



**Kennesaw Enrichment and Enhancement Program
Meeting Agenda
August 22, 2023 6:00 PM
City Hall Training Room**

- 1. Call to Order / Roll Call**
- 2. Approval of the Meeting Minutes**
 - A. Approval of the July 25, 2023 meeting minutes
- 3. Old Business**
 - A. Revised Special Event Parking Ordinance
- 4. New Business**
 - A. Special Event Parking Application
 - B. Meeting Dates for November and December
- 5. Staff Comment**
- 6. Adjourn**

**MINUTES OF KENNESAW ENRICHMENT AND ENHANCEMENT PROGRAM
MEETING
CITY OF KENNESAW
City Hall Training Room
July 25, 2023
6:00 PM**

1. Call to Order / Roll Call

Mr. Bradish called the meeting to order at 6:03 p.m.

Members Present: Mitch Phillips, Dennis Bradish, Mark Allen, Carlene Fregeolle, Dwain Phelps and Sharon Blandford

Staff Liaison Present: James Friedrich

Council Liaison Absent: Trey Sinclair

2. Approval of the Meeting Minutes

A. Approval of the June 20, 2023 meeting minutes.

Motion by Mr. Phelps to approve the June 20, 2023 meeting minutes, seconded by Mrs. Fregeolle. Vote taken, motion passed (Mr. Allen and Ms. Blandford abstained).

3. Old Business

4. New Business

A. Review Draft Special Event Parking Ordinance.

Mr. Friedrich prepared a draft Special Event Parking Ordinance for the members to review and discuss. Mrs. Fregeolle asked if applicants need to provide liability insurance in case someone gets injured on their lot. The City would not be held liable for any damage to persons or property because if the incident occurred in a property owner's parking lot, the dispute would be between the property owner and the claimant. For best practices, it would not hurt to add a statement that holds the City harmless either within the draft ordinance or the special event parking application. Mr. Allen asked about the geographical boundaries this ordinance would apply to. After some discussion, it may not fit into one specific district, such as CBD, and it may not apply to the entirety of City limits either. Ultimately, this ordinance would mainly affect the downtown area from Summers Street all the way north towards Swift-Cantrell Park and further down Watts Drive towards Old 41 Highway.

This ordinance would also be best applied to businesses only and would not include residential properties because it would be difficult to regulate and enforce. On a separate note, Ms. Blandford found some conflicting language regarding the renewal of special event parking permits and Mr. Friedrich said he would correct it. Deciding how much to charge for the permits and deciding to incorporate the cost in the ordinance or the application was another point of discussion. Mr. Friedrich stated he would pull some example applications from other municipalities to see how much they charge for their

permits and would also create a draft application to meet the City's needs. Mr. Friedrich will also reach out to Cornerstone Parking to see what percent of profits they receive for partnering with local businesses.

5. Staff Comment

- A. Participation in an interview with consultant regarding the downtown historic district and CBD zoning ordinance amendment process.

Mr. Friedrich informed the committee members that Planning and Zoning Administrator, Darryl Simmons, is looking for interested stakeholders that would be willing to participate in an interview. This interview will be conducted by a consulting firm who was hired by the Historic Preservation Commission to assess, and potentially re-write, some of the City's Historic Preservation Standards. The Standards have not been revised since their implementation in the 1970s. This consultation service will also advise how to best integrate Historic Preservation Standards with the current CBD Code. If anyone from KEEP Committee is interested, they were advised to let Mr. Friedrich know so that Mr. Simmons could contact them directly.

Additionally, Mr Friedrich mentioned the city is excited to host a “Practices for Successful Meetings” class presented by the University of Georgia’s Carl Vinson Institute of Government. The class will be held **Friday, August 18th** in the **Kennesaw City Hall – Council Chambers**. There will be two sessions offered: **9:30 a.m. to 11:30 a.m.** or **2:00 p.m. to 4:00 p.m.** The sessions will cover how to run effective and efficient meetings through tools such as Robert’s Rules of Order, agenda setting, etc. The City encourages all committee members to attend and learn the tips and tricks of best meeting practices!

6. Adjourn

Motion by Mr. Bradish to adjourn the meeting, seconded by Mr. Allen. Vote taken, motion passed. Meeting adjourned at 7:15 p.m.

SPECIAL EVENT PARKING

Chapter 86 – TRAFFIC AND VEHICLES (Add Article IV)

Special event parking.

The following division sets forth provisions for the registration of special event parking.

Purpose.

The purpose of this division is to promote the health, safety, and welfare of Kennesaw citizens and visitors and to preserve neighborhood integrity by addressing issues of traffic flow and pedestrian safety that may occur when paid parking is offered by private property owners to supplement parking provided for special events at major tourist attractions. These provisions are intended to promote the safety of area visitors, residents, and businesses, and to provide a systematic approach to parking and traffic management for such special events. Appropriate signage and barricades on public rights-of-way, and other safety-related measures during special events, are intended to reduce neighborhood impacts, improve traffic conditions, increase pedestrian safety in the areas of the highest pedestrian volumes, and increase the ability of residents and public safety officials to obtain safe neighborhood access and parking. The establishment of special event parking registration is specifically intended to address problems anticipated in areas of high concentration that were not originally designed for special events; the safety of persons and property; traffic congestion arising from paid parking; motorized vehicle and pedestrian traffic management; emergency vehicle and public safety access; and/or operation/maintenance/safety by a lot owner/operator to ensure properly administered lots and adjacent areas. This article is not intended to create new or to expand existing legal obligations of the city, including specifically the Kennesaw Police Department, or to establish a special duty or special relationship between those agencies and owners/operators of special event parking, invitees to special events or special event parking facilities, and/or pedestrians or operators of motor vehicles present at or in the vicinity of special event parking.

Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Special event means an event or gathering using private or public property, that:

- (a) Will draw an estimated 2,000 participants and spectators to a major tourist attraction, or
- (b) Will draw participants and spectators to a major tourist attraction with seating capacity of at least 2,000 people present on any day of the event, and/or
- (c) Will require or involve one or more of the following activities:
 - (1) Closing of a public street;
 - (2) Blocking or restricting streets, sidewalks, alleys, or other public places, in whole or in part;
 - (3) Sale or distribution of food or beverages on streets, sidewalks, alleys, or other public places or public property, or on private property pursuant to section 6-133 or 78-117 to 78-121 where otherwise prohibited by ordinance;
 - (4) Erection or placement of a tent, utility pole, or other temporary structure on a street, sidewalk, alley, or other public place;
 - (5) Erection or placement of a stage, bandshell, trailer, van, portable building, grandstand, bleachers, or other apparatus used for entertainment purposes on public property, or on private property where otherwise prohibited by ordinance; or

- (6) Erection or placement of temporary signage, banners, or displays of any kind in or over a public right of way or on private property where otherwise prohibited by ordinance.

Special event parking means the provision of special event parking to the public for a fee in a parking area that normally provides required or excess parking for a particular nonresidential establishment other than the project site of a major tourist attraction or where parking is the primary use.

Special event parking area means the designated area(s) to be used for special event parking as shown on the parking plan submitted by an applicant pursuant to [INSERT CORRESPONDING CODE SECTION]

Special event parking registration means the submission of required documents to the business license manager demonstrating the intent of the owner/operator to provide special event parking for the term of the registration, subject to the provisions of this division and any additional conditions; and/or the document issued by the business license manager as proof of registration.

Traffic and pedestrian safety management plan (TPSMP) means a plan for the control and flow of vehicular and traffic in the areas of a special event, as developed and devised by city officials.

Traffic and pedestrian safety management plan responsibilities.

- (a) *City responsibilities.* Public safety officials shall be responsible for developing a traffic and pedestrian safety management plan(s) for a special event or series of events. In the performance of these duties, public safety, community development, and transportation officials shall work cooperatively to address traffic management, pedestrian safety and public safety generally relevant to special events and special event parking.
- (b) *Registrant responsibilities.* In addition to all other requirements set forth in this division, registrants must cooperate and comply with any measures required by city officials to effect the traffic and pedestrian safety management plan, including the following:
- (1) Altering the flow of traffic on registrant's property to coincide with the public safety traffic and pedestrian management plan;
 - (2) Erecting signage, placing cones, and taking other measures to direct the flow of traffic on the property and/or to limit ingress/egress as directed by city officials;
 - (3) Responding or causing a representative or other responsible party to respond to the special event parking site upon request of city officials;
 - (4) Implementing other identified life-safety requirements of city officials;
 - (5) Obtaining a new registration or updating registration information if there is a change in address, contact information or transfer of possession of property; and
 - (6) Complying with all requirements of this division.

Registration requirements for special event parking owners/operators.

- (a) *Registration required.* Each applicant for special event parking registration shall submit a completed application, available through the business license division, at least 30 days prior to the initial special event and any subsequent special events. No person shall provide special event parking for a fee, including within the four-hour period before the scheduled start time of the special event, and the two-hour period after the completion of the special event, without having registered to operate special event parking. Once registered, the operator may provide special event parking during the term of the registration regardless of the type of special event occurring.
- (b) *Eligibility.* Special event parking registration shall be available to any business with three (3) or more parking spaces located within the greater downtown area. Special event parking registration shall not be allowed for any residential tenant or property owner.

- (c) *Exemptions.* Governmentally-owned or controlled properties; and onsite parking lots that satisfy zoning requirements for major tourist attractions are not required to register.
- (d) *Multiple properties.* A separate registration is required for each property to be used for special event parking to ensure that parking impacts may be analyzed and addressed by city officials.
- (e) *Nontransferability; new registration required upon transfer of property.* Special event parking registration is not transferable. Upon transfer of the possession of the premises used for special event parking, the new owner/operator shall obtain registration for special event parking no later than seven days after acquisition of the property.
- (f) *Application contents and filing.* The application must contain the following:
 - (1) The applicant's name, address, phone number, email address, and proof of identity;
 - (2) A description of the primary use of the property, copies of valid occupational tax certificates for all businesses located on the property, and an affidavit that the primary use, as set forth in the certificate of occupancy and occupational tax certificates for the property, is an active use at the property;
 - (3) The name of the property owner, address, phone number, e-mail, and evidence of payment of property taxes;
 - (4) Written, notarized statement of consent from property owner for use of the property for special event parking, if the applicant is not the owner;
 - (5) The name, address, phone number, email, and proof of identity of the person responsible for the operation of the special event parking area, if not the owner or the applicant. The applicant shall be responsible for providing to the business license manager updated contact information for the person responsible for operations during special events. This contact needs to be available before and during the special event for consultation with public safety, as needed;
 - (6) A parking plan in compliance with the City Code and development standards indicating the address and name of the primary use on the property, as shown on the signage for the primary use, boundaries of the parking area, preservation of parking for the primary use, ingress and egress locations, the parking layout (no stacking is permitted, parking must be in existing striped parking spaces), parking sign locations, and the area on the property where payment will be received;
 - (7) If the parking plan includes spaces that have otherwise been leased to any other business, individual or entity, and such spaces will be utilized for special event parking, the applicant must present written approval from the other business, individual or entity leasing such spaces.
 - (8) An impact statement detailing how the applicant's operation will mitigate potential impact on roadway operations, incorporate safety features for pedestrians and address crime prevention or any other public safety concerns relevant to this property; and
 - (9) A registration fee in an amount as approved by the mayor and council.
- (g) *Completed applications required.* Only completed applications will be considered. In the event an incomplete application package is received, the business license division shall notify the applicant who shall forward the missing information within three business days. Registration is not complete and the application will not be processed until the completed application package is received by business license.
- (h) The parks and recreation department shall be responsible for coordinating activities with the appropriate public safety office, department or agency based on the venue.
- (i) *Expiration.* Special event parking registration is valid for one year from the date of issuance and may be renewed only by subsequent application.

Additional operational requirements for special event parking.

To effectuate the purposes of this article, owners/operators of special event parking must comply with the following operational requirements any time special event parking is provided for the public:

- (a) Operators of special event parking shall comply with all traffic and pedestrian safety management plans, as may be amended from time to time, as dictated by public safety officials. Public safety shall communicate changes as known to the person responsible as designated in section 78-406.4(f)(5);
- (b) On the day of a special event, a temporary sandwich-board sign must be displayed in the special event parking area near each entrance to the parking area in the location(s) shown on the parking site plan. The sign copy area must be at least 18 inches high and 24 inches wide (but no larger than 24 inches by 36 inches) with a maximum height from grade to the top of the sign of four feet, including a parking symbol, at least ten inches in height designated by the county, and include the following wording with the blanks filled in appropriately: "Special Event Parking Lot, Parking Fee \$____, Registration # ____, Operator Phone # ____-____-____." The parking fee must be in a font that is at least six inches in height. When the lot is full, a "lot full" sign must be displayed that is visible from the street. The sign is a traffic management device and a display of registration, so no other wording is permitted on the front of the sign. The sign must be of a durable material, such as plastic, metal, wood, or like material, and must be professionally fabricated and maintained in good repair. A sign permit is not required for this sign, which may be displayed four hours prior to the event and must be removed two hours after completion of the special event. The parking symbol, the wording, and the fee must be visible from the adjacent street. The parking fee must remain the same throughout the day of the special event unless decreased, and the amount charged for parking must not exceed the amount stated on the sign. The sign must be visible on the special event parking area from the time cars are admitted for the special event parking until the property has been cleaned of litter at the end of the special event.
- (c) The special event parking registration and parking plan must be available for immediate on-site inspection by city staff or public safety officials.
- (d) The special event parking area must be paved, striped, and lit in compliance with standards prescribed by city ordinances and development standards for parking areas. Vehicles must be parked on approved surfaces and in compliance with the parking plan.
- (e) The special event parking area must be staffed by at least one attendants, representative, or other responsible party capable who shall remain on the lot from the time the operator begins accepting payment for parking until one hour after the end of the event. Said attendant/representative shall be capable of acting on behalf of the owner/operator in interactions with city officials. Attendants must be easily identifiable by uniform clothing indicating that they are employed to provide special event parking. During night time hours, reflective vests shall also be required to be worn by all attendants. Attendants shall guide vehicles in and out of the parking area and monitor the special event parking area.
- (f) The owner/operator must provide clean up service to remove litter, trash, junk, or other debris found throughout the special event parking area. Clean up service shall be completed within two hours of the end of the special event.
- (g) Operators of accessory special event parking shall comply with all traffic management plans for the major tourist attraction.
- (h) Special event parking must be operated in compliance with this division and any conditions set forth on the special event parking registration or in the traffic and pedestrian safety management plan.
- (i) Where a public safety issue occurs during the operation of the special event parking lot, the attendant(s) shall cooperate fully with the public safety agency which shall require such actions as are in the best interests of the public. Owners/operators shall take reasonable steps necessary to maintain a safe lot and assist in preventing crime.

Offenses; official right to block access; prosecution.

- (a) *Prohibited acts.* It shall be unlawful to:
 - (1) Submit false documents, or otherwise make false statements of a material fact on an application for registration submitted under this division;
 - (2) Provide special event parking for any vehicle during a special event in violation of this division;
 - (3) Violate any other provision of this division.
- (b) *Failure to obtain a registration; right to block access.* Special event parking shall not be permitted unless the owner/operator first registers with the city. Public safety officials may block access from the public right-of-way to any special event parking area that has not obtained the necessary registration or may block access to any registered special event parking area that poses an immediate public safety threat or hazard or if attendants are not available on-site to resolve issues, in the sole discretion of the public safety official for the best interests of the public.
- (c) *Indemnification.* As a condition on the issuance of special event parking registration, the owner/operator shall indemnify and hold the city, its employees, and elected officials harmless from claims, demand or cause of action which may arise from activities associated with the special event parking.
- (d) In the prosecution of an offense under this division, it is presumed that the property owner and applicant for the special event parking registration, and the responsible person named on the application for the operation of the special event parking area, are jointly and severally responsible for violations of and compliance with this division in the operation of the special event parking area.

Penalties.

A violation of this division shall be punishable as provided in Sec. 1-11.



REQUIREMENTS FOR COMPLETING APPLICATION FOR SPECIAL EVENT PARKING CITY OF KENNESAW, GEORGIA

Application must be submitted in person to the Business License Division, located at 3080 Moon Station Road, Kennesaw, Georgia 30144.

The following items are required for submitting an application for Accessory Special Event Parking:

1. **Original** notarized signatures of **Applicant(s)**, **titleholder(s)** and **representative(s)**.

If the **titleholder(s)** is a domestic or foreign corporation, then the following documentation shall also be required:

Written authentication with the presence of the corporate seal, or a facsimile thereof, attested by the secretary or assistant secretary of the corporation, or other officer to whom the bylaws or the directors have delegated the responsibility for authenticating records of the corporation, shall attest:

- a) That the corporate seal or facsimile thereof affixed to the document is in fact the seal of the corporation of true facsimile thereof, as the case may be;
 - b) That any officer of the corporation executing the document does in fact occupy the official position indicated, that one in such position is duly authorized to execute such document on behalf of the corporation, and that the signature of such officer subscribed thereto is genuine; and
 - c) That the execution of the document on behalf of the corporation has been duly authorized.
2. Copies of valid occupational tax certificates for all businesses located on the property, and an affidavit that the primary use, as set forth in the certificate of occupancy and occupational tax certificates for the property, is an active use at the property;
 3. A copy of the paid tax receipt for the subject property or a statement signed by an official in the Tax Commissioner's Office or other official document issued by the Tax Commissioner's Office indicating the taxes have been paid.
 4. Written, notarized statement of consent from property owner for use of the property for accessory event parking if the applicant is not the owner;
 5. The name, address, phone number, email, and proof of identity of the person responsible for the operation of the special event parking area, if not the owner or the applicant.

Application for Special Event Parking Page 2

6. A parking plan (see page 3) in compliance with the Cobb County Code and Development Standards indicating the address and name of the primary use on the property, as shown on the signage for the primary use, boundaries of the parking area, preservation of parking for the primary use, ingress and egress locations, the parking layout (no stacking is permitted, parking must be in existing striped parking spaces), parking sign locations, and the area on the property where payment will be received;
7. An application fee in the amount as approved by the board of commissioners for all accessory special event parking license (\$); and
8. Evidence of any shared parking arrangements or parking agreements with any other property owner or business.

NOTES:

A. NO APPLICATION WILL BE ACCEPTED OR PROCESSED BY THE BUSINESS LICENSE DIVISION UNLESS FILLED OUT IN ITS ENTIRETY, ALONG WITH ALL REQUIRED INFORMATION.

B. SEE CITY OF KENNESAW CODE, CHAPTER 86, TRAFFIC AND VEHICLES, ARTICLE IV FOR MORE INFORMATION REGARDING THIS USE.

PARKING PLAN REQUIREMENTS

- Property location;
- Buildings;
- Boundaries of the parking area;
- Parking reserved for primary property use;
- Parking spaces leased or rented to other entities (shared parking agreements), if applicable;
- Parking to be used for special event parking;
- Parking space dimensions;
- Ingress/egress locations;
- Parking area traffic flow plan;
- Parking sign locations; and
- Areas where payment will be received.

General note: If any of the above requirements do not apply to property, please list which ones do not apply.

Impact Statement: On a separate page, please provide a brief verbal description of how the applicant or their attendants will mitigate potential traffic impacts, incorporate safety features for pedestrians, and address crime prevention or other public safety concerns.

**Application for Special Event Parking
 City of Kennesaw, Georgia
 (Kennesaw Business License Division: 770-429-4540)**

Applicant (Name of Business – Printed):		Address:	
Phone Number:		Email:	
Name of Representative (Printed):		Address:	
Phone Number:		Email:	
Representative Signature:			
Notary Public (Signature) Signed, sealed and delivered in the presence of:			My Commission Expires:
Name of Property Owner/Titleholder (Printed):		Address:	
Phone Number:		Email:	
Notary Public (Signature) Signed, sealed and delivered in the presence of:			My Commission Expires:
Describe the primary use of the property:			
Size of tract (Acres):	Number of parking spaces to be used:	Land Lot(s):	District(s):

STAFF USE ONLY BELOW THIS LINE			
Application Number:		Date Submitted:	
Application fee paid (\$): 		Parking plan reviewed by Planning and Zoning:	
<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO	
Copies of valid occupational tax certificates for all businesses located on the property:		Application distributed to Police Department	
<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO	