EXP JAN 10, 2027 COBB COUNTY, GA

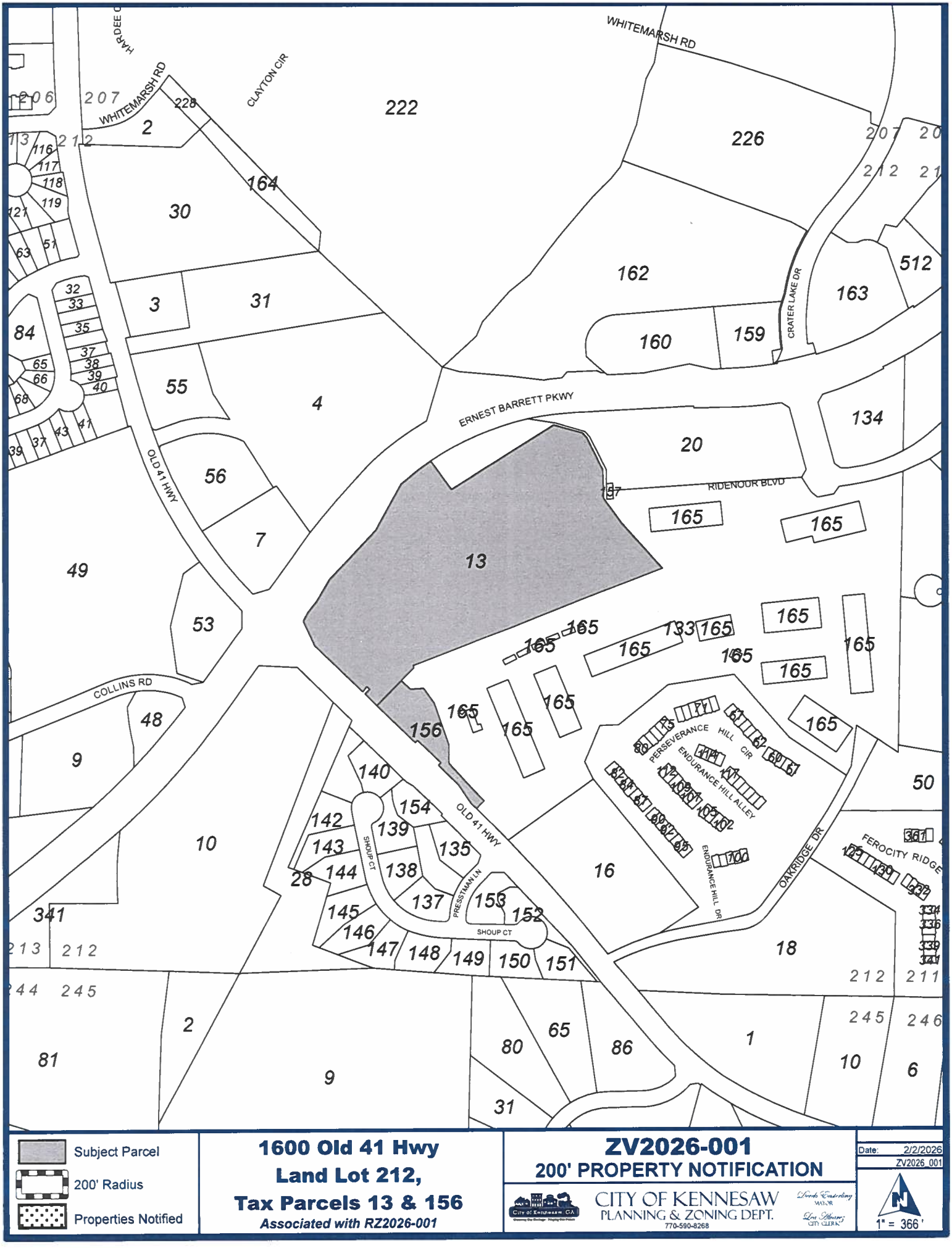
TITLEHOLDER: Granite Falls Station, LLC **Telephone:** [redacted]

Signature: BY: Granite Falls Station, LLC
Thomas J. Brown, Sole Member

Address: 4963 Tyne Ridge Court, Nashville, TN 37220

Signed, sealed and delivered in presence of: _____ January 26, 2026
Notary Date

L WARD ENTREKIN NOTARY PUBLIC DEKALB COUNTY, GEORGIA MY COMMISSION EXPIRES DECEMBER 17, 2027



Subject Parcel

200' Radius

Properties Notified

1600 Old 41 Hwy
Land Lot 212,
Tax Parcels 13 & 156
Associated with RZ2026-001

ZV2026-001
200' PROPERTY NOTIFICATION

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

Date: 2/2/2026
ZV2026_001

1" = 366'

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P.O. BOX 1633
ROME GA 30162-1633
(770)795-3050

ORDER CONFIRMATION

Salesperson: KELLY HICKS — Printed at 02/11/26 11:38 by khick-tj

Acct #: 110016 — Ad #: 536481 — Status: New WHOLD

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

Start: 02/13/2026 — Stop: 02/13/2026
Times Ord: 1 — Times Run: ***
LEG 1.00 X 3.03 Words: 200
Total LEG 3.03
Class: 8003 PUBLIC HEARING
Rate: LEGL — Cost: 30.00
Ad Descrpt: PH-9841 1600 OLD 41 HWY
Descr Cont: MDJ-9841 GPN-16 CITY OF K
Given by: REBECCA GOLDSTEIN
P.O. #: 1600 OLD 41 HWY
Created: khick 02/11/26 11:34
Last Changed: khick 02/11/26 11:38

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

PUB	ZONE	EDT	TP	RUN DATES
MDJ	A	95	S	02/13

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-9841
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 variance request submitted by Walton Communities, LLC. Said request is to vary from the minimum parking spaces per dwelling unit required for multi-family dwelling units, as outlined in the Unified Development Code under Appendix A, Section 6.06.05, from 1.75 spaces per dwelling unit to 1.5 spaces per dwelling unit. The property is located at 1600 Old 41 Hwy (20021200130 & 20021201560) and lies in Land Lot 212, Tax Parcels 13 and 156, 20 th District, 2nd Section, Cobb County, Georgia.

Said meetings shall be held before the Planning Commission on March 4, 2026, at 6:30 p.m. with a final scheduled hearing and adoption by the Mayor and Council to be considered on March 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/

2:13-2026

CITY OF KENNESAW
LAND USE NOTICE

APPLICATION # ZV2026-01

PURPOSE Variance to reduce the parking requirement for multi-family residential dwelling units.

DATE OF PUBLIC MEETING: 3/4/2026 TIME: 6:30PM

DATE OF PUBLIC MEETING: 3/16/2026 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

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

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

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

02.13.2026 10:11

CITY OF KENNESAW
LAND USE NOTICE

APPLICATION # ZV2026-01

PURPOSE Variance to reduce the parking requirement for multi-family residential dwelling units.

DATE OF PUBLIC MEETING: 3/4/2026 **TIME:** 6:30PM

DATE OF PUBLIC MEETING: 3/16/2026 **TIME:** 6:30PM

PLACE: CITY HALL KENNESAW, GA

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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

CITY OF KENNESA
LAND USE NOTIC

APPLICATION # RZ2026-01

PURPOSE Rezone from General Commercial (GC) and RM
Multiple Family District to RM-16, Multiple Fam
District to develop a multi-family residential co

DATE OF PUBLIC MEETING: 2/4/2026 **TIME:** 6:30PM

DATE OF PUBLIC MEETING: 2/16/2026 **TIME:** 6:30PM

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FOR FURTHER INFORMATION PLEASE CALL :

PLANNING AND ZONING DEPARTMENT 770-590-8268

02.13.2026 10:07

7022 0410 0001 4901 0070

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- Adult Signature Required $
- Adult Signature Restricted Delivery $

Postage
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Total Po
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Street ar
City, Sta

Tax Parcel - 20021201330
HOUSING AUTHORITY OF COBB COUNTY
2950 ATLANTA ROAD
SMYRNA, GA 30080

MARIETTA MAIN POST OFFICE
FEB 12 2026
MARIETTA 30060
Postmark Here

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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- Return Receipt (electronic) $
- Certified Mail Restricted Delivery $
- Adult Signature Required $
- Adult Signature Restricted Delivery $

Postage
$

Total Posta
$

Sent To
Street and A
City, State,

Tax Parcel - 20021201650
WALTON RIDENOUR 2, LP
2281 AKERS MILL ROAD
ATLANTA, GA 30339

MARIETTA MAIN POST OFFICE
FEB 12 2026
MARIETTA 30060
Postmark Here

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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- Return Receipt (electronic) $
- Certified Mail Restricted Delivery $
- Adult Signature Required $
- Adult Signature Restricted Delivery $

Postage
$

Total
$

Sent
Stree
City,

Tax Parcel – 20021200130
GRANITE FALLS STATION, LLC
4963 TYNE RIDGE COURT
NASHVILLE, TN 37220

FEB 12 2026
MARIETTA 30060
Postmark Here

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7022 0410 0001 4901 0100

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- Return Receipt (electronic) $
- Certified Mail Restricted Delivery $
- Adult Signature Required $
- Adult Signature Restricted Delivery $

Postage
$

Total
$

Sent
Stree
City,

Tax Parcel – 20021200070
DESHI, LLC
124 BARKLEY LANE
ATLANTA, GA 30328

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MARIETTA 30060
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PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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- Return Receipt (electronic) $
- Certified Mail Restricted Delivery $
- Adult Signature Required $
- Adult Signature Restricted Delivery $

Postage
$

Total
$

Sent
Stree
City,

Tax Parcel – 20021200200
FAIRWAY RIDENOUR, LLC
SUITE 210
728 SHADES CREEK PARKWAY
BIRMINGHAM, AL 35223

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

Postage
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Tota
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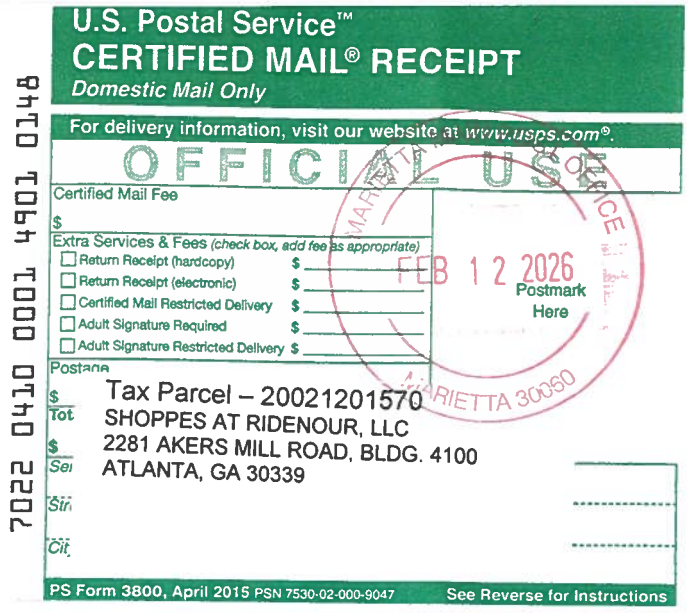
Sen
Stre
City,

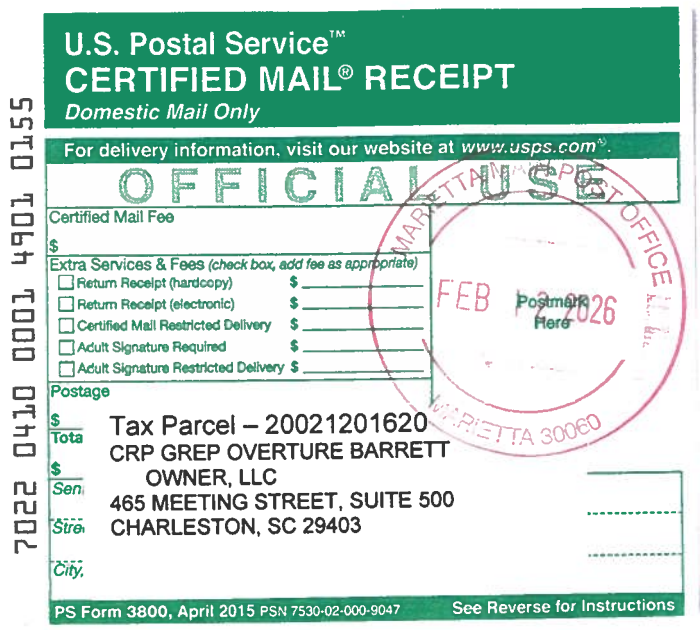
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SENAD & VERINA CAJIC
1446 PRESSTMAN LANE
KENNESAW, GA 30152

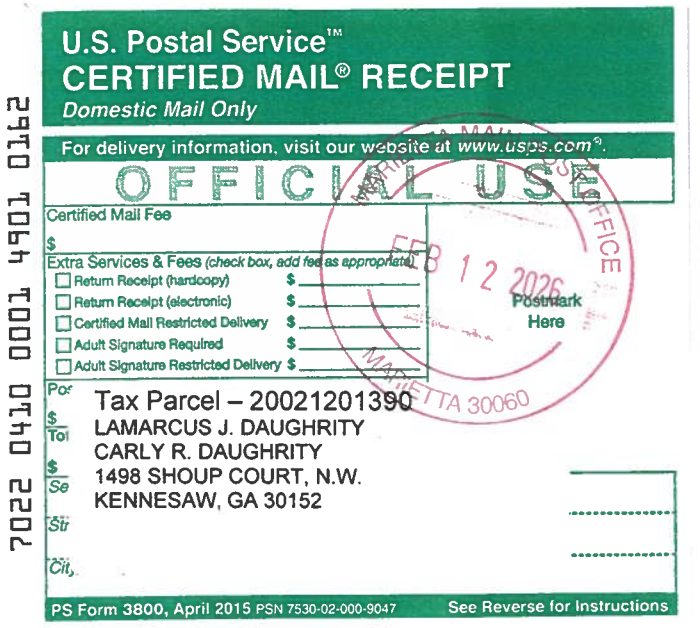
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MARIETTA 30060
Postmark Here

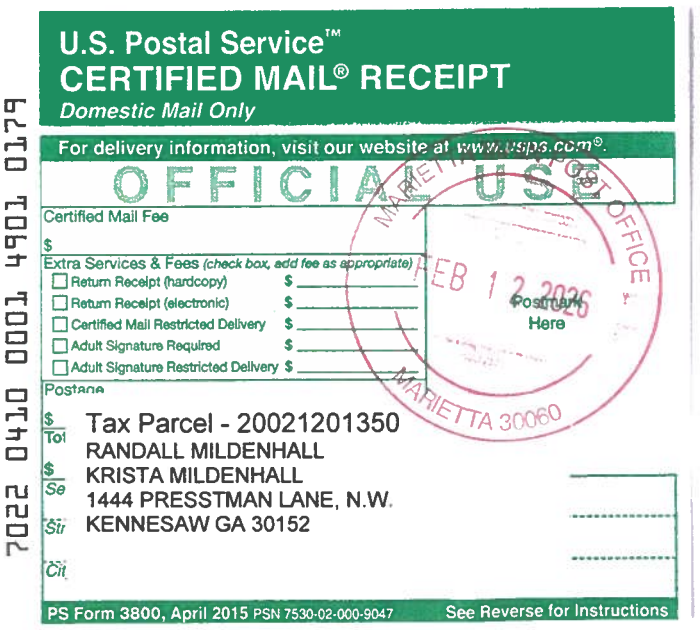
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Return Receipt (electronic)
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Adult Signature Required
Adult Signature Restricted Delivery
Postage
FEB 12 2026
Postmark Here
MARIETTA 30060
Tax Parcel – 20021201400
GLORIA A. DOWNEY
1500 SHOUP COURT
KENNESAW, GA 30152
PS Form 3800, April 2015 PSN 7530-02-000-9047
See Reverse for Instructions

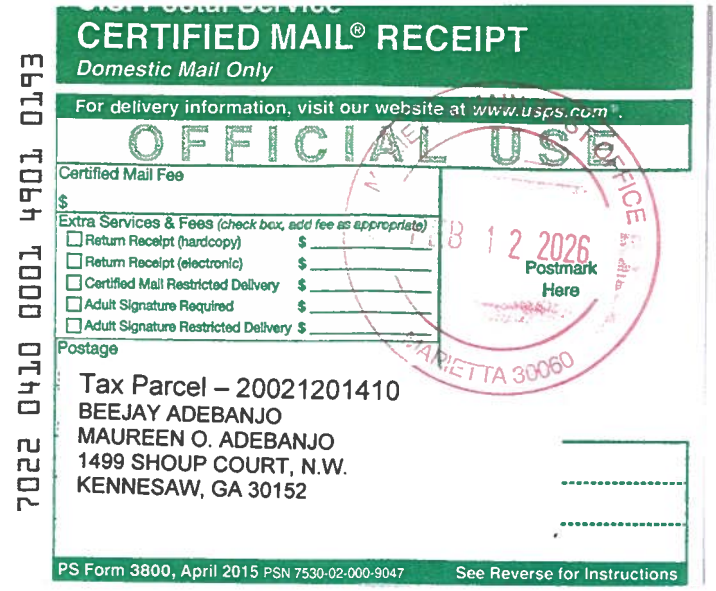

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Return Receipt (electronic)
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Adult Signature Required
Adult Signature Restricted Delivery
Postage
FEB 12 2026
Postmark Here
MARIETTA 30060
Tax Parcel – 20021201570
SHOPPES AT RIDENOUR, LLC
2281 AKERS MILL ROAD, BLDG. 4100
ATLANTA, GA 30339
PS Form 3800, April 2015 PSN 7530-02-000-9047
See Reverse for Instructions

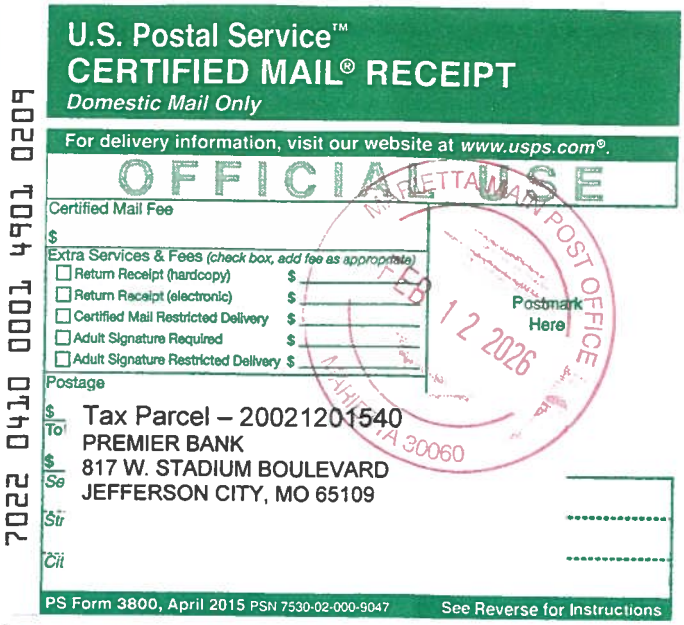

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Return Receipt (electronic)
Certified Mail Restricted Delivery
Adult Signature Required
Adult Signature Restricted Delivery
Postage
FEB 12 2026
Postmark Here
MARIETTA 30060
Tax Parcel – 20021201620
CRP GREP OVERTURE BARRETT OWNER, LLC
465 MEETING STREET, SUITE 500
CHARLESTON, SC 29403
PS Form 3800, April 2015 PSN 7530-02-000-9047
See Reverse for Instructions

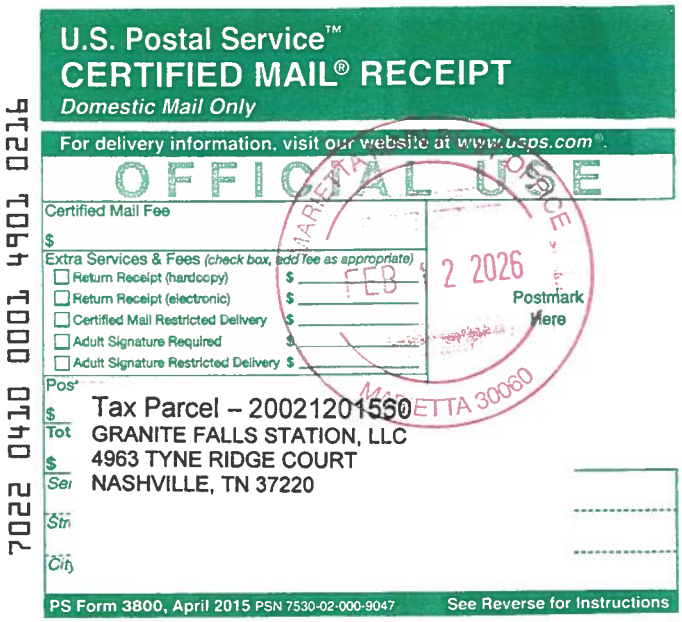

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Return Receipt (hardcopy)
Return Receipt (electronic)
Certified Mail Restricted Delivery
Adult Signature Required
Adult Signature Restricted Delivery
Postage
FEB 12 2026
Postmark Here
MARIETTA 30060
Tax Parcel – 20021201390
LAMARCUS J. DAUGHRITY
CARLY R. DAUGHRITY
1498 SHOUP COURT, N.W.
KENNESAW, GA 30152
PS Form 3800, April 2015 PSN 7530-02-000-9047
See Reverse for Instructions

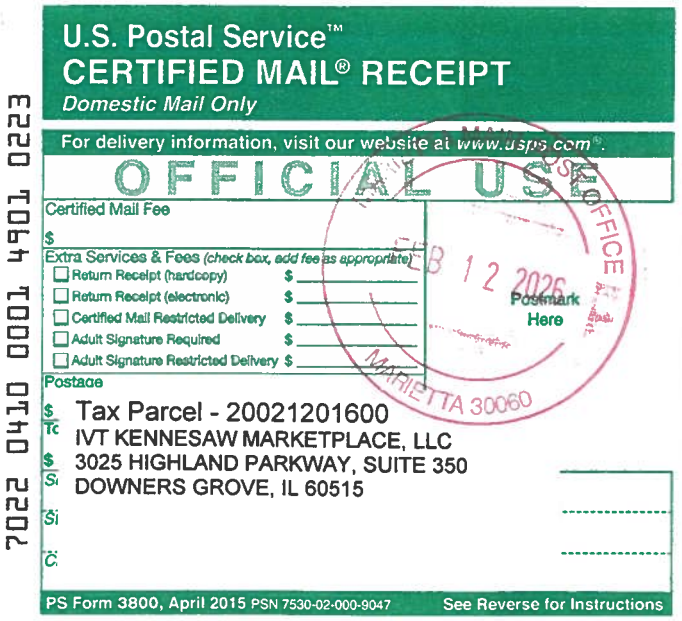

7022 0410 0001 4901 0179
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Return Receipt (electronic)
Certified Mail Restricted Delivery
Adult Signature Required
Adult Signature Restricted Delivery
Postage
FEB 12 2026
Postmark Here
MARIETTA 30060
Tax Parcel - 20021201350
RANDALL MILDENHALL
KRISTA MILDENHALL
1444 PRESSTMAN LANE, N.W.
KENNESAW GA 30152
PS Form 3800, April 2015 PSN 7530-02-000-9047
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Adult Signature Restricted Delivery
Postage
FEB 12 2026
Postmark Here
MARIETTA 30060
Tax Parcel – 20021200040
1680 OLD 41 HIGHWAY, LLC
POST OFFICE Box 724506
ATLANTA, GA 31139
PS Form 3800, April 2015 PSN 7530-02-000-9047
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Return Receipt (electronic)
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Adult Signature Required
Adult Signature Restricted Delivery
Postage
FEB 12 2026
Postmark Here
MARIETTA 30060
Tax Parcel – 20021201410
BEEJAY ADEBANJO
MAUREEN O. ADEBANJO
1499 SHOUP COURT, N.W.
KENNESAW, GA 30152
PS Form 3800, April 2015 PSN 7530-02-000-9047
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Return Receipt (electronic)
Certified Mail Restricted Delivery
Adult Signature Required
Adult Signature Restricted Delivery
Postage
FEB 12 2026
Postmark Here
MARIETTA 30060
Tax Parcel – 20021201540
PREMIER BANK
817 W. STADIUM BOULEVARD
JEFFERSON CITY, MO 65109
PS Form 3800, April 2015 PSN 7530-02-000-9047
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Adult Signature Required
Adult Signature Restricted Delivery
FEB 2 2026
Postmark Here
MARIETTA 30060
Tax Parcel – 20021201550
GRANITE FALLS STATION, LLC
4963 TYNE RIDGE COURT
NASHVILLE, TN 37220
PS Form 3800, April 2015 PSN 7530-02-000-9047
See Reverse for Instructions
7022 0410 0001 4901 0216


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Return Receipt (hardcopy)
Return Receipt (electronic)
Certified Mail Restricted Delivery
Adult Signature Required
Adult Signature Restricted Delivery
Postage
FEB 12 2026
Postmark Here
MARIETTA 30060
Tax Parcel - 20021201600
IVT KENNESAW MARKETPLACE, LLC
3025 HIGHLAND PARKWAY, SUITE 350
DOWNERS GROVE, IL 60515
PS Form 3800, April 2015 PSN 7530-02-000-9047
See Reverse for Instructions
7022 0410 0001 4901 0223


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Return Receipt (hardcopy)
Return Receipt (electronic)
Certified Mail Restricted Delivery
Adult Signature Required
Adult Signature Restricted Delivery
FEB 12 2026
Postmark Here
MARIETTA 30060
Tax Parcel – 20021200160
WALTON AT KENNESAW MOUNTAIN, LLC
2281 AKERS MILL ROAD, BLDG 4100
ATLANTA,GA 30339
PS Form 3800, April 2015 PSN 7530-02-000-9047
See Reverse for Instructions
7022 0410 0001 4901 0230


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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
FEB 12 2026
Postmark Here
MARIETTA 30060
Tax Parcel – 20021200530
MESQUITE CREEK DEVELOPMENT, INC.
C/O CUSHMAN & WAKEFIELD
POST OFFICE BOX 2437
SMYRNA, GA 300081-2437
PS Form 3800, April 2015 PSN 7530-02-000-9047
See Reverse for Instructions
7022 0410 0001 4901 0247

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:

Tax Parcel – 20021201360
SENAD & VERINA CAJIC
1446 PRESSTMAN LANE
KENNESAW, GA 30152

9590 9402 8958 4064 4652 34

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

7022 0410 0001 4901 0124

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
- ☐ Insured 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:

Tax Parcel - 20021201330
HOUSING AUTHORITY OF COBB COUNTY
2950 ATLANTA ROAD
SMYRNA, GA 30080

9590 9402 8958 4064 4652 89

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

7022 0410 0001 4901 0070

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X ☐ Agent ☑ Addressee

B. Received by *(Printed Name)* | C. Date of Delivery 2/18/26

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
- ☐ 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:

Tax Parcel – 20021200070
DESHI, LLC
124 BARKLEY LANE
ATLANTA, GA 30328

9590 9402 8958 4064 4652 58

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

7022 0410 0001 4901 0100

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* | C. Date of Delivery 2/14

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
- ☐ Insured 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:

Tax Parcel – 20021201560
GRANITE FALLS STATION, LLC
4963 TYNE RIDGE COURT
NASHVILLE, TN 37220

9590 9402 8958 4064 4651 42

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

7022 0410 0001 4901 0216

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
- ☐ Insured Mail Restricted Delivery (over $500)
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

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United States Postal Service

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City of Kennesaw
2529 J.O. Stephenson Avenue
Kennesaw, GA 30144

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CITY OF KENNESAW

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Kennesaw, GA 30144

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Attention: Planning & Zoning
City of Kennesaw
2529 J.O. Stephenson Avenue
Kennesaw, GA 30144

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FEB 17 2026
CITY OF KENNESAW

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9590 9402 8958 4064 4651 42

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City of Kennesaw
2529 J.O. Stephenson Avenue
Kennesaw, GA 30144

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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:

Tax Parcel – 20021200130
GRANITE FALLS STATION, LLC
4963 TYNE RIDGE COURT
NASHVILLE, TN 37220

9590 9402 8958 4064 4652 65

2. Article Number *(Transfer from service label)*
7022 0410 0001 4901 0094

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
- ☐ Insured 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

Page 245 of 432

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:

Tax Parcel – 20021201410
BEEJAY ADEBANJO
MAUREEN O. ADEBANJO
1499 SHOUP COURT, N.W.
KENNESAW, GA 30152

9590 9402 8958 4064 4651 66

2. Article Number *(Transfer from service label)*
7022 0410 0001 4901 0193

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
- ☐ Insured Mail Restricted Delivery (over $500)
- ☐ Priority Mail Express®
- ☐ Registered Mail™
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Kennesaw, GA 30144

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CITY OF KENNESAW

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United States
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FEB 23 2026
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2529 J.O. Stephenson Avenue
Kennesaw, GA 30144

USPS TRACKING #

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USPS
Permit No. G-10

United States
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CITY OF KENNESAW

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City of Kennesaw
2529 J.O. Stephenson Avenue
Kennesaw, GA 30144

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City of Kennesaw
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1. Article Addressed to:

Tax Parcel – 20021200160
WALTON AT KENNESAW MOUNTAIN, LLC
2281 AKERS MILL ROAD, BLDG 4100
ATLANTA,GA 30339

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

7022 0410 0001 4901 0230

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A. Signature
X Ginger Harris ☑ Agent ☐ Addressee

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

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

3. Service Type
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1. Article Addressed to:

Tax Parcel – 20021201570
SHOPPES AT RIDENOUR, LLC
2281 AKERS MILL ROAD, BLDG. 4100
ATLANTA, GA 30339

9590 9402 8958 4064 4652 10

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

7022 0410 0001 4901 0148

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B. Received by *(Printed Name)* Ginger Harris C. Date of Delivery 2/9/26

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

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- ☐ Collect on Delivery Restricted Delivery
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- ☐ Signature Confirmation Restricted Delivery

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1. Article Addressed to:

Tax Parcel - 20021201650
WALTON RIDENOUR 2, LP
2281 AKERS MILL ROAD
ATLANTA, GA 30339

9590 9402 8958 4064 4652 72

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

7022 0410 0001 4901 0087

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B. Received by *(Printed Name)* Ginger Harris C. Date of Delivery 2/6/26

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

3. Service Type
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- ☐ Adult Signature Restricted Delivery
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- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
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1. Article Addressed to:

Tax Parcel – 20021200200
FAIRWAY RIDENOUR, LLC
SUITE 210
728 SHADES CREEK PARKWAY
BIRMINGHAM, AL 35223

9590 9402 8958 4064 4652 41

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

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X ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* C. Date of Delivery 2/7/26

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

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- ☐ Certified Mail Restricted Delivery
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- ☐ Collect on Delivery Restricted Delivery
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City of Kennesaw
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Kennesaw, GA 30144

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City of Kennesaw
2529 J.O. Stephenson Avenue
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1. Article Addressed to:

Tax Parcel - 20021201600
IVT KENNESAW MARKETPLACE, LLC
3025 HIGHLAND PARKWAY, SUITE 350
DOWNERS GROVE, IL 60515

9590 9402 8958 4064 4651 35

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

7022 0410 0001 4901 0223

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A. Signature

X

☐ Agent
☐ Addressee

B. Received by *(Printed Name)*

C. Date of Delivery

2/17

D. Is delivery address different from item 1? ☐ Yes
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1. Article Addressed to:

Tax Parcel – 20021201620
CRP GREP OVERTURE BARRETT OWNER, LLC
465 MEETING STREET, SUITE 500
CHARLESTON, SC 29403

9590 9402 8958 4064 4652 03

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

7022 0410 0001 4901 0155

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A. Signature

X

☐ Agent
☐ Addressee

B. Received by *(Printed Name)*

C. Date of Delivery

2/17

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3. Service Type

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MARIETTA, GEORGIA 30060

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$010.44⁰

ZIP 30060
041M11289387

Tax Parcel – 20021200530
MESQUITE CREEK DEVELOPMENT, INC.
C/O CUSHMAN & WAKEFIELD
POST OFFICE BOX 2437
SMYRNA, GA 300081-2437

NIXIE 326 FE 1 0002/19/26

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BC: 30060822525 *0824-01754-16-28

ANK

30081340605025

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 (POSTPONED)
MARCH 16, 2026

PLANNING COMMISSION
FEBRUARY 4, 2026 (POSTPONED)
MARCH 3, 2026

LEGAL ADVERTISEMENTS
JANUARY 16, 2026
FEBRUARY 13, 2026

PUBLIC NOTICE SIGN
JANUARY 16, 2026
FEBRUARY 17, 2026 (UPDATED)

CONTACT US

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

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01/ZV2026-01

Property Addresses
1600 Old 41 Hwy & 0 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: 11.44 +/-

RECOMMENDATION

Staff Recommendation:
Approval with conditions of the rezoning and **approval** of the variance request.
Please see page 12 for basis for recommendation.

ADJACENT PROPERTY DETAILS

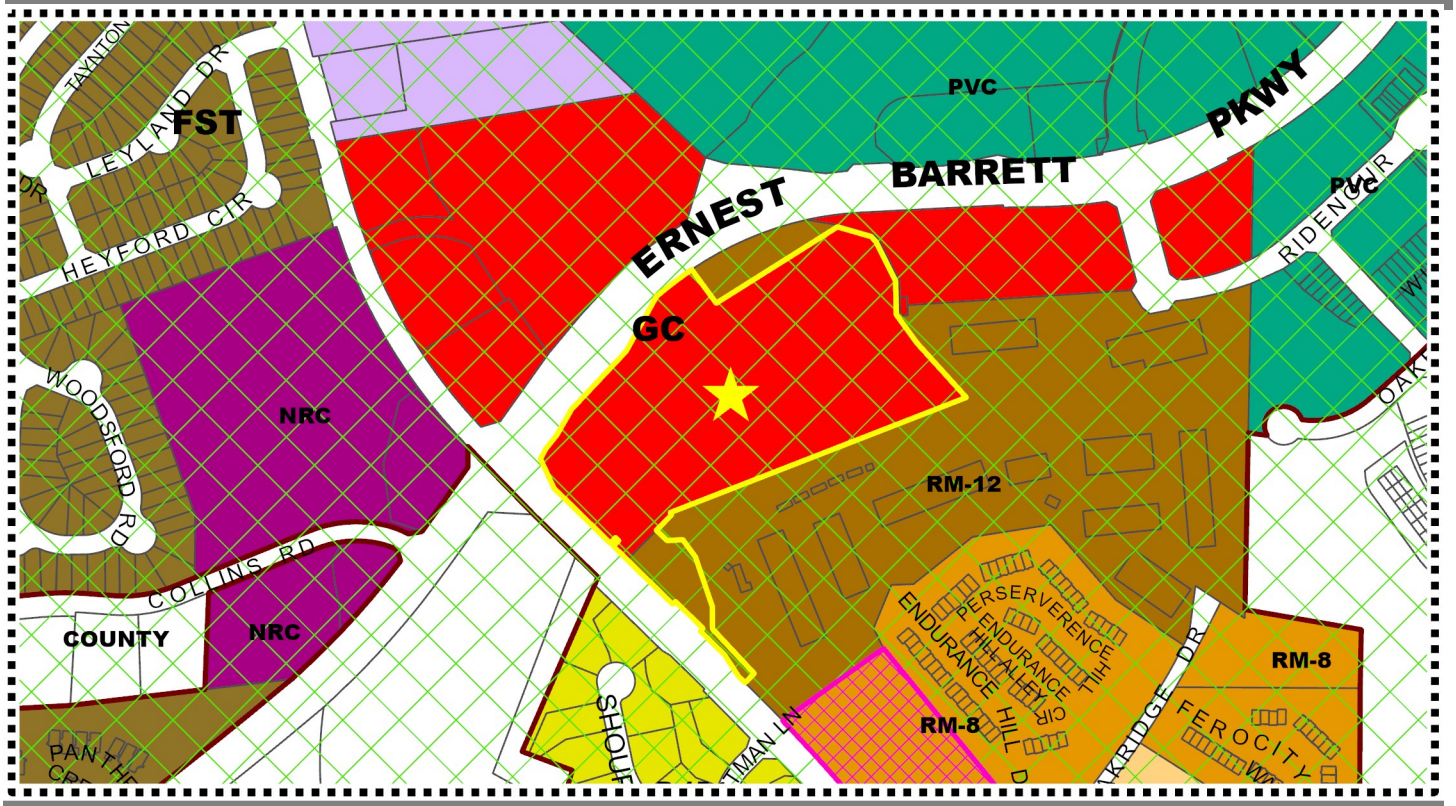
Surrounding Zoning Dist. and Future Land Use

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/ ZV2026-01

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) and RM-12, Multifamily district. To the south, the parcels are bordered by multifamily zoning district designated as RM-12, Multifamily. To the east, the properties adjoins parcels zoned General Commercial (GC) and RM-12, Multifamily. Parcels to the north are also zoned General Commercial (GC) and RM-12, Multifamily, while to the west there are a mixture of parcels zoned R-15, Single Family residential and parcels that 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/ZV2026-01

AERIAL MAP

LOCATION:

The 11.44 +/- 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/ZV2026-01

EXISTING SITE CONDITIONS





STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01/ZV2026-01

DESCRIPTION OF ZONING REQUEST: **REZONING AND VARIANCE**

This is a rezoning and concurrent variance request submitted for 1600 Old 41 Hwy and 0 Old 41 Hwy.

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.

VARIANCE:

Request to reduce the requirements for multi-family dwelling units as required in section 6.06.09 of the UDC from 1.75 spaces per dwelling unit to 1.5 spaces per dwelling unit.

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 parking: 273 surface spaces (1.5 spaces per unit)

Proposed Amenities: Amenities will Clubhouse and outdoor amenity space.

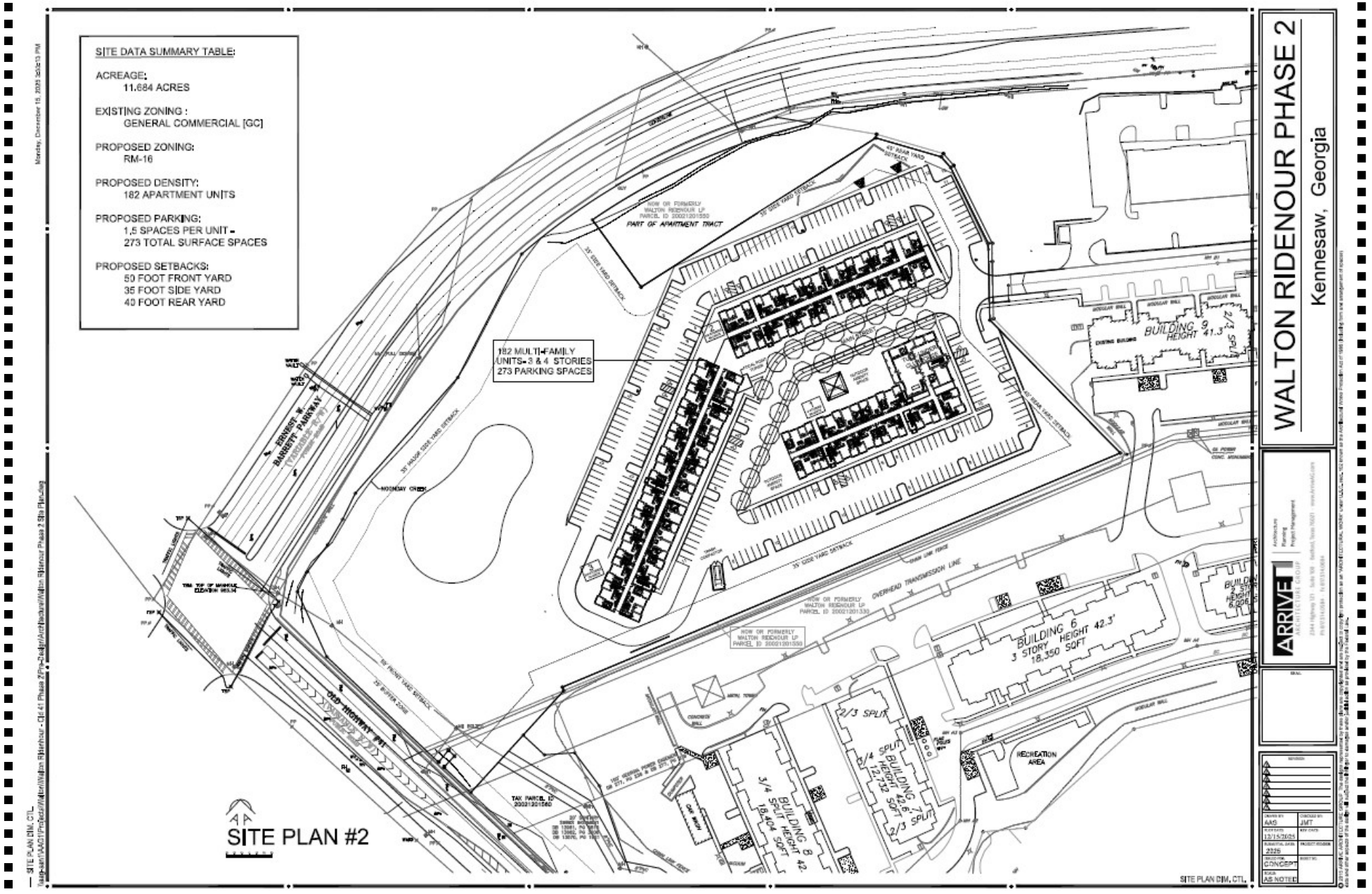
UNIFIED DEVELOPMENT CODE

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/ZV2026-01



PROPOSED RENDERING

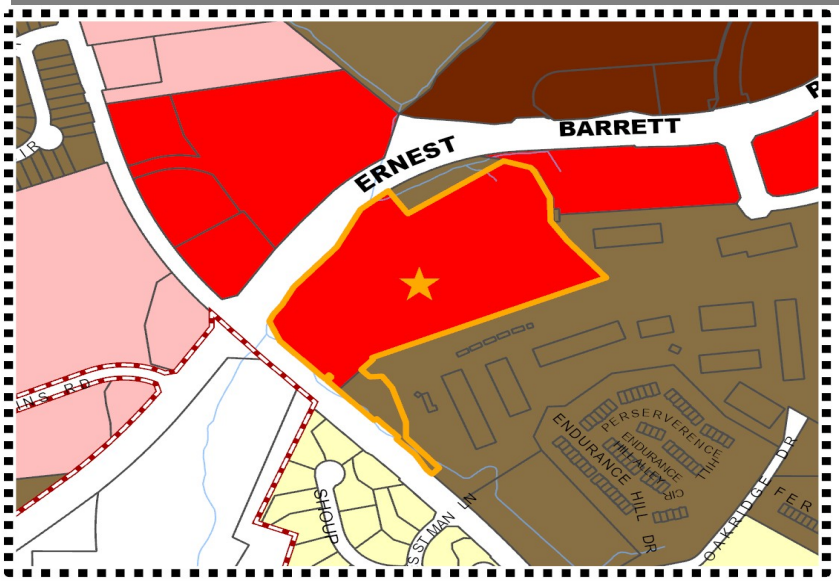
ZONING CASE #: RZ2026-01/ZV2026-01



STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01/ZV2026-01

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 properties as a Community Activity Center (CAC) and Residential High (RH). The Community Activity Center is 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/ZV2026-01

TRANSPORTATION DATA:

AERIAL OF ROAD #1



ROAD #1

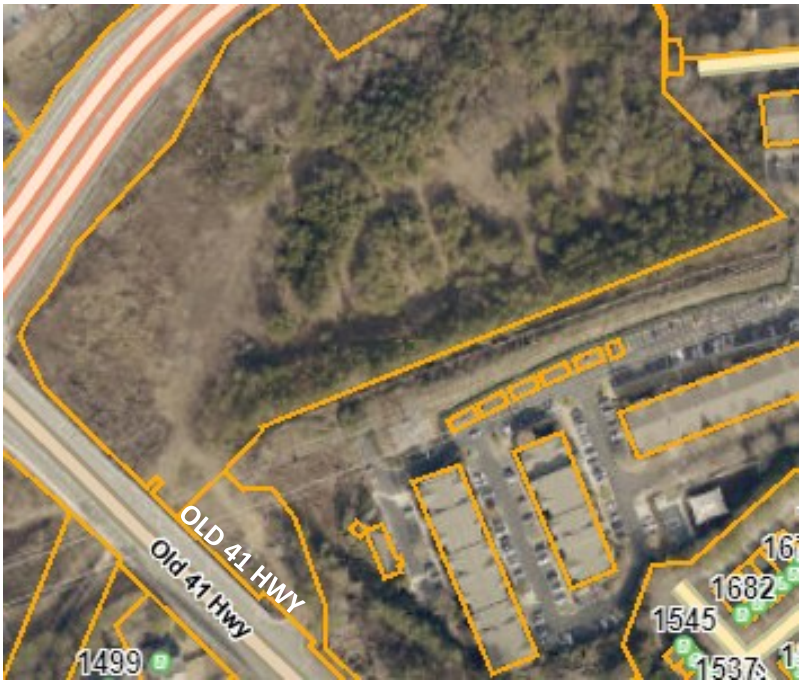
Roadway Name
Ernest Barrett Pkwy

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/ZV2026-01

ENVIRONMENTAL

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

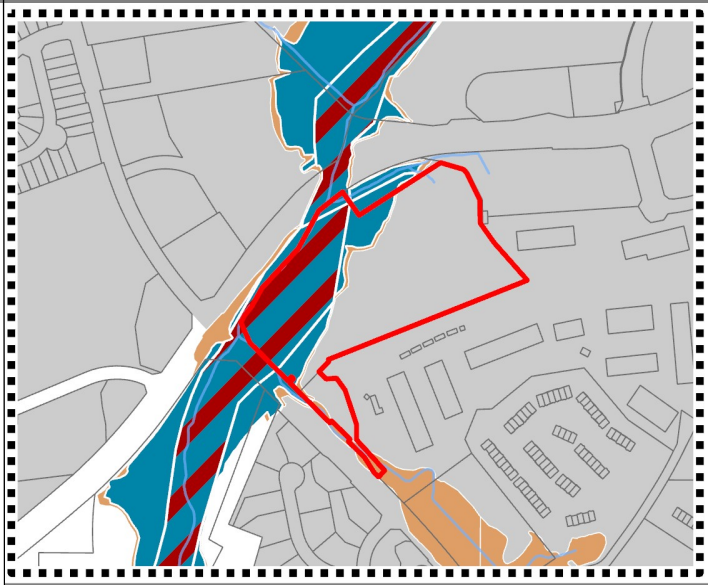
Wetlands:
- ✓ Yes
- ___ No
- ___ Not Verified

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/ZV2026-01

FLOOD ZONE ANALYSIS



Due to the presence of significant floodway on the parcel; the site was review based on the requirements outlined in the Unified Development Code; per section 1.09.02 which define Density is defined as:

1. The overall intensity of land use for the total project.

2. Residential density is the number of housing units permitted per acre in the zoning district involved in accordance with the terms of the zoning ordinance or as authorized under conditional zoning by the Mayor and City Council. The maximum residential density per developable acre authorized for R-40, R-30, R-20, R-15, R-12, R-10, PUD-R, RA-4, RA-5, RA-6 RM-8, RM-12, RM-16, FST and MHP zoning districts are set forth in Chapter Four of the Unified Development Code. These maximums could be lowered by conditional zoning by the Mayor and City Council. A developable acre shall not include any part or parts of rivers, streams, floodplains and natural lakes which are not the result of manmade dams. The maximum allowable dwelling units per acre shall in no event exceed any of the following:

a. The maximum set forth in article VIII of this appendix for such zoning district;

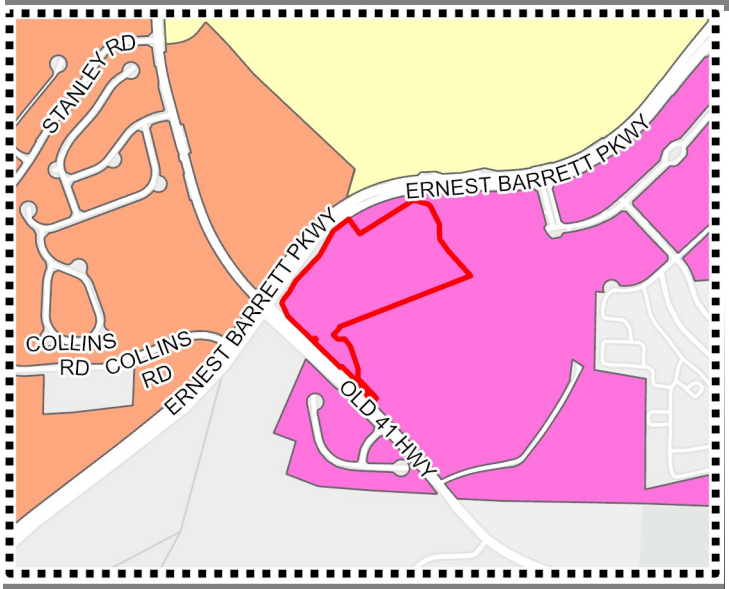
b. The maximum dwelling units per acre which can be constructed without violating any other restrictions, limitations, and/or requirements of such zoning district or the maximum authorized under conditional zoning by the Mayor and City Council.

The site is heavily constrained by the presence of the regulated floodway, which occupies a substantial portion of the parcel and sharply reduces the amount of land that can be safely developed.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01/ZV2026-01

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/ZV2026-01

TRAFFIC ANALYSIS

The applicant completed a traffic study for the proposed multifamily development with primary access via the existing Ridenour Boulevard which serves as an interparcel access roadway. The study was conducted to evaluate how the project would affect traffic conditions in the surrounding roadway network. The study's purpose was to quantify the additional vehicle trip 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. The areas of the study included:

1. Ernest West Barrett Parkway at Ridenour Boulevard/Crater Lake Drive
2. Ernest West Barrett Parkway at Old 41 Hwy
3. Ridenour Boulevard at Ridenour Boulevard
4. Ridenour Boulevard at Ridenour Road



Conclusion:

The traffic impact study indicates that the that the signalized study intersection of Ernest West Barrett Parkway at Ridenour Boulevard/Crater Lake Drive will continue to operate at an overall level of service (LOS) "C" in both the AM and PM peak hours. The signalized intersection of Ernest West Barrett Parkway at Old 41 Highway will continue to operate at an overall LOS "E" in the AM peak hour and LOS "F" in the PM peak hour, consistent with existing conditions. The stop-controlled approaches at all unsignalized study intersections will continue to operate at LOS "A" during both the AM and PM peak hours as in existing conditions. Overall, the impact of site-generated trips on the study area roadway network is minimal.

LETTER OF OBJECTION - DATED 02/05/2026

Chanelle Campbell

From: Alexis Daniel <alexis.snell@gmail.com>
Sent: Thursday, February 5, 2026 9:34 AM
To: Chanelle Campbell
Cc: Bill Daniel
Subject: Voicing opposition to RZ2026-01

Good morning Chanelle,

My husband and I were at the Planning Commission Meeting last night to speak against the rezoning request for RZ2026-01. We understand the issue has been tabled until the March 4th meeting. We just wanted to confirm we would have an opportunity to address the council and share our concerns and opposition to the rezoning request. Please let us know if there is anything we need to provide in advance.

Thank you for your help!
Alexis Daniel

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01/ZV2026-01

PLANNING AND ZONING

Site Visit:
☑ Yes
☐ No

Staff Member:
Name: Chanelle Campbell
Date of Visit: 01/29/26 & 03/02/26

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

FEBRUARY 2026 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.

FEBRUARY 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. Completion of the Traffic Impact Study (TIS) for staff evaluation
2. Submission of variance application to run concurrent with the rezoning public hearing.

FEBRUARY 4, 2026 PLANNING COMMISSION RECOMMENDATION:

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

FEBRUARY 16, 2026 MAYOR AND COUNCIL DECISION:

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

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01/ZV2026-01

STAFF ANALYSIS - **REZONING**

The applicant, Walton Communities, LLC, represented by J. Kevin Moore of Moore, Ingram, Johnson & Steele, LLP, is requesting to rezone approximately 11.444 +/- acres to RM-16, Multifamily Residential for the development of a multifamily community. The total acreage consists of two parcels: 10.753 ± acres currently zoned General Commercial (GC) and 0.691 +/- acres zoned RM-12, Multifamily Residential.

Development of the Property is significantly constrained by its topography and the extent of regulated floodplain areas, which limit both the buildable area and the range of feasible site design options. The parcel is located at the intersection of Old 41 Highway and Barrett Parkway and is positioned between established multifamily communities to the east and south. The site has a floodplain that covers approximately 4.305 +/- acres of the proposed rezoning site. This would leave approximately 7.325 +/- acres of developable land which means that approximately half of the western portion of the site is encumbered by floodplain, creating a natural barrier and further restricting development potential on that side of the property.

Building placement, access, utilities, and stormwater management must all be configured around the protected floodway corridor. These combined physical conditions which includes steep grades and limited access points have historically made the site challenging to develop and continue to shape the scale, layout, and density of any proposed project.

Staff has evaluated the rezoning request in accordance with the standards for decision outlined in Section 10.01.02, Rezoning Procedures, and the requirements of Section 2.01.03.14, Multifamily Residential District (sixteen units per acre) of the Unified Development Code (UDC), with the following observations:

Per the Unified Development Code, the RM-16 district is intended to accommodate multifamily residential uses and compatible institutional or recreational uses at higher densities. The subject property is bordered to the east and south by the existing Walton Ridenour multifamily community, which currently maintains a 98% occupancy rate, demonstrating sustained demand for quality rental housing in this area.

The proposed site plan incorporates a series of residential buildings supported by community-oriented amenities, including a clubhouse, outdoor gathering areas, and a centrally located gazebo. The layout also provides interparcel access from Ridenour Boulevard, ensuring seamless internal circulation and connectivity with the surrounding Walton Ridenour community.

According to the Traffic Impact Study dated January 29, 2026, the addition of the proposed development is not expected to significantly affect existing traffic volumes or degrade current levels of service along the adjacent roadway network. These elements collectively support a cohesive, well-integrated residential community that aligns with the established development pattern and infrastructure capacity of the area.

The applicant’s architectural submission reflects a building design that will be complementary to the existing Walton Ridenour community. Exterior materials will include a combination of high□quality finishes, including—but not limited to—brick and Hardi-plank siding, ensuring visual compatibility with the surrounding development. Residents of the proposed community will also have access to the broader amenity network within Walton Ridenour, reinforcing internal connectivity and shared community resources. Access to the new development will be provided internally through the existing Walton Ridenour community, eliminating the need for additional curb cuts and maintaining a unified circulation pattern.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01/ZV2026-01

STAFF ANALYSIS - **VARIANCE**

The applicant has submitted a concurrent variance application to deviate from *section 6.06.00* of the Unified Development Code. The applicant is requesting to:

1. Reduce the minimum parking requirement from 1.75 spaces per unit to 1.5 spaces per unit

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

Type of Use	Required Parking Spaces
Multi-Family Dwelling Units	1.75 spaces per dwelling unit

According to the requirements outlined in section 6.06.00 of the Unified Development Code, the proposal includes a total of two hundred and seventy three (273) parking spaces on site.

Section 9.02.00 of the Unified Development Code states that variances may be granted using the following criteria:

A. There is extraordinary and exceptional conditions pertaining to the property because of its size, shape or topography;

B. The application of the UDC standards to property creates practical difficulty or unnecessary hardship.

C. The practical difficulty and/or unnecessary hardship are conditions which are peculiar to the property involved; and

D. Relief, if granted, would not cause substantial detriment to the public good or impede the purposes and intent of the UDC

The proposed site is heavily encumbered by floodplain areas and an on-site streams, which substantially limit the amount of usable land and restrict where development can occur. In addition to these environmental constraints, the challenging topography further reduces the buildable area, creating steep transitions and uneven grades that complicate site design, access, and construction feasibility.

Taken together, these extraordinary physical conditions create limitations that are unique to this parcel and not commonly found on surrounding properties. Because these constraints directly impair the reasonable use of the land under standard zoning requirements, the circumstances meet the threshold for considering a variance, as the hardship arises from the inherent characteristics of the property rather than from actions of the applicant.

The proposed use, density, and overall character, as submitted by the applicant, are in conformance with the policy and intent of the Comprehensive Plan. The strategic location of the proposed development will contribute to the revitalization of South Main Street, ensuring that the development is concentrated and intentional. The presence of this development will foster a balanced mix of retail, entertainment, residential, and community gathering spaces, thereby facilitating economic growth and ensuring the viability of the city's downtown area.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-01/ZV2026-01

ZONING ADMINISTRATOR'S RECOMMENDATION: APPROVAL WITH CONDIONSS

Based on the findings outlined in the analysis section of the staff report, City Staff recommends **approval with conditions** of the rezoning request from General Commercial (GC) and RM-12, Multifamily to RM-16, Multifamily.

Further more City Staff recommends **approval** of the following variance request:

1. Reduce the required parking from 1.75 spaces per dwelling unit to 1.5 spaces per dwelling unit.

PROPOSED ZONING CONDITIONS:

1. The rezoning of the Subject Property to RM-16, Multifamily zoning district shall be in accordance with the technical and conceptual site plans submitted concurrently with the application and shall comply with the required front, side, and rear setbacks, as well as the overall density as outlined in the UDC for RM-16 zoning district.
2. 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 application and compatible with surrounding development with the Ridenour/ Walton development.
3. 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.
4. Compliance with the recommendations from the City Engineer and/or the City's Public Works Director regarding detention, water quality and stormwater management.
5. The applicant will be required to complete sidewalk connectivity along Old 41 Highway, extending the pedestrian network from the existing Legacy at Walton Kennesaw Mountain (62+) community.
6. The proposed community shall utilize the City or Cobb County; utility services as is typical for such residential development.
7. All utilities servicing the residences with the proposed community shall be underground.
8. The proposed development shall include amenities for use and enjoyment of its residents as follows:
    a. A Clubhouse
    b. Community courtyards, gathering places, outdoor amenity space
    c. Pedestrian connectivity

8. Dumpsters will be positioned so as to prevent visual intrusion from streets, connection points to the community spaces and, wherever possible with screening by landscaping, walls and/or vegetation. Dumpsters shall have rubber lids and bumpers to minimize noise during their emptying.
9. Minor modifications to the within and foregoing stipulations/conditions, lighting, landscaping, signage, architecture, site fixtures and the like may be approved by the City's Planning and Zoning Administrator or staff designee as needed or necessary.
10. 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 #: RZ2026-01/ZV2026-01

PLANNING COMMISSION RECOMMENDATION:

To be determined on March 4, 2026.

MAYOR AND COUNCIL RECOMMENDATION:

To be determined on March 16, 2026.

Item Report

TO: The Planning Commission

FROM: Chanelle Campbell, Planning and Zoning Director

DATE: March 4, 2026

TITLE: **RZ2026-03** - Consideration to amend the zoning conditions as outlined in Ordinance # 2006-20 as submitted by Cedar Creek Professional Office Association, Inc., - Alan Barge for the property located at 6095 Pine Mountain Rd (parcel # 20014001470). Said request is to amend the zoning conditions outlined in Ordinance # 2006-20 to eliminate stipulation #14. Property consists of 2.88 +/- acres and lies in land lot 140, tax parcel 147.

Summary:

Recommendation:

Fiscal Impact:

Attachments:
1. RZ2026-03_6095 Pine Mountain Rd_Staff Analysis
2. RZ2026-03_6095 Pine Mountain Road_Application Packet
3. RZ2026-03_6095 Pine Mountain Rd_DRB Group Opposition Letter

DIRECTOR OF PLANNING & ZONING
CHANELLE CAMPBELL

COMMUNITY DEVELOPMENT
Planning and Zoning

2529 J.O. Stephenson Avenue
Kennesaw, GA 30144

CONTACT US

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

MAYOR AND COUNCIL
MARCH 16, 2026

PLANNING COMMISSION
MARCH 4, 2026

LEGAL ADVERTISEMENTS
FEBRUARY 13, 2026

PUBLIC NOTICE SIGN
FEBRUARY 13, 2026

APPLICATION SUBMITTED
JANUARY 16, 2026

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-03

Property Addresses
6095 Pine Mountain Rd

Applicant
Cedar Creek Professional Office Association, Inc - Charles Alan Barge

Representative
Stephen Snow - Bendin Sumrall & Ladner, LLC

Property Owner
Cedar Creek Professional Office Association, Inc

Current Zoning
Highway General Business (HGB)

Future Land Use Category
Community Activity Center (CAC)

Project Request: Amend rezoning conditions from Ordinance #2006-20.

Please see page 4 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:** No **Stream:** No
Parcel ID #: 20014001470
Land Lot #: 140 **Tax Parcel #:** 147
Land Area: 2.88 +/-

RECOMMENDATION

Staff Recommendation: DENIAL

Please see page 19 for basis for recommendation.

ADJACENT PROPERTY DETAILS

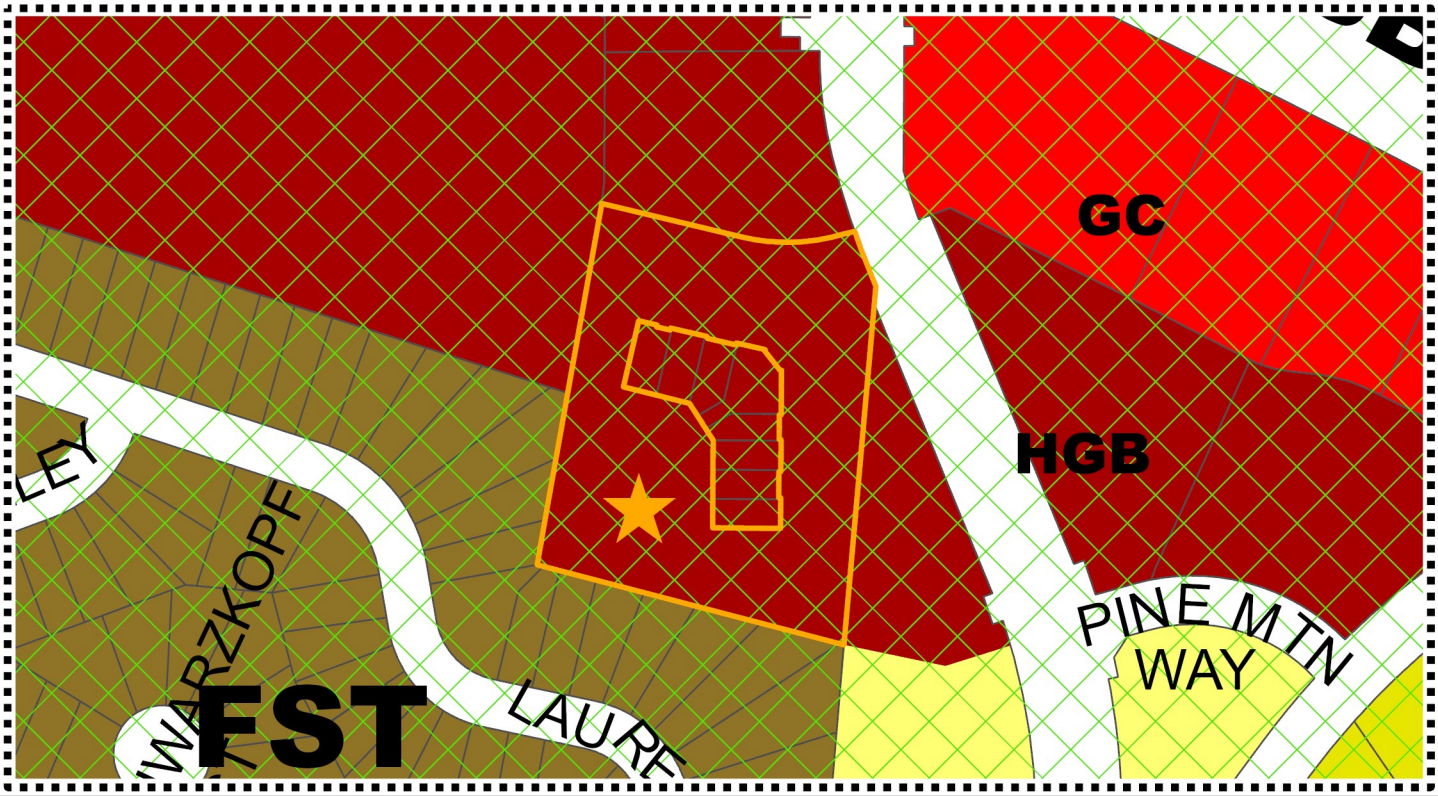
Surrounding Zoning Dist. and Future Land Use

North: No Street (Private Drive)
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: Public Service/Institutional (PI)
West: No Street
Zoning: Fee Simple Townhouse (FST) & Planned Unit Development – Residential (PUD-R)
Future Land Use: Residential High (RH) & Community Activity Center (CAC)

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-03

ZONING MAP



LEGEND

Zoning Districts

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

Form Based Code

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

Zoning Overlays

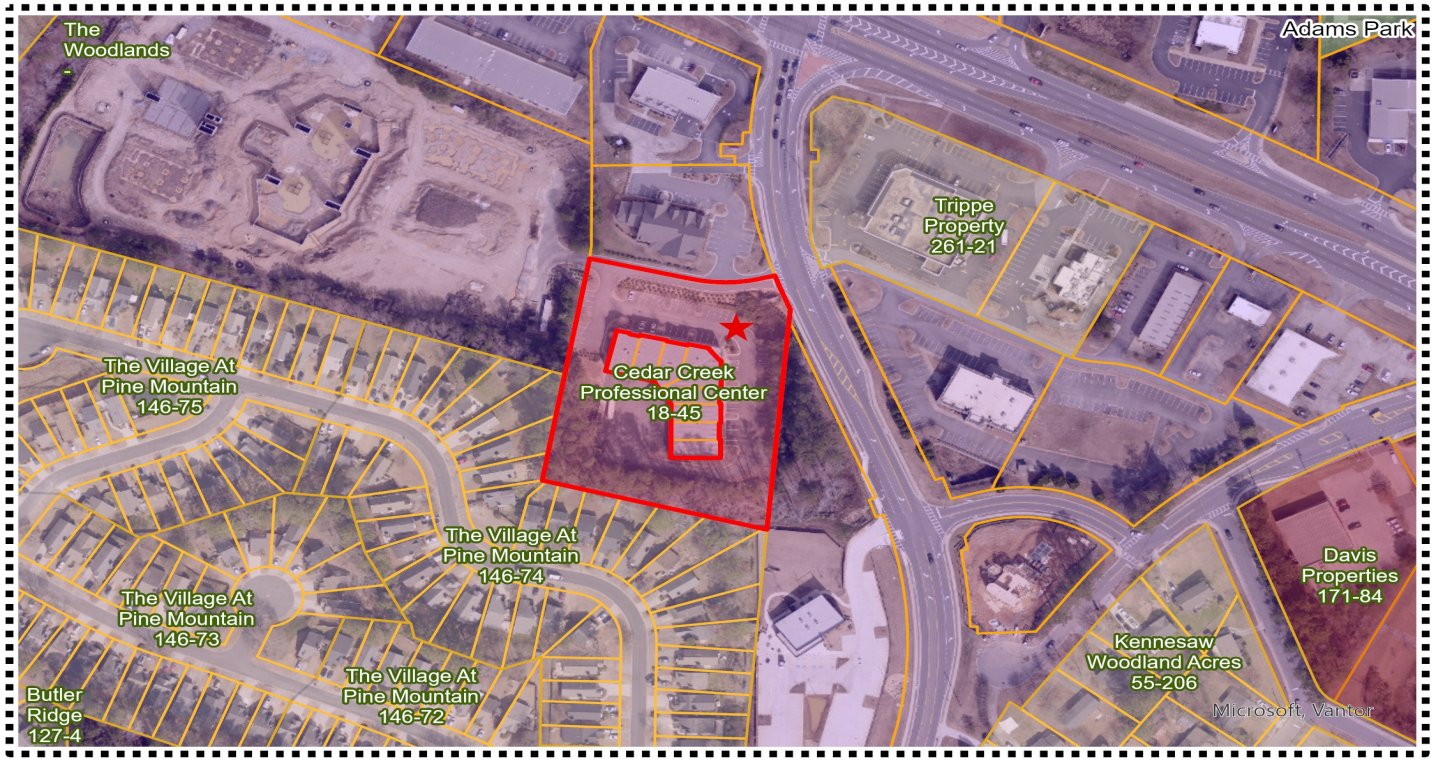
Airport Hazard District, Conservation Subdivision, Historic Districts, Historic Preservation Village, Senior Living

The parcel was rezoned from General Commercial (GC) and R-20, Single Family Residential to Highway General Business (HGB) in 2006. Per *section 2.01.04* of the Unified Development Code (UDC), the Highway General Business district is intended to provide locations for commercial and service uses which are oriented toward general and specialty service businesses and interstate and state highway travelers. The subject parcel is bordered to the south by residential properties zoned Fee Simple Townhouse (FST). To the west, it adjoins additional FST zoned parcels as well as a recently rezoned parcel now zoned Planned Unit Development – Residential (PUD-R). Parcels directly to the north and east are also zoned HGB, creating a natural transition between commercially oriented frontage and established residential neighborhoods. The surrounding pattern reflects a mixed-use environment where commercial and residential districts meet, illustrating the area's ongoing shift toward a more blended land-use character.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-03

AERIAL MAP



BACKGROUND

The 2.88 +/- acre tract along Pine Mountain Road sits within an area that has steadily evolved into a blend of residential and commercial activity. The site currently contains a multi-tenant professional office building that includes Innovation Compounding, a pharmacy, and a State Farm Insurance office. Directly north is an additional office building occupied by 5-Star Building Solution, completed in 2019.

To the west and south, the property is bordered by The Village at Pine Mountain, an established residential subdivision. This mix of surrounding uses reflects the long-standing transition between neighborhood-scale residential development and the commercial uses as development gets closer to Cobb Parkway.

In 2006, the Mayor and Council rezoned the 2.88 +/- acre parcel from General Commercial (GC) and R-20 Single Family Residential to Highway General Business (HGB) to support the development of what is now the Cedar Creek Professional Center. At the time, the subject parcel and the adjacent 8.823 +/- acre tract were under the same ownership, with the intent to expand the office complex across both properties. The first office building was completed in 2008 and continues to operate with multiple professional tenants. The remaining 8.823 +/- acre parcel, however, was never developed and was sold in 2009.

On February 16, 2026, the Mayor and Council approved the rezoning of the 8.823 +/- acre tract from HGB to Planned Unit Development – Residential (PUD-R) for the development of an 89 unit “for-sale” townhome community submitted by DRB Group Georgia, LLC. This approval further solidifies the area’s gradual shift toward a more integrated land-use pattern, where commercial services and residential neighborhoods coexist and support one another.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-03

DESCRIPTION OF ZONING REQUEST: **REZONING**

REZONING:
This is a rezoning amendment request to amend the zoning conditions approved under ordinance #2006-20, specifically eliminating condition #14 which requires interparcel access and shared access drive with adjoining vacant property once future development is pursued.

APPLICATION DETAILS

Pre-Application Meeting
January 12, 2026

Application Submitted
January 16, 2026

Fees Paid
February 3, 2026

Certified Letters Mailed
February 13, 2026

UNIFIED DEVELOPMENT CODE

The HGB highway general business district is established to provide locations for commercial and service uses which are oriented toward general and specialty service businesses and interstate and state highway travelers.

***Section 4.01.02* - Lot size, setback and building height requirements for developments within the Highway General Business (HGB)**

Minimum Lot size	20, 000 sq. ft
Minimum lot width at front setback line	60 ft.
Maximum Coverage	75%
Maximum building height:	50 ft (4 stories maximum)
Minimum Building Setback	Front Yard as measured from arterial: 50 ft
	Front Yard as measured from collector: 40 ft
	Front Yard as measured from local: 40 ft
	Side Yard (aka minor side): 10 ft
	Rear yard: 30 ft
	Major side: 25 or 35 ft

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-03

EXISTING SITE CONDITIONS

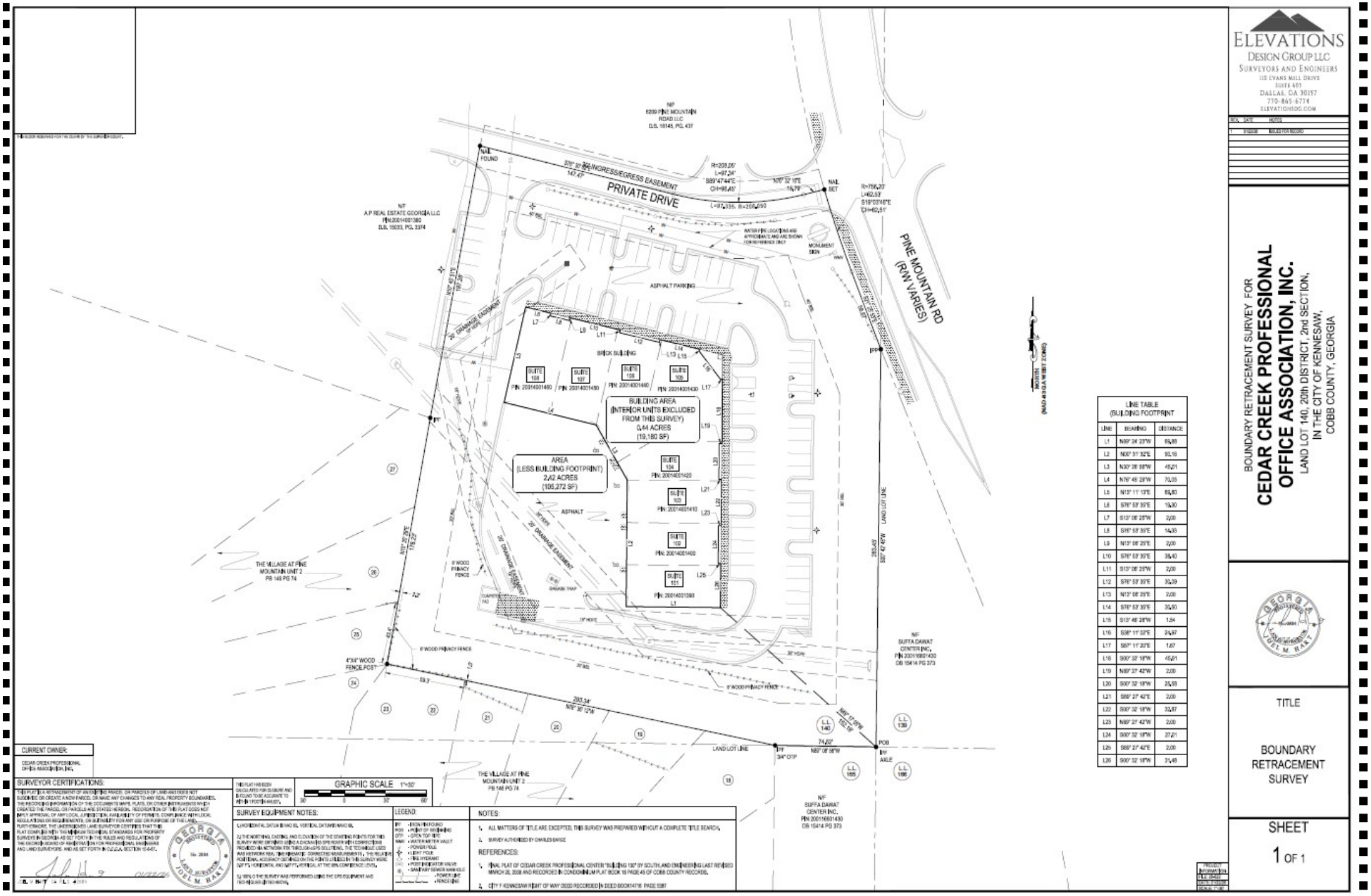




Images obtained from Google Map

EXISTING SURVEY

ZONING CASE #: RZ2026-03



LINE TABLE (BUILDING FOOTPRINT)

LINE	BEARING	DISTANCE
L1	N89° 24' 23"W	69.89
L2	N00° 31' 32"E	93.16
L3	N30° 28' 58"W	45.21
L4	N76° 46' 28"W	70.05
L5	N13° 11' 13"E	69.80
L6	S76° 53' 35"E	19.90
L7	S13° 06' 25"W	2.00
L8	S76° 53' 35"E	14.35
L9	N13° 06' 25"E	2.00
L10	S76° 53' 35"E	35.40
L11	S13° 06' 25"W	2.00
L12	S76° 53' 35"E	35.39
L13	N13° 06' 25"E	2.00
L14	S76° 53' 35"E	35.90
L15	S13° 46' 28"W	1.54
L16	S58° 11' 32"E	24.97
L17	S67° 11' 20"E	1.67
L18	S00° 32' 18"W	45.21
L19	N89° 27' 42"W	2.00
L20	S00° 32' 18"W	25.69
L21	S89° 27' 42"E	2.00
L22	S00° 32' 18"W	33.87
L23	N89° 27' 42"W	2.00
L24	S00° 32' 18"W	27.21
L25	S89° 27' 42"E	2.00
L26	S00° 32' 18"W	31.49

ELEVATIONS DESIGN GROUP LLC
SURVEYORS AND ENGINEERS
110 EVANS MILL DRIVE SUITE 601 DALLAS, GA 30157
770-865-6774
ELEVATIONSDG.COM

BOUNDARY RETRACEMENT SURVEY FOR
CEDAR CREEK PROFESSIONAL OFFICE ASSOCIATION, INC.
LAND LOT 140, 20th DISTRICT, 2nd SECTION,
IN THE CITY OF KENNESAW,
COBB COUNTY, GEORGIA

TITLE
BOUNDARY RETRACEMENT SURVEY

SHEET
1 OF 1

CURRENT OWNER:
CEDAR CREEK PROFESSIONAL OFFICE ASSOCIATION, INC.

SURVEYOR CERTIFICATIONS:

GRAPHIC SCALE 1"=30'

SURVEY EQUIPMENT NOTES:

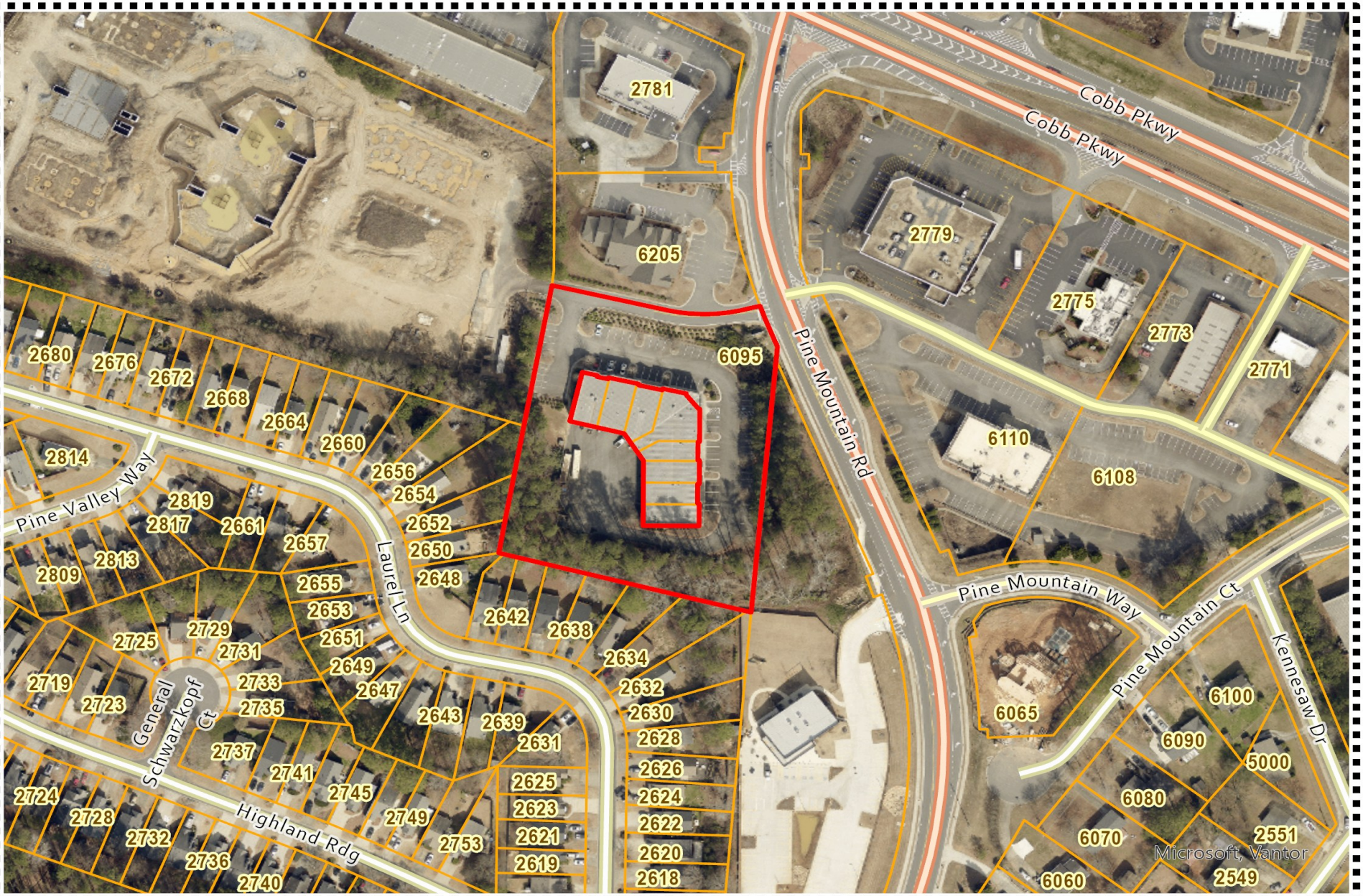
LEGEND:

NOTES:
1. ALL MATTERS OF TITLE ARE EXCEPTED, THIS SURVEY WAS PREPARED WITHOUT A COMPLETE TITLE SEARCH.
2. SURVEY AUTHORIZED BY CHARLES BARGE

REFERENCES:
1. FINAL PLAT OF CEDAR CREEK PROFESSIONAL CENTER "BUILDING 100" BY SOUTHLAND ENGINEERING LAST REVISED MARCH 26, 2008 AND RECORDED IN CONDOMINIUM PLAT BOOK 19 PAGE 45 OF COBB COUNTY RECORDS.
2. CITY Y KENNESAW RIGHT OF WAY DEED RECORDED IN DEED BOOK14716 PAGE 5387

EXISTING AERIAL MAP

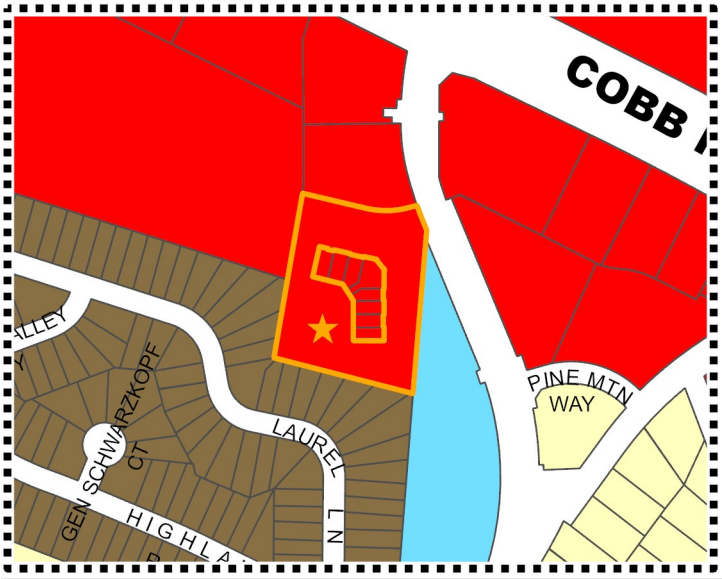
ZONING CASE #: RZ2026-03



STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-03

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 property as a Community Activity Center (CAC), an area intended to support a balanced mix of commercial, civic, and residential uses. The current use as a business office with multiple professional suites fits well within this designation, as CAC areas are meant to bring together services, employment opportunities, and community-oriented activities in a walkable, mixed-use setting.

The existing office suites contribute to that vision by providing professional services that serve both nearby residents and the broader community. Uses such as Innovation Compounding, the pharmacy, and the State Farm Insurance office help anchor the corridor with neighborhood-serving commercial activity, reinforcing the Community Activity Center goal of creating a convenient, activity-rich environment where daily needs can be met close to home.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-03

TRANSPORTATION DATA:

AERIAL OF ROAD #1



ROAD #1

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

AERIAL OF ROAD #2

ROAD #2

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-03

ENVIRONMENTAL

Floodplain:
___ Yes
_✓_ No
___ Not Verified

Wetlands:
___ Yes
_✓_ No
___ Not Verified

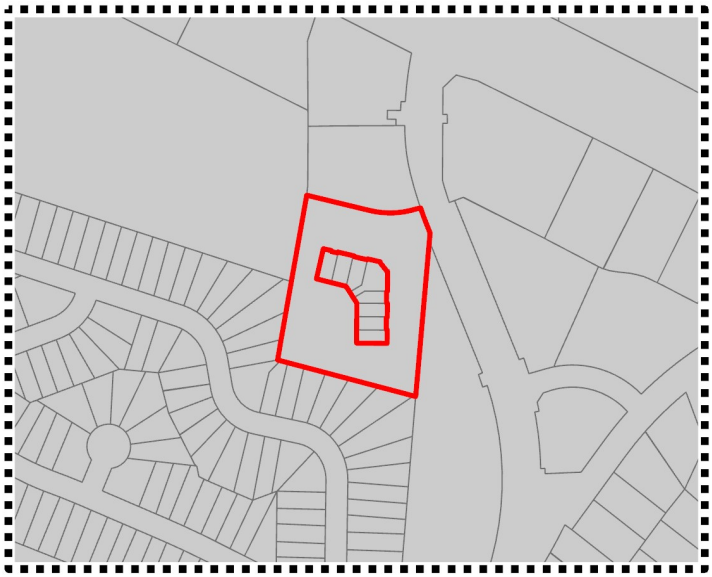
Drainage Basin:
_✓_ None
___ FEMA 100-year floodplain area
___ Flood Damage Prevention Ordinance[1]
___ Project subject to Cobb County Damage Prevention Requirements
___ Dam Breach Zone (Upstream)[2]

___ 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

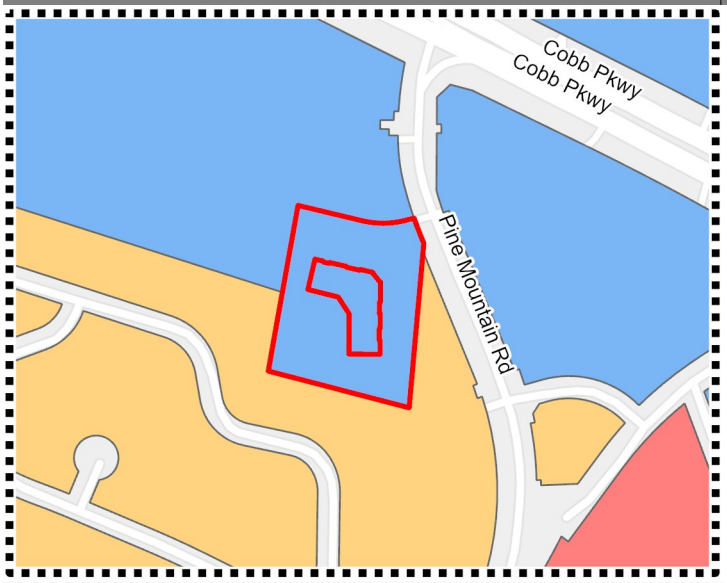
ADDITIONAL COMMENTS REGARDING PROJECT:

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 #: RZ2026-03

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

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 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.

(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.

CITY OF KENNESAW
ORDINANCE NO. 2006-20, 2006

(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.

CITY OF KENNESAW
ORDINANCE NO. 2006-20, 2006

(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

CITY OF KENNESAW
ORDINANCE NO. 2006-20, 2006

DRB GROUP

February 27, 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: DRB Group Georgia, LLC's Letter in Opposition to Cedar Creek Professional Office Association, Inc's Request to Remove Stipulation #14 from City of Kennesaw Zoning Ordinance No. 2006-20, 2006 Related to 6095 Pine Mountain Road, Kennesaw, GA 30152 (Rezoning Application No. RZ2026-03).

Dear Ms. Campbell,

Please accept this letter as DRB Group Georgia, LLC ("DRB")'s Letter in Opposition to Cedar Creek Professional Office Association, Inc. ("CCPOA")'s Request to Remove Stipulation #14 from City of Kennesaw Zoning Ordinance No. 2006-20, 2006 Related to 6095 Pine Mountain Road, Kennesaw, GA 30152 (Rezoning Application No. RZ2026-03) ("Rezoning Application").

As you know, DRB is the contract purchaser of approximately 8.83 acres of property located at 6095 Pine Mountain Road, Kennesaw, Georgia 30152 ("DRB Property") which DRB submitted for rezoning through Rezoning Application No. RZ2025-03 ("DRB Rezoning Application"). On February 16, 2026, the City Council unanimously approved the DRB Rezoning Application and rezoned the DRB Property from Highway General Business ("HGB") to Planned Unit Residential ("PUD-R"), permitting the development of up to eighty-nine (89) townhomes. A condition of that rezoning approval was that DRB secure two (2) entrances for the planned subdivision, including to Pine Mountain Road through the unnamed private drive serving the CCPOA property located at 6095 Pine Mountain Road, Kennesaw, GA 30152 ("CCPOA Property"). As the City of Kennesaw just conditioned DRB to secure access through the unnamed driveway at the heart of the Rezoning Application, it is antithetical to then remove CCPOA's near twenty (20) year old zoning condition from City of Kennesaw, Georgia Ordinance No. 2006-20, 2006 (the "Ordinance") requiring that "(14) Interparcel access and shared access drive shall be designed with adjoining vacant property once future development of adjoining vacant parcel is pursued." DRB is pursuing the development of the "vacant property" and CCPOA is obligated to provide interparcel access and shared access.

301-696-0200 | 2099 Gaither Road, Suite 600, Rockville, MD 20850 | DRBgroup.com

DRB HOMES DRB ELEVATE

DRB GROUP

Many of CCPOA's arguments for why Ordinance condition number 14 should be removed are premised upon a faulty application of the Ordinance to the DRB Property. At the time of the 2006 rezoning, the only property submitted for rezoning from City General Commercial ("City GC") to HGB was the 2.88 +/- acres that make up the CCPOA Property and, on its face, the Ordinance only adds conditions on the CCPOA Property. The City of Kennesaw would have been unable, at that time, to add new zoning conditions to a piece of property that was not before the City Council. The DRB Property cannot be in violation of the Ordinance's conditions as alleged by CCPOA because the DRB Property was already zoned HGB and was not named in the rezoning application.

CCPOA is also incorrect in its assertion that "future development" in the Ordinance is tied to the DRB Property being developed for two additional office buildings. The City Council had the knowledge and ability to add qualifying language that the interparcel access was only required to be granted if the adjoining vacant parcel was developed as two additional office buildings. Instead, the plain language of the condition is, "(14) Interparcel access and shared access drive shall be designed with adjoining vacant property **once future development of adjoining vacant parcel is pursued**" (emphasis added). Similarly, CCPOA also takes issue with DRB's assertion that the DRB Property is landlocked and argues that since the DRB Property is not landlocked and there is an alleged alternative access to the DRB Property that CCPOA should not be required to provide access to the DRB Property. While the DRB Property is landlocked, if the Planning Commission and City Council were to somehow conclude that the Property was not landlocked, the landlocked status has no bearing on whether CCPOA is obligated to provide the DRB Property access through a zoning condition. Even with access to Hwy 41 (Cobb Parkway) to the north via Kings Crossing Court that does not change the longstanding zoning requirement for CCPOA to provide access to the DRB Property. The City Council could have drafted Ordinance Condition No. 14 to say that if the DRB Property was landlocked, only then CCPOA was required to provide access. CCPOA is reading in additional words and limitations that do not exist and are irrelevant to the issue at hand, CCPOA complying with its zoning obligations.

CCPOA's Rezoning Application is an attempt to re-interpret a long-standing zoning condition to attempt to have it removed when CCPOA is finally obligated to comply with the condition. The reality is, at all times in CCPOA's development, interparcel access was contemplated. At the time of its zoning, the City Staff and the Mayor and City Council recognized the necessity and benefit of providing access to the DRB Property and memorialized this foresight in the existing stipulation. When the unnamed drive serving the CCPOA Property was developed, the pavement was poured across the property line onto the DRB Property, in anticipation of granting the future access required by the zoning condition. When previously platted "Devi

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DRB HOMES DRB ELEVATE

DRB GROUP

Manor" began construction, this same drive served as regular access to the DRB Property. When CCPOA and the owner of adjoining property at 6205 Pine Mountain Road (the two (2) properties that afford Pine Mountain Road access) applied for land disturbance permits ("LDP") and final plats, one of the express conditions of the LDP checklist was proof of access to the DRB Property along with corresponding reference on the CCPOA and 6205 Pine Mountain Road's plats. CCPOA was afforded the benefit of development and construction conditioned on the express promise of providing future access to the DRB Property; now that its construction is complete, CCPOA seeks to prevent DRB from the same benefit.

DRB requests that the City Council reject CCPOA's Rezoning Application and leave Ordinance Condition No. 14 in place.

Thank you for your time and consideration. If there is anything further that DRB can provide to assist you in your review of this matter, please let me know.

Sincerely,

Samuel J. Holder

Samuel J. Holder, Esq.

DRB Group Georgia, LLC
55 Ivan Allen Jr. Blvd, Ste 400
Atlanta, Georgia 30308
sholder@drbgroup.com
470-890-1103

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-03

PLANNING AND ZONING

Site Visit:
☑ Yes
☐ No

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

Land Use Recommendation:
Commercial 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: No Comments

Building Services: No Comments

Cobb County Fire: None provided

Cobb County Water: None provided

STAFF ANALYSIS

The applicant, Alan Barge, represented by Attorney Stephen Snow with Bendin Sumrall & Ladner, LLC, is requesting an amendment to the existing rezoning conditions for the 2.88 +/- acre parcel at 6095 Pine Mountain Road. The parcel was originally rezoned in 2006, when the Mayor and Council approved a change from General Commercial (GC) and R-20 Single Family Residential to Highway General Business (HGB) to facilitate the development of what is now the Cedar Creek Professional Center. At that time, both the subject parcel and the adjacent 8.823 +/- acre tract were under common ownership, with the stated intent of expanding the office complex across both properties. The first office building was completed in 2008 and continues to operate today with multiple professional tenants. The remaining 8.823 +/- acre tract, however, was never developed and was sold in 2009. Over the years, there have been multiple attempts to bring forward viable development concepts for the site, but none advanced due to a combination of market conditions and site constraints.

On February 16, 2026, the Mayor and Council approved the rezoning of the 8.823 +/- acre tract from HGB to Planned Unit Development – Residential (PUD-R) to allow the construction of a subdivision consisting of 89 “for-sale” townhome as submitted by DRB Group Georgia, LLC. As part of that approval, the Mayor and Council added a condition requiring the development to provide two access points one from Cobb Parkway and one from Pine Mountain Road. These two access points are intended to distribute traffic and ensure the subdivision’s internal circulation functions safely and efficiently.

The Comprehensive Plan and corridor policies for the Cobb Parkway Commercial Corridor emphasize inter-parcel connectivity, shared access points, and coordinated circulation to reduce the number of individual driveways along major roadways. This policy direction is intended to improve traffic flow, minimize conflict points, and support cohesive development patterns across parcels. The existing stormwater pond constructed on the adjacent parcel is an example of this coordinated approach, demonstrating how shared infrastructure can support multiple developments.

The applicant’s request to remove or modify the required access points would limit the functional use of the parcel for future development, reduce opportunities for shared circulation, and run counter to the established policy framework that encourages coordinated access management along the corridor. Maintaining inter-parcel access is essential to ensuring that the remaining developable land can be used efficiently and in a manner consistent with long-term planning goals.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2026-03

ZONING ADMINISTRATOR'S RECOMMENDATION: **DENIAL**

Based on the findings outlined in the analysis section of this staff report, City staff recommends **denial** to amend the zoning conditions as outlined in the request case #RZ2026-03.

PLANNING COMMISSION RECOMMENDATION:

To be determined on March 4, 2026

MAYOR AND COUNCIL DECISION:

To be determined on March 16, 2026

REZONING APPLICATION

Date Received 01/16/26
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 1/12/26 Staff's Initials _____

REZONING PROPERTY ADDRESS 6095 Pine Mountain Road

Land Lot 140 Tax Parcel 6 Lot Size 2.88 +/-

Resident Population _____ Housing Units _____ Other Buildings _____

Zoning Request from: Please see below and attached documents.
Present Zoning _____ To: _____

For the purpose of: Amending the original zoning application to strike condition 14 from Zoning Ordinance No. 2006-20, 2006. Applicant submits this application due to the use of the adjoining property being in violation of the referenced zoning ordinance. Please see the attached documents in support of applicant's zoning application.

APPLICANT EMAIL [redacted]

Applicant Address 6095 Pine Mountain Rd

(Phone #) [redacted]

Applicant Signature Charles Allen Barge Date 1/15/26

Signed, sealed and delivered in presence of: TMcAllister 1/15/26
Notary **Date**

T MCALLISTER NOTARY PUBLIC PAULDING COUNTY, GEORGIA MY COMMISSION EXPIRES 06/17/2027

REPRESENTIVE STEPHEN SNOW

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

Representative Signature _____ Date 1/16/26

Signed, sealed and delivered in presence of: Carol A Caine 1/16/26
Notary **Date**

TITLEHOLDER: Cedar Creek Professional Office Association, Inc **(Phone #)** _____

Signature: Charles Allen Barge **Address** [redacted]

Signed, sealed and delivered in presence of: TMcAllister 1/15/26
Notary **Date**

T MCALLISTER NOTARY PUBLIC PAULDING COUNTY, GEORGIA MY COMMISSION EXPIRES 06/17/2027

CAROLE A HARE NOTARY PUBLIC GWINNETT COUNTY GEORGIA MY COMMISSION EXPIRES JUNE 7, 2029

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 January, 2026

_____

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.



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

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, the proposed amendment would be compatible with the City's land use and development, plans, goals, and objective.
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 result in decreased traffic congestion leading to an overall increase in traffic safety.
(3) Would the proposed amendment tend to increase, decrease, or have no relationship to safety from fire and other dangers?	The proposed amendment would result in an increase to safety from fire and other dangers due to less traffic congestion.
(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 would promote public health and the general welfare of the city.
(5) Would the proposed amendment tend to increase, decrease, or have no influence on the adequate (provisions) of light or air?	The proposed amendment would have no influence on adequate provisions of light or air.
(6) Would the proposed amendment tend to cause, prevent, or have no influence on the overcrowding of land?	The proposed amendment would prevent overcrowding by decreasing traffic congestion on Pine Mountain Road.
(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 would reduce the harmful effects of dense population distribution and the associated overcrowding of Pine Mountain Road.
(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 amendment is compatible with the provision of transportation by reducing traffic congestion on an already overwhelmed section of Pine Mountain Road.
(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 would be compatible with environment conditions of the surrounding developments. If the amendment is rejected, an increase in traffic and pollution would diminish the value of the surrounding properties.
(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 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 amendment would promote the aesthetic effect of existing and future uses of property and the surrounding area.
(12) Would the proposed amendment have measurable adverse economic effect on the value of the surrounding or adjacent property?	The proposed amendment would have a measurably positive economic impact by preventing a significant diminution in value of the affected and surrounding properties.

CERTIFICATION AUTHORIZATION

I hereby attest to the fact that a certified mailing to property owners within 200 feet was sent out on February 9, 2026 in accordance with the application requirements.

February 9, 2026
Date

Applicant or Authorized Agent

Sworn and subscribed before me this 9th day of February 2026

Notary Public

CAROL L PARE NOTARY EXPIRES GEORGIA JUNE 7, 2029 GWINNETT COUNTY GA PUBLIC

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

Signed, sealed, and delivered
in the presence of:

[AFFIX BANK SEAL]

CORPORATE SEAL

WITNESS

NOTARY PUBLIC

My Commission Expires: 10.19.13

[AFFIX NOTARY SEAL]

DENISE WISNIEWSKI NOTARY PUBLIC CHEROKEE COUNTY GEORGIA EXPIRES OCT. 19, 2013

P:\Clients\3121\Cedar Creek\Quitclaim Deed.doc

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.

Printed: 1/15/2026

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:

CEDAR CREEK PROFESSIONAL OFFICE INC

Payment Date: 1/1/0001

Tax Year	Parcel ID	Due Date		Appeal Amount		Taxes Due
2025	20014001470	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		**$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 #
20014001470	3/3-BOND - KENNESAW CITY	283920

Property Owner/Location/Description	Fair Market Value	Taxable Value
CEDAR CREEK PROFESSIONAL OFFICE INC 6095 PINE MOUNTAIN RD	100	40

Levies	Taxable Value	-	Exemptions	=	Net Assessment	X	Tax Rate	=	Net Tax
CITY OF KENNESAW	40		0		40		7.7500000000		$0.31
BOND	40		0		40		1.4000000000		$0.06

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	$0.00
Interest	$0.00
Penalty	$0.00
Other Fees	$0.00
Payments Received	$0.00
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.

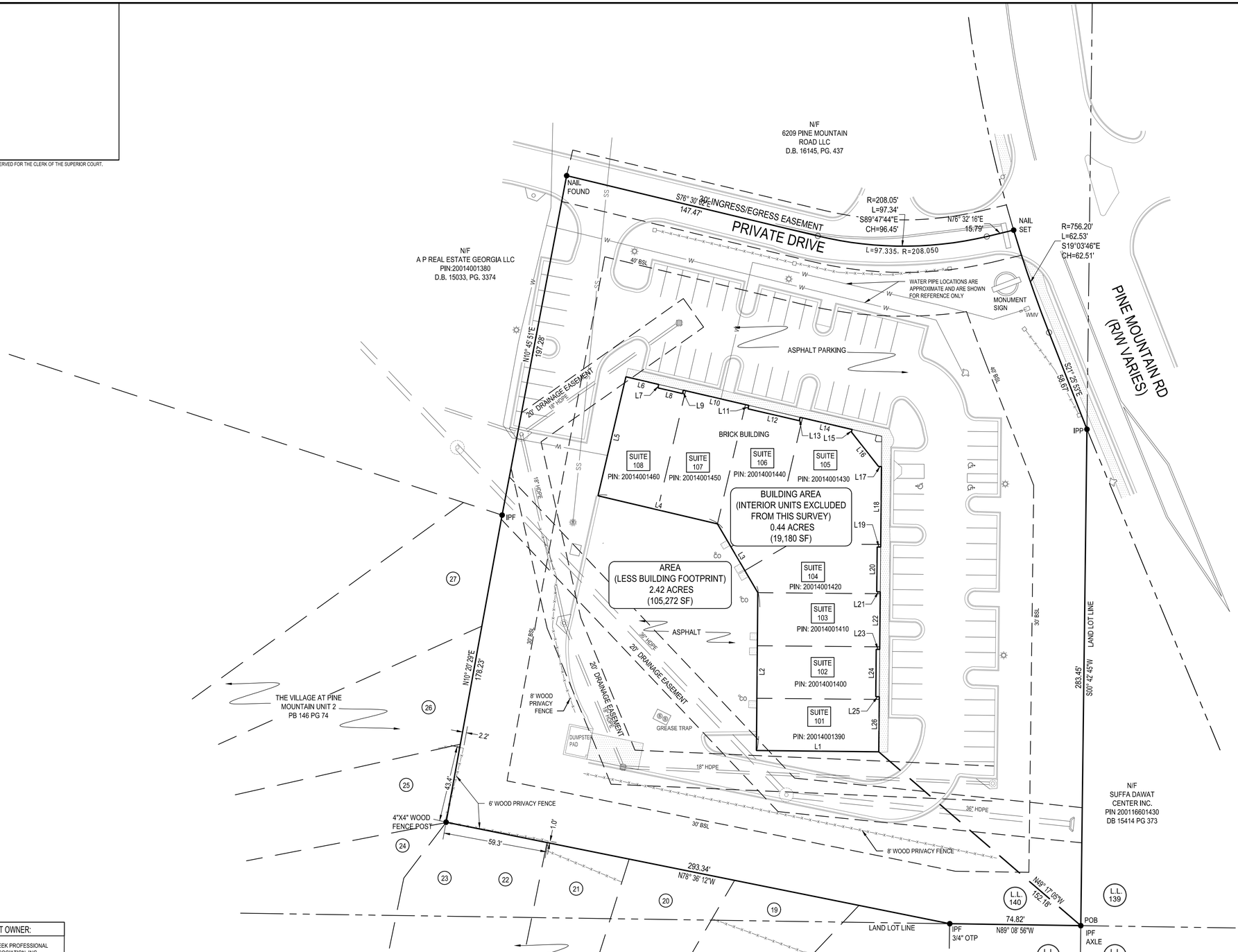
For your convenience, you may pay by check, money order, Discover, Mastercard, AMEX, VISA.
3% fee and $3.50 per transaction fee added to debit/credit card payments. $1.25 fee per ECheck transaction paid online.

Parcel ID:	20014001470
Amount Due:	$0.00
Bill#:	283920
Due Date:	12/01/2025
	AMOUNT PAID

CEDAR CREEK PROFESSIONAL OFFICE INC
2700 DELK RD SUITE 100
MARIETTA, GA 30067

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

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT.



LINE TABLE (BUILDING FOOTPRINT		
LINE	BEARING	DISTANCE
L1	N89° 24' 23"W	69.88
L2	N00° 31' 32"E	90.16
L3	N30° 26' 56"W	45.51
L4	N76° 45' 29"W	70.05
L5	N13° 11' 13"E	69.80
L6	S76° 53' 35"E	19.30
L7	S13° 06' 25"W	2.00
L8	S76° 53' 35"E	14.33
L9	N13° 06' 25"E	2.00
L10	S76° 53' 35"E	38.40
L11	S13° 06' 25"W	2.00
L12	S76° 53' 35"E	30.09
L13	N13° 06' 25"E	2.00
L14	S76° 53' 35"E	30.50
L15	S13° 46' 28"W	1.54
L16	S38° 11' 02"E	24.97
L17	S87° 11' 20"E	1.67
L18	S00° 32' 18"W	45.91
L19	N89° 27' 42"W	2.00
L20	S00° 32' 18"W	25.58
L21	S89° 27' 42"E	2.00
L22	S00° 32' 18"W	32.87
L23	N89° 27' 42"W	2.00
L24	S00° 32' 18"W	27.01
L25	S89° 27' 42"E	2.00
L26	S00° 32' 18"W	31.48

CURRENT OWNER:

CEDAR CREEK PROFESSIONAL OFFICE ASSOCIATION, INC.

SURVEYOR CERTIFICATIONS:

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.

GEORGIA REGISTERED No. 2884 LAND SURVEYOR JOEL M. HART

JOEL M HART GA R.L.S. #2884 01/22/26

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN 1 FOOT IN 446,521'.

GRAPHIC SCALE 1"=30'
30' 0 30' 60'

SURVEY EQUIPMENT NOTES:

1.) HORIZONTAL DATUM IS NAD 83. VERTICAL DATUM IS NAVD 88.

2.) THE NORTHING, EASTING, AND ELEVATION OF THE STARTING POINTS FOR THIS SURVEY WERE OBTAINED USING A CHCNAV I83 GPS ROVER WITH CORRECTIONS PROVIDED VIA NETWORK RTK THROUGH eGPS SOLUTIONS. THE TECHNIQUE USED WAS NETWORK REAL TIME KINEMATIC CORRECTED MEASUREMENTS . THE RELATIVE POSITIONAL ACCURACY OBTAINED ON THE POINTS UTILIZED IN THIS SURVEY WERE 0.07 FT. HORIZONTAL AND 0.07 FT. VERTICAL AT THE 95% CONFIDENCE LEVEL.

3.) 100% O THE SURVEY WAS PERFORMED USING THE GPS EQUIPMENT AND TECHNIQUES LISTED ABOVE.

LEGEND:

IPF - IRON PIN FOUND
POB - POINT OF BEGINNING
OTP - OPEN TOP PIPE
WMV - WATER METER VAULT
- POWER POLE
- LIGHT POLE
- FIRE HYDRANT
- POST INDICATOR VALVE
- SANITARY SEWER MANHOLE
- POWER LINE
- FENCE LINE

NOTES:

1. ALL MATTERS OF TITLE ARE EXCEPTED, THIS SURVEY WAS PREPARED WITHOUT A COMPLETE TITLE SEARCH.
2. SURVEY AUTHORIZED BY CHARLES BARGE

REFERENCES:

1. FINAL PLAT OF CEDAR CREEK PROFESSIONAL CENTER "BUILDING 100" BY SOUTHLAND ENGINEERING LAST REVISED MARCH 20, 2008 AND RECORDED IN CONDOMINIUM PLAT BOOK 18 PAGE 45 OF COBB COUNTY RECORDS.
2. CITY F KENNESAW RIGHT OF WAY DEED RECORDED IN DEED BOOK14716 PAGE 5387

ELEVATIONS
DESIGN GROUP LLC
SURVEYORS AND ENGINEERS
110 EVANS MILL DRIVE
SUITE 603
DALLAS, GA 30157
770-865-6774
ELEVATIONSDG.COM

REV.	DATE	NOTES
1	01/22/26	ISSUED FOR RECORD

BOUNDARY RETRACEMENT SURVEY FOR

CEDAR CREEK PROFESSIONAL OFFICE ASSOCIATION, INC.

LAND LOT 140, 20th DISTRICT, 2nd SECTION,
IN THE CITY OF KENNESAW,
COBB COUNTY, GEORGIA

GEORGIA REGISTERED No. 2884 LAND SURVEYOR JOEL M. HART

TITLE

BOUNDARY RETRACEMENT SURVEY

SHEET

1 OF 1

PROJECT INFORMATION
FILE: 26-022
DATE: 01/22/26
SCALE: 1"=30'

Stephen T. Snow, Esq.
Partner

[redacted]

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 Request to Remove Stipulation #14 from City of Kennesaw Zoning Ordinance No. 2006-20, 2006 Related to 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 request that the City of Kennesaw remove Stipulation #14 from Zoning Ordinance No. 2006-20, 2006 affecting the unnamed private drive serving its property (the "Ordinance" (**Exhibit 2**)). This request is being submitted contemporaneously with CCPOA's objection 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 CCPOA property.

As set forth in CCPOA's objection letter and its accompanying exhibits, DRB's proposed 89-unit townhome development is inconsistent with the "general business/office development" purpose for which the adjacent property is currently zoned and as was specifically contemplated by the City, the developer of the Cedar Creek Professional Center, and the nearby residents who mutually negotiated and agreed upon the terms and stipulations set forth in the Ordinance. The proposed 89-unit townhome development directly violates no less than five (5) stipulations set forth within the Ordinance that specifically relate to and restrict the manner in which the adjacent property can be developed.

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, 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 3**)). As noted throughout the Ordinance, the "proposed development" refers 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 where DRB now proposes to construct 89 townhomes. (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 CCPOA's 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 4**); Mayor and Council meeting minutes for September 5, 2006 (**Exhibit 5**); Mayor and Council Agenda Packet for September 5, 2006 (**Exhibit 6**)).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 noted above, DRB's proposed 89-unit townhome development violates multiple stipulations set forth in the Ordinance and it is completely inconsistent with the type of future development that was contemplated by the City, Pebblebrook, and the local residents as the basis for the prior zoning approval. Most concerning to CCPOA is DRB's intention of using Stipulation #14 as grounds for seizing control over CCPOA's private drive to provide ingress/egress for the residents of the proposed townhome community. Stipulation #14 provides, "Interparcel access and shared access drive shall be designed with adjoining vacant property once future development of adjoining parcel is pursued." The term "future development" used in Stipulation #14 refers to the two (2) additional office buildings shown in the Rezoning Drawing and referenced so many times throughout the Ordinance. It does not refer to "any" future development, such as the 89 townhomes currently proposed by DRB.

As noted in Stipulation #13, 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 accessing Pine Mountain Road via CCPOA's private drive 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 acres. (See Pebblebrook's Limited Warranty Deed (**Exhibit 7**); AP Real Estate Georgia, LLC's Limited Warranty Deed (**Exhibit 8**); and Reciprocal Easement Agreement (**Exhibit 9**)). 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 3**). 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 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 via King Crossing Court. (**Exhibit 9**). Moreover, the current owner's deed specifically references that same Reciprocal Easement Agreement as "Appurtenant Easement Area No. 3" benefiting the subject property. (**Exhibit 8**; see also **Exhibit 7**). 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

[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.

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.

DRB relies upon Stipulation #14 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 recorded Reciprocal Easement Agreement and relevant deeds clearly indicate that the proposed development property is not landlocked as DRB contends and that it does not need CCPOA's private drive. Rather, DRB is merely seeking a secondary access point for the convenience of its future residents.

The Ordinance and Stipulation #14 were based on the assumption that the future development would be limited to two (2) small office buildings, as specifically shown on Pebblebrook's Rezoning Drawing and as regulated by the stipulations set forth in the Ordinance. 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 CCPOA's private drive to access Pine Mountain Road. The harm that will certainly result to CCPOA, the unit owners of Building 100, the local residents, and the general public if the traffic from 89 townhomes were permitted to access this congested section of Pine Mountain Road through CCPOA's private drive would be irreparable.

Because the adjoining property referenced in the Ordinance will no longer be developed into two (2) small office buildings as contemplated by the Ordinance, CCPOA requests that the City remove Stipulation #14 from the Ordinance so that any future development on that property will be accessible only from Hwy 41 via King Crossing Court pursuant to the rights granted under the recorded Reciprocal Easement Agreement. With the assistance of City of Kennesaw code enforcement, the proposed development property's access to CCPOA's private drive has been blocked off since 2019. Since that time, the current owner of the proposed development property has exclusively accessed the development property from Hwy 41 via Kings Crossing Court. CCPOA has submitted this rezoning application merely to update the Ordinance by removing outdated Stipulation #14 and to bring the Ordinance in line with the current status and limited use of its private drive. All other stipulations within the Ordinance should remain in effect to protect the ongoing interests of the local residents, business owners, and community members who live, work, and commute near the proposed development property.

We appreciate the opportunity to submit this letter in support of CCPOA's Rezoning Application. 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.

Index

Exhibit 1: Bank of North Georgia Quitclaim deed to Cedar Creek Professional Office Association

Exhibit 2: City of Kennesaw Ordinance 2006-20

Exhibit 3: Rezoning Drawing

Exhibit 4: Planning Commission Meeting Minutes for July 10, 2006

Exhibit 5: Mayor and Council Meeting Minutes for September 5, 2006

Exhibit 6: Mayor and Council Agenda Packet for September 5, 2006

Exhibit 7: Limited Warranty Deed for Pebblebrook Development, LLC

Exhibit 8: Limited Warranty Deed for AP Real Estate Georgia, LLC

Exhibit 9: Reciprocal Easement Agreement between Kings Crossing Investments, LLC and Kings Crossing Management, LLC

Exhibit 1

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).

W I T N E S S E T H:

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

Signed, sealed, and delivered
in the presence of:

[AFFIX BANK SEAL]

CORPORATE SEAL

WITNESS

NOTARY PUBLIC

My Commission Expires: 10.19.13

[AFFIX NOTARY SEAL]

DENISE WISNIEWSKI NOTARY PUBLIC CHEROKEE COUNTY GEORGIA EXPIRES OCT. 19, 2013

P:\Clients\3121\Cedar Creek\Quitclaim Deed.doc

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.

Exhibit 2

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)	

Exhibit 3

OUTLOT
ZONED – (HGB)
AREA = 0.99 ACRES

IPF	= IRON PIN FOUND	L.L.	= LAND LOT
IPS	= IRON PIN SET	L.L.L.	= LAND LOT LINE
OTP	= OPEN TOP PIPE	PP	= POWER POLE
CTP	= CRIMPED TOP	–P–	= POWER LINE
R/W	= RIGHT OF WAY	–X–	= FENCE LINE
CM	= CONCRETE MONUMENT	CH.	= CHORD
N/F	= NOW OR FORMERLY	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

L=235.11'
R=633.11'
CHORD=233.76'
BRG=S 11°43'07" W

S76°34'50"E 148.14'
L=98.05'
N76°36'52"E 24.21'
208.05
21.28'
N 10°27'28" E 197.63'
278.98'
328.71'
IPS RB #4
70.07'
N22°21'26"W
IPF RB #4
PINE MOUNTAIN ROAD
R/W VARIES
ZONING R-15

100 BUILDINGS
33 2,450 sq. ft.
34 2,450 sq. ft.
35 2,360 sq. ft.
36 4,287 sq. ft.
37 1,780 sq. ft.
38 2,099 sq. ft.
39 2,100 sq. ft.
40 2,100 sq. ft.

1
125,315 sq. ft.
2.84 acres
N/F

51.24'
40.00'
30.00'
40' UNDISTURBED BUFFER
65.47'
N 10°03'34" E 178.00'
40' LANDSCAPE BUFFER
LAND LOT LINE

30 29 28 27
IPF RB #4
PINE LAKE MOUNTAIN
141, PAGE 47 & 48
FST

ZONING R-20

N/F
KING CROSSING MGMT. LLC
ZONED – (GC)
AREA = 1.16 ACRES

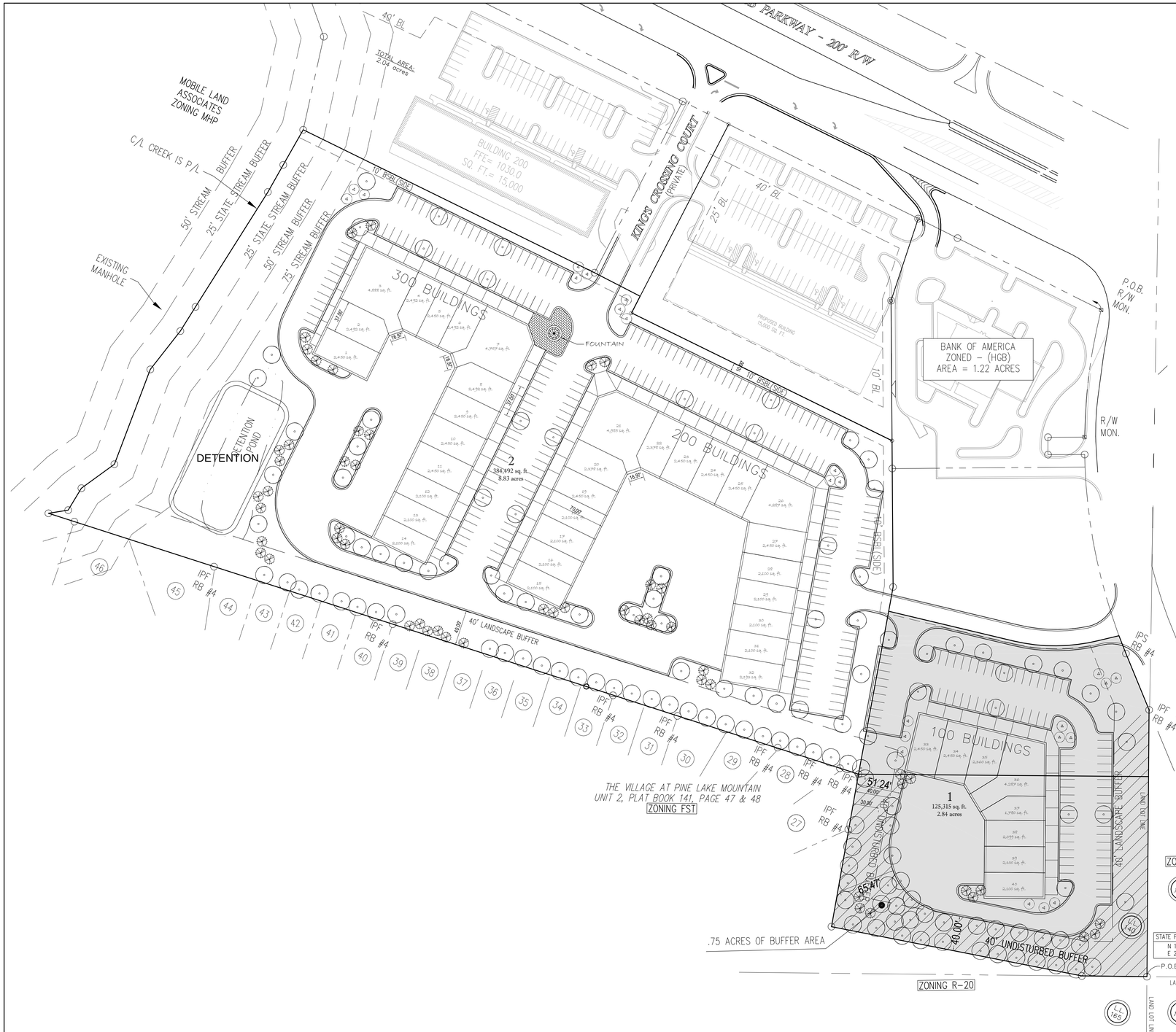
KING CROSSING MGMT. LLC
ZONED – (R-20)
AREA = 1.68 ACRES

L.L. 139
L.L. 140
L.L. 165
L.L. 166

.75 ACRES OF BUFFER AREA
N 78°50'25" W 293.34'
40.00'
40' UNDISTURBED BUFFER
74.82'
N 89°23'09" W
P.O.B.
LAND LOT LINE
LAND LOT LINE

STATE PLANE COORDINATES
N 1462528.8785
E 2157630.7388

MAGNETIC NORTH



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.

Exhibit 4

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

Exhibit 5

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

Exhibit 6

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

JOHN R. MOORE
STEPHEN C. STEELE
WILLIAM R. JOHNSON‡
ROBERT D. INGRAM†
J. BRIAN ONEIL
G. PHILLIP BEGGS
ELDON L. BASHAM
MATTHEW J. HOWARD
JERE C. SMITH
CLAYTON O. CARMACK
KEVIN B. CARLOCK†
ALEXANDER T. GALLOWAY III†
J. KEVIN MOORE
RODNEY R. MCCULLOCH
SUSAN S. STUART
DANIEL A. LANDIS*~

BRIAN D. SMITH
HARRY R. TEAR III
W. TROY HART†
JEFFREY A. DAXE
MELISSA M. GILBERT
JOYCE W. HARPER
AMY K. WEBER
COURTNEY H. MOORE
KIM A. ROPER
TARA C. RIDDLE
KELLI L. WOLK
TANYA L. CROSSE*
ROBERT W. BROWN II
VICTOR P. VALMUS
JEFFERY L. DICKERSON
T. SHANE MAYES

192 ANDERSON STREET
MARIETTA, GEORGIA 30060

TELEPHONE (770) 429-1499
TELECOPIER (770) 429-8631

BILLING ADDRESS
P.O. BOX 3305 • MARIETTA, GEORGIA 30061

TENNESSEE OFFICE
CEDAR RIDGE OFFICE PARK, SUITE 403
406 N. CEDAR BLUFF ROAD • KNOXVILLE, TENNESSEE 37923

TELEPHONE (865) 692-9039
TELECOPIER (865) 692-9071

ANGELA N. SMITH
OPHELIA W. CHAN
DARRELL L. SUTTON
KASI R. WHITAKER
AUTUMN L. VEAZEY
NICHOLAS J. PETERSON*
JEFFREY K. STINSON
JAMES D. WALKER III
CHRISTOPHER D. GUNNELS*
CHRISTOPHER L. MOORE
JENNIFER S. WHITE*
RYAN G. PRESCOTT
RICARDO J. DeMEDEIROS
BRETT A. MILLER
KAREN S. KURTZ

CHRISTOPHER C. MINGLEDORFF
MORGAN E. POSTEN
KATHERINE G. CRONE
RYAN E. JARRARD*
ANN A. HAMMENECKER*
JAMES D. BLISCH*
ESTHER VAYMAN
COLE B. STINSON†~

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 (770) 429-1499

Notary Notary Public, Cobb County, Georgia My Commission Expires Jan. 10, 2007

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

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

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 ,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

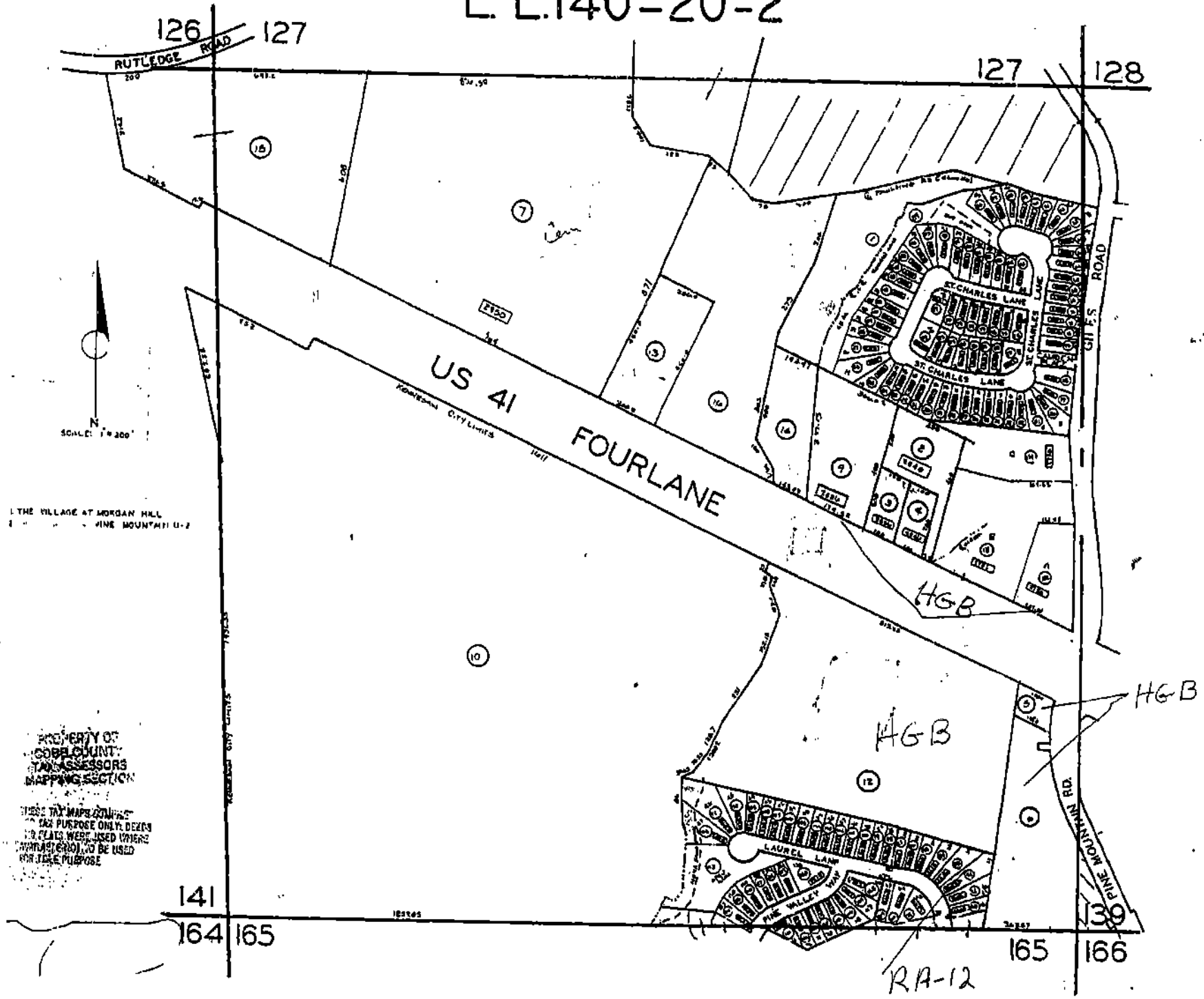
Go approximately 0.2 miles north on US-41 to the Pine Mountain Road Intersection

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	Laurel Mitchell	2630 Laurel Lane	
4	[illegible]	2630 Laurel Lane	
5	[illegible]	2628 Laurel Lane N.W.	
6	Shawn Sawyer	2628 Laurel Lane	
7	Evelynne Forton	2644 LAUREL LANE	
8	[illegible]	2648 Laurel Ln	
9	Jennifer Memmick	2648 Laurel Ln.	
10	Shawna Sims	2642 Laurel Ln	
12	JORDAN ROSAS	2680 Laurel LN	
13	Christopher Baker	2631 Laurel LN	
14	[illegible]	2658 Laurel LN	
15	LINDA [illegible]	2643 Laurel Ln	
16	[illegible]	2654 Laurel LN	
17	Stella Stangler	2652 " "	
18	LUIS Lemaron	2650 Laurel Lane	
19	LUIS LEON	2657 Laurel Ln.	

20	CAROLYN LINK	2658 LAUREL LANE	
21	Joe Link	2658 Laurel Ln.	
22	Joel Smith	2662 Laurel Lane	
23	LINDA HARI	2662 Laurel Lane	
24	Mary McDonald	2659 Laurel Lane	
25	Ada B. Jones	2666 Laurel Lane	
26	DOROTHY GAESS	2661 LAUREL LANE	
27	Jonathan Nash	2814 Pine Valley Way	
28	James T. Nash	2814 Pine Valley Way	720 480 9734
29	Shannon Noel	2808 Pine Valley Way	
30	Gerald Green	2670 Laurel Lane	
31		2678 Laurel Lane	
32	Lucia Linares	2652 Laurel Ln.	
33	Alicia O'Grady	2657 Laurel Ln	
34	LAURA CARUTI	2644 Laurel Lane	
35	FRANCIS J. HICKEY	2660 Laurel Lane	
36	Audrey Hickey	2660 Laurel Ln	
37	SEAN EACHUS	2645 Laurel Lane	
38	Nancy Farlan	2649 Laurel Lane	
39	Sean Agnew	2639 Laurel Ln	
40	HEATHER HALL	2637 Laurel Ln	
41	Elizabeth Ballenger	2649 Laurel Lane NW	
42	Daniel Brelsford	2653 Laurel Lane	
43	Linda Simmons	2655 Laurel Lane	
44	Peggy Phillips	2654	
45		2656 Laurel Lane	
46	Christy Lawrence	2656 Laurel Lane	
47	JOYCE RUTHERFORD	2817 Pine Valley	
48		2813 Pine Valley Way	
49	Carol Hall	2813 Pine Valley Way	
50	Ron Spangler	2805 Pine Valley Way	
51		2806	
52	Nathaniel Sims	2642 Laurel Lane	
53	GREG SNYDER	2622 LAUREL LANE	
54	Rebecca Snyder	2623 Laurel Ln	
55	Meg Hagan	2673 Laurel Ln	

56	Jeffrey W Palmer	2619 Laurel Lane	Jeffrey W Palmer
57	[illegible]	2620 Laurel Lane	[illegible]
58	Karen Richardson	2602 Laurel Lane	Karen Richardson
59	Ruth V. Lakeman	2600 Laurel Lane	Ruth V. Lakeman
60	Thomas N. Lamie	2600 Laurel Lane	Thomas N. Lamie
61	George Lakeman	2600 Laurel Lane	George W. LAKEMAN
62	Kathleen Killingback	2756 Highland Ridge	Kathleen Killingback
63	Cheryl Tillman	2754 Highland Ridge	Cheryl L Tillman
64	JOSE LUIS MALDONADO	2744 HIGHLAND RDG.	[illegible]
65	DAVID HARBER	2734 HIGHLAND RIDGE	David Harber
66	Melis Arnold	2737 HIGHLAND RIDGE	[illegible]
67	Mike Bledsoe	2732 HIGHLAND RIDGE	M. Bledsoe
68	Kim Dell	2754 Highland Ridge	[illegible]
69	Lisa Manning	2740 Highland Rd	[illegible]
70	Victor Durand	2740 Highland Rd	Victor Durand
71	Tracey Rotenberger	2634 Laurel Lane	Tracey Rotenberger
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	[illegible]
76	Yvonne Cui	2625 Laurel Dr 80138	[illegible]
77	[illegible]	2617 Laurel Ln Keene CA	[illegible]
78	Ethel Mosher	2750 Highland Ridge Kenwood Ln	Ethel Mosher
79	Kathy Singhas	2746 Highland Ridge Rd.	[illegible]
80	Stephen Smith	2732 Highland Ridge	[illegible]
81	Jon Stanaff	2732 Highland Ridge	[illegible]
82	[illegible]	2735 Highland Ridge	[illegible]
83	Bonnie Hill	2725 Gen Schwarzkopf Ct	[illegible]
84	Kristopher Johnson	2731 Gen. Schwarzkopf Ct	Kristopher J Johnson
85	Denise Guzzardo	2733 Gen Schwarzkopf Ct	[illegible]
86	Linda McPherson	2735 Gen Schwarzkopf	Linda McPherson
87	Cindy Amos	2751 Highland Ridge	Cindy Amos
88	Phillip Tomaszewski	2802 Pine Valley Way	[illegible]
89	Kimberly Hurley	2807 Pine Valley Way	[illegible]
90	Rhonda Hall	2731 Highland Ridge Antioch	[illegible]
91	Susan Thomas	2715 Highland Ridge	Susan Thomas

2715 Highland Ridge 30152

	Jean W. Dorset	Jean W. Dorset	Jean W. Dorset
93	James R Gipson	2606 Laurel Lane	James R Gipson
94	Claudia Arbaleda	2609 Laurel Lane	Claudia Arbaleda
95	PETER Ramirez	2604 Laurel Lane	
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	Ellen Poor	2742 Highland Ridge	Ellen Poor
101	Sue Hayden	2736 Highland Ridge	Sue Hayden
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	2724 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 Siegenski	2617 Laurel Lane	
110	Jeffrey Lloyd Fine	2745 Highland Ridge	Jeffrey Lloyd Fine
111	Deneen Fuller	2721 Highland Ridge	Deneen Fuller
112	Patricia Snyder	2692 Laurel Lane	Patricia Snyder
113	Erin Snyder	2642 Laurel Lane	Erin Snyder
114	John Massaiello	2611 Laurel Ln.	
115	Laura Scherm	2712 Highland Ridge	Laura Scherm
116	Michelle Dingman	2708 Highland Ridge	Michelle Dingman
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	
121	Faye McCullar	2672 Laurel Ln	Faye McCullar
122	Sally Oliver	2807 Pine Valley Way	Sally Oliver
123	Becky Hall Cox	2669 Laurel Lane	Becky Hall Cox
124	PAUL SHEFFMAN	2616 LAUREL CIR. NW	
125	Nicholas Sam	2722 Highland Ridge	
126	MARIE M. FIEVET	2720 HIGHLAND RIDGE	Marie Fievet
127			

128	Sunny Shaw	2922 Highland Ridge, Kennesaw	Sunny Shaw
129	Wednesdy Cooper	2809 Pine Valley Dr Kennesaw	
130	Eric L Calegowski	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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MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP

WWW.MIJS.COM

192 ANDERSON STREET

MARIETTA, GEORGIA 30060

TELEPHONE (770) 429-1499
TELECOPIER (770) 429-8631

BILLING ADDRESS
P.O. BOX 2806 • MARIETTA, GEORGIA 30061

TENNESSEE OFFICE
CEDAR RIDGE OFFICE PARK, SUITE 403
428 N. CEDAR BLUFF ROAD • KNOXVILLE, TENNESSEE 37923

TELEPHONE (865) 692-9333
TELECOPIER (865) 692-9071

JOHN M. MOORE
STEPHEN C. STEELE
WILLIAM E. JOHNSON†
ROBERT D. INGRAM†
J. BRIAN O'NEIL
G. PHILLIP BROOK
ELDON L. BASHAM
MATTHEW J. MCWARD
JERE C. SMITH
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W. TROY HUNT†
JEFFREY A. DAVIS
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AMY K. WEBER
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KIM A. ROPER
TARA C. RIDDLE
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CHRISTOPHER C. MIMLESDORFF
MORGAN E. FOSTER
KATHERINE G. CRONE
BRIAN E. JARRARD†
ANN A. HAMMERSCHMIDT*
JAMES D. BIRCH†
ESTHER WANAMI
COLE R. STIMSON† —
SUZANNE E. HENRICKSON
OF COUNSEL:
JOHN L. SKELTON, JR.†

† ALSO ADMITTED IN TN
* ALSO ADMITTED IN FL
= ALSO ADMITTED IN NH
— ALSO ADMITTED IN DC
‡ ADMITTED ONLY IN TN

August 30, 2006

Hand Delivered

Mr. Darryl T. Simmons
Zoning Administrator
City of Kennesaw
2529 J. O. Stephenson Avenue
Kennesaw, Georgia 30144

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.

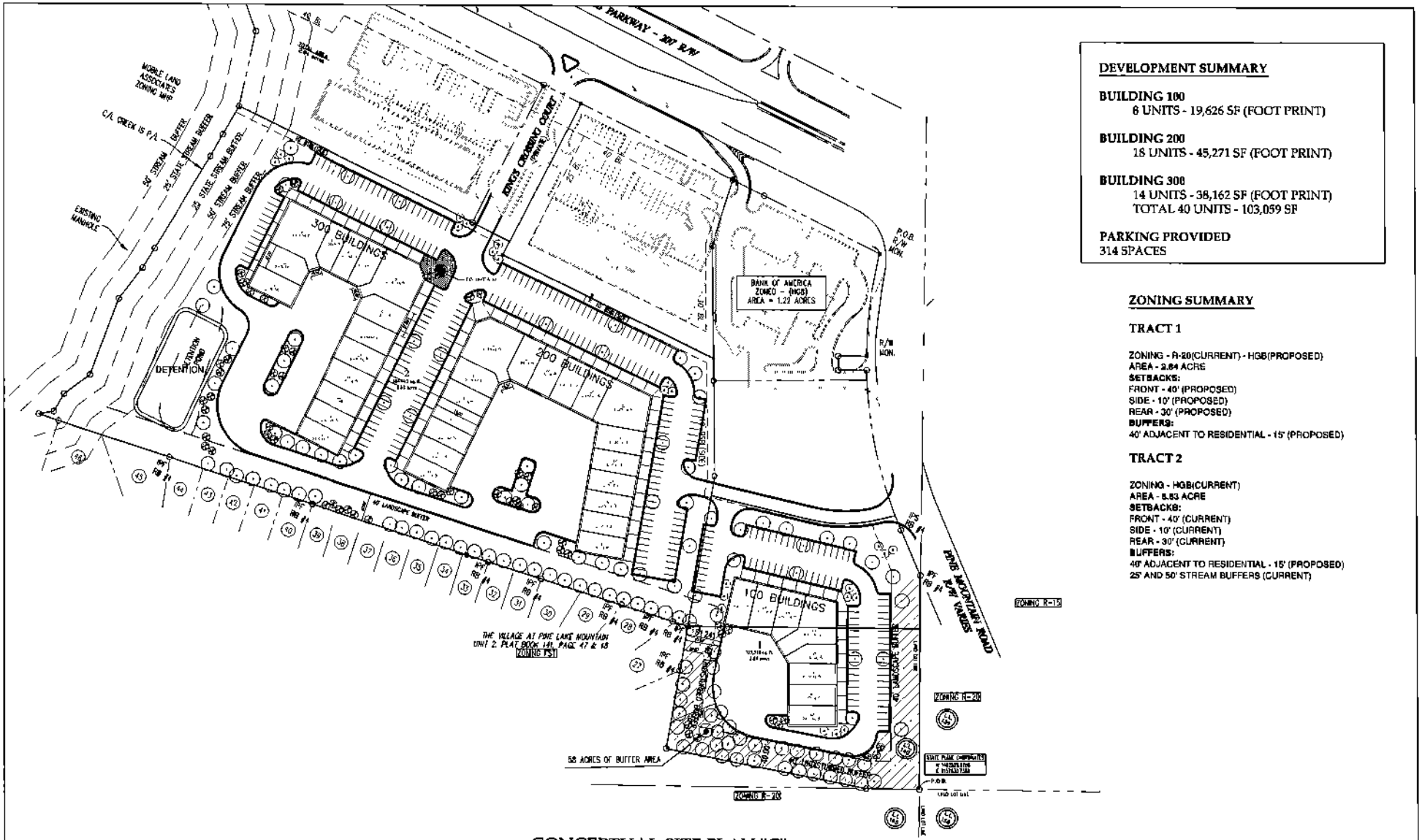
Staff Conclusions

- 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

GRAPHIC SCALE

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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(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.

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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

WWW.MIJS.COM

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TENNESSEE OFFICE
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408 N. CEDAR BLUFF ROAD • KNOXVILLE, TENNESSEE 37923

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OF COUNSEL:
JOHN L. SKELTON, JR.†

† ALSO ADMITTED IN TN
* ALSO ADMITTED IN FL
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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

Dear Darryl:

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Very truly yours,

MOORE INGRAM JOHNSON & STEELE, LLP

J. Kevin Moore

JKM:cc
c: Mayor and City Council
Planning Commission

Pebblebrook Development, LLC

Exhibit 7

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.

FOR NOTICE OF LIS PENDENS SEE
LB Book 114 Page 1438

Exhibit 8

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#: 5714407-380

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

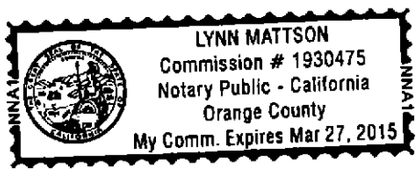
[SEAL]

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.

Exhibit 9

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

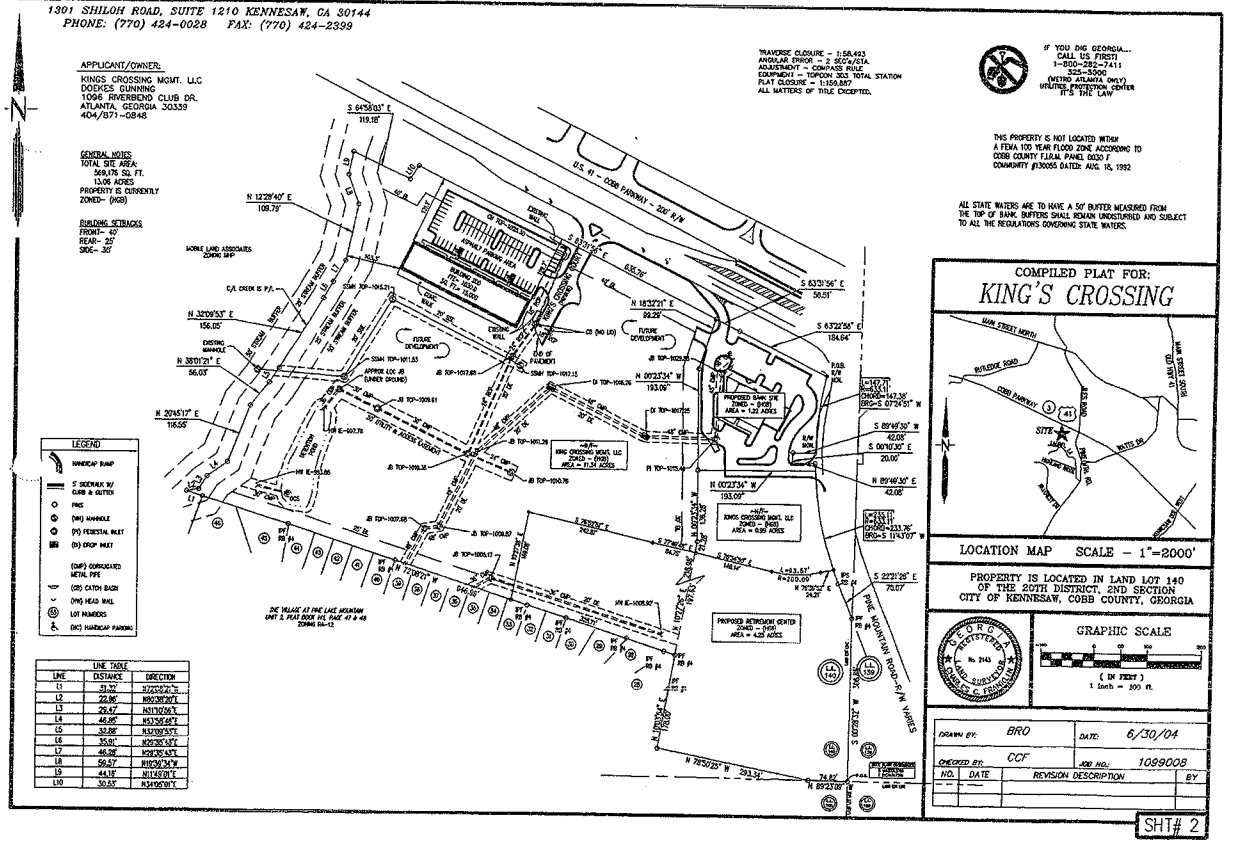


Exhibit "E"

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

February 13, 2026

Subject: Please Take Notice - Notification of Nearby Zoning Application
6095 Pine Mountain Rd, Kennesaw, GA 30144
Parcel ID(s): 20014001470

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.

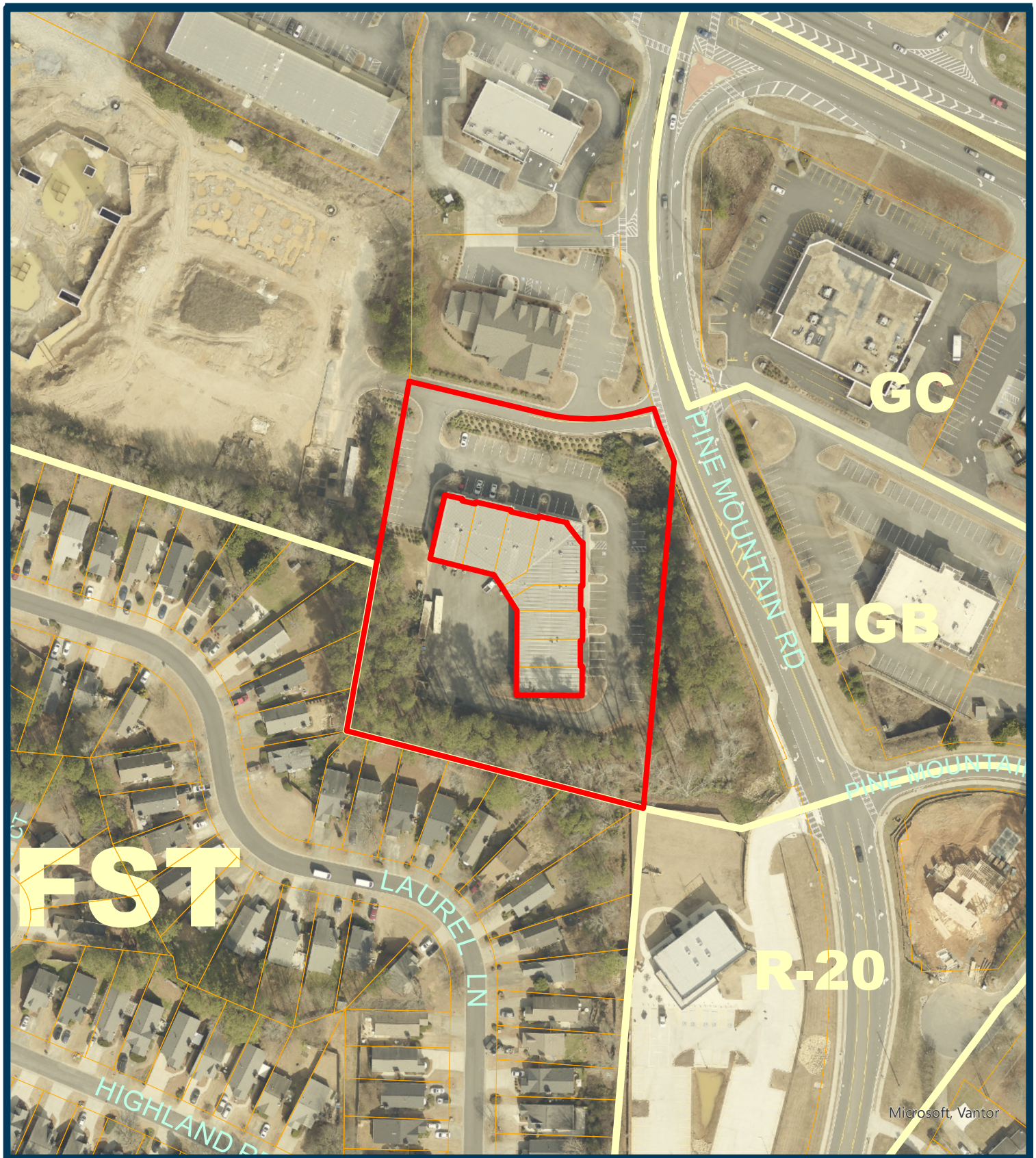
The application details are as follows:
Applicant Name: Cedar Creek Professional Office Association
Property Address: 6095 Pine Mountain Rd
Parcel Identification Number: 20014001470
Description of Proposal: Request to amend the zoning conditions as outlined in Ordinance 2006-20.

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: 3/4/26	Date: 3/16/26
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 _____ Date _____



CASE NUMBER		LAND USE OR ZONING FROM	TO
AV	LU		
AX	RZ 2026-003	HGB	HGB
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 147

Subject Property

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

Derek Easterling MAYOR
Lan Alvarez CITY CLERK

Scale: 1" = 140 '
Print Date: 1/28/2026
RZ2026_003

REZONING APPLICATION

Date Received_____
Staff's Initials_____

Is this property located within the Kennesaw Historic District (yes) _____ (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 1/12/26 Staff's Initials _____

REZONING PROPERTY ADDRESS 6095 Pine Mountain Road

Land Lot 140 Tax Parcel 6 Lot Size _____

Resident Population_____ Housing Units_____ Other Buildings_____

Zoning Request from: Please see below and attached documents.
Present Zoning _____ To: _____

For the purpose of: Amending the original zoning application to strike condition 14 from Zoning Ordinance No. 2006-20, 2006. Applicant submits this application due to the use of the adjoining property being in violation of the referenced zoning ordinance. Please see the attached documents in support of applicant's zoning application.

APPLICANT EMAIL [redacted]

Applicant Address 6095 Pine Mountain Rd

(Phone #) [redacted]

Applicant Signature Charles Allen Barge Date 1/15/26

Signed, sealed and delivered in presence of: TMcAllister 1/15/26
Notary **Date**

T MCALLISTER NOTARY PUBLIC PAULDING COUNTY, GEORGIA MY COMMISSION EXPIRES 06/17/2027

REPRESENTIVE STEPHEN SNOW

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

Representative Signature _____ Date 1/16/26

Signed, sealed and delivered in presence of: Carol A Caine 1/16/26
Notary **Date**

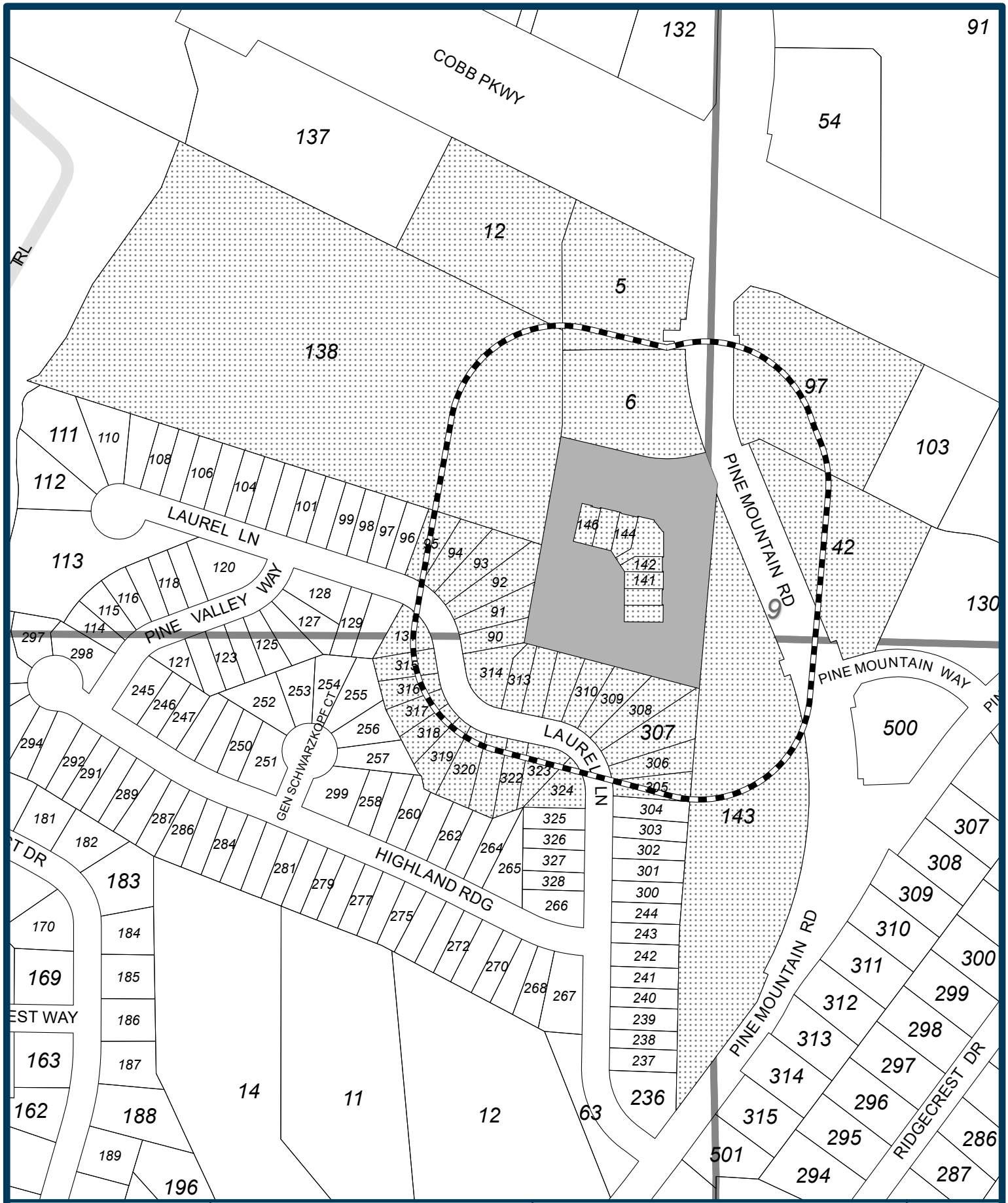
TITLEHOLDER: Cedar Creek Professional Office Association, Inc **(Phone #)** _____

Signature: Charles Allen Barge **Address** 2700 Delk Rd, Suite 100 Marietta, GA 3006

Signed, sealed and delivered in presence of: TMcAllister 1/15/26
Notary **Date**

T MCALLISTER NOTARY PUBLIC PAULDING COUNTY, GEORGIA MY COMMISSION EXPIRES 06/17/2027

CAROLE A. HARE NOTARY PUBLIC GWINNETT COUNTY, GA GEORGIA EXPIRES JUNE 7, 2029


COBB PKWY
PINE MOUNTAIN RD
PINE MOUNTAIN WAY
LAUREL LN
PINE VALLEY WAY
GEN SCHWARZKOPF CT
HIGHLAND RDG
RIDGECREST DR
132
91
137
54
12
5
138
6
97
103
111
110
112
113
42
130
143
307
500
501
236
14
11
12
63
196
Subject Parcel
200' Radius
Properties Notified
6095 Pine Mountain Rd
Land Lot 140,
Tax Parcel 147
RZ2026-003
200' PROPERTY NOTIFICATION
CITY OF KENNESAW
PLANNING & ZONING DEPT.
770-590-8268
Derek Easterling
MAYOR
Lea Alvarez
CITY CLERK
Date: 1/28/2026
RZ2026_003
1" = 226'

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

ORDER CONFIRMATION

Salesperson: KELLY HICKS — Printed at 02/11/26 11:34 by khick-tj

Acct #: 110016 — Ad #: 536479 — Status: New WHOLD

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

Start: 02/13/2026 Stop: 02/13/2026
Times Ord: 1 Times Run: ***
LEG 1.00 X 2.96 Words: 200
Total LEG 2.96
Class: 8003 PUBLIC HEARING
Rate: LEGL Cost: 30.00
Ad Descrpt: PH-9840 6095 PINE MTN RD
Descr Cont: MDJ-9840 GPN-16 CITY OF K
Given by: REBECCA GOLDSTEIN
P.O. #: 6095 PINE MTN RD
Created: khick 02/11/26 11:28
Last Changed: khick 02/11/26 11:33

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

PUB	ZONE	EDT	TP	RUN DATES
MDJ	A	95	S	02/13

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-9840
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 Cedar Creek Professional Office Association, Inc. Said request is to amend the zoning conditions of Ordinance No. 2006-20 for the property located at 6095 Pine Mountain Road (20014001470). The parcel lies in Land Lot 140, Tax Parcel 147 of the 20 th District, 2nd Section, Cobb County Georgia.

Said meetings shall be held before the Planning Commission on March 4, 2026, at 6:30 p.m. with a final scheduled hearing and adoption by the Mayor and Council to be considered on March 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/

Any interested citizens are invited to email **kennesawcouncil@kennesaw-ga.gov**.

2:13-2026

CITY OF KENNESAW
LAND USE NOTICE

APPLICATION # RZ2026-03

PURPOSE Request to amend the zoning conditions as outlined in Ordinance 2006-20.

DATE OF PUBLIC MEETING: 3/4/2026 TIME: 6:30PM

DATE OF PUBLIC MEETING: 3/16/2026 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

02.13.2026 09:29

CEDAR CREEK
PROFESSIONAL CENTER
BUILDINGS 100 - 200 - 300
6095

CITY OF KENNESAW
LAND USE NOTICE

APPLICATION # RZ2026-03

PURPOSE Request to amend the zoning conditions as outlined in Ordinance 2006-20.

DATE OF PUBLIC MEETING: 3/4/2026 TIME: 6:30PM

DATE OF PUBLIC MEETING: 3/16/2026 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

CITY OF KE
LAND USE

APPLICATION # RZ2025-03

PURPOSE Rezone from Highway
Planned Unit Developm
develop fee simple resi

DATE OF PUBLIC MEETING: 2/4/2026

DATE OF PUBLIC MEETING: 2/16/2026

PLACE: CITY HALL KEN

Due to the priority for public he
the City of Kennesaw will implemen
protocol / system for community
in compliance to social distanc
For specific public meeting guidelines
application information please vis

HTTP://WWW.KENNESAW-

FOR FURTHER INFORMATION P

PLANNING AND ZONING DEPARTMEN

02.13.2026 09:48


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PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions
9589 0710 5270 3457 3628 03
Tax Parcel - 20016503060
WILSON INVESTMENTS LLC
4228 OBAR DR
CHATTANOOGA TN 37419
9589 0710 5270 3457 3628 41
Tax Parcel - 20016503180
PROGRESS RESIDENTIAL BORROWER 20 LLC
PO BOX 4090
SCOTTSDALE AZ 85261
9589 0710 5270 3457 3630 84
Tax Parcel - 20016503160
WHEELER CHARLES L JR & ROBIN A
2653 LAUREL LN NW
KENNESAW GA 30152
9589 0710 5270 3457 3632 68
Tax Parcel – 20014001400
AERO GROIUP MOTORSPORTS LLC
2700 DELK RD SE STE 100
MARIETTA, GA 30067
9589 0710 5270 3457 3631 21
Tax Parcel - 20014001380
A P REAL ESTATE GEORGIA LLC
C/O DEVIKA PATEL
6095 PINE MOUNTAIN RD
KENNESAW GA 30152
9589 0710 5270 3457 3627 97
Tax Parcel - 20014001440
CWI CONSTRUCTION INC
6095 PINE MOUNTIAN RD STE 106
KENNESAW GA 30152
9589 0710 5270 3457 3627 59
Tax Parcel - 20013900970
PRADO KENNESAW LLC
C/O WALGREEN PO BOX 1159
DEERFIELD IL 60015
9589 0710 5270 3457 3631 45
Tax Parcel - 20013900420
6110 PINE MOUNTAIN ROAD OWNER
1760 PEACHTREE ST NW STE 100
ATLANTA GA 30309
9589 0710 5270 3457 3627 11
Tax Parcel - 20014000910
MERVAR THOMAS M
598 OWL CREEK DR
POWDER SPRINGS GA 30127
9589 0710 5270 3457 3631 38
Tax Parcel - 20014000060
6205 PINE MOUNTAIN ROAD LLC
2774 COBB PKWY SUITE 109-166
KENNESAW GA 30152
9589 0710 5270 3457 3627 73
Tax Parcel - 20014001410
AERO GROUP MOTORSPORTS LLC
2700 DELK RD SE SUITE 100
MARIETTA GA 30067
9589 0710 5270 3457 3630 91
Tax Parcel - 20014000050
BANK OF AMERICA NA
C/O CRE ASSESSMENTS
PO BOX 32547
CHARLOTTE NC 28232


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Tax Parcel - 20016503170
PIVO CORPORATION
C/O EUGEN VOLOTI
4544 DEVONSHIRE RD
DUNWOODY GA 30338
9589 0710 5270 3457 3628 58
Tax Parcel - 20016503200
DOWDLE DEBRA
428 SAYBROOKE XING
ACWORTH GA 30101
9589 0710 5270 3457 3630 60
Tax Parcel - 20016503240
ROSS HARRISON TAYLOR
2631 LAUREL LN
KENNESAW GA 30152
9589 0710 5270 3457 3629 40
Tax Parcel - 20016503230
EQUITY TRUST COMPANY
c/o PHILLIP ZOLAN IRA
5290 TALLGRASS WAY NW
KENNESAW GA 30152
9589 0710 5270 3457 3629 71
Tax Parcel - 20016503130
CALBERT ZACHARY & VILLARREAL VANESSA
2644 LAUREL LN NW
KENNESAW GA 30152-6041
9589 0710 5270 3457 3629 88
Tax Parcel - 20016503150
CLAVETTE ROBERT
2655 LAUREL LN NW
KENNESAW GA 30152
9589 0710 5270 3457 3629 57
Tax Parcel - 20016503070
WILHITE EMILIE
2632 LAUREL LN NW
KENNESAW GA 30152-6040
9589 0710 5270 3457 3627 42
Tax Parcel - 20014000120
MINBRO KENNESAW LLC
320 HALL CT
ALPHARETTA GA 30022
9589 0710 5270 3457 3631 07
Tax Parcel - 20014000940
GRACE REALTY OF GEORGIA LLC
25 HARRIS DR
MARIETTA GA 30067
9589 0710 5270 3457 3628 65
Tax Parcel - 20016503220
LYMAN CATHERINE ANN
2641 LAUREL LN NW
KENNESAW GA 30152
9589 0710 5270 3457 3628 89
Tax Parcel - 20016503100
DOWNEY RICHARD J & CYNTHIA H
4721 KNOLLWOOD DR NW
ACWORTH GA 30101-4551
9589 0710 5270 3457 3630 53
Tax Parcel - 20014000920
PEGGY PHILLIPS & SUSAN CAMP
2654 LAURAL LN
KENNESAW GA 30152

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WESTBROOKE FINANCIAL LLC
5146 BURNT HICKORY RD
KENNESAW GA 30152

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

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

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

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Tax Parcel - 20014001310
RAFIEE MOHAMMAD
255 HIGH BRANCH WAY
ROSWELL, GA 30075

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STEWART TREVOR
2634 LAUREL LN NW
KENNESAW GA 30152

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Tax Parcel - 20016503190
KOZICKI RICHARD W & MARIA B
863 HUNNICUTT COVE RD SW
SENECA SC 29672

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BATTLE SHIRLEY T
2636 LAUREL LN NW
KENNSAW GA 30152

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Tax Parcel - 20016503050
EQUITY TRUST COMPANY
5290 TALLGRASS WAY NW
KENNESAW GA 30152

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Tax Parcel - 20014001460
INNOVATION COMPOUNDING
6095 PINE MOUNTAIN RD SUITE 108
KENNESAW GA 30144

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ST AMAND RACHELLE M
6490 WILDWOOD TRL
FLOWERY BRANCH GA 30542

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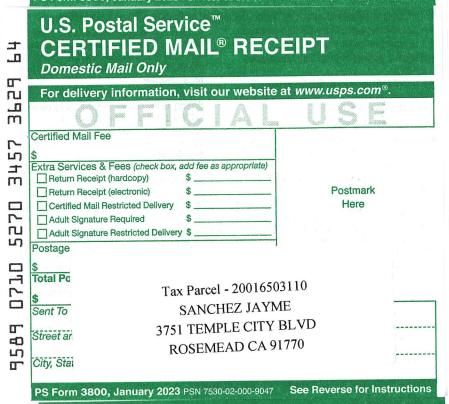
Tax Parcel - 20014001420
AERO GROUP MOTORSPORTS LLC
2700 DELK RD SE STE 100
MARIETTA GA 30067

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

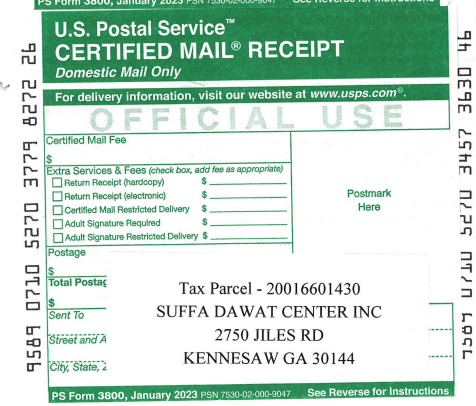
9589 0710 5270 3457 3629 02

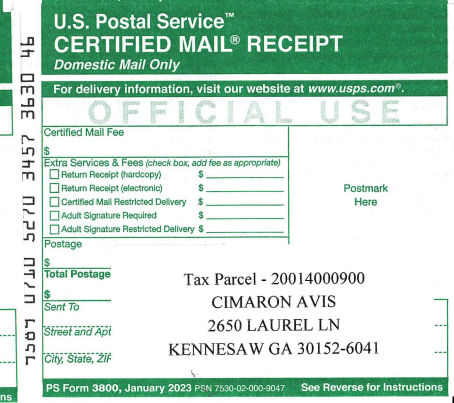

9589 0710 5270 3457 3629 26
U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only
For delivery information, visit our website at www.usps.com®.
OFFICIAL USE
Certified Mail Fee
Extra Services & Fees (check box, add fee as appropriate)
Return Receipt (hardcopy)
Return Receipt (electronic)
Certified Mail Restricted Delivery
Adult Signature Required
Adult Signature Restricted Delivery
Postage
Total Posta
Sent To
Street and A
City, State, Z
Postmark Here
Tax Parcel - 20014001450
AERO GROUP MOTORSPORTS LLC
2700 DELK RD SE STE 100
MARIETTA GA 30067
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions


9589 0710 5270 3457 3629 95
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Return Receipt (hardcopy)
Return Receipt (electronic)
Certified Mail Restricted Delivery
Adult Signature Required
Adult Signature Restricted Delivery
Postage
Total Po
Sent To
Street an
City, Stat
Postmark Here
Tax Parcel - 20016503210
MATTHEWS BARRY & LADONNA
2092 SHILLINGWOOD DR
KENNESAW GA 30152
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions


9589 0710 5270 3457 3629 64
U.S. Postal Service™
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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 Pc
Sent To
Street ar
City, Stat
Postmark Here
Tax Parcel - 20016503110
SANCHEZ JAYME
3751 TEMPLE CITY BLVD
ROSEMEAD CA 91770
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions


9589 0710 5270 3457 3627 28
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
Postmark Here
Tax Parcel - 20014000930
THE WHITMER FAMILY TRUST
3660 ADAMSVILLE AVE
THE VILLAGES FL 32163
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions


9589 0710 5270 3779 8272 26
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 Postag
Sent To
Street and A
City, State, Z
Postmark Here
Tax Parcel - 20016601430
SUFFA DAWAT CENTER INC
2750 JILES RD
KENNESAW GA 30144
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions


9589 0710 5270 3457 3630 46
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
Sent To
Street and Apt
City, State, ZIP
Postmark Here
Tax Parcel - 20014000900
CIMARON AVIS
2650 LAUREL LN
KENNESAW GA 30152-6041
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

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:

KOZICKI RICHARD W & MARIA B
863 HUNNICUTT COVE RD SW
SENECA SC 29672

9590 9402 9814 5266 1917 41

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

9589 0710 5270 3457 3630 08

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
- ☐ Insured 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:

6205 Pine Mountain Rd LLC
2774 Cobb Pkwy Ste 109-166
Kennesaw, GA 30152

9590 9402 9814 5266 1917 03

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

9589 0710 5270 3457 3631 38

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Allison Heard

☑ Agent
☐ Addressee

B. Received by *(Printed Name)*

Allison Howard

C. Date of Delivery

4/17/26

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
- ☐ 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:

PIVO Corp.
C/o Eugen Volt;
4544 Devonshire Rd.
Dunwoody, GA, 30338

9590 9402 9814 5266 1916 04

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

9589 0710 5270 3457 3630 77

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
- ☐ Insured 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

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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:

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

9590 9402 9814 5266 1918 19

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

9589 0710 5270 3457 3629 26

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent
☐ Addressee

B. Received by *(Printed Name)*

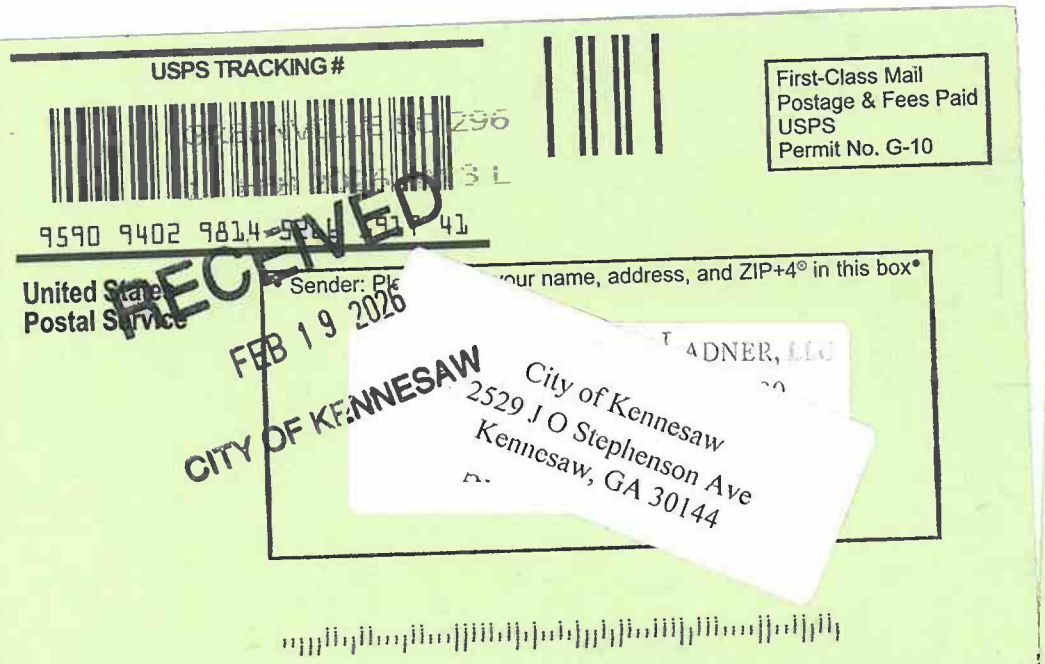
C. Date of Delivery

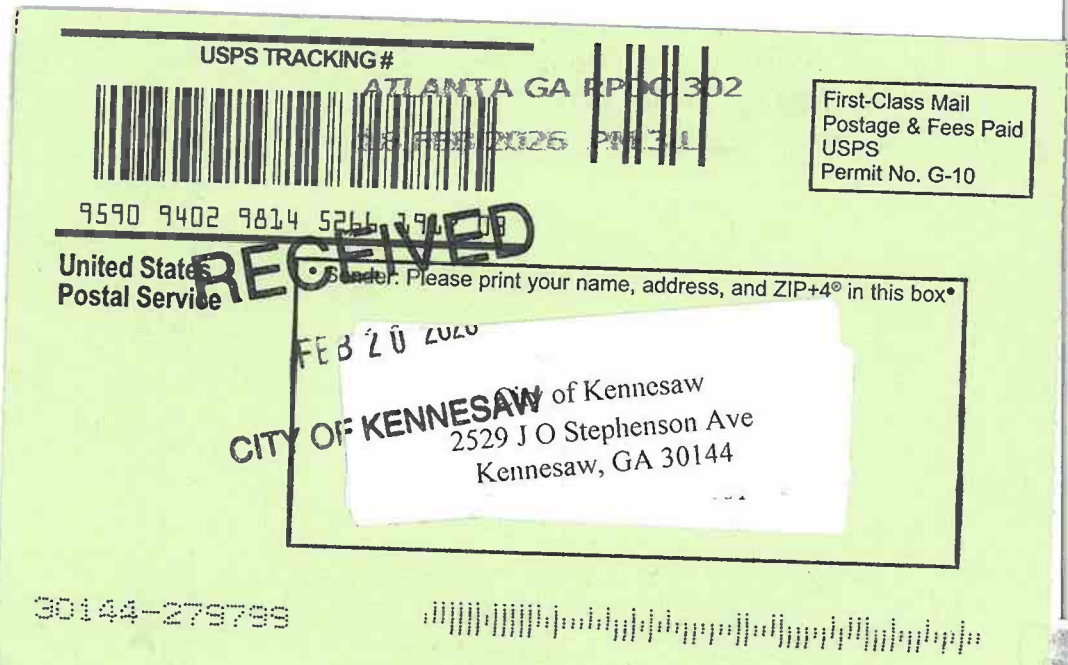
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

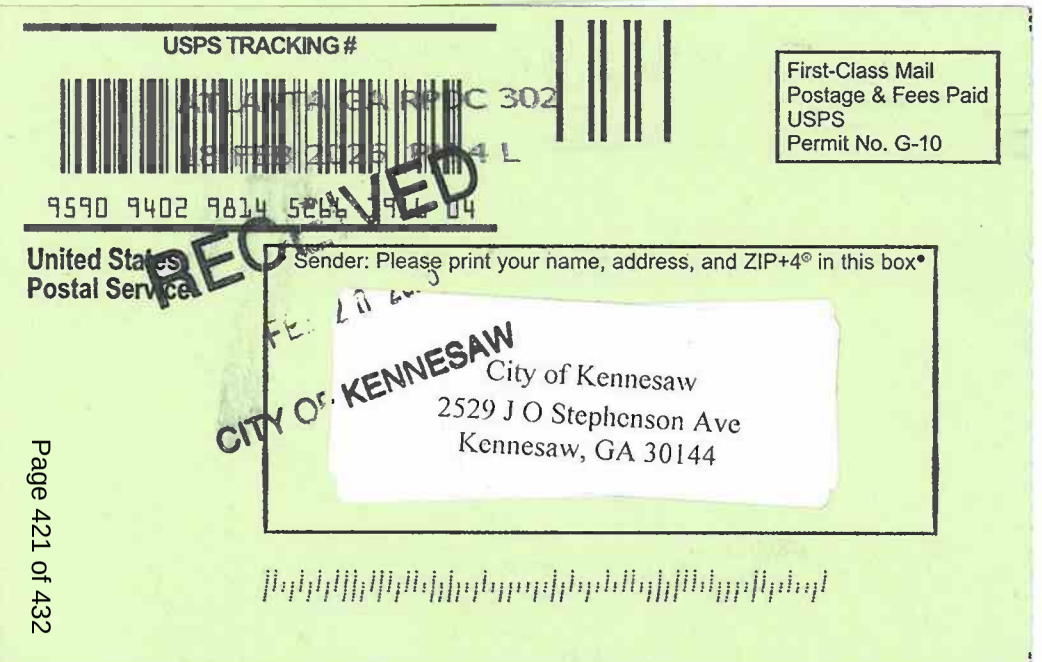
3. Service Type

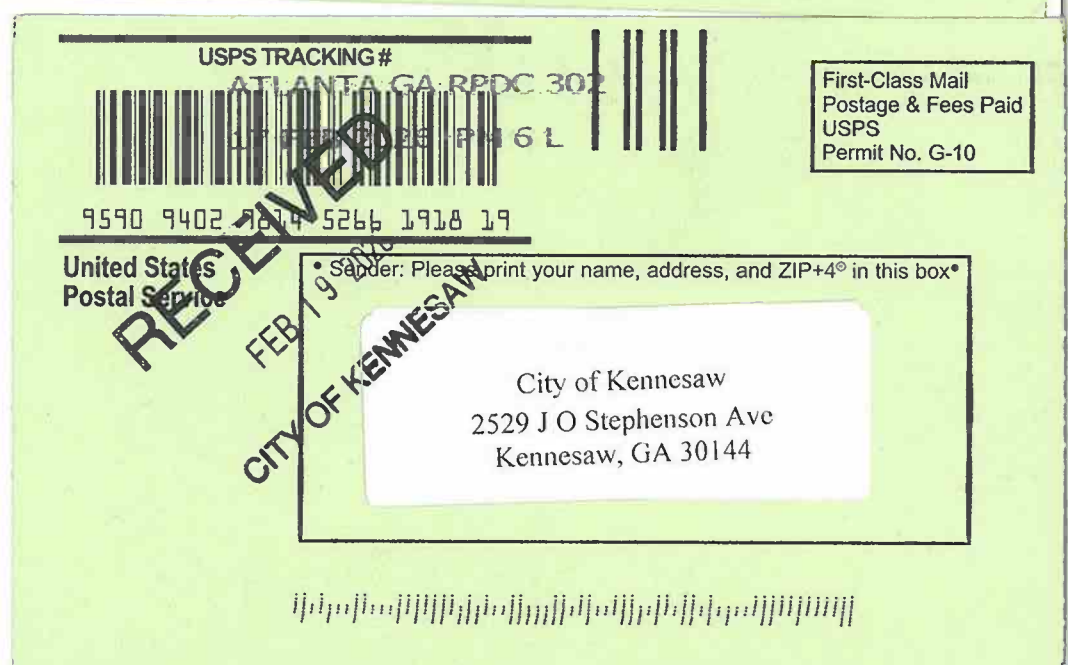
- ☐ Adult Signature
- ☑ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over $500)
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

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


USPS TRACKING #
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•
RECEIVED
FEB 19 2026
CITY OF KENNESAW
City of Kennesaw
2529 J O Stephenson Ave
Kennesaw, GA 30144


USPS TRACKING #
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•
RECEIVED
CITY OF KENNESAW
City of Kennesaw
2529 J O Stephenson Ave
Kennesaw, GA 30144
30144-279793


USPS TRACKING #
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•
RECEIVED
CITY OF KENNESAW
City of Kennesaw
2529 J O Stephenson Ave
Kennesaw, GA 30144


USPS TRACKING #
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•
RECEIVED
FEB 19 2026
CITY OF KENNESAW
City of Kennesaw
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:

Property Owner Mailing List for R22020_0

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

9590 9402 9814 5266 1921 68

2. Article Number *(Transfer from service label)*
9589 0710 5270 3457 3629 02

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X JMC ☐ 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

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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:

Tax Parcel - 20016503080
STEWART TREVOR
2634 LAUREL LN NW
KENNESAW GA 30152

9590 9402 9814 5266 1920 52

2. Article Number *(Transfer from service label)*
9589 0710 5270 3457 3628 10

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☑ Agent ☐ Addressee

B. Received by *(Printed Name)* Gordon Carr | C. Date of Delivery 2/14/2026

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
☐ 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

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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:

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

9590 9402 9814 5266 1921 75

2. Article Number *(Transfer from service label)*
9589 0710 5270 3457 3629 19

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X JMC ☐ 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

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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:

BATTLE SHIRLEY T
2636 LAUREL LN NW
KENNESAW GA 30152

9590 9402 9814 5266 1921 37

2. Article Number *(Transfer from service label)*
9589 0710 5270 3457 3628 96

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☑ Agent ☐ Addressee

B. Received by *(Printed Name)* Denise | C. Date of Delivery 2/14/26

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
☐ 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

USPS TRACKING #

9590 9402 9814 5266 1921 68

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
2529 J O Stephenson Ave
Kennesaw, GA 30144

RECEIVED
CITY OF KENNESAW

USPS TRACKING #

9590 9402 9814 5266 1921 51

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
2529 J O Stephenson Ave
Kennesaw, GA 30144

RECEIVED
CITY OF KENNESAW

USPS TRACKING #

9590 9402 9814 5266 1921 75

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
2529 J O Stephenson Ave
Kennesaw, GA 30144

RECEIVED
CITY OF KENNESAW

USPS TRACKING #

9590 9402 9814 5266 1921 37

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
2529 J O Stephenson Ave
Kennesaw, GA 30144

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:

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

Tax Parcel - 20016503100

9590 9402 9814 5266 1921 13

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

9589 0710 5270 3457 3628 72

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X David Green ☒ Agent ☐ Addressee

B. Received by *(Printed Name)* David Green

C. Date of Delivery 2/14/2

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

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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:

MATTHEWS BARRY & LADONNA
2092 SHILLINGWOOD DR
KENNESAW GA 30152

Tax Parcel - 20016503190

9590 9402 9814 5266 1917 58

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

9589 0710 5270 3457 3629 95

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X ☐ Agent ☐ Addressee

B. Received by *(Printed Name)*

C. Date of Delivery 2/14/26

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
- ☐ 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:

Tax Parcel - 20016503160
WHEELER CHARLES L JR & ROBIN A
2653 LAUREL LN NW
KENNESAW GA 30152

9590 9402 9814 5266 1916 66

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

9589 0710 5270 3457 3630 84

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X ☒ Agent ☐ Addressee

B. Received by *(Printed Name)*

C. Date of Delivery 2/14/26

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
- ☐ 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:

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

9590 9402 9814 5266 1915 74

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

9589 0710 5270 3457 3631 07

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

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

USPS TRACKING #

9590 9402 9814 5266 1921 13

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
2529 J O Stephenson Ave
Kennesaw, GA 30144

...lanta, GA 30309-3281

RECEIVED
FEB
CITY OF KENNESAW

30144-278023

USPS TRACKING #

9590 9402 9814 5266 1921 20

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
2529 J O Stephenson Ave
Kennesaw, GA 30144

RECEIVED
FEB 17 2026
CITY OF KENNESAW

USPS TRACKING #

9590 9402 9814 5266 1916 66

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
2529 J O Stephenson Ave
Kennesaw, GA 30144

RECEIVED
FEB 17
CITY OF KENNESAW

02/16

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City of Kennesaw
2529 J O Stephenson Ave
Kennesaw, GA 30144

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CITY OF KENNESAW

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1. Article Addressed to:

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

9590 9402 9814 5266 1914 13

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

89 0710 5270 3457 3632 68

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
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3. Service Type

- ☐ Adult Signature
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- ☐ Certified Mail®
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- ☐ Priority Mail Express®
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Page 426 of 432

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1. Article Addressed to:

Tax Parcel - 20016503110
SANCHEZ JAYME
3751 TEMPLE CITY BLVD
ROSEMEAD CA 91770

9590 9402 9814 5266 1917 89

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

9589 0710 5270 3457 3629 64

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A. Signature

X

☐ Agent
☒ Addressee

B. Received by *(Printed Name)* | C. Date of Delivery 2/12/24

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

3. Service Type

- ☐ Adult Signature
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1. Article Addressed to:

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

9590 9402 9814 5266 1920 14

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

9589 0710 5270 3457 3627 73

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent
☐ Addressee

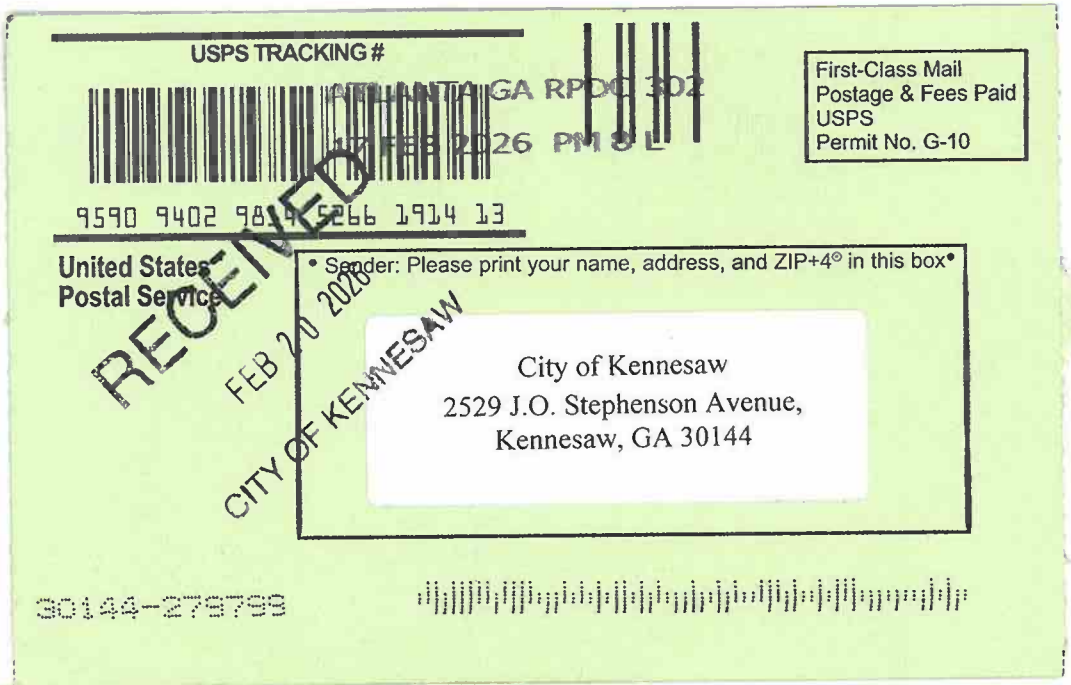
B. Received by *(Printed Name)* | C. Date of Delivery

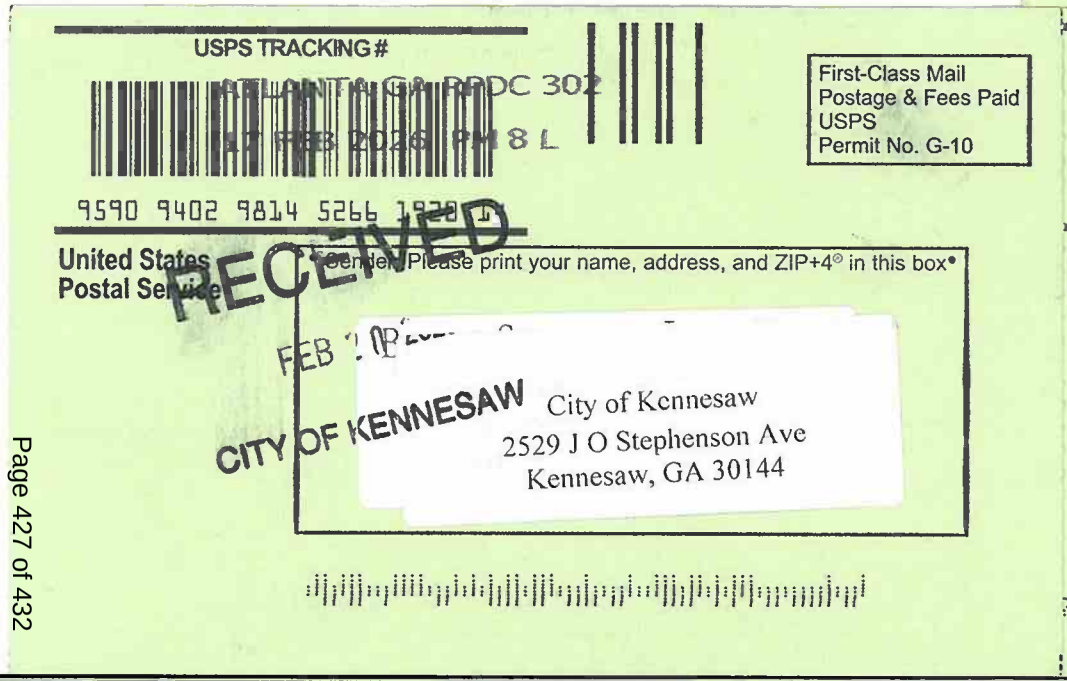
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

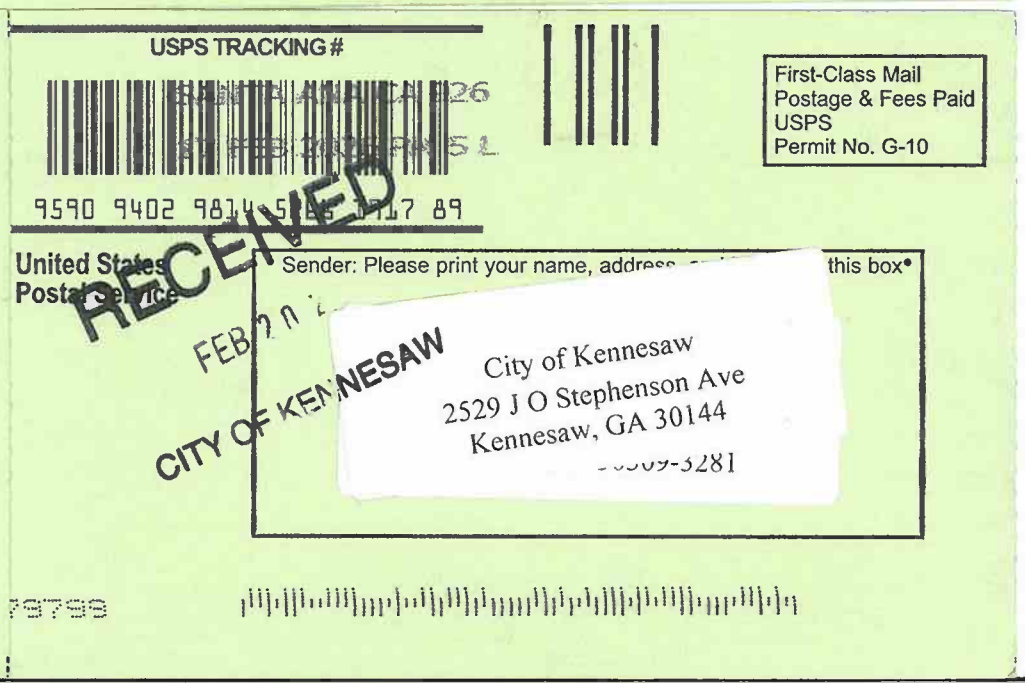
3. Service Type

- ☑ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
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- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
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CITY OF KENNESAW
30144-279799


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Postal Service
Sender: Please print your name, address, and ZIP+4® in this box
City of Kennesaw
2529 J O Stephenson Ave
Kennesaw, GA 30144
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CITY OF KENNESAW


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City of Kennesaw
2529 J O Stephenson Ave
Kennesaw, GA 30144
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CITY OF KENNESAW

USPS TRACKING #

9590 9402 9814 5266 1919 87

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City of Kennesaw
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2529 J O Stephenson Ave
Kennesaw, GA 30144

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City of Kennesaw
2529 J O Stephenson Ave
Kennesaw, GA 30144

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FEB 19 2026

USPS TRACKING #

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1. Article Addressed to:

Tax Parcel - 20013900970
PRADO KENNESAW LLC
C/O WALGREEN PO BOX 1159
DEERFIELD IL 60015

9590 9402 9814 5266 1919 87

2. Article Number *(Transfer from service label)*
9589 0710 5270 3457 3627 59

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Walgreens ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* DEERFIELD, IL 60015 C. Date of Delivery 2/19

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
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☐ Signature Confirmation™
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1. Article Addressed to:

Tax Parcel - 20014000050
BANK OF AMERICA NA
C/O CORPORATE REAL
ESTATE ASSESSMENTS
PO BOX 32547
CHARLOTTE NC 28232

9590 9402 9814 5266 1916 35

2. Article Number *(Transfer from service label)*
9589 0710 5270 3457 3630 91

COMPLETE THIS SECTION ON DELIVERY

A. Signature
Mervar Team ☑ Agent ☐ Addressee

B. Received by *(Printed Name)* Mervar Team C. Date of Delivery 2-17-20

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®
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☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
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1. Article Addressed to:

Tax Parcel - 20016503200
DOWDLE DEBRA
428 SAYBROOKE XING
ACWORTH GA 30101

9590 9402 9814 5266 1920 90

2. Article Number *(Transfer from service label)*
9589 0710 5270 3457 3628 58

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Debra Dowdle ☐ 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
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☐ Priority Mail Express®
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1. Article Addressed to:

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

9590 9402 9814 5266 1919 94

2. Article Number *(Transfer from service label)*
9589 0710 5270 3457 3627 11

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Tom ☐ 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
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Mail Restricted Delivery
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DRB GROUP

February 27, 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: DRB Group Georgia, LLC's Letter in Opposition to Cedar Creek Professional Office Association, Inc's Request to Remove Stipulation #14 from City of Kennesaw Zoning Ordinance No. 2006-20, 2006 Related to 6095 Pine Mountain Road, Kennesaw, GA 30152 (Rezoning Application No. RZ2026-03).

Dear Ms. Campbell,

Please accept this letter as DRB Group Georgia, LLC ("DRB")'s Letter in Opposition to Cedar Creek Professional Office Association, Inc. ("CCPOA")'s Request to Remove Stipulation #14 from City of Kennesaw Zoning Ordinance No. 2006-20, 2006 Related to 6095 Pine Mountain Road, Kennesaw, GA 30152 (Rezoning Application No. RZ2026-03) ("Rezoning Application").

As you know, DRB is the contract purchaser of approximately 8.83 acres of property located at 6095 Pine Mountain Road, Kennesaw, Georgia 30152 ("DRB Property") which DRB submitted for rezoning through Rezoning Application No. RZ2025-03 ("DRB Rezoning Application"). On February 16, 2026, the City Council unanimously approved the DRB Rezoning Application and rezoned the DRB Property from Highway General Business ("HGB") to Planned Unit Residential ("PUD-R"), permitting the development of up to eighty-nine (89) townhomes. A condition of that rezoning approval was that DRB secure two (2) entrances for the planned subdivision, including to Pine Mountain Road through the unnamed private drive serving the CCPOA property located at 6095 Pine Mountain Road, Kennesaw, GA 30152 ("CCPOA Property"). As the City of Kennesaw just conditioned DRB to secure access through the unnamed driveway at the heart of the Rezoning Application, it is antithetical to then remove CCPOA's near twenty (20) year old zoning condition from City of Kennesaw, Georgia Ordinance No. 2006-20, 2006 (the "Ordinance") requiring that "(14) Interparcel access and shared access drive shall be designed with adjoining vacant property once future development of adjoining vacant parcel is pursued." DRB is pursuing the development of the "vacant property" and CCPOA is obligated to provide interparcel access and shared access.

Many of CCPOA's arguments for why Ordinance condition number 14 should be removed are premised upon a faulty application of the Ordinance to the DRB Property. At the time of the 2006 rezoning, the only property submitted for rezoning from City General Commercial ("City GC") to HGB was the 2.88 +/- acres that make up the CCPOA Property and, on its face, the Ordinance only adds conditions on the CCPOA Property. The City of Kennesaw would have been unable, at that time, to add new zoning conditions to a piece of property that was not before the City Council. The DRB Property cannot be in violation of the Ordinance's conditions as alleged by CCPOA because the DRB Property was already zoned HGB and was not named in the rezoning application.

CCPOA is also incorrect in its assertion that "future development" in the Ordinance is tied to the DRB Property being developed for two additional office buildings. The City Council had the knowledge and ability to add qualifying language that the interparcel access was only required to be granted if the adjoining vacant parcel was developed as two additional office buildings. Instead, the plain language of the condition is, "(14) Interparcel access and shared access drive shall be designed with adjoining vacant property **once future development of adjoining vacant parcel is pursued**" (emphasis added). Similarly, CCPOA also takes issue with DRB's assertion that the DRB Property is landlocked and argues that since the DRB Property is not landlocked and there is an alleged alternative access to the DRB Property that CCPOA should not be required to provide access to the DRB Property. While the DRB Property is landlocked, if the Planning Commission and City Council were to somehow conclude that the Property was not landlocked, the landlocked status has no bearing on whether CCPOA is obligated to provide the DRB Property access through a zoning condition. Even with access to Hwy 41 (Cobb Parkway) to the north via Kings Crossing Court that does not change the longstanding zoning requirement for CCPOA to provide access to the DRB Property. The City Council could have drafted Ordinance Condition No. 14 to say that if the DRB Property was landlocked, only then CCPOA was required to provide access. CCPOA is reading in additional words and limitations that do not exist and are irrelevant to the issue at hand, CCPOA complying with its zoning obligations.

CCPOA's Rezoning Application is an attempt to re-interpret a long-standing zoning condition to attempt to have it removed when CCPOA is finally obligated to comply with the condition. The reality is, at all times in CCPOA's development, interparcel access was contemplated. At the time of its zoning, the City Staff and the Mayor and City Council recognized the necessity and benefit of providing access to the DRB Property and memorialized this foresight in the existing stipulation. When the unnamed drive serving the CCPOA Property was developed, the pavement was poured across the property line onto the DRB Property, in anticipation of granting the future access required by the zoning condition. When previously platted "Devi

DRB GROUP

Manor" began construction, this same drive served as regular access to the DRB Property. When CCPOA and the owner of adjoining property at 6205 Pine Mountain Road (the two (2) properties that afford Pine Mountain Road access) applied for land disturbance permits ("LDP") and final plats, one of the express conditions of the LDP checklist was proof of access to the DRB Property along with corresponding reference on the CCPOA and 6205 Pine Mountain Road's plats. CCPOA was afforded the benefit of development and construction conditioned on the express promise of providing future access to the DRB Property; now that its construction is complete, CCPOA seeks to prevent DRB from the same benefit.

DRB requests that the City Council reject CCPOA's Rezoning Application and leave Ordinance Condition No. 14 in place.

Thank you for your time and consideration. If there is anything further that DRB can provide to assist you in your review of this matter, please let me know.

Sincerely,

Samuel J. Holder

Samuel J. Holder, Esq.

DRB Group Georgia, LLC
55 Ivan Allen Jr. Blvd, Ste 400
Atlanta, Georgia 30308
sholder@drbgroup.com
470-890-1103