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

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

City Council
Meeting Agenda
December 18, 2023 6:30 PM
Council Chambers

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1. **Invocation**
2. **Pledge of Allegiance**
3. **Call to Order**
4. **Announcements**

   A. This public meeting is being conducted via the use of real-time telephonic technology allowing the public simultaneous access to the public meeting. You may also attend in person with limited seating available at both the Council Chambers and the Ben Robertson Community Center, if needed.
   Mayor and Council will be conducting their meeting via real-time telephonic technology using Zoom Meeting and Facebook Live. You can access the meeting via the following link: https//www.facebook.com/CityofKennesaw/

   B. If you are not able to attend a meeting in-person and would like to provide public comment on a specific agenda item, you can email kennesawcouncil@kennesaw-ga.gov no later than 6:00 PM the night of the regular meeting. Your comments on a specific agenda item will be read aloud or grouped into categories for the record. **Facebook Live is not monitored for public comment.**

5. **Presentations**
6. **Public Comment/Business from the Floor**
7. **Old Business**
8. **New Business**
9. **Committee and Board Reports**
10. **Public Hearing(s)**

A. Approval of ORDINANCE for a rezoning application submitted by Kennesaw Square Development, LLC for the properties located at 2590 Keene Street (20016700420) and 2570 N Cobb Parkway (20016700730, 20016701160). Case #RZ2023-05.

B. Consideration for approval of a variance application submitted by Kennesaw Square Development, LLC for the properties located at 6997 Keene Street (20016700340), Keene Street (20016603670, 20016701130), 2570 N Cobb Parkway (20016700730, 20016701160), and 2590 Keene Street (20016700420). Case #ZV2023-04.

11. Consent Agenda

A. Approval of the December 4, 2023, City Council regular meeting minutes.

B. Approval of the December 4, 2023, City Council executive session minutes.

12. General and Administrative

13. Public Safety

A. Receipt of the November 2023 Crime Statistics.

14. Information Technology

15. Public Works

16. Recreation and Culture

17. Community Development

A. Consideration to review a CBD project application request for a mixed-use development on seven parcels located at 6997 Keene Street (20016700340), Keene Street (20016603670, 20016701130), 2570 N Cobb Parkway (20016700730, 20016701160), and 2590 Keene Street (20016700420). Case #CBD2023-02.

B. Consideration for approval of an amended final plat application submitted by Traton Homes for 1630 Stanley Road. Case #FP2023-07.

18. Public Comment/Business from the Floor

19. City Manager's Report

A. Reports, Discussions, and Updates

20. Mayor's Report

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

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

21. Council Reports & Discussions

22. Executive Session

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

23. Adjourn

Item Report

TO: The Honorable Mayor and City Council

FROM: Darryl Simmons, Zoning Administrator

DATE: December 18, 2023

TITLE: Approval of ORDINANCE for a rezoning application submitted by Kennesaw Square Development, LLC for the properties located at 2590 Keene Street (20016700420) and 2570 N Cobb Parkway (20016700730, 20016701160). Case #RZ2023-05.

Summary:

Consideration for approval of a rezoning application submitted by Kennesaw Square Development, LLC for the properties located at 2590 Keene Street (20016700420), 2570 N Cobb Parkway (20016700730), and Keene Street (20016701160) to zone from Highway General Business (HGB) to Central Business District (CBD). Case #RZ2023-05.

Recommendation:

The Zoning Administrator recommends approval.

Fiscal Impact:

Attachments:

1. ORDINANCE - Kennesaw Square Rezoning
2. PACKET - REZONING-APPLICATION_Kennesaw Square_Redacted
3. 12-15-23 COMBINED-RZ2023-05_ZV2ennesawSquare ds final version 33
4. 12-06-2023 HPC Draft Minutes
5. 12-06-2023 Planning Commission Action Minutes
6. 23-12-08 Kennesaw Square_Letter of Intent_Rezoning R1
7. ZV2023-04 - Legal Ad Confirmation
8. ZV2023-04 Mailing Certifications
9. Kennesaw Square - County Notification letter
10. Kennesaw Square Signs

11. Kennesaw Square Mailing Certifications to City Properties

CITY OF KENNESAW
GEORGIA

ORDINANCE NO. 2023-__, 2023

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF KENNESAW, GEORGIA SO AS TO CHANGE THE ZONING DISTRICT DESIGNATION FROM CITY HIGHWAY GENERAL BUSINESS (HGB) TO CITY CENTRAL BUSINESS DISTRICT (CBD) FOR THE PROPERTIES LOCATED AT 2590 KEENE STREET AND 2570 N COBB PARKWAY.

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

WHEREAS, Piedmont Residential, LLC made an application to amend the Official Zoning Map of the City of Kennesaw, Georgia so as to change the zoning designation from **CITY HIGHWAY GENERAL BUSINESS (HGB) to CITY CENTRAL BUSINESS DISTRICT (CBD);** for properties located at 2590 Keene Street and 2570 N Cobb Parkway, identified as 20th District, Land Lot 167 Tax Parcels 042, 073, and 118 containing +/- 3.58 acres (as more particularly described below); and

WHEREAS, notice was advertised in the Marietta Daily Journal on November 17, 2023 of a public hearing before the Kennesaw Planning Commission held on December 6, 2023 and the Mayor and Council on December 18, 2023; and

WHEREAS, the Kennesaw Planning Commission held a public hearing on this proposal at a meeting held December 6, 2023 ; and

WHEREAS, the Mayor and Council held a public hearing to consider this proposal at a meeting held December 18, 2023; 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 HIGHWAY GENERAL BUSINESS (HGB) to CITY CENTRAL BUSINESS DISTRICT (CBD)** for the following described property:

2590 Keene Street
Legal Description

EXHIBIT “B”

All that tract or parcel of land lying and being in Land Lots 166 & 167 of the 20th District, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

BEGINNING at a 1/2’’ rebar found at the intersection of the southern right of way of Keene Street (40’ right of way) and the eastern right of way of Cobb Parkway (A.K.A. U.S. Highway 41)(right of way varies), THENCE proceeding along the southern right of way of Keene Street (40’ right of way) North 68 degrees 34 minutes 23 seconds East a distance of 200.81 feet to a 1/2’’ rebar found on said right of way; THENCE leaving said right of way South 44 degrees 05 minutes 11 seconds East a distance of 175.12 feet to an iron pin found; THENCE South 46 degrees 51 minutes 01 seconds West a distance of 185.32 feet to a 1 & 3/4’’ crimp top pipe found on the eastern right of way of Cobb Parkway (A.K.A. U.S. Highway 41)(right of way varies); THENCE proceeding along said right of way North 44 degrees 05 minutes 21 seconds West a distance of 249.45 feet to a point, said point being the TRUE POINT OF BEGINNING.

Said tract contains 39,337 square feet or 0.903 acre.

The above-described property is shown on an ALTA/NSPS Land Title Survey for Concord Wilshire Companies, dated October 18, 2023, prepared by Travis Pruitt & Associates, Inc. Survey File Number (172-D-027).

2570 N Cobb Parkway
Legal Description of Tract 1

All that tract or parcel of land lying and being in Land Lots 166 & 167 of the 20th District, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

COMMENCING at a 1/2” rebar found at the intersection of the southerly Right-of-Way line of Keene Street (40' R/W) and the northerly R/W line of Cobb Parkway (R/W Varies); THENCE continuing along the southerly R/W of Keene Street, North 68 degrees 34 minutes 23 seconds East a distance of 200.81 feet to a 1/2” rebar found, said point being the TRUE POINT OF BEGINNING.

THENCE from said TRUE POINT OF BEGINNING continuing along the southerly R/W line of Keene Street, North 69 degrees 22 minutes 55 seconds East a distance of 91.84 feet to an iron pin set; THENCE leaving said R/W line South 44 degrees 00 minutes 00 seconds East a distance of 316.94 feet to an iron pin set; THENCE South 45 degrees 51 minutes 01 seconds West a distance of 271.23 feet to an iron pin found in the

northerly R/W of Cobb Parkway; THENCE continuing along said R/W North 43 degrees 24 minutes 07 seconds West a distance of 181.73 feet to a 1 3/4” crimp top pipe found; THENCE, leaving said R/W North 46 degrees 51 minutes 01 seconds East a distance of 185.32 feet to an iron pin found; THENCE North 44 degrees 05 minutes 11 seconds West a distance of 175.12 feet to a 1/2” rebar found in the southerly R/W of Keene Street, said rebar being the TRUE POINT OF BEGINNING.

Said tract contains 61,736 SQ. FT OR 1.417 ACRES

The above-described property is shown as Tract 1 on a Final Plat of Parcel Split for Kennesaw City Storage, LLC, dated December 21, 202, prepared by Travis Pruitt & Associates, Inc. Filed for record at Plat Book 281, Page 380, Cobb County, Georgia records. Survey File Number (216-E-054).

2570 N Cobb Parkway
Legal Description of Tract 2

All that tract or parcel of land lying and being in Land Lots 166 & 167 of the 20th District, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

COMMENCING at a 1/2” rebar found at the intersection of the southerly Right-of-Way line of Keene Street (40' R/W) and the northerly R/W line of Cobb Parkway (R/W Varies); THENCE continuing along the southerly R/W of Keene Street the following courses and distances: North 68 degrees 34 minutes 23 seconds East a distance of 200.81 feet to a 1/2” rebar found; THENCE North 69 degrees 22 minutes 55 seconds East a distance of 91.84 feet to an iron pin set, said point being the TRUE POINT OF BEGINNING.

THENCE from said TRUE POINT OF BEGINNING continuing along the southerly R/W line of Keene Street the following courses and distances: North 69 degrees 22 minutes 55 seconds East a distance of 28.51 feet to an iron pin found ; THENCE along a curve to the right with a radius of 335.59 feet and an arc length of 177.71 feet, said curve having a chord bearing of North 86 degrees 28 minutes 26 seconds East and a chord distance of 175.64 feet to a point; THENCE South 80 degrees 50 minutes 49 seconds East a distance of 196.98 feet to a 1/2" rod found; THENCE leaving said R/W South 19 degrees 43 minutes 47 seconds West a distance of 75.54 feet to an iron pin found; THENCE leaving said R/W, South 45 degrees 51 minutes 01 seconds West a distance of 210.16 feet to an iron pin set; THENCE North 44 degrees 00 minutes 00 seconds West a distance of 316.94 feet to an iron pin set in the southerly R/W line of Keene Street, said pin being the TRUE POINT OF BEGINNING.

Said tract contains 54,834 SQ. FT OR 1.258 ACRES

The above-described property is shown as Tract 2 on a Final Plat of Parcel Split for Kennesaw City Storage, LLC, dated December 21, 202, prepared by Travis Pruitt & Associates, Inc. Filed for record at Plat Book 281, Page 380, Cobb County, Georgia records. Survey File Number (216-E-054).

SECTION 2. BE IT FURTHER ORDAINED THAT the amendment to the Official Zoning Map outlined in Section 1 above is adopted to change the zoning district designation from **CITY GENERAL HIGHWAY BUSINESS (HGB) to CITY CENTRAL BUSINESS DISTRICT (CBD)** +/- 12.3 acres with stipulations below:

ZONING CONDITIONS

1. Project design as submitted will vary from Kennesaw Historic District Design Standard 5.2.03 regarding building height. Building heights will vary from 4 to six stories
2. Project design updates must be submitted to the Historic Preservation Commission at 25%, 50%, 90%, and 100% percent completion until the approval of the final project design.
3. Design updates submitted to the Historic Preservation for review must include landscaping and buffer screening plans for the site including areas adjoining city cemetery. Final City cemetery screening design will be the result of collaboration with the city staff/departments and applicant so as to soften the visual boundary between the parking garage and the cemetery.
4. Applicant will maintain consistency with HPC guidelines with the variance approval for section 5.4 of the Kennesaw Historic District Design Standards regarding exterior features.
5. The Applicant shall work with the City to design a commemorative plaque or monument approved by the Historic Preservation Commission, which will be prominently placed within the development to recognize the historical area of Camp McDonald.
6. Total number of Residential units will be 371 with a breakdown of 337 for-rent apartment units and a minimum of 34 for-sale condominiums. The residential mix regarding the increase of condominiums above 34 units will be subject to market conditions.
7. Applicant will proceed with the development contingent upon the mutual acceptance and approval of a development agreement between applicant and the City of Kennesaw.

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.

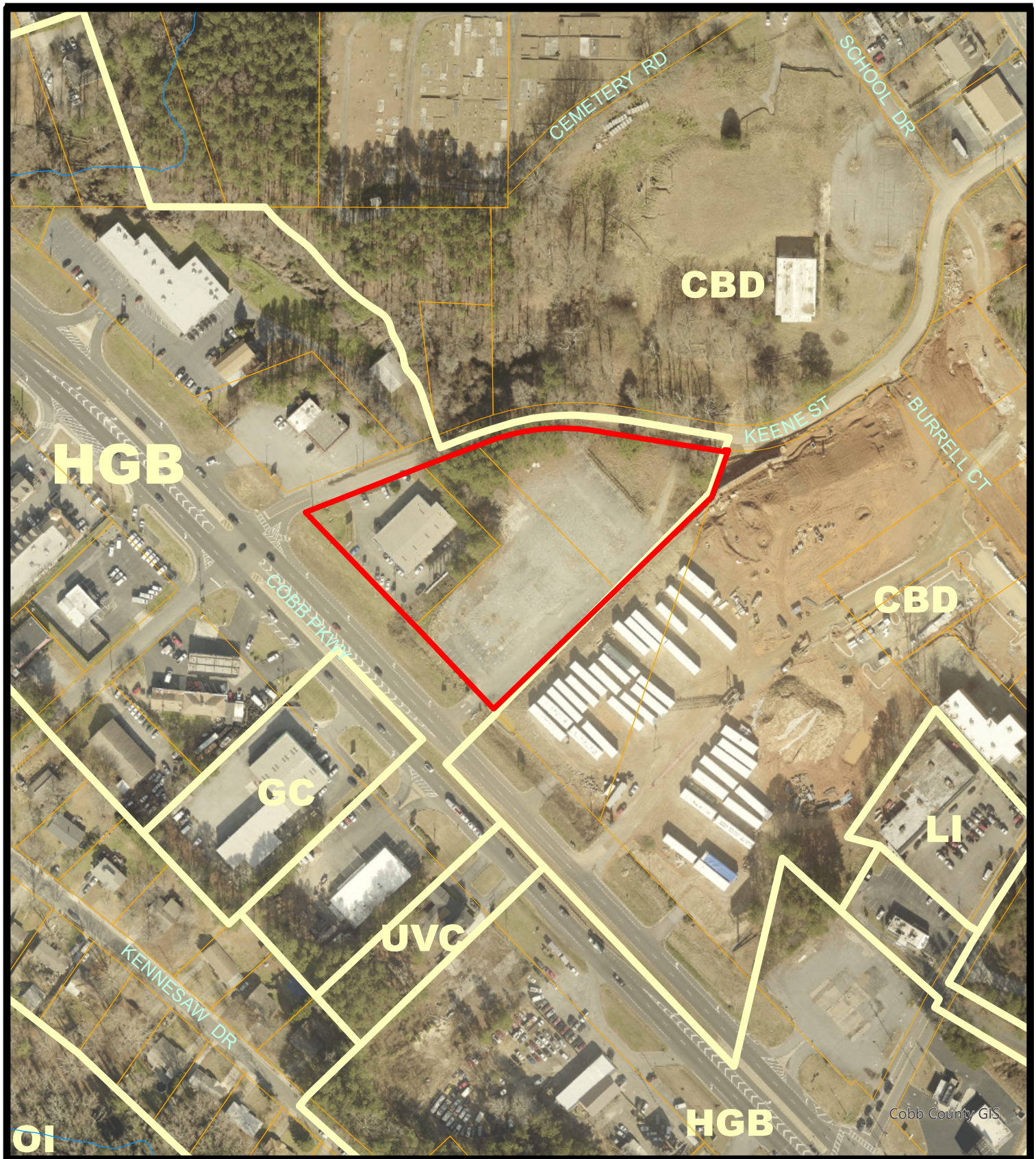
PASSED AND ADOPTED by the Kennesaw City Council on this 18th day of December 2023.

ATTEST:

_____
Lea Alvarez, City Clerk

CITY OF KENNESAW:

_____
Derek Easterling, Mayor



CASE NUMBER		LAND USE OR ZONING FROM	TO
AV	LU		
AX	RZ 2023-05	HGB	CBD
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

2590 Keene Street &
2570 N Cobb Parkway
Land Lot 167, Tax Parcels 42, 73, & 118
Subject Property

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

Derek Easterling MAYOR
Lea Alvarez CITY CLERK

Scale: 1" = 208 '
Print Date: 11/9/2023
RZ2023_000

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

REZONING APPLICATION

Required Fee $375.00

Darryl Simmons
Planning & Zoning Administrator

Rashida Williamson
Zoning Clerk

<u>*Note:</u> 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.**

For questions, please feel free to contact the Planning and Zoning Department at 770-590-8268. When the application and all checklist items have been properly completed and filed with the Planning and Zoning Department, the applicant will be notified of the date of hearing(s).

- ☑ **Original application completed, signed and notarized.**
- ☑ **A copy of the warranty deed for said property that includes the full legal description/ in word format.**
- ☑ **A copy of the current taxes paid in full for said property from the Cobb County Tax & City Tax Departments**
- ☑ **Rezoning Fee – *<u>$375.00</u>***
- ☑ **Completed application and supporting documents listed on one Flash Drive or email to <u>dsimmons@kennesaw-ga.gov</u> in PDF format**

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

City of Kennesaw, GA

REZONING APPLICATION RZ2023-05

Required Fee $375.00

Date Received 10/20/23

Staff's Initials NF

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 10/19/23 Staff's Initials _____

REZONING PROPERTY ADDRESS 2590 Keene Street & 2570 N Cobb Parkway

Land Lot 166 & 167 Tax Parcel 20016700420 & 20016700730 & 20016701160 Lot Size ~~0.92 & 2.67 acres~~ 3.58 acres

Resident Population 0 Housing Units 0 Other Buildings 1

Zoning Request from:

Present Zoning Highway General Business (HGB) To: Central Business District (CBD)

For the purpose of: Mixed Use Development - Multifamily Residential, Commercial Retail, Park/Plaza

APPLICANT EMAIL [redacted]

Applicant Address Kennesaw Square Development, LLC 2160 Kingston Court SE, Suite B, Marietta, GA 30067

(Phone #) _____

Applicant Signature _____ Date _____

Signed, sealed and delivered in presence of: _____

Notary **Date**

REPRESENTIVE _____

(Fax #)_____ (Work#) _____ (Cell#) _____

Representative Signature _____ Date _____

Signed, sealed and delivered in presence of: _____

Notary **Date**

TITLEHOLDER: B N Auto Parts Company **(Phone #)** _____

Signature: _____ **Address** 2864 Wood Park Terrace; Kennesaw, GA 30152

Signed, sealed and delivered in presence of: _____ 10-17-23

Notary **Date**

RACHEL WORTHAN NOTARY PUBLIC COBB COUNTY, GEORGIA MY COMMISSION EXPIRES MAY 25, 2025

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 16th day of October, 2023

_____

Applicants Signature

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

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

CAMPAIGN DISCLOSURE REPORT[1] BY APPLICANT[2]

Each applicant must complete a separate form

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

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

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

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

_____

_____

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

_____

_____

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

I certify that the foregoing information is true and correct, this 17th day of October, 2023

_____

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.

CALIFORNIA ACKNOWLEDGMENT CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of LOS ANGELES }

On OCTOBER 16, 2023 before me, THERESA CURA, NOTARY PUBLIC,
Date *Here Insert Name and Title of the Officer*

personally appeared NATE SIKANG
Name(s) of Signer(s)

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.

THERESA CURA
Notary Public - California
Los Angeles County
Commission # 2367220
My Comm. Expires Jul 22, 2025

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 _____
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: REZONING APPLICATION - 2590 KEENE ST & 2570 N. COBB PARKWAY

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____	Signer's Name: _____
☐ Corporate Officer – Title(s): _____	☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General	☐ Partner – ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	☐ Trustee ☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer is Representing: APPLICANT	Signer is Representing: _____

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CALIFORNIA ACKNOWLEDGMENT CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of LOS ANGELES

On OCTOBER 16, 2023 (Date) before me, THERESA CURA, NOTARY PUBLIC (Here Insert Name and Title of the Officer),

personally appeared NATE SIRANG (Name(s) of Signer(s)),

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.

THERESA CURA
Notary Public - California
Los Angeles County
Commission # 2367220
My Comm. Expires Jul 22, 2025

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 _____ (Signature of Notary Public)

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: REZONING APPLICATION - 3590 KEENE CT & 3570 N COBB PARKWAY

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____	Signer's Name: _____
☐ Corporate Officer – Title(s): _____	☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General	☐ Partner – ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	☐ Trustee ☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer is Representing: TITLE HOLDER	Signer is Representing: _____

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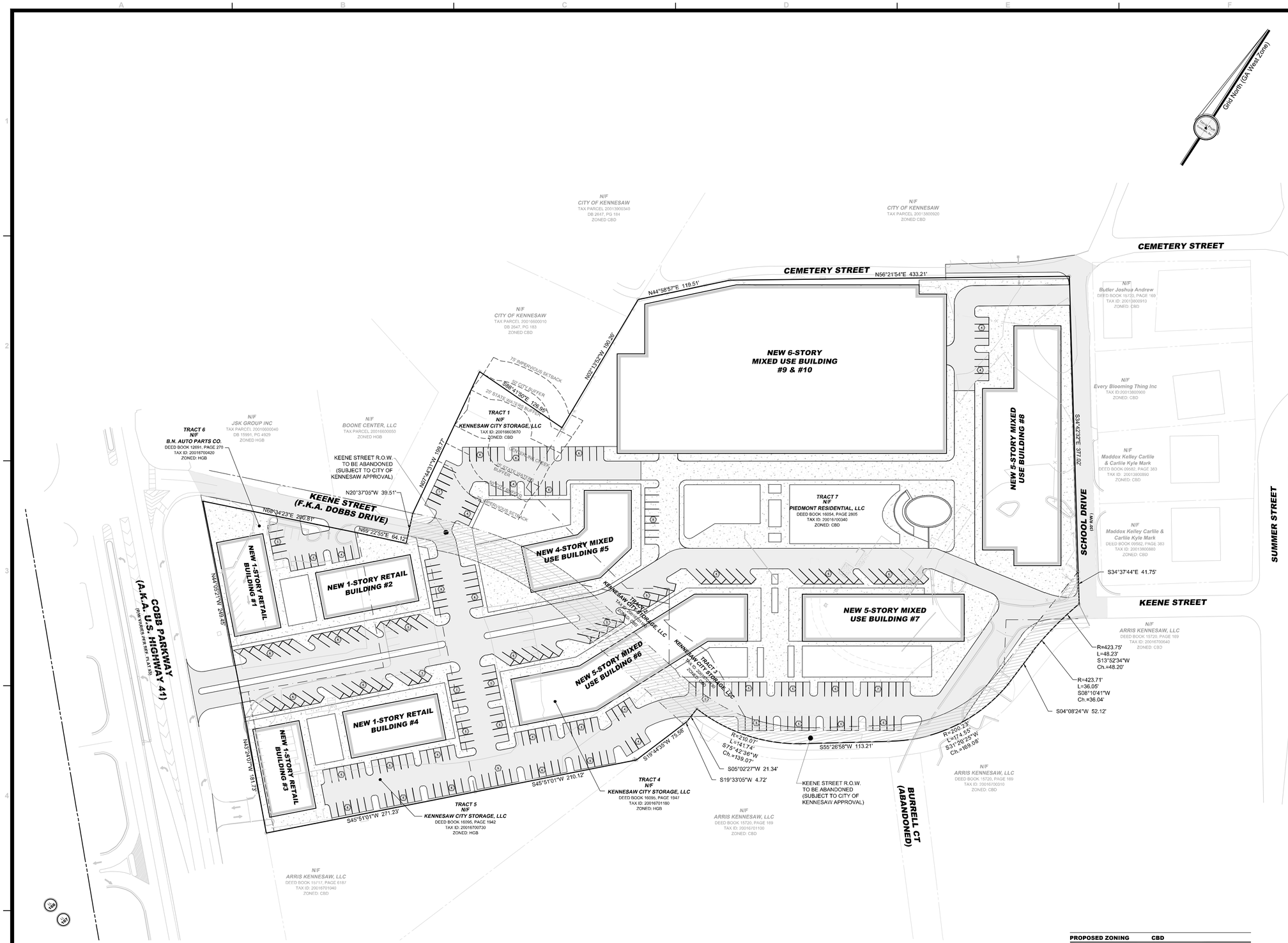

BUILDING SUMMARY				
BUILDING #	USE	RETAIL GSF	RESI GSF	UNITS
1	RETAIL	7,300		
2	RETAIL	7,400		
3	RETAIL	6,800		
4	RETAIL	7,400		
5	MIXED	10,000	30,000	34
6	MIXED	19,400	77,600	87
7	MIXED	12,000	48,000	54
8	MIXED	21,800	82,800	93
9	MIXED	23,500	129,650	142
10	RETAIL	15,000		
TOTAL		130,600	367,250	410

PROPOSED ZONING	**CBD**
SITE AREA:	**12.3 AC**
PERCENT IMPERVIOUS	**87.1%**
PROPOSED FAR	**0.93**
BUILDING COVERAGE	**34%**

TRACT #	PARCEL #	EX. ZONING
TRACT 1	20016603670	CBD
TRACT 2	20016701180	CBD
TRACT 3	20016701130	CBD
TRACT 4	20016701180	HGB
TRACT 5	20016700730	HGB
TRACT 6	20016700420	HGB
TRACT 7	20016700340	CBD

PARKING SUMMARY	
DESCRIPTION	PROVIDED
OUTSIDE PARKING	288
GARAGE PARKING	1,110
TOTAL PARKING SPACES:	1,398

ACCESS AISLES FOR ADA PARKING ARE INCLUDED IN PROVIDED PARKING TOTAL.

GRAPHIC SCALE - IN FEET
25 0 50 100 150 200

NOTE: ALL DIMENSIONS ARE TO FACE OF CURB, FACE OF BUILDING, OR CENTER OF STRUCTURE, UNLESS OTHERWISE NOTED.

GEORGIA 811 Utilities Protection Center, Inc. 1-800-282-7411 Know what's below. Call before you dig.

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REVISIONS			
NO	DATE	DESCRIPTION	BY
1			
2			
3			
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5			
6			
7			

4517 Park Drive, Suite 400
Norcross, GA 30093
Phone: (770) 417-2411
Fax: (770) 416-6759
www.travispruitt.com
CONTACT PERSON: BRENT THOMAS P.E.
e-mail: bthomas@travispruitt.com

ZONING SITE PLAN

KENNESAW SQUARE

KEENE STREET & COBB PARKWAY, LAND LOTS 138 AND 167, 20TH DISTRICT, CITY OF KENNESAW, COBB COUNTY, GEORGIA

For The Firm
Travis Pruitt & Associates, Inc.

DATE:	10-20-2023
SCALE:	1" = 50'
CN:	230489ZSP
JN:	1-23-0489
FN:	218-E-017
SHEET NO:	1 of 1

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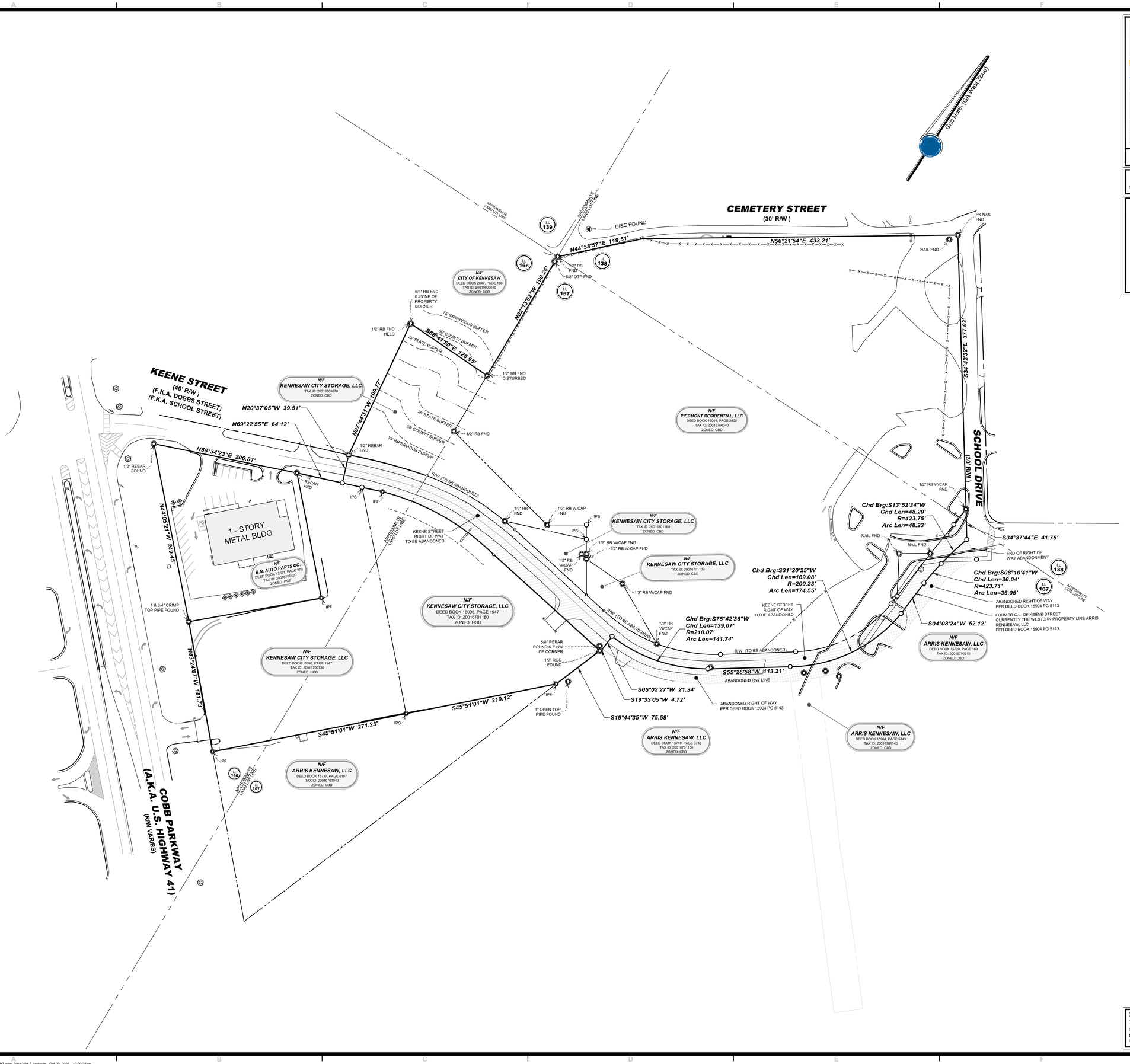

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W:\2023\230489\Survey\CAD\660\Drawings\230489.660BT.dwg, 30x42 B&T, jwinston, Oct 20, 2023 - 10:09:27am

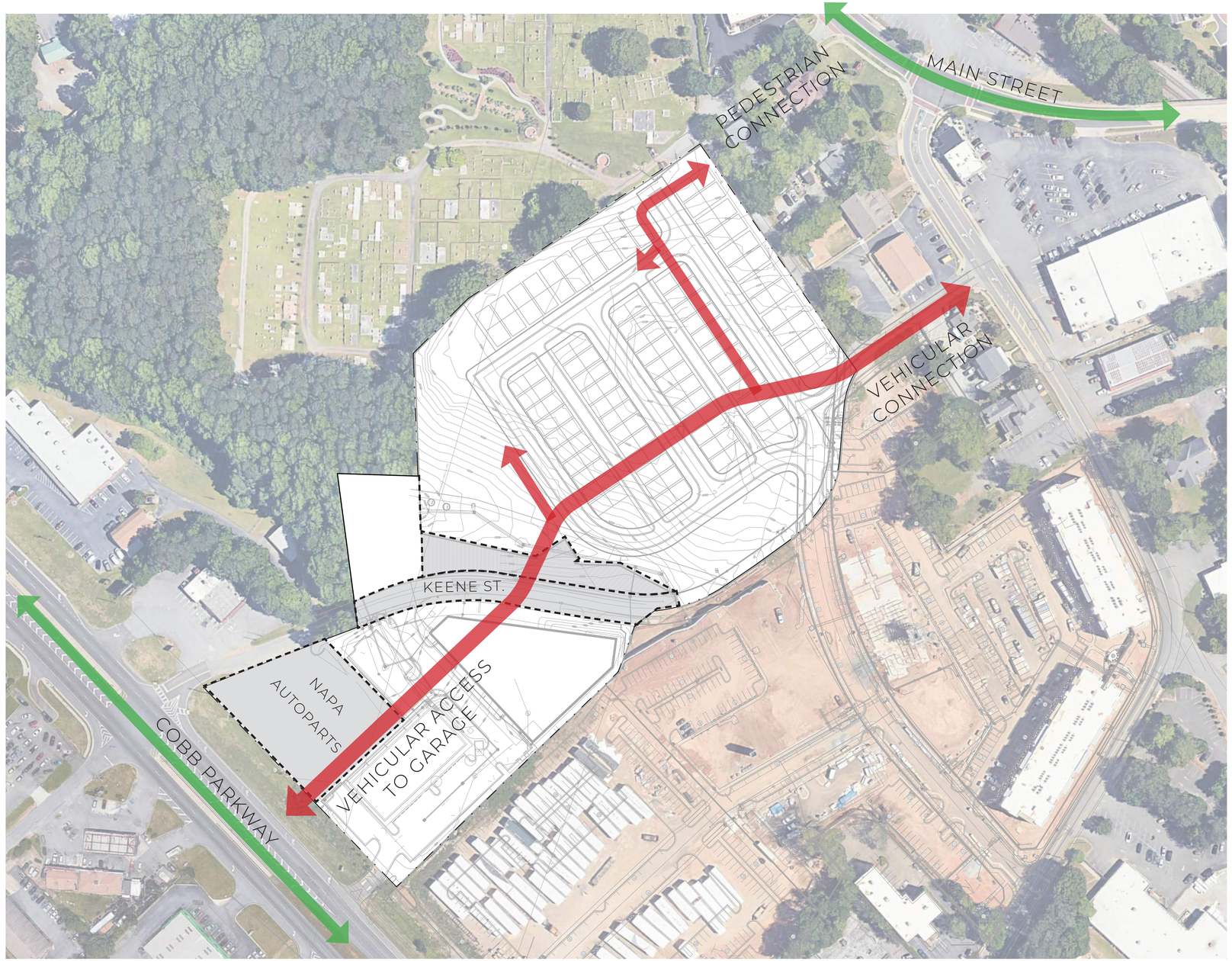
OCTOBER 19, 2023

KENNESAW SQUARE

MASTERPLAN

RSP ARCHITECTS

MASTER PLAN - EXISTING SITE



FENTON
PARAGON TH
BURGER
COLLETTA

PARAGON T
COFFEE BAR
BURGER
COLLETTA
FENTON

GROVE
LEGION

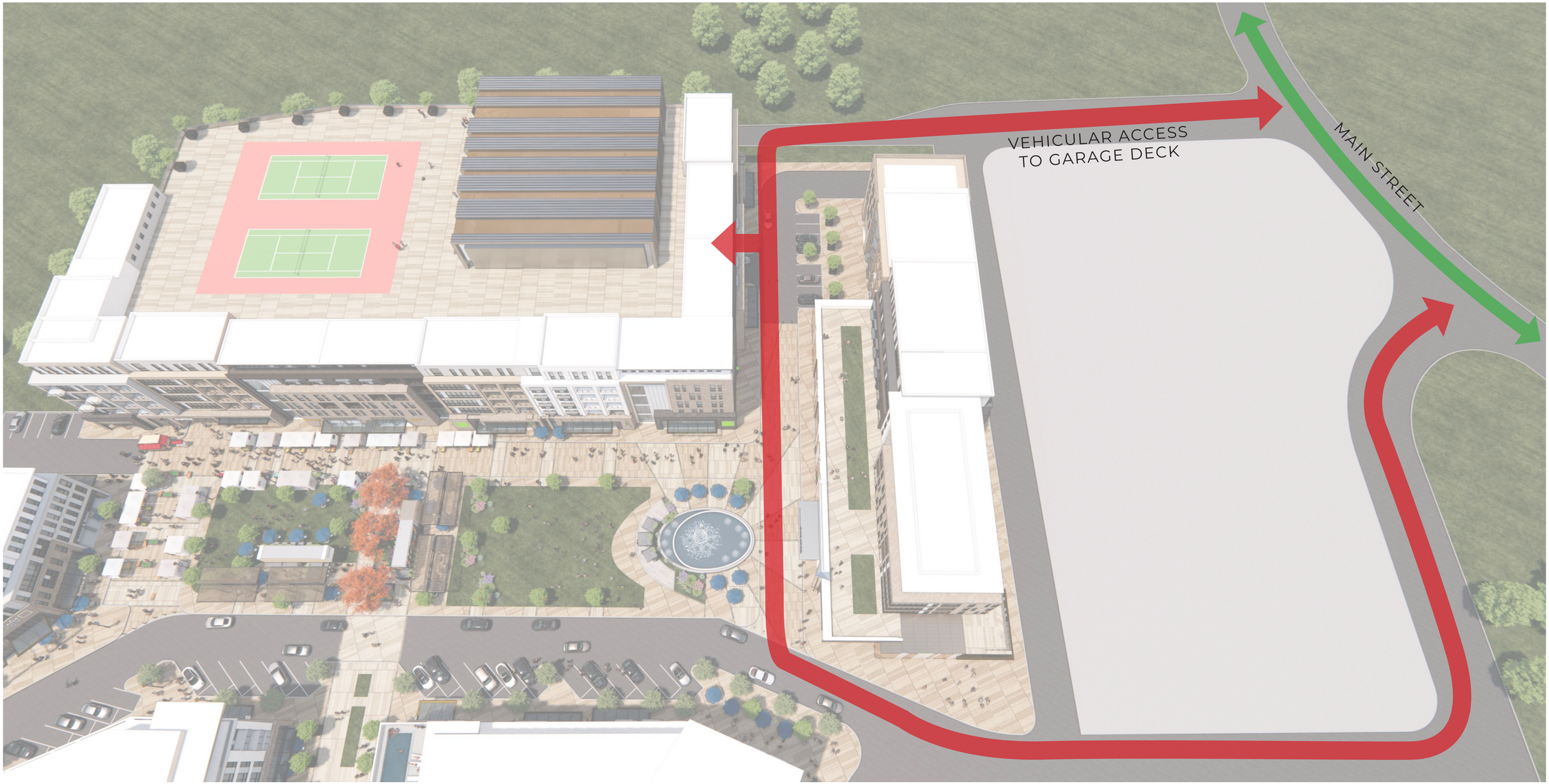
DOUBLE R
RR

FENTON
BAILEY'S

FENTON
SPORTS Bar

VIEW - GARAGE DECK ACCESS FROM COBB PARKWAY

VIEW - GARAGE DECK ACCESS FROM MAIN STREET



VIEW - BIRDS EYE

VIEW - PARK VIEW

VIEW - PARK VIEW

VIEW - SOUTHERN ENTRY

VIEW - SOUTHERN ENTRY

VIEW - MAIN PARK

VIEW - PARK STAGE

VIEW - FOUNTAIN VIEW

VIEW - FARMERS MARKET

VIEW - PARK CENTER

VIEW - ROOFTOP POOL

VIEW - SPORTS CENTER

VIEW - SPORTS CENTER

DEVELOPMENT COLLAGE - VIEW FROM MAIN STREET

DEVELOPMENT COLLAGE - VIEW FROM CEMETERY STREET

DEVELOPMENT COLLAGE - VIEW FROM SUMMER STREET

DEVELOPMENT COLLAGE - VIEW FROM COBB PKWY

THANK YOU

DESCRIPTION OF

Overall Zoning Boundary Exhibit

All that tract or parcel of land lying and being in Land Lots 138,139,166, and 167 of the 20th District, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

BEGINNING at a point at the intersection of the southeasterly right of way line of Keene Street (40' right of way) and the northeasterly right of way line of Cobb Parkway (right of way varies), THENCE leaving said intersection following the southeasterly right of way line of Keene Street (40' right of way) North 68 degrees 34 minutes 23 seconds East a distance of 200.81 feet to 1/2" REBAR FOUND; THENCE continue following said right of way North 69 degrees 22 minutes 55 seconds East a distance of 64.12 feet to a point; THENCE leaving said right of way North 20 degrees 37 minutes 05 seconds West a distance of 39.51 feet to 1/2" REBAR FOUND at the northwesterly right of way line of Keene Street (40’ right of way); THENCE leaving said right of way North 07 degrees 44 minutes 31 seconds West a distance of 199.77 feet to 1/2" REBAR FOUND; THENCE South 88 degrees 41 minutes 50 seconds East a distance of 126.95 feet to 1/2" REBAR FOUND on the Land Lot Line common to land lots 166 and 167; THENCE following said land lot line North 02 degrees 13 minutes 52 seconds West a distance of 190.26 feet to 1/2" REBAR FOUND at the common Land Lot corner of Land Lots 138,139,166, AND 167 and the southeasterly right of way line of Cemetery Street (30' right of way); THENCE following said southeasterly right of way line of Cemetery Street (30' right of way) North 44 degrees 58 minutes 57 seconds East a distance of 119.51 feet to a point; THENCE continue following said right of way North 56 degrees 21 minutes 54 seconds East a distance of 433.21 feet to a PK NAIL FOUND at the intersection of the southeasterly right of way line of Cemetery Street (30' right of way) and the southwesterly right of way line of School Drive (30' right of way); THENCE following said southwesterly right of way line of School Drive (30' right of way) South 34 degrees 42 minutes 32 seconds East a distance of 377.02 feet to 1/2" REBAR FOUND; THENCE leaving said right of way South 34 degrees 37 minutes 44 seconds East a distance of 41.75 feet to a point on the centerline of now abandoned Keene Street; THENCE following said centerline of now abandoned Keene Street the following courses and distances: along a curve to the left with a radius of 423.75 feet and an arc length of 48.23 feet, said curve having a chord bearing of South 13 degrees 52 minutes 34 seconds West and a chord distance of 48.20 feet to a point; THENCE along a curve to the left with a radius of 423.71 feet and an arc length of 36.05 feet, said curve having a chord bearing of South 08 degrees 10 minutes 41 seconds West and a chord distance of 36.04 feet to a point; THENCE South 04 degrees 08 minutes 24 seconds West a distance of 52.12 feet to a point; THENCE along a curve to the right with a radius of 200.23 feet and an arc length of 174.55 feet, said curve having a chord bearing of South 31 degrees 20 minutes 25 seconds West and a chord distance of 169.08 feet to a point; THENCE South 55 degrees 26 minutes 58 seconds West a distance of 113.21 feet to a point; THENCE along a curve to the right with a radius of 210.07 feet and an arc length of 141.74 feet, said curve having a chord bearing of South 75 degrees 42 minutes 36 seconds West and a chord distance of 139.07 feet to a point; THENCE leaving said centerline of now abandoned Keene Street South 05 degrees 02 minutes 27 seconds West a distance of 21.34 feet to a point at the southerly right of way line of Keene Street (40’ right of way); THENCE South 19 degrees 33

minutes 05 seconds West a distance of 4.72 feet to a 1/2" ROD FOUND; THENCE South 19 degrees 44 minutes 35 seconds West a distance of 75.58 feet to 1/2" REBAR FOUND; THENCE South 45 degrees 51 minutes 01 seconds West a distance of 210.12 feet to 1/2" REBAR SET; THENCE South 45 degrees 51 minutes 01 seconds West a distance of 271.23 feet to 1/2" REBAR FOUND on the northeasterly right of way line of Cobb Parkway (right of way varies); THENCE following said right of way North 43 degrees 24 minutes 07 seconds West a distance of 181.73 feet to a point; THENCE continue following said right of way North 44 degrees 05 minutes 21 seconds West a distance of 249.45 feet to a point at the intersection of the northeasterly right of way line of Cobb Parkway (right of way varies) and the northwesterly right of way line of Keene Street (40' right of way), said point being the **TRUE POINT OF BEGINNING.**

Said tract contains 536,772 square feet or 12.323 acres.

The above-described property is shown on a Zoning Boundary Exhibit for Concord Wilshire Companies, dated October 19, 2023, prepared by Travis Pruitt & Associates, Inc. Survey File Number (218-E-016).

THIS BOX RESERVED FOR
THE CLERK OF THE SUPERIOR COURT

PROPERTY DESCRIPTION

All that tract or parcel of land lying and being in Land Lots 166 & 167 of the 20th District, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

BEGINNING at a 1/2" rebar found at the intersection of the southern right of way of Keene Street (40' right of way) and the eastern right of way of Cobb Parkway (A.K.A. U.S. Highway 41)(right of way varies), THENCE proceeding along the southern right of way of Keene Street (40' right of way) North 68 degrees 34 minutes 23 seconds East a distance of 200.81 feet to a 1/2" rebar found on said right of way; THENCE leaving said right of way South 44 degrees 05 minutes 11 seconds East a distance of 175.12 feet to an iron pin found; THENCE South 46 degrees 51 minutes 01 seconds West a distance of 185.32 feet to a 1 & 3/4" crimp top pipe found on the eastern right of way of Cobb Parkway (A.K.A. U.S. Highway 41)(right of way varies); THENCE proceeding along said right of way North 44 degrees 05 minutes 21 seconds West a distance of 249.45 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

Said tract contains 39,337 square feet or 0.903 acre.

Being the same property as described in Exhibit A of Commitment No. 110073389 prepared by First American Title Insurance Company with an Effective Date of August 7, 2023.

TBM: RAILROAD SPIKE SET
IN POWER POLE, ELEV = 1076.51'

KEENE STREET
(F.K.A. DOBBS DRIVE)
(40' R/W PER REF. PLAT #3)

(RECORD - 200.00')
N68°34'23"E 200.81'

P.O.B.
1/2" REBAR FOUND

1/2" REBAR FOUND

S44°05'11"E 175.12'
(RECORD - 175.00')

N44°05'21"W 249.45'
(RECORD - 250.00')

S46°51'01"W 185.32'
(RECORD - 185.00')

1 & 3/4" CRIMP
TOP PIPE FOUND

COBB PARKWAY
(A.K.A. U.S. HIGHWAY 41)
(R/W VARIES PER REF. PLAT #3)

N/F
KENNESAW CITY STORAGE, LLC
DEED BOOK 18595, PAGE 1942
TAX ID: 20016700730

N/F
B.N. AUTO PARTS CO.
DEED BOOK 12691, PAGE 270
TAX ID: 20016700420

N/F
KENNESAW CITY STORAGE, LLC
DEED BOOK 18595, PAGE 1942
TAX ID: 20016700730

1 STORY
ALUMINIUM BUILDING
7595 SQ. FT.

MANHOLE UNABLE TO ACCESS
TOP=1081.09'

MANHOLE
TOP=1083.11'
INV IN (A 18" RCP)=1079.17'
INV OUT (B 18" RCP)=1078.88'

OUTLET CONTROL STRUCTURE
TOP=1076.52'
INV OUT (18" CMP)=1073.35'

INV (18" RCP)=1072.11'
INV (18" CMP)=1072.33'

APPROXIMATE LOCATION OF LAND LOT LINE

OVERHANG WITH 6' CHAINLINK FENCE

LOCATION MAP
NOT TO SCALE

SITE ADDRESS
2590 Keene Street Northwest
Kennesaw GA, 30144

SITE AREA
Total = 39,337 square feet or 0.903 acre

PARKING SUMMARY

Regular Parking Spaces:	17
Handicap Parking Spaces:	1
Total Parking Spaces:	18

Grid North (GA West Zone)

LEGEND

●	BOLLARD
▩	SQUARE COLUMN
▭	MAILBOX
X 000.0	GROUND ELEVATION
– –1062– –	CONTOUR ELEVATION
♿	HANDICAP PARKING
–o–	SIGN
◆	TEMPORARY BENCHMARK
CONC	CONCRETE
TC	TOP OF CURB
BC	BOTTOM OF CURB
TW	TOP OF WALL
BW	BOTTOM OF WALL
FFE	FINISHED FLOOR ELEVATION
EOP	EDGE OF PAVEMENT
A	AC UNIT
E	ELECTRIC BOX
E	ELECTRIC METER
	GUY WIRE
	POWER POLE
RCP	REINFORCED CONCRETE PIPE
CMP	CORRUGATED METAL PIPE
INV	INVERT
S	SANITARY SEWER MANHOLE
C	CLEAN OUT
S	STORM SEWER MANHOLE
	SQUARE OUTLET CONTROL STRUCTURE
T	TELEPHONE BOX
G	GAS METER
G	GAS MARKER
W	WATER VALVE
STORM	STORM SEWER LINE
—P—	OVERHEAD POWER
--T--	OVERHEAD TELEPHONE

TITLE EXCEPTIONS

This survey relied upon information contained within a Title Commitment number 110073389 prepared by First American Title Insurance Company, with an effective date of August 7, 2023 at 8:00 AM, with respect to the property surveyed described in "Exhibit A", and the exceptions listed in "Schedule B, Section II".

8. Judgement of Court recorded in Deed Book 1147, Page 457.
Comments: May affect subject property. Document does not contain a legal description.

9. Judgement of Court recorded in Deed Book 1147, Page 458.
Comments: May affect subject property. Document does not contain a legal description.

10. All matters shown on plat of survey recorded in Plat Book 43, page 10, aforesaid records.
Comments: Affects subject property. All applicable matters are shown hereon.

SURVEY NOTES

1. This plat was prepared for the exclusive use of the person, persons, or entity named in the title block. Said use does not extend to any unnamed person without express permission by the surveyor naming said person.
2. Unless otherwise specified, all distances shown are horizontal ground distances measured in U.S. survey feet (39.37 inches = 1 meter).
3. The project horizontal datum is relative to the North American Datum 1983 (NAD83), 2011 adjustment, projected to the Georgia State Plane Coordinate System, Georgia West Zone. The vertical datum is relative to the North American Vertical Datum of 1988 (NAVD88) using the National Geodetic Survey (NGS) Geoid 12A.
4. Exterior footprint of all buildings at ground level.
5. By graphic plotting only this property Does Not lie within a 100 year flood hazard zone and is depicted as Zone X as defined by the F.E.M.A Flood Insurance Rate Map of Cobb County, Georgia and incorporated areas Map Number 13067C0038H, effective date 3/4/2013.
6. No common observable evidence of cemeteries, burial grounds or isolated gravesites were found during the course of the survey.
7. No observable evidence that the site was used as a solid waste dump, sump or sanitary landfill.
8. The Property has direct vehicular access to Keene Street (F.K.A. Dobbs Drive)(40' right of way) and pedestrian access to Keene Street (F.K.A. Dobbs Drive)(40' right of way) and Cobb Parkway (A.K.A. U.S. Highway 41)(right of way varies), both are dedicated public right of ways, as shown on the survey.
9. No wetland delineation markers were observed at the time of the survey.
10. No observable evidence of earth moving work, building construction or building additions at the time of the survey.
11. No observable evidence or proposed changes in right of way made available to the surveyor.
12. No observable evidence of recent street or sidewalk construction or repairs.
13. Information regarding the reputed presence, size, character and location of existing underground utilities and structure is shown hereon. There is no certainty of the accuracy of this information and it shall be considered in that light by those using this drawing. The location and arrangement of underground utilities and structures shown hereon may be inaccurate and utilities and structure not shown may be encountered. The owner, his employees, his consultants and his contractors shall hereby distinctly understand that the surveyor is not responsible for the correctness or sufficiency of this information.
14. Underground utility research, field markings, size and character of material has been provided by RHD Services on 10/03/2023

REFERENCE PLATS

1. ALTA/ACSM Land Title Survey for The Extended Stay in Kennessaw, LLC prepared by Diversified Technical Group, L.L.C. dated 11/15/2013.
2. ALTA/NSPS Land Title Survey for CPC Real Estate Acquisitions, LLC prepared by Gunnin Land Surveying, LLC dated 07/11/2019, revised 11/26/2019.
3. ALTA/NSPS Land Title Survey for Kennesaw Town Center Self Storage prepared by Travis Pruitt & Associates dated 08/10/2021, revised 10/14/2022.

CERTIFICATION:

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in Section 15-6-67.

This is to certify that this survey was made under my supervision and is a true representation of the land surveyed. The field data upon which this survey is based, was performed using a a eGPS 20TL dual frequency receiver with network adjusted real time kinematic measurements referenced to the eGPS network. The GPS survey included redundant measurements with positional accuracy better than 0.07'.

This map or plat has been calculated for closure and is found to be accurate within one foot in 204,904 feet.

To Kennesaw City Storage, LLC, Concord Wilshire Companies and First American 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, 5, 6(a), 7(b)(1), 8, 9, 11(b), 13 and 19 of Table A thereof. The fieldwork was completed on 09/29/2023.

KEVIN G. PATE
Georgia Professional Land Surveyor No. 3499
For the Firm Travis Pruitt & Associates, Inc.

10-18-23
Date

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NO	DATE	DESCRIPTION	BY
8			
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3			
2			
1			

REVISIONS

4317 Park Drive, Suite 400
Norcross, Georgia 30093
Phone: (770) 416-7511
Fax: (770) 416-6759
www.travispruitt.com

Certificate of Authorization Number 613

Travis Pruitt & Associates, Inc.
SURVEYORS • ENGINEERS • ENVIRONMENTAL SCIENTISTS • LANDSCAPE ARCHITECTS

ALTA/NSPS LAND TITLE SURVEY

KENNESAW CITY STORAGE, LLC &
FIRST AMERICAN TITLE INSURANCE COMPANY

AUTHORIZED BY: CONCORD WILSHIRE COMPANIES

LAND LOTS 166 & 167 • 20TH DISTRICT • CITY OF KENNESAW • COBB COUNTY • GEORGIA

GRAPHIC SCALE - IN FEET
0 10 20 40 60

GEORGIA PROFESSIONAL
No. 3499
10/18/2023
LAND SURVEYOR
KEVIN GLENN PATE

For The Firm
Travis Pruitt & Associates, Inc.

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.

PLAT DATE:	10/18/2023
FIELD DATE:	09/29/2023
SCALE:	1" = 20'
JN:	1-23-0472.600
FN:	172-D-027
SHEET NO:	1 of 1

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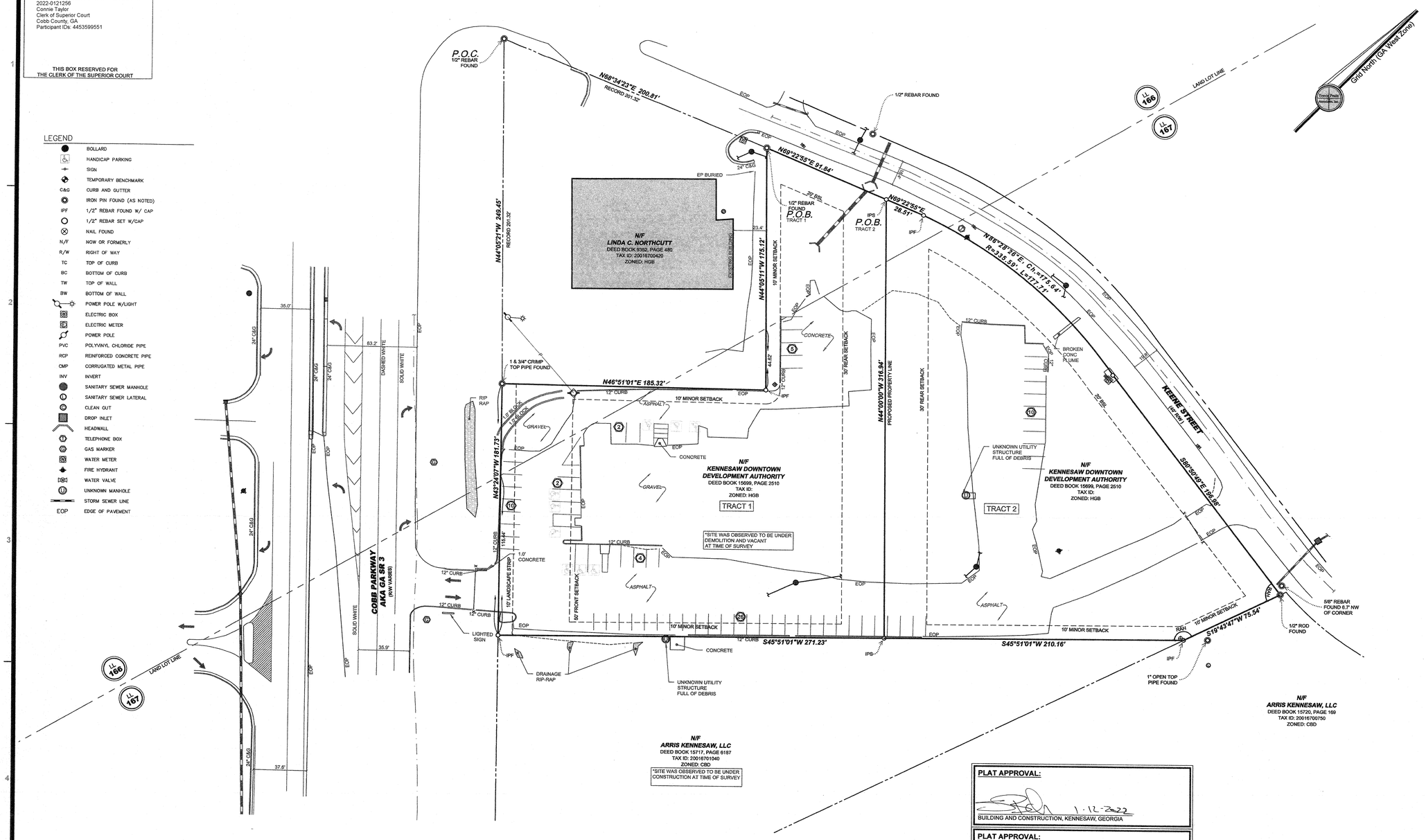
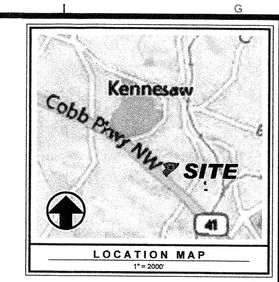
Plat Book 281 Page 380
Filed and Recorded 10/21/2022 03:05:00 PM
2022-0121256
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 4453599551

THIS BOX RESERVED FOR
THE CLERK OF THE SUPERIOR COURT

LEGEND

- BOLLARD
- HANDICAP PARKING
- SIGN
- TEMPORARY BENCHMARK
- C&G — CURB AND GUTTER
- IRON PIN FOUND (AS NOTED)
- IPF — 1/2" REBAR FOUND W/ CAP
- 1/2" REBAR SET W/CAP
- NAIL FOUND
- N/F — NOW OR FORMERLY
- R/W — RIGHT OF WAY
- TC — TOP OF CURB
- BC — BOTTOM OF CURB
- TW — TOP OF WALL
- BW — BOTTOM OF WALL
- POWER POLE W/LIGHT
- ELECTRIC BOX
- ELECTRIC METER
- POWER POLE
- PVC — POLYVINYL CHLORIDE PIPE
- RCP — REINFORCED CONCRETE PIPE
- CMP — CORRUGATED METAL PIPE
- INV — INVERT
- SANITARY SEWER MANHOLE
- SANITARY SEWER LATERAL
- CLEAN OUT
- DROP INLET
- HEADWALL
- TELEPHONE BOX
- GAS MARKER
- WATER METER
- FIRE HYDRANT
- WATER VALVE
- UNKNOWN MANHOLE
- STORM SEWER LINE
- EOP — EDGE OF PAVEMENT





LOCATION MAP
1" = 2000'

REVISIONS

NO	DATE	DESCRIPTION	BY
1	12/21/2021	ADDRESSES CITY AND COUNTY COMMENTS	DD

4317 Park Drive, Suite 400
Norcross, Georgia 30093
Phone: (770) 416-7511
Fax: (770) 416-0797
www.travispruitt.com

Certificate of Authorization Number 613

ZONING: HGB

Front Yard: Arterial: 50' , Collector: 40 Local: 40 ,
Side Yard: Major side yard: 25' or 35' , Min. side yard: 10'
Rear Yard: 30'
This information is reported from public information obtained from City of Kennesaw records on 7/23/2021. It is not the intent of the surveyor to interpret or make conclusions regarding the zoning designation shown hereon.

REFERENCE PLATS:

1. ALTA/ACSM Land Title Survey for the Extended Stay Kennesaw, LLC prepared by Diversified Technical Group ,LLC dated March 14, 2014. Filed and Recorded September 3, 2014 in PB 274, PG 247.
2. ALTA/NSPS Land Title Survey for Arris Kennesaw, LLC its successors, assigns, and/or affiliates, SPT Real Estate Capital, LLC, As Administrative Agent for the benefit of the Lenders and each of their successors and/or assigns, as their interest may appear and Fidelity National Title Insurance Company prepared by Gunnin Land Surveying dated February 22, 2021. Last revised February 22, 2021
3. ALTA/NSPS Land Title Survey for Concord Wilshire Capital, LLC. A Florida Limited Liability Company, Kennesaw Downtown Development Authority & First American Title Insurance Company prepared by Travis Pruitt & Associates Inc. dated August 26, 2021 (FN: 215-E-179.)

NOTES:

1. This plat was prepared for the exclusive use of the person, persons, or entity named in the title block. Said use does not extend to any unnamed person without express permission by the surveyor naming said person.
2. Unless otherwise specified, all distances as shown are horizontal ground distances in U.S. survey feet (39.37 inches = 1 meter).
3. The project horizontal datum is relative to the North American Datum 1983 (NAD83), 2011 adjustment, projected to the Georgia State Plane Coordinate System, West Zone. The vertical datum is relative to the North American Vertical Datum of 1988 (NAVD88) using the National Geodetic Survey (NGS) Geoid 2012A.
4. Flood Plain Shown is from FIRM panel number 13067C0038H dated 3/4/2013.
5. Nothing herein shall be construed to mean that the City of Kennesaw has accepted the dedication of any rights-of-way, easements or other area as being dedicated to public use.
6. Error of closure
   Tract 1: 1 in 185,411
   Tract 2: 1 in 154,145

PURPOSE STATEMENT:

The purpose of this plat is to subdivide tax parcel 20013700730 into Tract 1 and Tract 2 shown hereon.

ADDRESS

TRACT 1:	2570 N Cobb Pkwy
TRACT 2:	2610 Keene Street
EXISTING:	2570 Cobb Parkway Northwest Kennesaw GA, 30152

AREA SUMMARY

TRACT 1:	61,736 SQ. FT OR 1.417 ACRES
TRACT 2:	54,834 SQ. FT OR 1.258 ACRES
TOTAL(EXISTING):	116,570 SQ. FT OR 2.675 ACRES

PUBLIC ROAD RIGHT-OF-WAYS

KEENE STREET: 40' R/W — COBB PARKWAY: VARIABLE WIDTH R/W

ZONING CASE ZV2021-04:

The setback line has ben reduced to 20' along Keene Street per zoning case ZV2021-04 approved by City of Kennesaw on October 18, 2021.

B.Consideration of a variance request for property submitted by BlueTiger Properties, LLC for the property located at 2570 North Cobb Parkway. Case No. ZV2021-04. Said request is to reduce the rear setback to 20-feet within the Highway General Business (HGB) zoning district per section 4.01.02 of the Unified Development Code. Property is located at 2570 Cobb Parkway on a parcel totalling2.67 +/- acres. Lying in Land Lots 166 & 167, Tax Parcel 73, 20th District, 2nd Section, Cobb County, Georgia. The intent of this project is to construct a three (3) story with basement climate controlled self-service storage facility (section 4.04.03) that will contain approximately 123,600 square feet of space as well as a separate detached single-story commercial/retail space that will contain approximately 14,000 square feet. The variance request was advertised in the Marietta Daily Journal on September 17 and 24, 2021 and a public notice sign has been posted on site. At their October 6, 2021 meeting, the Planning Commission recommended to approve the variance request. STAFF RECOMMENDATION: Zoning Administrator recommends approval of the variance request to reduce the rear building setback line from 30-feet to 20-feet.

Assistant Zoning Administrator Albert Trevino presented a variance request for property submitted by BlueTiger Properties, LLC for the property located at 2570 North Cobb Parkway. The request is to reduce the rear setback to 20-feet within the Highway General Business (HGB) zoning district per section 4.01.02 of the Unified Development Code. The intent of the project is to construct a three-story, climate controlled, self-service storage facility as well as a separate detached single-story commercial or retail space. This property was the former site of Budgetel and is currently sitting vacant. The Zoning Administrator recommends approval of the variance request to reduce the rear building setback line from 30-feet to 20-feet.

Motion by Councilmember Eaton to approve a variance request for property submitted by BlueTiger Properties, LLC for the property located at 2570 North Cobb Parkway, as presented, seconded by Councilmember Patel.

6:45 P.M. Floor Open for Public Comments
No comments.
6:46 P.M. Floor Closed for Public Comments

Vote taken, approved unanimously 5-0. Motion carried.
[Items X-C and X-D were presented concurrently; however, the floors for public comment for each item were opened separately].

PROPERTY DESCRIPTION TRACT 2:

All that tract or parcel of land lying and being in Land Lots 166 & 167 of the 20th District, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

COMMENCING at a 1/2" rebar found at the intersection of the southerly Right-of-Way line of Keene Street (40' R/W) and the northerly R/W line of Cobb Parkway (R/W Varies); THENCE continuing along the southerly R/W line of Keene Street the following courses and distances: North 68 degrees 34 minutes 23 seconds East a distance of 200.81 feet to a 1/2" rebar found; THENCE North 69 degrees 22 minutes 55 seconds East a distance of 91.84 feet to an iron pin set, said point being the TRUE POINT OF BEGINNING.

THENCE from said TRUE POINT OF BEGINNING continuing along the southerly R/W line of Keene Street the following courses and distances: North 69 degrees 22 minutes 55 seconds East a distance of 28.51 feet to an iron pin found ; THENCE along a curve to the right with a radius of 335.59 feet and an arc length of 177.71 feet, said curve having a chord bearing of North 86 degrees 28 minutes 26 seconds East and a chord distance of 175.64 feet to a point; THENCE South 80 degrees 50 minutes 49 seconds East a distance of 196.98 feet to a 1/2" rod found; THENCE leaving said R/W line of Keene Street South 19 degrees 43 minutes 47 seconds West a distance of 75.54 feet to an iron pin found; THENCE South 45 degrees 51 minutes 01 seconds West a distance of 210.16 feet to an iron pin set; THENCE North 44 degrees 00 minutes 00 seconds West a distance of 316.94 feet to an iron pin set in the southerly R/W line of Keene Street, said pin being the TRUE POINT OF BEGINNING.

Said tract contains 54,834 SQ. FT OR 1.258 ACRES

PROPERTY DESCRIPTION TRACT 1:

All that tract or parcel of land lying and being in Land Lots 166 & 167 of the 20th District, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

COMMENCING at a 1/2" rebar found at the intersection of the southerly Right-of-Way line of Keene Street (40' R/W) and the northerly R/W line of Cobb Parkway (R/W Varies); THENCE continuing along the southerly R/W of Keene Street, North 68 degrees 34 minutes 23 seconds East a distance of 200.81 feet to a 1/2" rebar found, said point being the TRUE POINT OF BEGINNING.

THENCE from said TRUE POINT OF BEGINNING continuing along the southerly R/W line of Keene Street, North 69 degrees 22 minutes 55 seconds East a distance of 91.84 feet to an iron pin set; THENCE leaving said R/W line South 44 degrees 00 minutes 00 seconds East a distance of 316.94 feet to an iron pin set; THENCE South 45 degrees 51 minutes 01 seconds West a distance of 271.23 feet to an iron pin found on the northerly R/W line of Cobb Parkway; THENCE continuing along said R/W line of Cobb Parkway North 43 degrees 24 minutes 07 seconds West a distance of 181.73 feet to a 1 3/4" crimp top pipe found; THENCE leaving said R/W line of Cobb Parkway North 46 degrees 51 minutes 01 seconds East a distance of 185.32 feet to an iron pin found; THENCE North 44 degrees 05 minutes 11 seconds West a distance of 175.12 feet to a 1/2" rebar found on the southerly R/W line of Keene Street, said rebar being the TRUE POINT OF BEGINNING.

Said tract contains 61,736 SQ. FT OR 1.417 ACRES

SLOPE EASEMENT STATEMENT:

This plat is approved with the understanding that easement is granted to the City of Kennesaw along all road frontage for the purpose of sloping cuts and fills as follows:

0'-5' - not less than 3 to 1 slope
5'-10' - not less than 2 to 1 slope

COBB COUNTY WATER SYSTEM PLAT APPROVAL:

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

1/10/2022
DATE

PLAT APPROVAL:

1-12-2022
BUILDING AND CONSTRUCTION, KENNESAW, GEORGIA

PLAT APPROVAL:

1-18-22
CITY ENGINEER, KENNESAW, GEORGIA

PLAT APPROVAL:

1-19-22
PLANNING AND ZONING ,KENNESAW, GEORGIA

PLAT APPROVAL:

1-18-22
PUBLIC WORKS, KENNESAW, GEORGIA

PLAT APPROVAL:

CITY COUNCIL, KENNESAW, GEORGIA

PLAT APPROVAL:

Pursuant to the Land Subdivision sections of this UDC of the City of Kennesaw, Georgia, all the requirements of approval having been fulfilled, this final plat was given final approval by the Mayor and Council of Kennesaw, Georgia on 01/18/22 (Date).

MAYOR, KENNESAW, GEORGIA — 01/18/2022 DATE

ENGINEER AND LAND SURVEYOR ACKNOWLEDGEMENT:

It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property made by me or under my supervision; that all monuments shown hereon actually exist or are marked as "future," and their location, size, type and material are correctly shown; and that all engineering requirements of the Kennesaw Subdivision Regulations have been fully complied with.

TRAVIS N. PRUITT, JR — PRINT NAME
2809 — GEORGIA PROFESSIONAL LAND SURVEYOR NO.
12/21/21 — DATE

OWNER'S ACKNOWLEDGEMENT:

The owner of the land shown on this plat and whose name is subscribed thereto, and in person or through duly authorized agents, acknowledges that this plat was made from an actual survey and dedicates to the use of the public forever all streets, parks, drains, easements and public grounds thereon shown, which comprises a total of 2.675 acres, for the purposes therein expressed.

Provided, however, that nothing herein nor acceptance shall create liability on the part of the City of Kennesaw, its officers, agents or employees for flooding or erosion from storm drains or from flooding from high water of natural creeks or rivers, and the City of Kennesaw is hereby specifically released from any such liability or from liability for the negligent construction or maintenance of all drainage structures, roads, sediment control facilities and all other work performed by the owner or developer of the property, their agent, servants, employees or contractors.

KENNESAW CITY STORAGE, LLC — SUBDIVIDER (PRINT NAME)
MITCHELL E COOKE — OWNER (PRINT NAME)
SIGNATURE
12-22-2021 — DATE

CERTIFICATION:

The property hereon lies completely within a jurisdiction which does not review or approve any plats or this type of plat prior to recording. 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.

This is to certify that this survey was made under my supervision and is a true representation of the land surveyed. The field data upon which this survey is based has a closure precision of one foot in 72,165 feet, and an angular error of 1" per angle point, and was adjusted using the Compass Rule Method. Angular and linear measurements were made using a Leica TS 15 Robotic Total Station. A portion of this survey was performed using Leica GS 15 GPS receivers with network adjusted real time kinematic measurements referenced to the eGPS network. The GPS survey included redundant measurements with positional accuracy better than 0.07'.

Travis N. Pruitt Jr. — Date 12/21/21
Georgia Professional Land Surveyor No. 2809
For the Firm Travis Pruitt & Associates, Inc.

© Copyright 2021
Travis Pruitt & Associates, Inc.
These drawings and their reproductions are the property of the Surveyor and may not be reproduced, published, or used in any way without the written permission of this Surveyor.

GEORGIA PROFESSIONAL 2809 LAND SURVEYOR TRAVIS N. PRUITT JR.
12/21/21
For The Firm
Travis Pruitt & Associates, Inc.

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.

FINAL PLAT OF PARCEL SPLIT

KENNESAW TOWN CENTER SELF STORAGE

AUTHORIZED BY: KENNESAW CITY STORAGE, LLC
LAND LOTS 166 & 167 • 20TH DISTRICT • CITY OF KENNESAW • COBB COUNTY • GEORGIA
GRAPHIC SCALE - IN FEET
0 15 30 60 90 120

PLAT DATE:	12/2/2021
FIELD DATE:	8/16/2021
SCALE:	1" = 30'
JN:	1-21-0242.646
FN:	216-E-054
SHEET NO:	1 of 1

W:\2021\21024\Survey\CAD\646\Drawings\210242.646BT.dwg, 30x42 Alta (1 of 1), bphelts, Dec 21, 2021 - 1:34:43pm

DESCRIPTION OF

2590 Keene Street

All that tract or parcel of land lying and being in Land Lots 166 & 167 of the 20th District, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

BEGINNING at a 1/2'' rebar found at the intersection of the southern right of way of Keene Street (40' right of way) and the eastern right of way of Cobb Parkway (A.K.A. U.S. Highway 41)(right of way varies), THENCE proceeding along the southern right of way of Keene Street (40' right of way) North 68 degrees 34 minutes 23 seconds East a distance of 200.81 feet to a 1/2'' rebar found on said right of way; THENCE leaving said right of way South 44 degrees 05 minutes 11 seconds East a distance of 175.12 feet to an iron pin found; THENCE South 46 degrees 51 minutes 01 seconds West a distance of 185.32 feet to a 1 & 3/4'' crimp top pipe found on the eastern right of way of Cobb Parkway (A.K.A. U.S. Highway 41)(right of way varies); THENCE proceeding along said right of way North 44 degrees 05 minutes 21 seconds West a distance of 249.45 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

Said tract contains 39,337 square feet or 0.903 acre.

The above-described property is shown on an ALTA/NSPS Land Title Survey for Concord Wilshire Companies, dated October 18, 2023, prepared by Travis Pruitt & Associates, Inc. Survey File Number (172-D-027).

DESCRIPTION OF TRACT 1

(2570 N Cobb Pkwy)

All that tract or parcel of land lying and being in Land Lots 166 & 167 of the 20th District, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

COMMENCING at a 1/2” rebar found at the intersection of the southerly Right-of-Way line of Keene Street (40' R/W) and the northerly R/W line of Cobb Parkway (R/W Varies); THENCE continuing along the southerly R/W of Keene Street, North 68 degrees 34 minutes 23 seconds East a distance of 200.81 feet to a 1/2” rebar found, said point being the TRUE POINT OF BEGINNING.

THENCE from said TRUE POINT OF BEGINNING continuing along the southerly R/W line of Keene Street, North 69 degrees 22 minutes 55 seconds East a distance of 91.84 feet to an iron pin set; THENCE leaving said R/W line South 44 degrees 00 minutes 00 seconds East a distance of 316.94 feet to an iron pin set; THENCE South 45 degrees 51 minutes 01 seconds West a distance of 271.23 feet to an iron pin found in the northerly R/W of Cobb Parkway; THENCE continuing along said R/W North 43 degrees 24 minutes 07 seconds West a distance of 181.73 feet to a 1 3/4” crimp top pipe found; THENCE ,leaving said R/W North 46 degrees 51 minutes 01 seconds East a distance of 185.32 feet to an iron pin found; THENCE North 44 degrees 05 minutes 11 seconds West a distance of 175.12 feet to a 1/2” rebar found in the southerly R/W of Keene Street, said rebar being the TRUE POINT OF BEGINNING.

Said tract contains 61,736 SQ. FT OR 1.417 ACRES

The above-described property is shown as Tract 1 on a Final Plat of Parcel Split for Kennesaw City Storage, LLC, dated December 21, 202, prepared by Travis Pruitt & Associates, Inc. Filed for record at Plat Book 281, Page 380, Cobb County, Georgia records. Survey File Number (216-E-054).

DESCRIPTION OF TRACT 2

(2610 Keene Street)

All that tract or parcel of land lying and being in Land Lots 166 & 167 of the 20th District, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

COMMENCING at a 1/2” rebar found at the intersection of the southerly Right-of-Way line of Keene Street (40' R/W) and the northerly R/W line of Cobb Parkway (R/W Varies); THENCE continuing along the southerly R/W of Keene Street the following courses and distances: North 68 degrees 34 minutes 23 seconds East a distance of 200.81 feet to a 1/2” rebar found; THENCE North 69 degrees 22 minutes 55 seconds East a distance of 91.84 feet to an iron pin set, said point being the TRUE POINT OF BEGINNING.

THENCE from said TRUE POINT OF BEGINNING continuing along the southerly R/W line of Keene Street the following courses and distances: North 69 degrees 22 minutes 55 seconds East a distance of 28.51 feet to an iron pin found ; THENCE along a curve to the right with a radius of 335.59 feet and an arc length of 177.71 feet, said curve having a chord bearing of North 86 degrees 28 minutes 26 seconds East and a chord distance of 175.64 feet to a point; THENCE South 80 degrees 50 minutes 49 seconds East a distance of 196.98 feet to a 1/2" rod found; THENCE leaving said R/W South 19 degrees 43 minutes 47 seconds West a distance of 75.54 feet to an iron pin found; THENCE leaving said R/W, South 45 degrees 51 minutes 01 seconds West a distance of 210.16 feet to an iron pin set; THENCE North 44 degrees 00 minutes 00 seconds West a distance of 316.94 feet to an iron pin set in the southerly R/W line of Keene Street, said pin being the TRUE POINT OF BEGINNING.

Said tract contains 54,834 SQ. FT OR 1.258 ACRES

The above-described property is shown as Tract 2 on a Final Plat of Parcel Split for Kennesaw City Storage, LLC, dated December 21, 202, prepared by Travis Pruitt & Associates, Inc. Filed for record at Plat Book 281, Page 380, Cobb County, Georgia records. Survey File Number (216-E-054).

Deed Book 12691 Pg 270
Filed and Recorded Jul-13-1999 05:43pm
1999-0116070
Real Estate Transfer Tax $84.20

Jay C. Stephenson
Clerk of Superior Court Cobb Cty. Ga.

2/12 RR

92R291.5
RETURN TO:
Moore Ingram Johnson & Steele, LLP
192 Anderson Street
Marietta, GA 30060

QUITCLAIM DEED

STATE OF GEORGIA
COUNTY OF COBB

THIS INDENTURE made the 1 day of May in the year of one thousand nine hundred and ninety-nine, between

DAN W. NORTHCUTT and LINDA C. NORTHCUTT

of the County of Cobb and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and

B. N. AUTO PARTS CO.
a Georgia corporation

of the County of Cobb and State of Georgia, 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 one dollar ($1.00) and other valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, by these presents does hereby remise, convey, and forever QUITCLAIM unto the said Grantee

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 166 OF THE 20TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE.

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.

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:

(Unofficial Witness)

DAN W. NORTHCUTT (Seal)

(Notary Public)

LINDA C. NORTHCUTT (Seal)

My Commission Expires:

(Notarial Seal)

NANCY M. HARRIS NOTARY PUBLIC GEORGIA EXPIRES JULY 16 2003 COBB COUNTY

4/95

Jay C. Stephenson
Clerk of Superior Court Cobb Cty. Ga.

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 166 of the 20th District, 2nd Section, Cobb County, Georgia, as per plat of survey by Raoul N. Arroyo, Surveyor, dated July 30, 1971, and being more particularly described as follows:

BEGINNING at an iron pin at the corner formed by the intersection of the northeast side of U. S. Highway 41 and the southeast side of Dobbs Drive; running thence south 45 degrees 20 minutes east along the right-of-way of U. S. Highway 41 a distance of 250 feet to an iron pin; running thence north 45 degrees 27 minutes east a distance of 185 feet to an iron pin; running thence north 45 degrees 28 minutes west a distance of 175 feet to an iron pin on the southeast side of Dobbs Drive; running thence south 67 degrees 29 minutes 33 seconds west as measured along the southeast side of Dobbs Drive a distance of 200 feet to an iron pin and the point of beginning, said property being the same as that conveyed in that certain Warranty Deed from Curtis M. Wigley to Northcutt & Northcutt, a Partnership comprised of Floyd W. Northcutt and Dan W. Northcutt, dated October 27, 1983, filed for record October 27, 1983, in **Deed Book 2924, Page 182**, Records of Cobb County, Georgia.

Deed Book 16054 Page 2805
Filed and Recorded 5/9/2022 5:24:00 PM
2022-0053901
Real Estate Transfer Tax $4,900.00
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 5959440500

The Abram Law Group, LLC
1200 Ashwood Parkway, Suite 560
Atlanta, GA 30338
770/349-0120
File #22-0090

LIMITED WARRANTY DEED

STATE OF FLORIDA
COUNTY OF ORANGE

THIS INDENTURE made as of the 9th day of May, in the year two thousand and twenty-two, between

ETERNAL HOLDINGS LLC
a Nevada limited liability company

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

PIEDMONT RESIDENTIAL, 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 TEN DOLLARS ($10.00) AND OTHER 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 and conveyed, and by these presents, does grant, bargain, sell and convey unto the said Grantee, the following described real property to-wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 138 and 167 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia, and being more particularly described on **Exhibit "A"** attached hereto and incorporated herein by reference for a complete legal description.

This conveyance is made subject to those matters shown on **Exhibit "B"** attached hereto.

TO HAVE AND TO HOLD the said bargained property, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever IN FEE SIMPLE.

And the said Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the lawful claims of all persons, claiming by, through, or under said Grantor.

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:

Witness

Notary Public
My commission expires: February 12, 2024
[Notary Seal]

Eternal Holdings LLC
a Nevada limited liability company

BY: _____(SEAL)
Name: Shahriar Ekbatani
Title: Manager

MAYA D. VALDIVIA
MY COMMISSION # GG 953043
EXPIRES: February 12, 2024
Bonded Thru Notary Public Underwriters

P\EDMONTRES\KEENEST\SALEDOCS\LWD

EXHIBIT "A"
LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 138 & 167 OF THE 20TH DISTRICT, 2ND SECTION, CITY OF KENNESAW, COBB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" REBAR ON THE SOUTHERLY RIGHT-OF-WAY OF CEMETERY STREET (30' R/W) AT THE COMMON CORNER OF LAND LOT 138, 139, 166 & 167;
SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY, NORTH 45 DEGREES 05 MINUTES 57 SECONDS EAST, 119.51 FEET TO A FENCE CORNER;
THENCE, NORTH 56 DEGREES 26 MINUTES 58 SECONDS EAST, 433.02 FEET TO A 1/2" REBAR ON THE WESTERLY RIGHT-OF-WAY OF SCHOOL DRIVE (30' R/W);
THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY, ALONG SAID WESTERLY RIGHT-OF-WAY, SOUTH 34 DEGREES 35 MINUTES 23 SECONDS EAST, 377.45 FEET TO A 1/2" REBAR ON THE NORTHERLY RIGHT-OF-WAY OF KEENE STREET (40' R/W);
THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY, ALONG SAID NORTHERLY RIGHT-OF-WAY, SOUTH 05 DEGREES 44 MINUTES 52 SECONDS WEST, 26.88 FEET TO A 1/2" REBAR;
THENCE, SOUTH 05 DEGREES 44 MINUTES 52 SECONDS WEST, 51.10 FEET TO A 1/2" REBAR;
THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY, SOUTH 57 DEGREES 02 MINUTES 34 SECONDS WEST, 42.91 FEET TO A 1/2" REBAR;
THENCE, SOUTH 30 DEGREES 17 MINUTES 07 SECONDS EAST, 58.60 FEET TO A 1/2" REBAR ON SAID NORTHERLY RIGHT-OF-WAY;
THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY, SOUTH 05 DEGREES 44 MINUTES 52 SECONDS WEST, 13.48 FEET TO A POINT;
THENCE ALONG A CURVE TO THE RIGHT, AN ARC DISTANCE OF 151.48 FEET, SAID CURVE HAVING A RADIUS OF 175.72 FEET AND BEING SUBTENDED BY A CHORD OF 146.83 FEET, AT SOUTH 30 DEGREES 26 MINUTES 32 SECONDS WEST, TO A POINT;
THENCE, SOUTH 55 DEGREES 08 MINUTES 12 SECONDS WEST, 103.52 FEET TO A POINT;
THENCE ALONG A CURVE TO THE RIGHT, AN ARC DISTANCE OF 89.53 FEET, SAID CURVE HAVING A RADIUS OF 224.38 FEET AND BEING SUBTENDED BY A CHORD OF 88.94 FEET, AT SOUTH 66 DEGREES 36 MINUTES 14 SECONDS WEST, TO A POINT;
THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY, NORTH 62 DEGREES 30 MINUTES 41 SECONDS WEST, 95.28 FEET TO A POINT;
THENCE, NORTH 88 DEGREES 33 MINUTES 44 SECONDS WEST, 59.94 FEET TO A POINT;
THENCE, NORTH 77 DEGREES 23 MINUTES 22 SECONDS WEST, 9.42 FEET TO A POINT;
THENCE, NORTH 57 DEGREES 02 MINUTES 34 SECONDS EAST, 6.60 FEET TO A POINT;
THENCE, NORTH 32 DEGREES 57 MINUTES 26 SECONDS WEST, 20.00 FEET TO A 1/2" REBAR;
THENCE, NORTH 33 DEGREES 06 MINUTES 00 SECONDS WEST, 19.88 FEET TO A 1/2" REBAR;
THENCE, SOUTH 57 DEGREES 01 MINUTES 02 SECONDS WEST, 53.83 FEET TO A 1/2" REBAR;
THENCE, NORTH 77 DEGREES 52 MINUTES 06 SECONDS WEST, 181.88 FEET TO A 1/2" REBAR;
THENCE, NORTH 02 DEGREES 14 MINUTES 06 SECONDS WEST, 89.32 FEET TO A 1/2" REBAR;
THENCE, NORTH 02 DEGREES 04 MINUTES 49 SECONDS WEST, 190.43 FEET TO THE POINT OF BEGINNING;

EXHIBIT "B"

1. Taxes and assessments for the year 2022 and subsequent years, which are liens not yet due and payable.

2. Easement from Kennesaw Consolidated School to Georgia Power Company, dated March 22, 1939, filed April 25, 1939, recorded in Deed Book 132, page 448, Cobb County, Georgia records.

3. Easement from Cobb County Board of Education to City of Kennesaw, dated September 29, 1960, filed October 7, 1960, recorded in Deed Book 566, page 66, aforesaid records.

4. Easements and Infrastructure Development Agreement by and between Keene Street JV LLC and Arris Kennesaw, LLC dated 02/20/2020, recorded in Deed Book 15714, Page 3087, aforesaid records

FOR AGREE SEE
DE Book 16098 Page 196

Deed Book 16095 Page 1942
Filed and Recorded 10/19/2022 10:42:00 PM
2022-0120667
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 4417205703

NOTE TO CLERK: Pursuant to O.C.G.A. 48-6-2(a)(3), this deed is exempt from the real estate transfer tax imposed by the State of Georgia.

After recording, return to:
Schreeder, Wheeler & Flint, LLP
1100 Peachtree Street NE, Suite 800
Atlanta, Georgia 30309
Attn: Leo Rose III, Esq.

Cobb County Tax Parcel No. 20016700730

STATE OF GEORGIA
COUNTY OF COBB

LIMITED WARRANTY DEED

THIS LIMITED WARRANTY DEED, made as of the 18th day of October, 2022, between **KENNESAW DOWNTOWN DEVELOPMENT AUTHORITY**, a public corporation created and existing under the laws of the State of Georgia (hereinafter referred to as "**Grantor**"), and **KENNESAW CITY STORAGE, LLC**, a Georgia limited liability company (hereinafter referred to as "**Grantee**") (the words "**Grantor**" and "**Grantee**" to include their respective heirs, legal representatives, successors, and assigns where the context requires or permits);

W I T N E S S E T H: THAT

Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and confirmed, and by these presents does grant, bargain, sell, alien, convey, and confirm unto Grantee, all those tracts or parcels of land lying and being in Cobb County, Georgia, being more particularly described in **Exhibit "A"**, attached hereto and incorporated herein by this reference (hereinafter referred to as the "**Land**");

TOGETHER WITH all buildings, structures, and improvements thereon and all rights, members, easements, hereditaments, tenements and appurtenances appertaining to the Land (the Land, together with the foregoing, is hereinafter referred to as the "**Property**");

This conveyance and the limited warranty of title set forth herein are made subject to the matters set forth on **Exhibit "B"** attached hereto and incorporated herein by reference for all purposes (collectively, the "**Permitted Exceptions**").

TO HAVE AND TO HOLD the Property unto Grantee and unto its successors and assigns, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of Grantee

and its successors and assigns, forever, **IN FEE SIMPLE.**

Grantor covenants with Grantee that it will forever warrant and defend said title to the Property against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

IN WITNESS WHEREOF, Grantor has executed this Limited Warranty Deed, to be effective as of the date set forth above.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

[SIGNATURE PAGE TO LIMITED WARRANTY DEED]

Signed, sealed, and delivered
in the presence of:

Unofficial Witness

Notary Public

Commission Expiration Date:
10-20-24

(NOTARY SEAL)

GRANTOR:

KENNESAW DOWNTOWN DEVELOPMENT AUTHORITY,
a public corporation created and existing under the laws of the State of Georgia

By: _____ (SEAL)
Mark Allen, Chair

By: _____ (SEAL)
Mary Jo Groeneveld, Secretary

(CORPORATE SEAL)

EXHIBIT "A"

Legal Description

All that tract or parcel of land lying and being in land lots 166 and 167, District 20, Section 2, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

Beginning at an iron pin found (1/2" rebar) located at the intersection of the southeasterly right of way of Dobbs Drive (40' R/W) with its intersection of the northeasterly right of way of North Cobb Parkway (A.K.A. Highway 41) (115' from the centerline of highway 41), thence along the southeasterly right of way of Dobbs Drive N 66° 40'51" E a distance of 201.32 feet to a point, said point being the TRUE POINT OF BEGINNING;

Thence continuing along the southeasterly right of way of Dobbs Drive N 67°33'30" E a distance of 120.40 feet to a point.
Thence 177.71 feet along the arc of a curve in a clockwise direction (said curve having a radius of 335.59' and a chord of N 84°38'30" E – 175.64') to a point;
Thence S 82° 40" 45" E a distance of 196.98 feet to an iron pin found (5/8" rebar);
Thence leaving said right of way S 17°53"51" W a distance of 75.54 feet to a point;
Thence S 44°01"15" W a distance of 481.39 feet to a point on the northeasterly right of way of North Cobb Parkway;
Thence along the northeasterly right of way of North Cobb Parkway N 45°20'00" W a distance of 181.48 feet to a point;
Thence leaving said right of way N 44°55'46" E a distance of 185.32 feet to an iron pin found (5/8" rebar);
Thence N 45°49'53" W a distance of 175.12 feet to a point on the southeasterly right of way of Dobbs Drive and the POINT OF BEGINNING.

Said tract containing 2.67 acres as shown hereon.

EXHIBIT "B"
Permitted Exceptions

1. Taxes for year 2023, a lien not yet due and payable.

2. Drainage rights as contained in that certain Right of Way Deed from W. M. Eller to State Highway Department of Georgia dated June 22, 1948, and recorded at Deed Book 202, Page 93, records of the Clerk of Cobb County, Georgia, Superior Court.

3. Drainage rights as contained in that certain Right of Way Deed from O.E. Jones to State Highway Department of Georgia dated June 23, 1948, and recorded at Deed Book 202, Page 96, aforesaid records, as affected by Quitclaim Deed from L.C. Chalker, O.E. Jones and the Board of Education of Cobb County, Georgia, to State Highway Department of Georgia, dated November 12, 1948, and recorded at Deed Book 192, Page 544, aforesaid records.

4. Easement from Pacemaker Inns of America to Georgia Power Company dated April 5, 1972, and recorded in Deed Book 1315, Page 725, aforesaid records.

5. All matters shown on ALTA/NSPS Land Title Survey prepared by Travis Pruitt & Associates, Inc., Travis N. Pruitt, Jr., Georgia Registered Land Surveyor No. 2809, prepared for Kennesaw City Storage, LLC, Signature Bank of Georgia, First American Title Insurance Company, and Candler Abstract Company last revised October 14, 2022, identified as Job No. 1-21-0242.600.

Deed Book 16148 Page 4177
Filed and Recorded 07/24/23 11:46:00 AM
2023-0057320
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 4417205703

Prepared for recording by:
Schreeder, Wheeler & Flint, LLP
1100 Peachtree Street NE, Suite 800
Atlanta, Georgia 30309
Attn: Leo Rose III, Esq.

Clerk please cross reference:
Deed Book 16146, Page 3619
Cobb County Records

This deed is being rerecorded to include the effective date of July 12, 2023.

Cobb County Tax Parcel No.
20016701130 (partial)

STATE OF GEORGIA
COUNTY OF COBB

LIMITED WARRANTY DEED

THIS LIMITED WARRANTY DEED, made as of the 12th day of July, 2023, between **KEENE STREET JV, LLC**, a Georgia limited liability company (hereinafter referred to as "**Grantor**"), and **REDWOOD DEVELOPMENT, LLC**, a Georgia limited liability company (hereinafter referred to as "**Grantee**") (the words "**Grantor**" and "**Grantee**" to include their respective heirs, legal representatives, successors, and assigns where the context requires or permits);

WITNESSETH: THAT

Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and confirmed, and by these presents does grant, bargain, sell, alien, convey, and confirm unto Grantee, all those tracts or parcels of land lying and being in Cobb County, Georgia, being more particularly described in **Exhibit "A"**, attached hereto and incorporated herein by this reference (hereinafter referred to as the "**Land**");

TOGETHER WITH all buildings, structures, and improvements thereon and all rights, members, easements, hereditaments, tenements and appurtenances appertaining to the Land (the Land, together with the foregoing, is hereinafter referred to as the "**Property**");

This conveyance and the limited warranty of title set forth herein are made subject to the matters set forth on **Exhibit "B"** attached hereto and incorporated herein by reference for all purposes (collectively, the "**Permitted Exceptions**").

TO HAVE AND TO HOLD the Property unto Grantee and unto its successors and assigns, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of Grantee and its successors and assigns, forever, **IN FEE SIMPLE.**

Grantor covenants with Grantee that it will forever warrant and defend said title to the Property against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

IN WITNESS WHEREOF, Grantor has executed this Limited Warranty Deed, to be effective as of the date set forth above.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

[SIGNATURE PAGE TO LIMITED WARRANTY DEED]

Signed, sealed, and delivered
in the presence of:

Unofficial Witness

Notary Public

Commission Expiration Date:

4/30/26

(NOTARY SEAL)

K GIBSON
NOTARY PUBLIC
COBB COUNTY
STATE OF GEORGIA
My Comm. Expires April 30, 2026

GRANTOR:

KEENE STREET JV, LLC,
a Georgia limited liability company

By: _____(SEAL)
Chad L. Howie, Manager

EXHIBIT "A"
Legal Description

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

COMMENCING at a point found at the intersection of northeasterly right of way line of Cobb Parkway Variable R/W (AKA HWY 41) and the north right of way line of Keene Street (40' R/W) thence proceeding along the north right of way line of Keene Street 40' R/W (FKA Dobbs) a distance of 280.00 feet to 1/2" rebar found. THENCE following said right of way along a curve to the right with a radius of 757.98 feet and an arc length of 111.83 feet, said curve having a chord bearing of North 71 degrees 55 minutes 32 seconds East and a chord distance of 111.73 feet to a point; THENCE continuing said right of way along a curve to the right with a radius of 368.31 feet and an arc length of 124.36 feet, said curve having a chord bearing of South 87 degrees 11 minutes 24 seconds West and a chord distance of 123.77 feet to a point. THENCE continuing said right of way along a curve to the right with a radius of 368.31 feet and an arc length of 18.32 feet, said curve having a chord bearing of South 81 degrees 34 minutes 52 seconds East and a chord distance of 18.32 feet to a point; South 80 degrees 45 minutes 09 seconds East a distance of 132.78 feet to a point; said point being the TRUE POINT OF BEGINNING.

THENCE from said TRUE POINT OF BEGINNING leaving said right of way North 33 degrees 01 minutes 25 seconds West a distance of 49.46 feet to a 1/2" rebar found w/cap; THENCE South 88 degrees 39 minutes 52 seconds East a distance of 59.94 feet to a point; THENCE South 62 degrees 36 minutes 48 seconds East a distance of 95.28 feet to a point at the northern right of way of Keene St 40' R/W (FKA Dobbs); THENCE following said right of way along a curve to the right with a radius of 224.38 feet and an arc length of 85.72 feet, said curve having a chord bearing of South 88 degrees 58 minutes 47 seconds West and a chord distance of 85.20 feet to a point; THENCE continuing along northern right of way line North 80 degrees 45 minutes 08 seconds West a distance of 32.81 feet to a point; said point being the TRUE POINT OF BEGINNING.

Said tract contains 4,123 square feet or 0.09 acres.

TOGETHER WITH (i) all fixtures, structures and improvements thereon, (ii) all right, title and interest, if any, in and to all rights-of-way, open or proposed streets, alleys, strips or gores of land adjacent thereto and (iii) all and singular the tenements, hereditament, rights, easements and appurtenances now or hereafter belonging thereto.

EXHIBIT "B"
Permitted Exceptions

1. Taxes for year 2023, a lien not yet due and payable.

2. Easement(s) granted in favor of Georgia Power Company as filed in Book 132, Page 448, records of the Clerk of Cobb County, Georgia, Superior Court.

3. All matters shown on Boundary Survey prepared by Travis Pruitt & Associates, Inc., Jacob M. Kaloki., Georgia Registered Land Surveyor No. 3422, prepared for Kennesaw City Storage, LLC, dated May 24, 2023, identified as Job No. 1-23-0231.600.

Deed Book 16146 Page 3633
Filed and Recorded 07/13/23 5:22:00 PM
2023-0054593
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 4417205703

Prepared for recording by:
Schreeder, Wheeler & Flint, LLP
1100 Peachtree Street NE, Suite 800
Atlanta, Georgia 30309
Attn: Leo Rose III, Esq.

Cobb County Tax Parcel Nos.
20016701130 (partial)

STATE OF GEORGIA
COUNTY OF COBB

QUITCLAIM DEED

THIS INDENTURE, made this 12th day of July, 2023 between **KEENE STREET JV LLC**, a Georgia limited liability company (herein referred to as "**Grantor**"), and **REDWOOD DEVELOPMENT, LLC**, a Georgia limited liability company (herein referred to as "**Grantee**").

W I T N E S S E T H T H A T:

The Grantor, for and in consideration of Ten and 00/100 Dollars ($10.00) in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has bargained, sold and does by these presents bargain, sell, release, convey and forever quit-claim to the said Grantee, his its heirs, successors and assigns, all right, title, interest, claim or demand which the said Grantor has or may have in and to:

> **ALL THAT TRACT** or parcel of land lying and being in Land Lots 166 and 167 of the 20th District, 2nd Section of Cobb County, Georgia, being that certain land identified as Tract 1 and Tract 2 which are more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof.

TOGETHER WITH all fixtures, structures and improvements on said property, all right, title and interest, if any, in and to all rights-of-way, open or proposed streets, alleys, strips or gores of land adjacent thereto, and all and singular the tenements, hereditament, rights, easements and appurtenances in anywise appertaining.

TO HAVE AND TO HOLD the said described premises unto the said Grantee, its heirs, successors and assigns, so that neither the said Grantor, nor its heirs or successors, nor any other person or persons claiming under it shall at any time claim or demand any right, title or interest to the aforesaid described premises.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Grantor has signed, sealed and delivered this deed on the date above written.

[SIGNATURE PAGE TO QUITCLAIM DEED]

Signed, sealed, and delivered
in the presence of:

Unofficial Witness

Notary Public

Commission Expiration Date:

4/30/2026

(NOTARY SEAL)
K GIBSON
NOTARY PUBLIC
COBB COUNTY
STATE OF GEORGIA
My Comm. Expires April 30, 2026

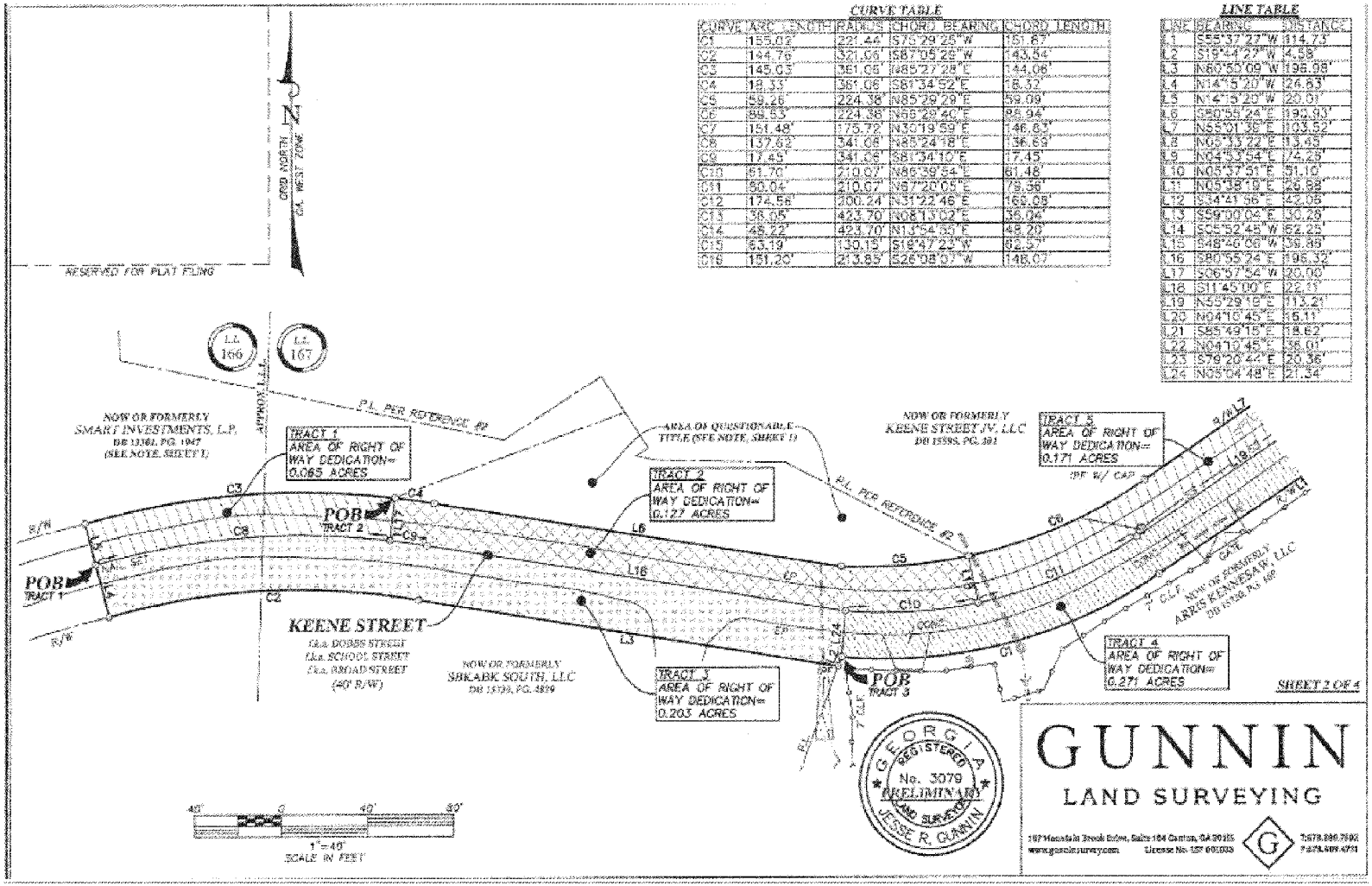
GRANTOR:

KEENE STREET JV LLC,
a Georgia limited liability company

By: _____(SEAL)
Chad L. Howie, Manager

EXHIBIT "A"

Description of proposed abandonment of Keene Street



Legal Description

Summers St Project- Right of Way Abandonment, Tract 1

All that tract or parcel of land lying and being in Land Lots 166 and 167 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at the intersection of the westerly right of way of Burrell Court (40' right of way) and the southerly right of way of Keene Street (40' right of way); thence leaving said westerly right of way and along said southerly right of way the following courses and distances: S55°37'27"W for a distance of 114.73 feet to a point; 155.02 feet along the arc of a curve to the right, said curve having a radius of 221.44 feet and being subtended by a chord of S75°29'25"W, 151.87 feet to a point; S19°44'27"W for a distance of 4.58 feet to a 1/2" rebar found; N80°50'09"W for a distance of 196.98 feet to a point; 144.76 feet along the arc of a curve to the left, said curve having a radius of 321.06 feet and being subtended by a chord of S87°05'29"W, 143.54 feet to a point; thence leaving said southerly right of way N14°15'20"W for a distance of 24.83 feet to a nail set, said point being the **TRUE POINT OF BEGINNING.**

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;
thence N14°15'20"W for a distance of 20.01 feet to a point at the northerly right of way of Keene Street (40' right of way); thence along said northerly right of way 145.03 feet along the arc of a curve to the right, said curve having a radius of 361.06 feet and being subtended by a chord of N85°27'28"E, 144.06 feet to a point; thence leaving said northerly right of way S06°57'54"W for a distance of 20.00 feet to a point; thence 137.62 feet along the arc of a curve to the left, said curve having a radius of 341.06 feet and being subtended by a chord of S85°24'18"W, 136.69 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

Said tract of parcel of land contains 0.065 acres.

Summers St Project- Right of Way Abandonment, Tract 2

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

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at the intersection of the westerly right of way of Burrell Court (40' right of way) and the southerly right of way of Keene Street (40' right of way); thence leaving said westerly right of way and along said southerly right of way the following courses and distances: S55°37'27"W for a distance of 114.73 feet to a point; 155.02 feet along the arc of a curve to the right, said curve having a radius of 221.44 feet and being subtended by a chord of S75°29'25"W, 151.87 feet to a point; S19°44'27"W for a distance of 4.58 feet to a 1/2" rebar found; N80°50'09"W for a distance of 196.98 feet to a point; 144.76 feet along the arc of a curve to the left, said curve having a radius of 321.06 feet and being subtended by a chord of S87°05'29"W, 143.54 feet to a point; thence traversing said right of way N14°15'20"W for a distance of 44.84 feet to a point at the northerly right of way of Keene Street (40' right of way); thence along said northerly right of way 145.03 feet along the arc of a curve to the right, said curve having a radius of 361.06 feet and being subtended by a chord of N85°27'28"E, 144.06 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;
thence continue along said northerly right of way the following courses and distances: 18.33 feet along the arc of a curve to the right, said curve having a radius of 361.06 feet and being subtended by a chord of S81°34'52"E, 18.32 feet to a point; thence S80°55'24"E for a distance of 190.93 feet to a point; thence 59.26 feet along the arc of a curve to the left, said curve having a radius of 224.38 feet and being subtended by a chord of N85°29'29"E, 59.09 feet to a point; thence leaving said northerly right of way S11°45'00"E for a distance of 22.11 feet to a point; thence 61.70 feet along the arc of a curve to the right, said curve having a radius of 210.07 feet and being subtended by a chord of S86°39'54"W, 61.48 feet to a point; thence N80°55'24"W for a distance of 196.32 feet to a point; thence 17.45 feet along the arc of a curve to the left, said curve having a radius of 341.06 feet and being subtended by a chord of N81°34'10"W, 17.45 feet to a point; thence N06°57'54"E for a distance of 20.00 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

Said tract of parcel of land contains 0.127 acres.

Deed Book 16148 Page 4182
Filed and Recorded 07/24/23 11:47:00 AM
2023-0057325
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 4417205703

Prepared for recording by:
Schreeder, Wheeler & Flint, LLP
1100 Peachtree Street NE, Suite 800
Atlanta, Georgia 30309
Attn: Leo Rose III, Esq.

Clerk please cross reference:
Deed Book 16146, Page 3614,
Cobb County Records

This deed is being rerecorded to include the effective date of July 12, 2023.

Cobb County Tax Parcel Nos.
20016603670 and
20016701130 (partial)

STATE OF GEORGIA
COUNTY OF COBB

LIMITED WARRANTY DEED

THIS LIMITED WARRANTY DEED, made as of the 12th day of July, 2023, between **KENNESAW REDEVELOPMENT, LLC**, a Georgia limited liability company (hereinafter referred to as "**Grantor**"), and **KENNESAW CITY STORAGE, LLC**, a Georgia limited liability company (hereinafter referred to as "**Grantee**") (the words "**Grantor**" and "**Grantee**" to include their respective heirs, legal representatives, successors, and assigns where the context requires or permits);

WITNESSETH: THAT

Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and confirmed, and by these presents does grant, bargain, sell, alien, convey, and confirm unto Grantee, all those tracts or parcels of land lying and being in Cobb County, Georgia, being more particularly described in **Exhibit "A"**, attached hereto and incorporated herein by this reference (hereinafter referred to as the "**Land**");

TOGETHER WITH all buildings, structures, and improvements thereon and all rights, members, easements, hereditaments, tenements and appurtenances appertaining to the Land (the Land, together with the foregoing, is hereinafter referred to as the "**Property**");

This conveyance and the limited warranty of title set forth herein are made subject to the matters set forth on **Exhibit "B"** attached hereto and incorporated herein by reference for all purposes (collectively, the "**Permitted Exceptions**").

TO HAVE AND TO HOLD the Property unto Grantee and unto its successors and assigns, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of Grantee and its successors and assigns, forever, **IN FEE SIMPLE.**

Grantor covenants with Grantee that it will forever warrant and defend said title to the Property against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

[SIGNATURE PAGE TO LIMITED WARRANTY DEED]

IN WITNESS WHEREOF, Grantor has executed this Limited Warranty Deed, to be effective as of the date set forth above.

Signed, sealed, and delivered
in the presence of:

Unofficial Witness

Notary Public

Commission Expiration Date:
4/30/26

NOTARY SEAL
R GIBSON
NOTARY PUBLIC
COBB COUNTY
STATE OF GEORGIA
My Comm. Expires April 30, 2026

GRANTOR:

KENNESAW REDEVELOPMENT, LLC, a Georgia limited liability company

By: _____ (SEAL)
Chad L. Howie, Manager

EXHIBIT "A"
Legal Description

All that tract or parcel of land lying and being in Land Lots 166 and 167 of the 20th District, 2nd Section, Cobb County, Georgia as shown on plat of survey prepared by Robert T. Weaver, Surveyor, dated March, 1973, a copy of which is recorded in Plat Book _____, Page _____, Cobb County Records and being more particularly described as follows:

BEGINNING at an iron pin on the northerly side of Dobbs Street (sometimes known as School Street) 280 feet northeast of intersection of the northeast side of the right of way of U.S. Highway 41 and the northwesterly side of Dobbs Street (sometimes known as School Street); running thence north 7 degrees 37 minutes west for a distance of 200 feet to an iron pin; running thence south 88 degrees 13 minutes east for a distance of 127 feet to an iron pin located on the east line of said Land Lot 166; running thence south 2 degrees 01 minutes east for a distance of 89.2 feet to an iron pin; running thence south 77 degrees 55 minutes east for a distance of 182 feet to a point; running thence north 56 degrees 57 minutes east for a distance of 54 feet to an iron pin; running south 32 degrees 48 minutes east for a distance of 20 feet to an iron pin; running thence south 69 degrees 56 minutes west for a distance of 115.1 feet to an iron pin located on the northerly side of Dobbs Street (sometimes known as School Street); running thence southwesterly along the northerly and northwesterly side of Dobbs Street (sometimes known as School Street) for a distance of 236.2 feet to an iron pin and the point of beginning.

Said tract contains 0.673 acres.

TOGETHER WITH:

All that tract or parcel of land lying and being in Land Lot 167 of the 20th District, 2nd Section, Cobb County, Georgia, and being a portion of the property as shown on plat of survey prepared by Robert T. Weaver, Surveyor, for Curtis M. Wigley, dated March, 1973, a copy of which is recorded in Plat Book _____, Page _____, Cobb County Records and being more particularly described as follows:

BEGINNING at a point on the north side of Dobbs Street (sometimes known as School Street) at a point 380 feet east of the intersection of the north side of the right of way of Dobbs Street (sometimes known as School Street) and the east side of the right of way of Cemetery Street; running thence southeasterly along the northeasterly side of the right of way of Dobbs Street (sometimes known as School Street) for a distance of 143.8 feet to the southwest line of the property of the Cobb County Board of Education; running thence north 32 degrees 48 minutes west for a distance of 70 feet to an iron pin; running thence south 69 degrees 56 minutes west for a distance of 115.1 feet to an iron pin and the point of beginning.

EXHIBIT "B"
Permitted Exceptions

1. Taxes for year 2023, a lien not yet due and payable.

2. Easement(s) granted in favor of Georgia Power Company as filed in Book 132, Page 448, records of the Clerk of Cobb County, Georgia, Superior Court.

3. Sanitary Sewer Easement in favor of City of Kennesaw as recorded in Book 566, Page 66, records aforesaid.

4. All matters shown on plat of survey recorded in Plat Book 280, Page 437, records aforesaid.

5. All matters shown on Boundary Survey prepared by Travis Pruitt & Associates, Inc., Jacob M. Kaloki., Georgia Registered Land Surveyor No. 3422, prepared for Kennesaw City Storage, LLC, dated May 24, 2023, identified as Job No. 1-23-0231.600.

Deed Book 16146 Page 3624
Filed and Recorded 7/13/2023 5:17:00 PM
2023-0054591
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 4417205703

Prepared for recording by:
Schreeder, Wheeler & Flint, LLP
1100 Peachtree Street NE, Suite 800
Atlanta, Georgia 30309
Attn: Leo Rose III, Esq.

Cobb County Tax Parcel Nos.
20016603670 and
20016701130 (partial)

STATE OF GEORGIA
COUNTY OF COBB

QUITCLAIM DEED

THIS INDENTURE, made this 12th day of July, 2023 between **KENNESAW REDEVELOPMENT, LLC**, a Georgia limited liability company (herein referred to as "**Grantor**"), and **KENNESAW CITY STORAGE, LLC**, a Georgia limited liability company (herein referred to as "**Grantee**").

W I T N E S S E T H T H A T:

The Grantor, for and in consideration of Ten and 00/100 Dollars ($10.00) in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has bargained, sold and does by these presents bargain, sell, release, convey and forever quit-claim to the said Grantee, his its heirs, successors and assigns, all right, title, interest, claim or demand which the said Grantor has or may have in and to:

> **ALL THAT TRACT** or parcel of land lying and being in Land Lots 166 and 167 of the 20th District, 2nd Section of Cobb County, Georgia being more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof.

TOGETHER WITH all fixtures, structures and improvements on said property and all and singular the rights, members and appurtenances to the said premises in anywise appertaining.

TO HAVE AND TO HOLD the said described premises unto the said Grantee, its heirs, successors and assigns, so that neither the said Grantor, nor its heirs or successors, nor any other person or persons claiming under it shall at any time claim or demand any right, title or interest to the aforesaid described premises.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Grantor has signed, sealed and delivered this deed on the date above written.

[SIGNATURE PAGE TO QUITCLAIM DEED]

Signed, sealed, and delivered
in the presence of:

Unofficial Witness

Notary Public

Commission Expiration Date:

4/30/26

(NOTARY SEAL)

K GIBSON
NOTARY PUBLIC
COBB COUNTY
STATE OF GEORGIA
My Comm. Expires April 30, 2026

GRANTOR:

KENNESAW REDEVELOPMENT, LLC, a Georgia limited liability company

By: _____(SEAL)
Chad L. Howie, Manager

EXHIBIT "A"
Legal Description

Any and all other tract or parcel of land lying and being in Land Lots 166, and 167 of the 20th District, Cobb County, Georgia and being now vested in the name of KENNESAW REDEVELOPMENT, LLC, including, without limitation, that certain land identified as Tract 1 and Tract 2 which are more particularly described on Exhibit "B" attached hereto and incorporated herein by reference.

TOGETHER WITH

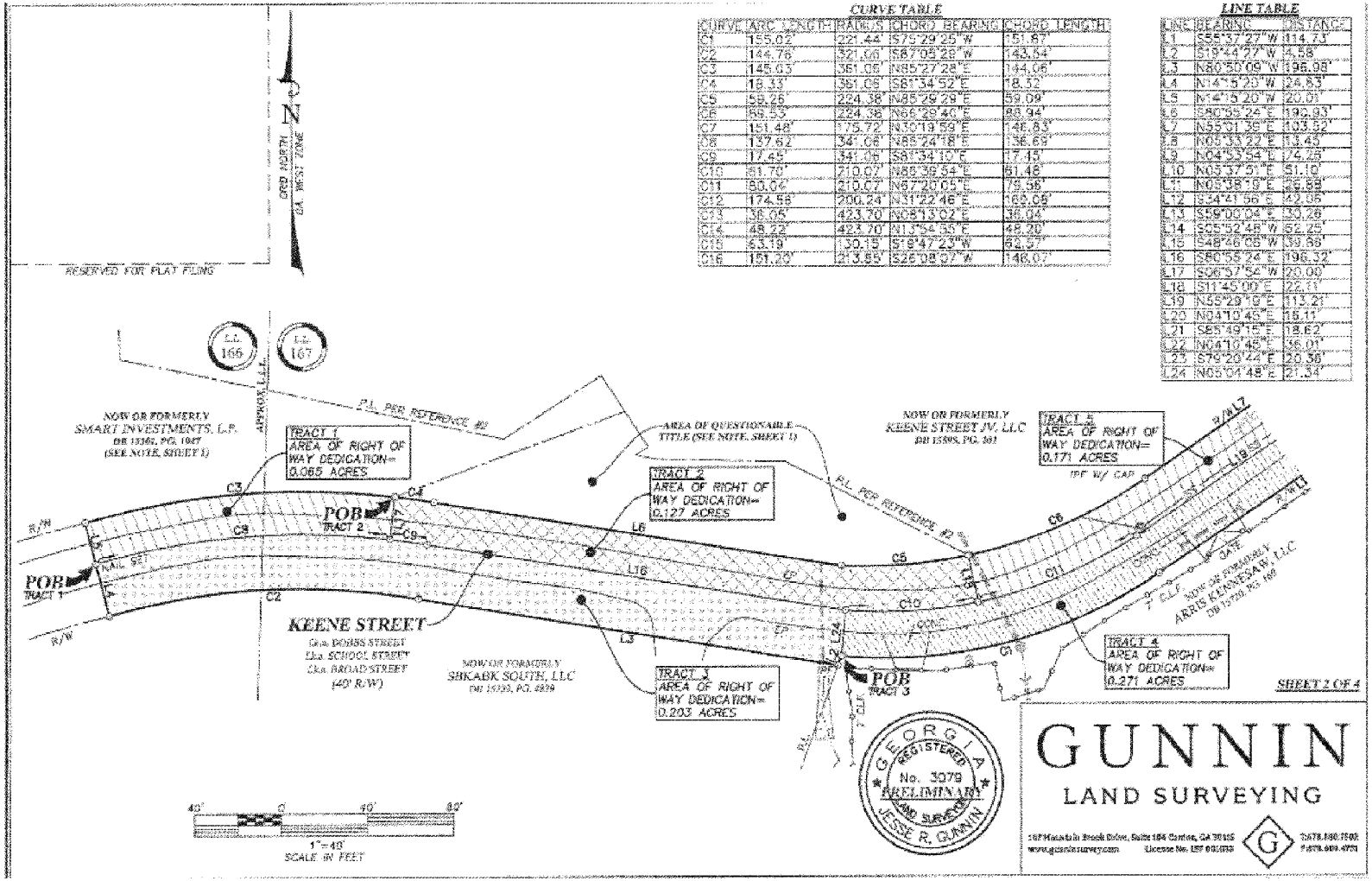
(i) all fixtures, structures and improvements thereon,

(ii) all right, title and interest, if any, in and to all rights-of-way, open or proposed streets, alleys, strips or gores of land adjacent thereto, and.

(iii)all and singular the tenements, hereditament, rights, easements and appurtenances now or hereafter belonging thereto.

EXHIBIT "B"

Description of proposed abandonment of Keene Street



Legal Description

Summers St Project- Right of Way Abandonment, Tract 1

All that tract or parcel of land lying and being in Land Lots 166 and 167 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at the intersection of the westerly right of way of Burrell Court (40' right of way) and the southerly right of way of Keene Street (40' right of way); thence leaving said westerly right of way and along said southerly right of way the following courses and distances: S55°37'27"W for a distance of 114.73 feet to a point; 155.02 feet along the arc of a curve to the right, said curve having a radius of 221.44 feet and being subtended by a chord of S75°29'25"W, 151.87 feet to a point; S19°44'27"W for a distance of 4.58 feet to a 1/2" rebar found; N80°50'09"W for a distance of 196.98 feet to a point; 144.76 feet along the arc of a curve to the left, said curve having a radius of 321.06 feet and being subtended by a chord of S87°05'29"W, 143.54 feet to a point; thence leaving said southerly right of way N14°15'20"W for a distance of 24.83 feet to a nail set, said point being the **TRUE POINT OF BEGINNING.**

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;
thence N14°15'20"W for a distance of 20.01 feet to a point at the northerly right of way of Keene Street (40' right of way); thence along said northerly right of way 145.03 feet along the arc of a curve to the right, said curve having a radius of 361.06 feet and being subtended by a chord of N85°27'28"E, 144.06 feet to a point; thence leaving said northerly right of way S06°57'54"W for a distance of 20.00 feet to a point; thence 137.62 feet along the arc of a curve to the left, said curve having a radius of 341.06 feet and being subtended by a chord of S85°24'18"W, 136.69 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

Said tract of parcel of land contains 0.065 acres.

Summers St Project- Right of Way Abandonment, Tract 2

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

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at the intersection of the westerly right of way of Burrell Court (40' right of way) and the southerly right of way of Keene Street (40' right of way); thence leaving said westerly right of way and along said southerly right of way the following courses and distances: S55°37'27"W for a distance of 114.73 feet to a point; 155.02 feet along the arc of a curve to the right, said curve having a radius of 221.44 feet and being subtended by a chord of S75°29'25"W, 151.87 feet to a point; S19°44'27"W for a distance of 4.58 feet to a 1/2" rebar found; N80°50'09"W for a distance of 196.98 feet to a point; 144.76 feet along the arc of a curve to the left, said curve having a radius of 321.06 feet and being subtended by a chord of S87°05'29"W, 143.54 feet to a point; thence traversing said right of way N14°15'20"W for a distance of 44.84 feet to a point at the northerly right of way of Keene Street (40' right of way); thence along said northerly right of way 145.03 feet along the arc of a curve to the right, said curve having a radius of 361.06 feet and being subtended by a chord of N85°27'28"E, 144.06 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;
thence continue along said northerly right of way the following courses and distances: 18.33 feet along the arc of a curve to the right, said curve having a radius of 361.06 feet and being subtended by a chord of S81°34'52"E, 18.32 feet to a point; thence S80°55'24"E for a distance of 190.93 feet to a point; thence 59.26 feet along the arc of a curve to the left, said curve having a radius of 224.38 feet and being subtended by a chord of N85°29'29"E, 59.09 feet to a point; thence leaving said northerly right of way S11°45'00"E for a distance of 22.11 feet to a point; thence 61.70 feet along the arc of a curve to the right, said curve having a radius of 210.07 feet and being subtended by a chord of S86°39'54"W, 61.48 feet to a point; thence N80°55'24"W for a distance of 196.32 feet to a point; thence 17.45 feet along the arc of a curve to the left, said curve having a radius of 341.06 feet and being subtended by a chord of N81°34'10"W, 17.45 feet to a point; thence N06°57'54"E for a distance of 20.00 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

Said tract of parcel of land contains 0.127 acres.

Printed: 10/19/2023

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:
DAN NORTHCUTT

Payment Date: 10/19/2023

Tax Year	Parcel ID	Due Date				Taxes Due
2023	20016700420	10/25/2023	**Pay:**	N/A	or	$0.00

Interest	Penalty	Fees	Total Due	Amount Paid	Balance
$0.00	$0.00	$38.53	$0.00	$4,822.73	**$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

2023
Property Tax Bill

Parcel ID	Tax District	Bill #
20016700420	3/3-BOND - KENNESAW CITY	238056

Property Owner/Location/Description	Fair Market Value	Taxable Value
B N AUTO PARTS COMPANY 2590 KEENE ST	396,700	158,680

Levies	Taxable Value	-	Exemptions	=	Net Assessment	X	Tax Rate	=	Net Tax
CITY OF KENNESAW	158680		0		158680		7.7500000000		$1,229.77
BOND	158680		0		158680		1.5000000000		$238.02

Exemptions:

>Per House Bill 960 calculation, interest will accrue at .875%. Penalty will accrue at 5% after 120 days with an additional 5% assessed after each successive 120 days to a maximum of 20% of the principle amount due (House Bill 960).
>Payments can be made online at www.municipalonlinepayments.com/kennesawga, in person, by mail or via our dropbox. Tax bills are mailed annually on October 1, with a due date of December 1.
>Any questions concerning ownership changes or change of address should be directed to Cobb County Tax Commissioner's Office. For all other questions or concerns regarding this statement, give us a call at 770-429-4542.

Current Year Tax	$1,467.79
Interest	$0.00
Penalty	$0.00
Other Fees	$0.00
Payments Received	$1,467.79
Other Amounts Due	$0.00
Total Due	$0.00
Due Date	12/01/2023

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:	20016700420
Amount Due:	$0.00
Bill#:	238056
Due Date:	12/01/2023
	AMOUNT PAID

B N AUTO PARTS COMPANY
2864 WOOD PARK TRCE
KENNESAW, GA 30152

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

Printed: 11/20/2023

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:
Arshad Khan

SBKABK SOUTH LLC

Payment Date: 10/9/2019

Tax Year	Parcel ID	Due Date		Appeal Amount		Taxes Due
2019	20016700730	10/15/2019	**Pay:**	N/A	or	$0.00

Interest	Penalty	Fees	Total Due	Amount Paid	Balance
$0.00	$0.00	$0.00	$0.00	$41,316.07	**$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

2023
Property Tax Bill

Parcel ID	Tax District	Bill #
20016700730	3/3-BOND - KENNESAW CITY	238248

Property Owner/Location/Description	Fair Market Value	Taxable Value
KENNESAW CITY STORAGE LLC 2570 N COBB PKWY	1,303,450	521,380

Levies	Taxable Value	-	Exemptions	=	Net Assessment	X	Tax Rate	=	Net Tax
CITY OF KENNESAW	521380		0		521380		7.7500000000		$4,040.70
BOND	521380		0		521380		1.5000000000		$782.07

Exemptions:

>Per House Bill 960 calculation, interest will accrue at .875%. Penalty will accrue at 5% after 120 days with an additional 5% assessed after each successive 120 days to a maximum of 20% of the principle amount due (House Bill 960).
>Payments can be made online at www.municipalonlinepayments.com/kennesawga, in person, by mail or via our dropbox. Tax bills are mailed annually on October 1, with a due date of December 1.
>Any questions concerning ownership changes or change of address should be directed to Cobb County Tax Commissioner's Office. For all other questions or concerns regarding this statement, give us a call at 770-429-4542.

Current Year Tax	$4,822.77
Interest	$0.00
Penalty	$0.00
Other Fees	$0.00
Payments Received	$0.00
Other Amounts Due	$0.00
Total Due	$4,822.77
Due Date	12/01/2023

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:	20016700730
Amount Due:	$4,822.77
Bill#:	238248
Due Date:	12/01/2023
	AMOUNT PAID

KENNESAW CITY STORAGE LLC
2160 KINGSTON CT SE SUITE B
MARIETTA, GA 30067

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

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2023-05 & ZV2023-04

PLANNING AND ZONING

Site Visit:
___ Yes
☑ No

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

Cemetery Preservation:
No cemeteries on site

COMMERCIAL: 387,850 gross sq. ft.
RESIDENTIAL: 110,000 gross sq. ft.

TOTAL LAND AREA: 12.3 ACRES or 535,788 SQ. FT.

PARKING & LANDSCAPING

PROPOSED PARKING:
Parking garage: 1,110 spaces
Surface parking: 288 spaces

Total spaces: 1,398

PROPOSED LANDSCAPE BUFFER:
To be reviewed by the Historic Preservation Commission

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

The Zoning Administrator recommends **approval with conditions** of case numbers #RZ2023-05, ZV2023-04, and CBD2023-02.

Conditions: Please see proposed zoning conditions starting on page 34.

BASIS FOR ZONING ADMINISTRATOR'S RECOMMENDATION

Development is in line with the comprehensive plan for Cobb Parkway redevelopment as a major corridor improvement project. The pedestrian connectivity to Downtown Kennesaw is in line with the adopted 2015 LCI study report.

The variances for the design standards was reviewed by the historic preservation commission on December 6, 2023 for scale and mass as well as the architectural design. The variances submitted regarding apartment sizes, gross square footage ratios and design features are required for the project to fit on this challenging site located on Cobb Parkway.

PLANNING COMMISSION RECOMMENDATION:

On December 6, 2023 the Planning Commission recommended approval with staff's proposed conditions.

MAYOR AND COUNCIL DECISION:

To be determined on December 18, 2023.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2023-05 & ZV2023-04

VARIANCE APPROVALS

Variance 1: Variance is granted to reduce front setback along Cobb Parkway to 6.5 feet.

Variance 2: Variance is granted from Kennesaw Historic District Design Standard 5.2.03 regarding building height to permit Building 5 as identified on the submitted site plan to be four (4) stories; Buildings 6 and 7 to be five (5) stories; and Buildings 8 and 9/10 to be six (6) stories.

Variance 3: Variance is granted to allow condominium units to be a minimum of 725 square feet.

Variance 4: Variance is granted to permit a maximum gross floor area of residential uses in the development to not exceed 78%. Further, the maximum gross floor area of residential uses within the following individual buildings as identified on the submitted site plan shall be as follows:

-Building 5: 87%

-Building 6: 87%

-Building 7: 89%

-Building 8: 78%

-Building 9: 87%

Variance 5: Variance is granted to permit studio apartments to have a minimum floor area of 600 square feet and one-bedroom apartments to have a minimum floor area of 725 square feet.

Variance 6 : Variance is granted to allow a maximum of 10% of the residential apartments to have a minimum of 600 square feet and a maximum of an additional 45% of the residential apartments to have a minimum of 725 square feet.

Variance 7: Variance is granted to allow the 150 foot section of exposed stream near the northwestern corner of the development to be piped and to therefore eliminate all stream buffers associated, subject to applicant obtaining any applicable approvals required by the State of Georgia or the US Army Corp of Engineers.

Variance 8: Variance is granted from Kennesaw Historic District Design Standard 5.4 regarding the Exterior Wall design standards, provided that applicant shall otherwise maintain consistency with the remaining HPC guidelines, subject to any future additional variances that are granted during the design review process.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2023-05 & ZV2023-04

STAFF RECOMMENDATIONS – VARIANCES

Staff recommendations to be applicable to applications RZ2023-05, ZV2023-04, and CBD2023-02.

A. Project design as submitted will vary from Kennesaw Historic District Design Standard 5.2.03 regarding building height. Building heights will vary from four (4) to six (6) stories.

B. Project design updates must be submitted to the Historic Preservation Commission at 25, 50, 90, and 100 percent completion until the approval of the final project design.

C. Design updates submitted to the Historic Preservation Commission for review must include landscaping and buffer screening plans for the site including areas adjoining the city cemetery. The final city cemetery screening design will be the result of a collaboration with the City Staff and applicant so as to soften the visual boundary between the parking garage and the cemetery.

D. Applicant will maintain consistency with Historic Preservation Commission guidelines with the variance approval for section 5.4 of the Kennesaw Historic District Design Standards regarding exterior features.

E. The applicant shall work with the city to design a commemorative plaque or monument approved by the Historic Preservation Commission, which will be prominently placed within the development to recognize the historical area of Camp McDonald.

F. The total number of residential units will be 371 with a breakdown of 337 for-rent apartment units and a minimum of 34 for-sale condominiums. The residential mix regarding the increase of condominiums above 34 units will be subject to market conditions.

G. Applicant will proceed with the development contingent upon the mutual acceptance and approval of a development agreement between the applicant and the City of Kennesaw.

MINUTES OF HISTORIC PRESERVATION COMMISSION MEETING
CITY OF KENNESAW
Council Chambers
December 6, 2023
8:00 AM

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1. Call to Order / Roll Call

The meeting was called to order by Chairman Whipple at 8:05 a.m.
Roll Call: Commissioner Ferguson, Commissioner Butler, Commissioner Gallagher, Commissioner Buffington
Absent: Commissioner Blandford
Staff Present: Darryl Simmons (Planning and Zoning Administrator) and Natalie Faustine (Community Development Administrative Assistant)
Speakers Present: Michael Miller (Applicant, Piedmont Residential), Nate Sirang (Applicant, Concord Wilshire), and Scott Peters (Applicant's Attorney).

2. Approval of the Meeting Minutes

A. Meeting Minutes from October 20, 2023

Chairman Whipple calls for a motion to approve meeting minutes from the meeting on October 20, 2023.
Motion by Commissioner Butler to approve.
Seconded by Commissioner Gallagher.
Chairman Whipple proceeds with a roll call for approval.
Vote taken, motion unanimously approved 3-0. Motion carried. Commissioner Buffington abstains.

3. Financial Report

Mr. Darryl Simmons reports that since the last meeting there have been no new expenditures by the HPC or by staff on their behalf. All the current amounts of training dollars and donated dollars remain unchanged. There is a $1,000 budget item under Planning and Zoning, as well as $3,000 for related training for use by the HPC. $23,179 has been put in a special account for donated dollars per year.

Chairman Whipple calls for a motion to approve the financial report as submitted.
Motion by Commissioner Gallagher to approve.
Seconded by Commissioner Butler.
Vote taken, motion unanimously approved 4-0. Motion carried.

4. Old Business

5. New Business

A. Consideration for approval of a variance application submitted by Kennesaw

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Square Development, LLC for the properties located at 6997 Keene Street (20016700340), Keene Street (20016603670, 20016701130, 20016701190), 2570 N Cobb Parkway (20016700730, 20016701180), and 2590 Keene Street (20016700420). Case #ZV2023-04.

Mr. Simmons states both agenda items pertain to the same project, the development of Kennesaw Square. Since part of the project is near downtown and within the Camp McDonald Historic District, the project must be approved by the Kennesaw Downtown Development Authority, the Historic Preservation Commission, the Planning Commission, and the Mayor & Council. He explains that the applicant will do their presentation, then the items will be addressed separately. One item deals with two variances in the proposal, and the other item is the overall Central Business District project approval. He yields the floor to the applicant.

Mr. Nate Sirang (Applicant) introduces his real estate development company, Concord Wilshire, and tells the Commissioners about previous and current developments. He describes the proposed project as a Cobb Parkway corridor improvement project that is intended to create a destination mixed-use development located along the northeast side of Cobb Parkway.

Mr. Michael Miller (Applicant) explains that the proposed site of this development consists of several parcels of land. Their vision is to build a mixed-use development containing commercial and residential space. They wish to incorporate a central plaza to be used as common space for the community to host seasonal events, farmers markets, and so forth. Four buildings are proposed to be strictly commercial retail, three are to be residential over commercial, and one is to be residential over an entertainment facility such as a theater. There will also be a parking garage to provide parking not only for the residents, but 500 additional spaces for the public.

Mr. Miller reviews the entrances to the proposed development and highlights its pedestrian-friendly connectivity to Main Street and vehicular traffic connectivity to Cobb Parkway. Various architectural renderings are presented to portray what the development is expected to look like from different points in the city, as well as to convey the proposed architectural style. He points out that they are aware the development will be next to the city's cemetery. During a survey of the property, they identified certain elements that are part of the cemetery that encroach on the property they acquired. He states that it is not a problem, and they are willing to work with the city to deal with those encroachments.

Mr. Scott Peters (Applicant's Attorney) goes to the podium to introduce the two variances they are seeking from the HPC. He briefly reviews the current zoning of the area and explains they have also submitted a rezoning application, so all parcels included in this project will be in the Central Business District. According to the Unified Development Code Section 4.02.03.B.4, site design standards for the Central Business District are subject to Historic District Design guidelines.

The first variance request is to vary from the Historic District Design Standard Section 5.2.03, non-

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residential buildings shall not exceed 3 stories in height. This project proposes buildings that are four, five, or six stories in height. He mentions that apartments are being built next door that are four stories in height and are on a higher topography, so the development they are proposing will be consistent with that. He continues to explain that the purpose of the code is to ensure that buildings in the historic district match the existing downtown area, but this project is located in the Camp McDonald Historic District, which does not have any buildings to match. Given it is a Cobb Parkway redevelopment project, Mr. Peters states he believes that the proposed development is consistent with the city's vision, and they are asking for a variance for the height of the buildings.

The second variance request is to vary from section 5.4 of the Historic District Design Standard regarding exterior walls. Again, the purpose of the Historic District Design Standard is to ensure that new developments are designed to match the character of the existing buildings, but there are no existing buildings in this historic district. He mentions that they are conscious of the fact that the cemetery is right next door and, as a result, they are looking at using materials that are consistent with the cemetery from an appearance standpoint, such as stack stone and brick. He reiterates that this project is geared towards Cobb Parkway, not downtown, and the architectural standards for downtown are not consistent with those of Cobb Parkway.

Mr. Simmons presents a map of the five historic districts in Kennesaw. He points out Camp McDonald's location along Cobb Parkway and its closeness in proximity to modern buildings such as a car wash, pawn shop, bank, and dental offices. There is very little as far as historic assets to reference, so staff recommends this is looked at as a non-contributing district. He proposes that a monument or plaque should be built into the project to identify the history of the site.

Chairman Whipple asks about an ongoing survey of the historical districts and what their stance is on the Camp McDonald district. Mr. Simmons responds that they recommended the land area for the Camp McDonald district to be reduced to solely include land that still has historical significance, or that the district may be eliminated altogether. The Commission will ultimately determine what course of action is appropriate.

Commissioner Gallagher asks whether the external building materials will match the Historic District Design Standards or if they are seeking a variance for that as well. Mr. Peters responds that they are not seeking a variance for the materials, they are seeking variance for the style. He states they are comfortable with the permitted materials.

Chairman Whipple briefly reviews the variance requests and highlights some factors of consideration that are important to the HPC. He asks if there are architectural renderings of the view of the project from the cemetery or if the builders have ideas on how they plan to soften the look. Mr. Peters responds that they are still working on the design, and they are willing to have the design and materials go through HPC approval. Mr. Simmons adds that they also discussed the buffering of the cemetery for the project, so that it will be included in a resubmittal to the HPC once they determine what is suitable.

Commissioner Ferguson asks if the Cemetery Preservation Commission has been apprised of this project. Mr. Simmons responds that the project was presented to Mayor

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& Council, and the council liaison to the Cemetery Preservation Commission is well aware of the project. However, the final submittal of the project will not be required to go before the CPC.

Commissioner Buffington asks if the buffer for the cemetery will go past the developed portion of the property onto the undeveloped portion that stretches to Keene Street. Mr. Simmons responds that the final landscaping plan will determine that, but for now they are focusing on the cemetery. He states that this project would be developed in one phase, so there will not be too much back and forth as far as revisions go.

Commissioner Gallagher asks where they are in the design phase of the structure and finishes. Mr. Sirang responds that they are still in the preliminary phase, which is why they do not have details regarding the materials to share at this time.

Commissioner Butler brings up her concern about building a five-story structure right behind our historic site on Summers Street and the six-story structure behind the cemetery. She expresses that she does not want the historic sites to be overshadowed by bigger buildings, as has been done in the city before.

Chairman Whipple comments that previously with large developments, the HPC has requested that developers present progress updates for review and approval and suggests the same is done with this project. He asks Mr. Simmons if there have been any similar motions made by other Commissions, so they could align what those progress updates will look like. Mr. Simmons responds that there have not. He explains the CBD project approval goes before the KDDA for the business plan, then it goes before the HPC and Planning Commission before going to the Mayor and Council. He reminds the commissioners that with some of the previous mixed-use developments, updates were requested for key milestones in the project, such as at twenty-five percent completion, fifty percent, seventy-five percent, and one hundred percent. He asks the Commissioners to keep in mind that at this point this project is entirely conceptual. As the design process progresses, other agencies outside the city will be required to weigh in, such as Cobb Water and Sewer as well as the Cobb County Fire Marshall. He states that conceptually it will be appropriate to ask for a timeline or milestone-based status report.

Chairman Whipple returns to the topic of a commemoration to the Camp McDonald historical site. He suggests the applicant works with Mr. Andrew Bramlett in developing the verbiage for a commemoration of Camp McDonald for review and approval by the HPC.

Mr. Miller says they would be happy to do that and mentions that Piedmont Residential previously built a commemoration to Mayor Pritchard in the Pritchard Park development here in Kennesaw.

Chairman Whipple thanks Mr. Miller and goes over the conditions that must be mentioned in the motion.

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Chairman Whipple calls for a motion.
Motion by Commissioner Gallagher to approve under the following conditions:

- Design may vary from Kennesaw Historic District Design Standard 5.2.03 regarding building height.
- Design updates must be submitted at 25, 50, 90, and 100 percent completion until the approval of the final project.
- Design updates must include landscaping plans.
- Applicant will maintain consistency with HPC guidelines with the variance approval for section 5.4 of the Kennesaw Historic District Design Standards regarding exterior features.
- The mass and scale of the buildings that face the cemetery should be considered in the plan review process.
- A commemorative plaque or monument approved by the HPC should be prominently placed within the development to recognize the historical area of Camp McDonald.

Seconded by Commissioner Ferguson.
Chairman Whipple proceeds with a roll call for approval.
Vote taken, motion unanimously approved 4-0. Motion carried.

B. Consideration to review a CBD project application request for a mixed-use development on five parcels located at 6997 Keene Street (20016700340), Keene Street (20016603670, 20016701130, 20016701190), 2570 N Cobb Parkway (20016700730,030016701180), and 2590 Keene Street (20016700420). Case #CBD2023-02.

Mr. Simmons briefly introduces the next item, which is the CBD project approval.

Chairman Whipple calls for a motion to approve the application with conditions outlined in item A.
Motion by Commissioner Gallagher to approve.
Seconded by Commissioner Buffington.
Chairman Whipple proceeded with a roll call for approval.
Vote taken, motion unanimously approved 4-0. Motion carried.

6. COAA Approval by City Staff and HPC Chair

A. COAA2023-19 - 2910 Cherokee Street NW, Suite 101

This Certificate of Appropriateness application was submitted by Katie Matthews on behalf of High Stakes Creative to change the face of a sign at 2910 Cherokee Street NW to reflect a business name change. There were no structural changes to be made. It was administratively reviewed and approved on October 26, 2023.

B. COAA2023-20 - 2243 Lewis Street

This Certificate of Appropriateness Application was submitted by Kim Wakefield on behalf of Denyse Companies Inc to install two non-illuminated wall signs on the front

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elevation of the building at 2243 Lewis Street. It was administratively reviewed and approved on November 9, 2023.

C. COAA2023-21 - 3001 N Main Street

This Certificate of Appropriateness Application was submitted by Fred Moore to re-roof his home at 3001 N Main Street with shingles matching the existing roof. It was administratively reviewed and approved on November 9, 2023.

D. COAA2023-22 - 2237 Whitfield Place NW

This Certificate of Appropriateness Application was submitted by Katie Matthews of High Stakes Creative to install a stand-alone sign at 2237 Whitfield Place NW. It was determined that the height and type of sign is appropriate, as it does not cause any motorist or pedestrian visibility issues. It was administratively approved on November 10, 2023.

7. Discussion

Mr. Simmons introduces the newest member, Commissioner Buffington, and mentions that there is still an opening on the Commission that needs to be filled.

8. Public Comment

Chairman Whipple calls for public comment, to which he receives no response.

9. Staff Comment

Chairman Whipple opens the floor for staff comment.

Mr. Simmons explains that this is Commissioner Ferguson's last meeting as a member of the HPC and thanks him for his consistent participation and thoughtful questions.

Chairman Whipple mentions that the next meeting is scheduled for Friday, December 15th but will be canceled if no new applications are recieved.

10. Adjourn

Chairman Whipple adjourned the meeting at 8:57 a.m.

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MINUTES OF PLANNING COMMISSION MEETING
CITY OF KENNESAW
Council Chambers
December 6, 2023
6:30 PM

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1. Call to Order / Roll Call

Chairman Bergwall calls the meeting to order at 6:31 p.m.
Roll Call: Commissioner Patterson, Commissioner Greenall, Commissioner Jackson, Commissioner Vande Zande, Commissioner Ragus
Absent: Commissioner Bodenhamer
Staff Present: Darryl Simmons (Zoning Administrator) and Natalie Faustine (Community Development Administrative Assistant)
Applicants Present: Michael Miller (Representing Piedmont Residential) and Scott Peters (Representing Concord Willshire)

2. Announcements

A. This public meeting is being conducted via the use of real-time telephonic technology, allowing the public simultaneous access to the public meeting. The meeting may be accessed using Facebook Live via the following link: www.Facebook.com/City of Kennesaw/. However, comments made on Facebook Live will not be visible by City staff. If you would like to provide public comment on a specific agenda item, you can email kennesawcouncil@kennesaw-ga.gov no later than 6:00 p.m. the night of the regular meeting. Your comment will be read aloud or grouped into categories for the record. All interested parties may attend the meeting in person with limited seating available at the City Hall Council Chambers and the Ben Robertson Community Center, if needed. 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 Monday, December 18, 2023.

3. Approval of the Meeting Minutes

A. Approval of Meeting Minutes from November 1, 2023

Chairman Bergwall calls for a motion to approve meeting minutes from November 1, 2023

Motion by Commissioner Vande Zande to approve
Seconded by Commissioner Jackson
Chairman Bergwall proceeds with a roll call for approval
Vote taken, motion unanimously approved 5-0. Motion carried.

4. New Business

Mr. Darryl Simmons requests a motion to change the order of the new business items, so item B is reviewed first and item A is reviewed second.
Chairman Bergwall asks if there are any objections from the Commissioners. Hearning none, he moves forward with item B.

A. Consideration for approval of a variance application submitted by Kennesaw Square Development, LLC for the properties located at 6997 Keene Street (20016700340), Keene Street (20016603670, 20016701130), 2570 N Cobb Parkway (20016700730, 20016701160), and 2590 Keene Street (20016700420). Case #ZV2023-04.

Chairman Bergwall calls for a motion to approve the first variance request. This is a request to vary from the Unified Development Code Section 4.02.03.B.3.a by allowing a 6.5 foot setback on Cobb Parkway.
Motion to approve by Commissioner Ragus
Seconded by Commissioner Patterson
Chairman Bergwall proceeds with a roll call for approval
Vote taken, motion unanimously approved 5-0. Motion carried.

Chairman Bergwall calls for a motion to approve the second variance request. This is a request to vary from the Unified Development Code Section 4.02.03.B.4 regarding building mass, scale, and form in the Central Business District
Motion to approve by Commissioner Vande Zande
Seconded by Commissioner Ragus
Chairman Bergwall proceeds with a roll call for approval
Vote taken, motion unanimously approved 5-0. Motion carried.

Chairman Bergwall calls for a motion to approve the third variance request. This is a request to vary from the Unified Development Code Section 4.02.03.G.1 by reducing the minimum floor area for condominiums from 1,000 square feet to no less than 725 square feet.
Motion to approve by Commissioner Greenall
Seconded by Commissioner Ragus
Chairman Bergwall proceeds with a roll call for approval
Vote taken, motion unanimously approved 5-0. Motion carried.

Chairman Bergwall calls for a motion to approve the fourth variance request. This is a request to vary from the Unified Development Code Section 4.02.03.G.2.b by increasing the the gross floor area occupied by residential use to seventy-eight (78) percent.
Motion to approve by Commissioner Ragus
Seconded by Commissioner Vande Zande

Chairman Bergwall proceeds with a roll call for approval.
Vote taken, motion unanimously approved 5-0. Motion carried.

Chairman Bergwall calls for a motion to approve the fifth variance request. This is a request to vary from the Unified Development Code Section 4.02.03.G.2.c by reducing the minimum floor area for all residential units from 1,000 square feet to 600 square feet for studio units and 725 square feet for one-bedroom units.
Motion to approve by Commissioner Vande Zande
Seconded by Commissioner Greenall
Chairman Bergwall proceeds with a roll call for approval
Vote taken, motion unanimously approved 5-0. Motion carried.

Chairman Bergwall calls for a motion to approve the sixth variance request. This is a request to vary from the Unified Development Code Section 4.02.03.G.5.d by allowing a minimum apartment size of 600 square feet, provided that such units shall account for a maximum of 10% of the total For-Rent apartment units for the project and to allow a total of not more than 55% of the For-Rent apartment units in the Project to be less than 850 square feet in size.
Motion to approve by Commissioner Ragus
Seconded by Commissioner Patterson
Chairman Bergwall proceeds with a roll call for approval
Vote taken, motion unanimously approved 5-0. Motion carried.

Chairman Bergwall calls for a motion to approve the seventh variance request. This is a request to allow the 150 foot section of exposed stream near the northwestern corner of the property to be piped and to therefore eliminate all stream buffers associated therewith.
Motion to approve by Commissioner Vande Zande
Seconded by Commissioner Ragus
Chairman Bergwall proceeds with a roll call for approval
Vote taken, motion unanimously approved 5-0. Motion carried.

Chairman Bergwall calls for a motion to approve the eighth variance request. This is a request to vary from the Kennesaw Historic District Design Standards, Section 5.4 pertaining to exterior walls so as to allow for architectural treatments consistent with the architectural renderings submitted in conjunction with the application. The Historic Preservation Commission recommends approval.
Motion to approve by Commissioner Greenall
Seconded by Commissioner Vande Zande
Chairman Bergwall proceeds with a roll call for approval.
Vote taken, motion unanimously approved 5-0. Motion carried.

B. Consideration for approval of a rezoning application submitted by Kennesaw Square Development, LLC for the properties located at 2590 Keene Street (20016700420) and 2570 N Cobb Parkway (20016700730, 20016701160) to zone from HGB to CBD. Case #RZ2023-04.

Chairman Bergwall calls for a motion to approve the rezoning application from Kennesaw Square Development LLC to rezone parcels 20016700420, 20016700130, and 20016701160 from Highway General Business to the Central Business District.
Motion to approve by Commissioner Vande Zande
Seconded by Commissioner Ragus
Chairman Bergwall proceeds with a roll call for approval.
Vote taken, motion unanimously approved 5-0. Motion carried.

5. Staff Comment

6. Adjourn

Chairman Bergwall adjourns at 8:34 p.m.

KENNESAW SQUARE

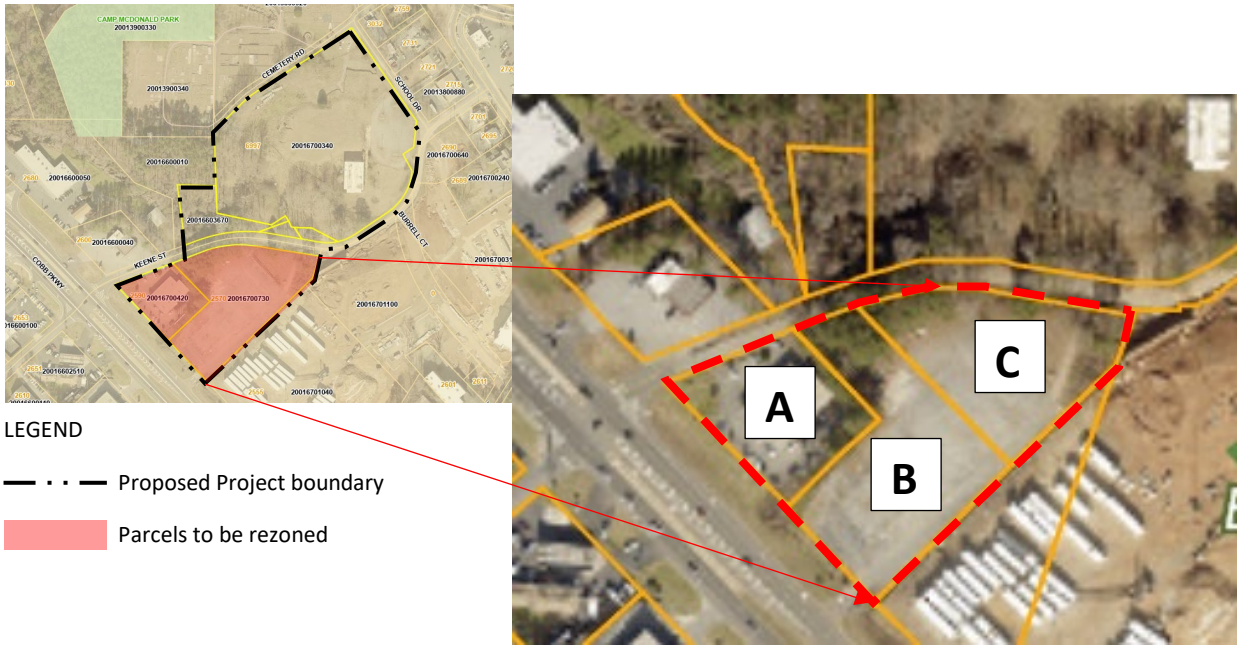
LETTER OF INTENT

Rezoning Application Request

Project Summary

The proposed Kennesaw Square mixed-use development project (the "Project") is comprised of several adjacent tax parcels and contemplates the inclusion of certain portions of the existing Keene Street Right-of-Way (ROW), which is to be abandoned should the City of Kennesaw look favorably upon this project. The overall Project totals 12.3 acres, and is located along the northeast side of Cobb Parkway at Keene Street, and is bounded on the north and west by School Drive and the City Cemetery. The Project is planned as a mixed-use development incorporating multi-family residential, commercial retail and a park/plaza area. It is intended to serve not only the proposed residents, but the entire Kennesaw community, while also having a regional draw by taking advantage of the Cobb Parkway transportation corridor.

The portion of the Project that is southeast of the existing Keene Street ROW is currently zoned Highway General Business (HGB), while that portion of the Project that is northwest of the existing Keene Street ROW is zoned Community Business District (CBD). The applicant is requesting to rezone the three tax parcels southeast of Keene Street (specifically Parcels 20016700420 and 20016700730 and 20016701180), to the CBD district to provide zoning consistency across the entire project. Each tax parcel subject to this rezoning request is further outlined in the graphics and table below:



LEGEND

Proposed Project boundary

Parcels to be rezoned

Parcels proposed to be rezoned within proposed Kennesaw Square project.

Existing Parcel	Parcel Number	Location Address	Owner	FLU	Existing Zoning	Proposed Zoning	Within KDDA	Within Historic District
A	20016700420	2590 Keene Street	B N Auto Parts Company 2864 Wood Park Terrace Kennesaw, GA 30152	CAC	HGB	CBD	Yes	No
B	20016700730	2570 N Cobb Pkwy	Kennesaw City Storage LLC 2160 Kingston CT SE, Suite B Marietta, GA 30067	CAC	HGB	CBD	Yes	No
C	20016701180 **(previously 20016701160)	2570 N Cobb Pkwy	Kennesaw City Storage LLC 2160 Kingston CT SE, Suite B Marietta, GA 30067	CAC	HGB	CBD	Yes	No

**Tax Assessor records updated PINs following the initial 10/20/23 application submission. New PIN 20016701180 replaces PIN 20016701160, previously referenced.

The three tax parcels proposed for rezoning total 3.58 acres of the overall 12.3 acre Project. They are within the Kennesaw Downtown Development Authority (KDDA), however, none are within the Historic District. All three tax parcels have a Future Land Use designation of Community Activity Center (CAC), which is consistent with the proposed rezoning to CBD.

Proposed Development

The Project is planned as a mixed-use development incorporating multi-family residential, commercial retail and a park/plaza area. The commercial aspects of the Project are intended to serve not only the proposed residents of the Project, but also the surrounding neighborhoods, the entire Kennesaw community, as well as the broader regional area by taking advantage of the Cobb Parkway transportation corridor. The Project is intended to provide ample parking for both residents and visitors, and will also provide pedestrian and alternative transportation connections to Main Street and downtown Kennesaw.

The Project is proposed to include a total of 371 multi-family residential units encompassing 387,850 gross square feet of building area, spread among five mixed use building. In addition, the project will include a total of 110,000 gross square feet of commercial retail space spread across the five multi-use buildings as well as four solely commercial buildings.[1] The commercial retail buildings proposed closest to Cobb Parkway are single story surrounded by surface parking in keeping with the commercial corridor of the parkway. North of the single-story retail buildings, and closer to downtown, a series of five multi-use buildings, each either four, five or six-stories in height, will include multi-family residential units over ground-floor retail. In partnership with the KDDA, the Project is proposing a six-story parking structure of 1,110 parking spaces so as to minimize the footprint of the development and allowing for the construction of a park/plaza area rather than additional surface parking. The garage facades internal to the Project will be lined with multifamily residential and ground-floor retail, which will also front upon the park/plaza space. An additional 275 surface parking spaces are included within the Project, resulting in total proposed parking of 1,385 spaces, which is sufficient to accommodate not only the residents of the project, but also customers and visitors from the Kennesaw community and surrounding region.

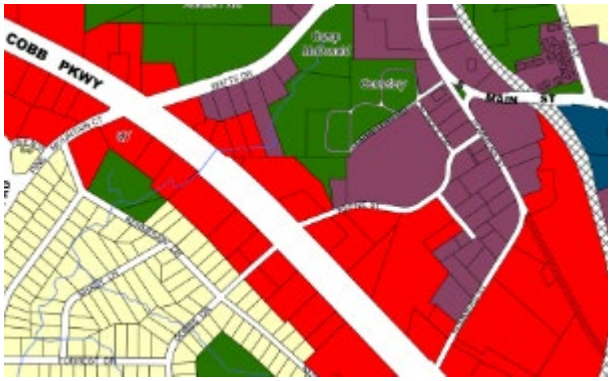
[1] This Project is below the threshold of a Development of Regional Impact (DRI), and is therefore not subject to the Atlanta Regional Commission (ARC) DRI review process. The Project is below the threshold of 500,000 square feet of mixed-use development - which is the ARC threshold for multi-use developments in established and developing suburbs. The Project is also below the threshold of 500 new housing units and 400,000 square feet of commercial square footage which would alternatively trigger a DRI review.

It is envisioned that the central park plaza space will offer ample seating and broad walkways, landscaped focal points, shading through raised planters and ornamental trees, open lawn space, an outdoor stage/performance area, a water fountain, and patterned pavement surfaces. This central park/plaza will serve as a flexible space for open air events, including farmers markets and festivals, thus encouraging the active outdoor community which will be a central theme of the project.

Consistency with Future Land Use (FLU)

The Project falls within the Downtown Activity Center (DAC) and Community Activity Center (CAC) FLU designations. The parcels northwest of Keene Street have a DAC designation, while the parcels southeast of Keene Street have a CAC designation. In accordance with the City's Comprehensive Plan, the DAC purpose is to reinforce the unique role and character of the downtown area. New development and redevelopment are encouraged to be compatible in use, scale and appearance with Kennesaw's downtown activity center uses. The proposed Project is consistent with the DAC by offering a mix of residential and commercial uses coupled with a park/plaza space that serves the proposed residents of the Project as well as the overall Kennesaw community. The Project furthers the initiatives of the DAC by adding entertainment, commercial and retail opportunities, coupled with residential housing opportunities, while providing multi-modal transportation links from the Project to the downtown area and the Cobb Parkway transportation corridor. The Project's multi-story buildings are of a scale and architectural treatment which complement the downtown area, while providing a significant upgrade to the Cobb Parkway corridor. The Project is designed to provide a multi-use transition from Cobb Parkway to the downtown area, and to provide a link between these two areas which does not presently exist.

The CAC future land use designation aims to meet the immediate needs of several neighborhoods and communities. The Project is in compliance with its partial CAC designation by including a mix of uses, including shopping, entertainment and gathering spaces for the immediate needs of not only the proposed Project, but also the surrounding neighborhoods and communities. In addition, the Project provides a link between the Cobb Parkway corridor and downtown which does not exist today.



Consistency with Zoning District

The portion of the Project that is northwest of the existing Keene Street ROW is currently zoned Community Business District (CBD), while that portion of the Project that is southeast of Keene Street (specifically Parcels 20016700420 and 20016700730 and 20016701180), is currently zoned Highway General Business (HGB). This application is submitted to rezone such property to the CBD district to provide zoning consistency across the entire project. While there are no existing buildings located on the

property that are needed to be protected, the CBD zoning district provides for the stimulation and enhancement of the vitality and economic growth of this area. The proposed Project is consistent with the CBD zoning district guidelines as it is a development intended to create an environment where residents and visitors can live, work, meet and play amongst a balance of mixed uses designed around a central public square, and encourages and facilitates pedestrian movement and convenient access to the Historic Downtown Kennesaw and a link to the Cobb Parkway corridor which does not presently exist. The approval of this rezoning application will provide consistent zoning across the entirety of the Project, and will provide the greatest flexibility to allow for a consistent development that will be a benefit to the Kennesaw community.

Consistency with Rezoning Standards

The proposed Project is consistent with the Rezoning Standards of the City's Unified Development Code (UDC) outlined in Chapter 10, Section 10.01.02.G, as follows:

1. **Would the proposed amendment be consistent and compatible with the city's land use and development plans, goals and objectives?**
   The proposed rezoning from HGB to CBD is consistent and compatible with the city's land use and development plans, goals and objectives. As noted above, the Project falls within the Downtown Activity Center (DAC) and Community Activity Center (CAC) FLU designations, and the southern portion of the Project is within the Cobb Parkway Commercial Corridor. A substantial portion of the overall Project is currently zoned CBD, while that portion that is southeast of Keene Street (specifically Parcels 20016700420 and 20016700730 and 20016701180), is currently zoned HGB. The amendment to rezone such property to the CBD district would provide zoning consistency across the entire project. The Project is designed to provide a multi-use transition from Cobb Parkway to the downtown area, and to provide a link between these two areas which does not presently exist, and furthers the initiatives of the city's land use and development plans, goals and objectives.

2. **Would the proposed amendment tend to increase, decrease, or have no impact on traffic safety and congestion in the streets?**
   The HGB district generally permits more commercial types of use than the CBD, but the CBD permits office and residential uses otherwise not found in the HGB. Assuming the mix of uses permitted within the CBD, internally capturing vehicular trips, it is generalized that vehicular traffic generated by uses within the CBD zoning district would be relatively similar to, or possibly even less than, the vehicular trips generated by commercial uses within the HGB zoning district. The proposed amendment to rezone from HGB to CBD, therefore would not have an impact on traffic safety and congestion in the streets that would otherwise be permitted.

3. **Would the proposed amendment tend to increase, decrease, or have no relationship to safety from fire and other dangers?**
   The proposed amendment to rezone from HGB to CBD would have no relationship to safety from fire and other dangers that wouldn't already exist in the HGB district. By allowing consistent development standards across the entirety of the Project, fire safety may actually be increased due to consistency of development methodologies.

4. **Would the proposed amendment tend to promote, diminish, or have no influence on the public health and general welfare of the city?**
   The amendment to the CBD district would promote the public health and general welfare of the city. It is envisioned that the central park plaza space proposed in the Project will offer ample seating and broad walkways, landscaped focal points, shading through raised planters and ornamental trees, open lawn space, an outdoor stage/performance area, a water fountain, and patterned pavement surfaces. This central park/plaza will serve as a flexible space for open air events, including farmers markets and festivals, thus encouraging the active outdoor community which will be a central theme of the project. If the rezoning is not granted, the ability of the Project to include the expansive public plaza would be limited due to design constraints.

5. **Would the proposed amendment tend to increase, decrease, or have no influence on the adequate [provision] of light and air?**
   The proposed amendment would have no influence on the adequate provision of light and air.

6. **Would the proposed amendment tend to cause, prevent, or have no influence on the overcrowding of land?**
   The amendment from HGB to the CBD district would encourage the development of multiple adjacent parcels in a cohesive design of a mix of uses that would tend to prevent overcrowding of land, while maintaining open spaces and connections between Cobb Parkway and the Kennesaw downtown. The rezoning will increase the ability of the developer to provide a large park/plaza in the center of the development due to increased flexibility in the layout of buildings within the project.

7. **Would the proposed amendment tend to cause, prevent, or have no relationship on the population distribution within the city, thus creating any area so dense in population as to adversely affect the health, safety, and general welfare of the city?**
   While granting the requested rezoning will allow for the construction of residential units within the rezoned area, the net number of units within the overall Project are not affected. Rather, the rezoning will allow for the large park/plaza to be included within the area currently zoned CBD, rather than being used for more dense development thereon, and as such the rezoning does not have an effect on the overall residential density of the Project. Further, the overall density of the Project does not create an area so dense in population as to adversely affect the health, safety, and general welfare of 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 amendment to the CBD district would not impede upon the adequate provision of transportation, water, sewerage, other public services, utilities or 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 amendment to CBD from HGB would be compatible with environmental conditions, and the amendment would not diminish the value, use or enjoyment of surrounding properties. The rezoning will allow for the inclusion of the proposed park/plaza in the development, thereby creating beneficial environmental conditions for residents of the Project.

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 not require the expenditure of any public funds to serve the Project. The developer will construct all necessary road improvements and utilities connections necessary to serve the Project. In addition, while the Project contemplates the abandonment of a portion of the existing right of way of Keene Street, the developer intends to either donate back to the City alternative right of way, or to compensate the City in full for such abandoned right of way.

11. **Would the proposed amendment tend to promote, diminish, or have no influence upon the aesthetic effect of existing and future uses of the property and the surrounding area?**
    The proposed rezoning from HGB to CBD for consistent zoning of the proposed Project would promote the aesthetic of the existing and future uses of the property and surrounding area. The Project is a mix of residential and commercial uses coupled with a park/plaza space that serves the proposed residents of the Project as well as the overall Kennesaw community. The Project's multi-story buildings are of a scale and architectural treatment which complement the downtown area, while providing a significant upgrade to the Cobb Parkway corridor, and create a sense of place. The Project is designed to provide a multi-use transition from Cobb Parkway to the downtown area, and to provide a link between these two areas which does not presently exist. In addition, the Project contemplates providing appropriate screening from, and accommodation for, the adjoining City cemetery.

12. **Would the proposed amendment have measurable adverse economic effect on the value of surrounding or adjacent property?**
    The proposed rezoning from HGB to CBD should increase the value of adjoining properties by kickstarting the redevelopment of properties along with Cobb Parkway corridor within the City. It is anticipated that the residents and patrons of the Project will also support other local Kennesaw business in the surrounding area.

13. **Would the proposed amendment create an isolated district unrelated to adjacent and nearby districts?**
    The proposed rezoning from HGB to CBD would not create an isolated district unrelated to adjacent and nearby districts. The properties adjoining the parcels sought to be rezoned to the north and west are generally all zoned CBD.

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LEG 1.00 X 8.71 Words: 600
Total LEG 8.71
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Created: khick 11/13/23 08:53
Last Changed: khick 11/13/23 08:58

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Phone: (770)424-8274
Fax#:
Email: lalvarez@kennesaw-ga.gov
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MDJ-8708
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 Kennesaw Square Development, LLC. Said request is to vary from the Unified Development Code for parcels located at 6997 Keene Street (20016700340), 2570 N Cobb Parkway (20016700730), and 2590 Keene Street (20016700420), and Keene Street (20016603670, 20016701160). The requested variances are as follows:

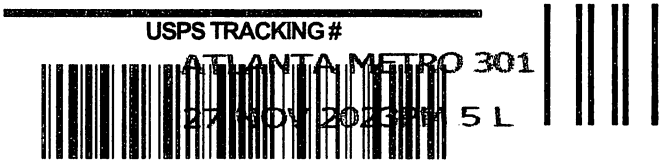
1. Request to vary from the minimum setbacks required for the Central Business District zoning district and reduce the minimum front setback from the "build-to-line" standard to approximately 6.5 feet under Appendix A, Section 4.02.03.B.3.a.
2. Request to vary from the building height requirement for the Historic District Design Guidelines from three (3) stories in height to allow the four (4) and five (5) story buildings within the Unified Development Code under Appendix A, Section 5.2.03.
3. Request to vary from the minimum floor area for condominiums in the Central Business District and reduce the minimum floor area from 1,000 square feet to allow studio and one-bedroom units ranging in size from 560 square feet to 800 square feet within the Unified Development Code under Appendix A, Section 4.02.03.G.1.
4. Request to vary from the standard gross floor area occupied by residential units and expand the total gross floor area of the buildings or individual structures to seventy-five (75) percent to accommodate the increased number of stories above non-residential uses within the Unified Development Code under Appendix A, Section 4.02.03.G.2.b.
5. Request to vary from the minimum floor area of residential units in the Central Business District in mixed use retail/residential buildings with residential on the second floor and reduce the minimum floor area required from 1,000 square feet to allow studio and one-bedroom units ranging in size from 560 square feet to 800 square feet within the Unified Development Code under Appendix A, Section 4.02.03.G.2.c.
6. Request to vary from the minimum floor area of for-rent residential apartment units in the Central Business District to allow for a minimum apartment size of 560 square feet to 800 square feet to allow studio and one-bedroom units ranging in size from 560 square feet to 800 square feet within the Unified Development Code under Appendix A, Section 4.02.03.G.5.d.
7. Request to vary from the stream buffer ordinance within the Unified Development Code under Section 46-440.1 and Section 46-440.2 by allowing the entire section of the stream on the property to be piped and to therefore eliminate all stream buffers associated therewith.
8. Request to vary from the Historic District Design Standards (Section 5.4) that require the use of architectural elements on the exterior walls that are consistent with the downtown historic area.

A copy of the amendments to the Unified Development Code is on file in the Office of Planning and Zoning during normal business hours, Monday-Friday from 8 a.m. to 5 p.m. for public viewing. The Planning Commission shall hold a meeting on December 6th at 6:30 p.m. with a final scheduled hearing and adoption by the Mayor and Council to be considered on December 18th at 6:30 p.m. Meetings will be held in the Kennesaw City Council Chambers, 2529 J.O. Stephenson Avenue, Kennesaw, GA. All interested persons may attend and be heard relative there to.

Mayor and Council will be conducting their meeting in person and you can access the meeting via the following link: **https://www.facebook.com/CityofKennesaw/**

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

11:17-2023



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Zoning Case #ZV2023_004

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2529 J O Stephenson Avenue
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1. Article Addressed to:

Tax Parcel – 20016600050
BOONE CENTER LLC
PO BOX 2074
KENNESAW GA 30156

9590 9402 8248 3094 0676 92

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

9589 0710 5270 1282 3394 34

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Barbara Boone ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* Barbara Boone

C. Date of Delivery NOV 27 2023

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

3. Service Type

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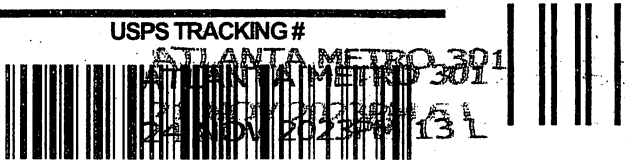

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Zoning Case #ZV2023_004

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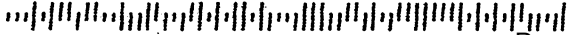
2529 J O Stephenson Avenue
Kennesaw, GA 30144



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1. Article Addressed to:

Tax Parcel - 20016700240
KADEMS LLC
2669 SUMMERS ST
KENNESAW GA 30144

9590 9402 8248 3094 0676 78

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

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Zoning Case #ZV2023_004

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2529 J O Stephenson Avenue
Kennesaw, GA 30144

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Tax Parcel - 20013900340

Tax Parcel – 20016600010

Tax Parcel -- 20013800920

KENNESAW CITY OF

2539 PARK DR

KENNESAW GA 30144

9590 9402 8248 3094 0676 61

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

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x Mandy Arnold ☐ Agent ☐ Addressee

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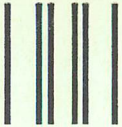

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1. Article Addressed to:

Tax Parcel - 20016700230
RE[illegible] FAMILY HOMES LLC
269[illegible] SUMMERS ST
KE[illegible]ESAW GA 30144

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2529 J O Stephenson Avenue
Kennesaw, GA 30144

14-279799

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Tax Parcel – 20016700640

Tax Parcel – 20016701040

ARRIS KENNESAW LLC
C/O RYAN LLC
PO BOX 20197
ATLANTA GA 30325

9590 9402 8248 3094 0675 55

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

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X K. Lillo

☐ Agent
☐ Addressee

B. Received by *(Printed Name)* K. Williams

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Tax Parcel – 20016700640

Tax Parcel – 20016701040
ARRIS KENNESAW LLC
C/O RYAN LLC
PO BOX 20197
ATLANTA GA 30325

9590 9402 8248 3094 0675 55

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

9589 0710 5270 1282 3395 19

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A. Signature

X K. Cullen ☐ Agent ☐ Addressee

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2529 J O Stephenson Avenue
Kennesaw, GA 30144

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1. Article Addressed to:

Tax Parcel - 20016700870
DOBSON ANITA G
2701 SUMMERS ST
KENNESAW [illegible] 30144

9590 9402 8568 3244 5712 54

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

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X [signature] ☐ Agent ☐ Addressee

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Page 122 of 831

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

MAYOR
Derek Easterling

City Manager
Jeff Drobney, ICMA-CM

City Clerk
Lea Alvarez, CMC

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

November 10, 2023

Pamela Mabry, County Clerk
Cobb County
100 Cherokee Street, #355
Marietta, Georgia 30090-9679

Subject: City of Kennesaw Zoning Applications (Case #RZ2023-05 & #ZV2023-04)
2590 Keene Street Kennesaw, Georgia 30144 (20016700420)
2570 N Cobb Parkway Kennesaw, Georgia 30152 (20016700730, 20016701180)
6997 Keene Street Kennesaw, Georgia 30144 (20016700340)
Keene Street Kennesaw, Georgia 30144 (20016603670)

Dear Ms. Mabry,

Attached, please find the zoning applications submitted by Kennesaw Square Development, LLC to petition for rezoning and variance requests for the above 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.

These cases are set to go before the Kennesaw Planning Commission on Wednesday, December 6, 2023, at 6:30 p.m. for public hearing and Mayor and Council on Monday, December 18, 2023, at 6:30 p.m. for public hearing as well.

Thank you for your attention. Should you have any questions, you may call me at 770-590-8268 or send an e-mail to dsimmons@kennesaw-ga.gov.

Sincerely,

Darryl Simmons

Darryl Simmons
Planning and Zoning Administrator

Enclosure: Applications & Supplemental Documents

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)
Natalie Faustine, Community Development Administrative Assistant, City of Kennesaw (Via E-mail)

October 20, 2023

Darryl Simmons
Zoning Administrator
City of Kennesaw
2529 J.O. Stephenson Ave
Kennesaw, GA 30144

Re: Kennesaw Square Mixed-Use Development Project
Rezoning Application
Central Business District (CBD) Application
Variance Application

Dear Mr. Simmons,

Please find enclosed a PDF copy of the following applications and supplemental materials for the proposed Kennesaw Square Mixed-Use Development Project.

Rezoning Application

1) Application & Letter of Intent (LOI)
2) Legal Descriptions & Surveys
3) Site Plan
4) Tax Receipts
5) Warranty Deeds

CBD Application

1) Application & Letter of Intent (LOI)
2) Architectural Renderings
3) Business Plan
4) Legal Descriptions & Surveys
5) Site Plan
6) Tax Receipts
7) Warranty Deeds

Variance Application

1) Application & Letter of Intent (LOI)
2) Architectural Renderings
3) Directions to Site
4) Legal Descriptions & Surveys
5) Site Plan
6) Tax Receipts
7) Warranty Deeds

Should you have any questions or require anything further, please do not hesitate to contact our office directly. Thank you.

Kind regards,

Jennifer Vail, Director of Planning
Concord Wilshire Companies

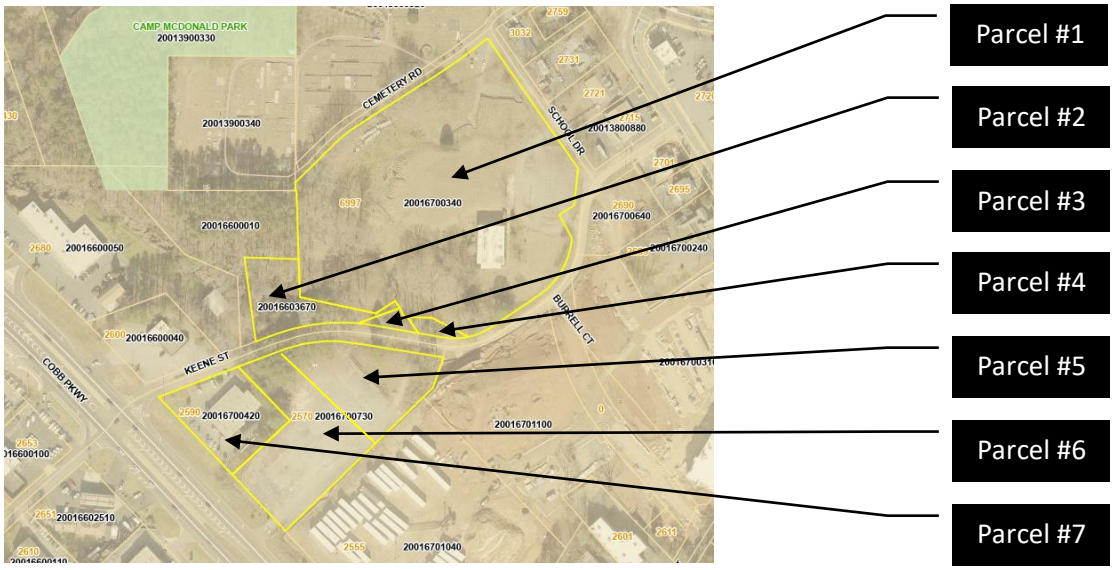
KENNESAW SQUARE

LETTER OF INTENT

Central Business District (CBD) Application Request

Project Summary

The proposed Kennesaw Square mixed-use development project (the "Project") is comprised of several adjacent tax parcels along with certain portions of the existing Keene Street Right-of-Way (ROW) proposed to be abandoned subject to approval by the City of Kennesaw. The Project totals 12.3 acres and includes each of the tax parcels outlined in the graphic and table below:



Existing Parcel	Parcel Number	Location Address	Owner	FLU	Existing Zoning	Proposed Zoning	Within KDDA	Within Historic District
1	20016700340	6997 Keene Street	Piedmont Residential LLC 285 Parkway 575 Woodstock, GA 30188	DAC	CBD	CBD	Yes	Yes
2	20016603670	Keene Street	Kennesaw City Storage LLC 1450 Brickell Ave, Suite 2560 Miami, FL 33131	DAC	CBD	CBD	Yes	Yes
3	** (see note) 20016701130 (partial)	Keene Street	Kennesaw City Storage LLC 2160 Kingston CT SE, Suite B Marietta, GA 30067	DAC	CBD	CBD	Yes	Yes
4	20016701130 (partial)	Keene Street	Redwood Development LLC 2160 Kingston CT SE, Suite B Marietta, GA 30067	DAC	CBD	CBD	Yes	Yes
5	20016700730	2570 N Cobb Pkwy	Kennesaw City Storage LLC 2160 Kingston CT SE, Suite B Marietta, GA 30067	CAC	HGB	CBD	Yes	No
6	20016701160	2570 N Cobb Pkwy	Kennesaw City Storage LLC 2160 Kingston CT SE, Suite B Marietta, GA 30067	CAC	HGB	CBD	Yes	No
7	20016700420	2590 Keene Street	B N Auto Parts Company 2864 Wood Park Terrace Kennesaw, GA 30152	CAC	HGB	CBD	Yes	No

Note:
*Existing Keene Street ROW adjacent to subject parcels, to be abandoned (subject to approval by City of Kennesaw), and included in proposed Kennesaw Square project.
**Tax Parcel identified as 20016701180 on Cobb County, GA qPublic.net

The bulk of the acreage included in the Project is presently zoned Central Business District (CBD), while the three parcels located to the southeast of the remaining Keene Street right of way are presently zoned Highway General Business (HGB), but have been requested to be zoned CBD in order to have consistency across the entirety of the Project. Generally, all of the parcels included within the Project are within the Kennesaw Downtown Development Authority (KDDA), while the parcels northwest of Keene Street are also in included in the Historic District. The parcels southeast of Keene Street (which are subject to rezoning) are not located within the Historic District.

The parcels northwest of Keene Street have a Future Land Use designation of Downtown Activity Center (DAC), while the parcels southeast of Keene Street have a Community Activity Center (CAC) designation. The proposed development is consistent with each future land use designation.

Proposed Development

The Project is planned as a mixed-use development incorporating multi-family residential, commercial retail and a park/plaza area. The commercial aspects of the Project are intended to serve not only the proposed residents of the Project, but also the surrounding neighborhoods, the entire Kennesaw community, as well as the broader regional area by taking advantage of the Cobb Parkway transportation corridor. The Project is intended to provide ample parking for both residents and visitors, and will also provide pedestrian and alternative transportation connections to Main Street and downtown Kennesaw.

The Project is proposed to include a total of 410 multi-family residential units encompassing 367,250 gross square feet of building area, spread among four mixed use buildings. In addition, the project will include a total of 130,600 gross square feet of commercial retail space spread across the four multi-use buildings as well as four solely commercial buildings.[1] The commercial retail buildings proposed closest to Cobb Parkway are single story surrounded by surface parking in keeping with the commercial corridor of the parkway. North of the single-story retail buildings, and closer to downtown, a series of four multi-use buildings, each either five or six-stories in height, will include multi-family residential units over ground-floor retail. In partnership with the KDDA, the Project is proposing a six-story parking structure of 1,110 parking spaces so as to minimize the footprint of the development and allowing for the construction of a park/plaza area rather than additional surface parking. The garage facades internal to the Project will be lined with multifamily residential and ground floor retail, which will also front upon the park/plaza space. An additional 288 surface parking spaces are included within the Project, resulting in total proposed parking of 1,398 spaces, which is sufficient to accommodate not only the residents of the project, but also customers and visitors from the Kennesaw community and surrounding region.

It is envisioned that the central park plaza space will offer ample seating and broad walkways, landscaped focal points, shading through raised planters and ornamental trees, open lawn space, an outdoor stage/performance area, a water fountain, and patterned pavement surfaces. This central park/plaza will

[1] This Project is below the threshold of a Development of Regional Impact (DRI), and is therefore not subject to the Atlanta Regional Commission (ARC) DRI review process. The Project is below the threshold of 500,000 square feet of mixed-use development - which is the ARC threshold for multi-use developments in established and developing suburbs. The Project is also below the threshold of 500 new housing units and 400,000 square feet of commercial square footage which would alternatively trigger a DRI review.

serve as a flexible space for open air events, including farmers markets and festivals, thus encouraging the active outdoor community which will be a central theme of the project.

Consistency with Future Land Use (FLU)

As noted above, the Project falls within the Downtown Activity Center (DAC) and Community Activity Center (CAC) FLU designations. The parcels northwest of Keene Street have a DAC designation, while the parcels southeast of Keene Street have a CAC designation. In accordance with the City's Comprehensive Plan, the DAC purpose is to reinforce the unique role and character of the downtown area. New development and redevelopment are encouraged to be compatible in use, scale and appearance with Kennesaw's downtown activity center uses. The proposed Project is consistent with the DAC by offering a mix of residential and commercial uses coupled with a park/plaza space that serves the proposed residents of the Project as well as the overall Kennesaw community. The Project furthers the initiatives of the DAC by adding entertainment, commercial and retail opportunities, coupled with residential housing opportunities, while providing multi-modal transportation links from the Project to the downtown area and the Cobb Parkway transportation corridor. The Project's multi-story buildings are of a scale and architectural treatment which complement the downtown area, while providing a significant upgrade to the Cobb Parkway corridor. The Project is designed to provide a multi-use transition from Cobb Parkway to the downtown area, and to provide a link between these two areas which does not presently exist.

The CAC future land use designation aims to meet the immediate needs of several neighborhoods and communities. The Project is in compliance with its partial CAC designation by including a mix of uses, including shopping, entertainment and gathering spaces for the immediate needs of not only the proposed Project, but also the surrounding neighborhoods and communities. In addition, the Project provides a link between the Cobb Parkway corridor and downtown which does not exist today.

Consistency with Zoning District

The portion of the Project that is northwest of the existing Keene Street ROW is currently zoned Community Business District (CBD), while that portion of the Project that is southeast of Keene Street (specifically Parcels 20016700420 and 20016700730 and 20016701160), is currently zoned Highway General Business (HGB), although an application has been made to rezone such property to the CBD district to provide zoning consistency across the entire project. While there are no existing buildings located on the property that are needed to be protected, the CBD zoning district provides for the stimulation and enhancement of the vitality and economic growth of this area. The proposed Project is consistent with the CBD zoning district guidelines as it is a development intended to create an

environment where residents and visitors can live, work, meet and play amongst a balance of mixed uses designed around a central public square, and encourages and facilitates pedestrian movement and convenient access to the Historic Downtown Kennesaw and a link to the Cobb Parkway corridor which does not presently exist.

Consistency with Development Regulations

The proposed Project is consistent with the development regulations of the City's Code of Ordinances outlined in Section 4.02.03 Site Design Standards for Central Business District, as follows:

1) Minimum lot size, widths, and depths: None. It is the intent that each enterprise or use be located on a site commensurate with its use and sufficient to meet the requirements of off-street parking, loading and unloading, and setback requirements, where applicable.
   - ✓ The subject site proposed for the multi-use Project is sufficient in size, width and depth to meet the requirements of off-street parking, loading and setbacks, where applicable.

2) Maximum Lot Coverage: Not more that eighty-seven (87) percent of the area of any lot may be covered by buildings, structures, or stormwater facilities.
   - ✓ The proposed lot coverage is 34%, and does not exceed the maximum lot coverage allowance of 87%.

3) Minimum Setbacks
   a. Front – Established to "build-to-line" which equals the averaged distance from the property lines measured from the existing structures along right-of-way adjoining properties as measured from existing structures.
      - ✓ The existing structures located along the Cobb Parkway right-of-way are setback various distances, ranging from approximately 40 feet to 85 feet with an average of 58 feet. The proposed structures located along Cobb Parkway are setback approximately 6.5 feet. The applicant is seeking a variance from this development regulation.

   b. Side – None, except when abutting a residential zoning district where there is no intervening right-of-way, the setbacks requirement is ten feet. Where alleys exist between districts, the setbacks shall be five feet from the property line/alley right-of-way.
      - ✓ The subject property is surrounded by properties within the CBD zoning district, with two properties northwest of the Cobb Parkway and Keene Street intersection falling within the HGB zoning district. In addition, the School Drive right-of-way abuts the property on the northeast side. Since the property does not abut a residential district, no setback is required. While the City cemetery is located adjacent to the northwest portion of the property, the developer intends to work with the City to provide for an adequate setback, screening and facing architectural treatments to ensure appropriate consideration of the location of the cemetery and the needs thereof.

   c. Rear – None, except when abutting a residential district where there is no intervening right-of-way the setback requirement is 25 feet.
      - ✓ The subject property abuts the School Drive right-of-way to the rear, which in turn abuts properties in the CBD zoning district, thus it is not abutting a residential district and no setback is required. Despite the lack of any required setback, it is proposed that a minimum 6.5 foot setback around the entirety of the project.

d. Alleys – Where any alley exists between districts, the setback shall be five feet from the property line/ alley right-of-way.
   ✓ No alleys abut the subject property so this is not applicable.

4) Maximum building height: While there is no specific building height requirement, it is noted that variances are requested so as to allow the four and five story buildings proposed despite the Kennesaw Historic development regulations. It is noted that there are no proximate historical structures that need to be matched, and as such the proposed heights will not conflict with any adjacent developments.

5) Maximum floor area ratio (FAR) – 1.1 (FAR = Floor Area/ Lot Area)
   - The maximum FAR proposed is 0.93, which is below the maximum permissible FAR of 1.1.

6) Residential Development Standards:

Mixed use retail/residential with residential on second floor:

a. The non-residential portion of the development shall obtain a certificate of completion before the issuance of the certificates of occupancy for the last 20 percent of residential units for the residential portion.
   ✓ The Project will adhere to this regulation.
b. The gross floor area occupied by residential uses shall not exceed seventy-five (75) percent of the total gross floor area of the buildings or individual structures.
   ✓ The applicant is seeking a variance from the gross floor area (GFA) occupied by residential uses in the mixed-use retail/residential buildings not exceeding more than 75 percent of the total GFA. While the applicant proposes non-residential uses on the ground floor, due to the increased number of stories above the non-residential uses, the floor area occupied by residential use exceeds the minimum standard in several of the individual buildings. The overall square footage of the development provides for 130,600 gross square feet of commercial and retail space, and 367,250 gross square feet of residential space. This results in an overall allocation of approximately 74% residential area as against 26% commercial and retail area.
c. Minimum floor area for all residential units—1,000 square feet
   ✓ The applicant is seeking a variance from the minimum floor area requirement of 1,000sf to allow Studio and One-bedroom units ranging in size from 560sf to 800sf. These minimum floor area sizes are consistent with current market trends for high-density mixed-use developments geared toward young professionals and active adults. These sizes are similar apartments located at The Avalon in Alpharetta.

For-Rent Residential Apartment units:

a. To be allowed only in mixed use residential/commercial projects.
   ✓ The Project proposed is a mixed-use residential/commercial development.
b. Rental apartment units will be allowed subject to specific development agreement conditions as part of the Central Business District project approval process as per UDC Section 4.02.03(H).
   ✓ The Project is being reviewed through the CBD approval process.
c. Minimum floor area for all residential units in mixed use residential project to average 1,000 square feet.

- ✓ The minimum floor area for all residential units is anticipated to average less than 1,000 square feet. The applicant is seeking a variance from the minimum floor area for all residential units in a mixed-use project standard.

d. Units with a floor plan totaling the minimum of 850 square feet can be utilized for no more than 30 percent of the total apartment units for the project.
   - ✓ Based upon the proposed minimum square footage of each apartment, coupled with the anticipated mix of unit types, the applicant seeks a variance to allow for a minimum apartment size of 560 square feet, but agrees that such units shall not account for more than 15% of the total units of the Project. Further, applicant seeks to allow a total of 70% of the units in the Project to be less than 850 square feet in size.

7) Parking, Road and Access Requirements:
   - Angled on-street parking on both sides shall be permitted dependent upon site plan review and approval.
     - ✓ Angled on-street parking is proposed on both sides along a portion of the main boulevard proposed as part of the Project, although in some areas only one side of the street will include angled parking.
   - Rear access shall be provided to townhouse and multifamily garages, single-family dwelling garages, and commercial loading and service areas, where such access is feasible.
     - ✓ Commercial loading and services areas are proposed within the rear of the relevant buildings. Surface parking and access to the garage deck is proposed in the rear or sides of the multifamily mixed-use buildings. Is this still an accurate statement?
   - Bicycle or moped parking spaces are required as follows: All new non-residential uses shall provide one (1) such space for every twenty (20) automobile spaces but not less than one (1) space and new residential uses shall provide one (1) such space for every five (5) units. Such spaces shall be located a maximum distance of 100 feet from the primary pedestrian entrance.
     - ✓ Bicycle parking is provided and will be located within 100 feet from each of the primary residential building entrances. Based on the total 1,398 parking spaces proposed for the project, a minimum of 70 bicycle spaces are required; however with 410 residential units proposed, the minimum bicycle spaces required increases to a total of 82 bicycle spaces.

Compliance to Downtown Redevelopment Plan Vision

The Downtown Kennesaw Livable Communities Initiative (LCI) purpose is to create an economically viable and active Downtown that serves Kennesaw's multi-generational community with a mix of uses and community amenities, while preserving its small town charm. The proposed Project is in compliance with the LCI based on the following elements proposed within and as a part of the Project development:

- Multifamily development with a mix of unit sizes to provide housing opportunities for a mix of incomes and generations
- Structured parking encouraged in developments over 2 acres, to be screened by buildings fronting the primary streets and landscaping along secondary streets
  - Structured parking designed to supplement surface parking, especially at peak hours and during events
- Active public spaces – proposed public square labeled as the park/plaza envisioned to include:
  - Outdoor stage/performance area

    - Open lawn
    - Shaded seating and walkways
    - Water fountain
    - Raised landscape planters
    - Landscape materials to provide shade, focal points and ornamentation
    - Patterned pavement vehicular drives adjacent to public square to enlarge public space separate from vehicular traffic for special events and festivals for vendors to further activate the space and connect the surrounding ground-floor commercial retail to the public square
- Activate public spaces with healthy design features
    - Water features (relaxation element and mitigate depression)
    - Natural elements (improve cognitive function, attentiveness and concentration, also reduce depression)
    - Shade [trees] (block harmful UV rays)
    - Bio swales (collect and filter harmful runoff)
    - Small gathering spaces (social interaction and meditation)
    - Accessibility (provide inclusion and universal access)
    - Bike lanes (multi-modal transit and exercise)
- Wayfinding and beautification for major gateway nodes into Downtown (Keene Street and Cobb Pkwy identified)
- Sidewalk connectivity and infill, in addition to Keene Street being identified for pedestrian connections to downtown
- Cobb Parkway offers opportunities for regional mixed-use job centers and future transit oriented development
- Cobb Parkway corridor should encourage higher densities and building heights to further promote transit oriented development and future rapid transit stops and serve a regional audience

CENTRAL BUSINESS DISTRICT PROJECT APPROVAL

CBD2023-02

Date Received 10/20/23
Staff's Initials NF

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

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

Date Received _____ Staff's Initials _____

Procedures for filing for CBD Approval:

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

CBD Approval Process:

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

PROPERTY ADDRESS 6997 Keene Street; Keene Street; 2570 N Cobb Parkway; and 2590 Keene Street

Land Lot 166 & 167 Tax Parcel 20016700340; 20016603670; 20016701180*; 20016701130; 20016700730; 20016701160; 20016700420 (Tax Parcel identified on Cobb Co. GA qPublic.net) Lot Size 12.3 Present Zoning CBD & HGB (CBD rezone requested)

Proposed Project for Property

Kennesaw Square - a Mixed-use Development (multi-family residential, commercial retail and park/plaza)

Add additional sheet if necessary

APPLICANT See attached.

APPLICANT EMAIL_____

Applicant address_____

(Fax #)_____ (Work #) _____ (Cell #) _____

Applicant Signature _____

Signed, sealed and delivered in presence of: _____

Notary **Date**

TITLEHOLDER: See attached. **Telephone:**_____

Address:_____

Signature_____

Signed, sealed and delivered in presence of: _____

Notary **Date**

CBD2023-02

CENTRAL BUSINESS DISTRICT PROJECT

CBD Project Administratively approved by:

_____
Darryl Simmons, Planning & Zoning Administrator

Date: _____

☐ APPROVED

☐ REQUIRES KDDA APPROVAL

☐ REQUIRES HPC APPROVAL

☐ MAYOR AND COUNCIL

KENNESAW DOWNTOWN DEVELOPMENT AUTHORITY:

Hearing Date: 11/10/2023

Recommendation: see attached minutes

_____
Signature Kennesaw Downtown Development Authority:

HISTORIC PRESERVATION COMMISSION:

Hearing Date: 11/17/2023

Recommendation: see attached minutes

_____
Signature Historic Preservation Commission

KENNESAW MAYOR AND COUNCIL:

Hearing Date: 12/18/2023 see attached minutes

CENTRAL BUSINESS DISTRICT PROJECT

CONSISTENT WITH THE UNITED STATES CONSTITUTION AND THE RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT OF 2000, THE CITY OF KENNESAW DOES NOT DISCRIMINATE ON THE BASIS OF RELIGION IN THE APPLICATION OF ITS LAWS, POLICIES, OR PROCEDURES, INCLUDING THE APPLICATION OF ITS LAND USE REGULATIONS AND ZONING LAWS.

Under the Religious Land Use and Institutionalized Persons Act of 2000 ("RLUIPA"), no government, including the City of Kennesaw, may apply its zoning or land use laws in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution. RLUIPA also provides that no government, including the City of Kennesaw, may apply a land use regulation in a manner that treats a religious assembly or institution (a church, for example) on less than equal terms than a nonreligious institution or assembly (a day care center or movie theater, for example). Finally, RLUIPA provides that no government, including the City of Kennesaw, may impose or implement a land use regulation in a manner that discriminates against a religious assembly or institution.

If you believe that the City of Kennesaw, or any other local government or municipality, has discriminated against you in the implementation of its zoning or land use laws, please contact the United States Department of Justice.

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

CENTRAL BUSINESS DISTRICT
PROJECT APPROVAL

Date Received 10/20/23
Staff's Initials NF

Is this property located within the Kennesaw Historic District (yes) X lots north of Keene St. (no) X lots south of Keene Street ?

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

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2. **Submittal to HPC for Certificate of Appropriateness (if in HPC district) not in HPC district comments only required from HPC**
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PROPERTY ADDRESS 667 Keene Street; Keene Street; 2570 N Cobb Parkway; and 2590 Keene Street

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Proposed Project for Property
Kennesaw Square - a Mixed-Use Development (multi-family residential, commercial retail, and park/plaza)

Add additional sheet if necessary

APPLICANT Kennesaw Square Development, LLC

APPLICANT EMAIL nsirang@concordwilshire.com

Applicant address 2160 Kingston Court SE, Suite B; Marietta, GA 30067

(Fax #)_____ (Work #) 305-428-2528 (Cell #) _____

Applicant Signature _____

Signed, sealed and delivered in presence of: _____ 10/16/23 (see attached)
Notary **Date**

TITLEHOLDER: Kennesaw City Storage, LLC **Telephone:** 305-428-2528

Address: 2160 Kingston Court SE, Suite B; Marietta, GA 30067

Signature _____

Signed, sealed and delivered in presence of: _____ 10/16/23 (see attached)
Notary **Date**

Z\P&Z FORMS\Applications 2020

CENTRAL BUSINESS DISTRICT
PROJECT APPROVAL

Date Received 10/20/23
Staff's Initials NF

Is this property located within the Kennesaw Historic District (yes) X lots north of Keene St. (no) X lots south of Keene Street ?

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

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Proposed Project for Property
Kennesaw Square - a Mixed-Use Development (multi-family residential, commercial retail, and park/plaza)

Add additional sheet if necessary

APPLICANT Kennesaw Square Development, LLC

APPLICANT EMAIL nsirang@concordwilshire.com

Applicant address 2160 Kingston Court SE, Suite B; Marietta, GA 30067

(Fax #)_____ (Work #) 305-428-2528 (Cell #) _____

Applicant Signature _____

Signed, sealed and delivered in presence of: _____ 10/16/23 (see attached)
Notary **Date**

TITLEHOLDER: Redwood Development, LLC **Telephone:** 305-428-2528

Address: 2160 Kingston Court SE, Suite B; Marietta, GA 30067

Signature _____

Signed, sealed and delivered in presence of: _____ 10/16/23 (see attached)
Notary **Date**

CALIFORNIA ACKNOWLEDGMENT CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of LOS ANGELES

On OCTOBER 16, 2023 (Date) before me, THERESA CURA, NOTARY PUBLIC (Here Insert Name and Title of the Officer),

personally appeared NATE SIRANG (Name(s) of Signer(s)),

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.

THERESA CURA
Notary Public - California
Los Angeles County
Commission # 2367220
My Comm. Expires Jul 22, 2025

Place Notary Seal and/or Stamp Above

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 _____ *Signature of Notary Public*

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: CENTRAL BUSINESS DISTRICT PROJECT APPROVAL

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____	Signer's Name: _____
☐ Corporate Officer – Title(s): _____	☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General	☐ Partner – ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	☐ Trustee ☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer is Representing: APPLICANT	Signer is Representing: _____

©2019 National Notary Association

CALIFORNIA ACKNOWLEDGMENT CIVIL CODE § 1189

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☐ Corporate Officer – Title(s): _____	☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General	☐ Partner – ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	☐ Trustee ☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer is Representing: TITLE HOLDER	Signer is Representing: _____

©2019 National Notary Association

CAMPAIGN DISCLOSURE REPORT[1] BY APPLICANT[2]

A separate form must be completed by each applicant

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

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

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

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

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

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

I certify that the foregoing information is true and correct, this 16th day of October, 2023

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.

City of Kennesaw, GA

CENTRAL BUSINESS DISTRICT
PROJECT APPROVAL

Date Received 10/20/23
Staff's Initials NF

Is this property located within the Kennesaw Historic District (yes) x lots north of Keene St. (no) x lots south of Keene Street ?

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

Date Received _____ Staff's Initials _____

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3. **Review/ Approval by Mayor and Council**

PROPERTY ADDRESS 667 Keene Street; Keene Street; 2570 N Cobb Parkway; and 2590 Keene Street

Land Lot 166 & 167 Tax Parcel 20016700340; 20016701180*; 20016701160; 20016603670; 20016701130; 20016700730 and 20016700420 Lot Size 12.312 Present Zoning CBD & HGB (CBD rezone requested)

Proposed Project for Property
Kennesaw Square - a Mixed-Use Development (multi-family residential, commercial retail, and park/plaza)

Add additional sheet if necessary

APPLICANT Kennesaw Square Development, LLC

APPLICANT EMAIL nsirang@concordwilshire.com

Applicant address 2160 Kingston Court SE, Suite B; Marietta, GA 30067

(Fax #)_____ (Work #) _____ (Cell #) _____

Applicant Signature _____

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

TITLEHOLDER: B N Auto Parts Company Telephone: 675 860 2801

Address: 2864 Wood Park Terrace; Kennesaw, GA 30152

Signature _____

Signed, sealed and delivered in presence of: _____ 10-17-23
Notary Date

RACHEL WORTHAN NOTARY PUBLIC COBB COUNTY, GEORGIA MY COMMISSION EXPIRES MAY 25, 2025

Z\P&Z FORMS\Applications 2020

CAMPAIGN DISCLOSURE REPORT[1] BY APPLICANT[2]

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

I certify that the foregoing information is true and correct, this 17th day of October, 2023

Applicants Signature

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

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CENTRAL BUSINESS DISTRICT
PROJECT APPROVAL

Date Received 10/20/23
Staff's Initials NF

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Add additional sheet if necessary

APPLICANT Kennesaw Square Development, LLC

APPLICANT EMAIL nsirang@concordwilshire.com

Applicant address 2160 Kingston Court SE, Suite B; Marietta, GA 30067

(Fax #)_____ (Work #) _____ (Cell #) _____

Applicant Signature _____

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

TITLEHOLDER: Piedmont Residential, LLC **Telephone:** 678.366-4470

Address: 285 Parkway 575; Woodstock, GA 30188

Signature _____

Signed, sealed and delivered in presence of: Christy P. Houchins 10/16/23
Notary **Date**

CHRISTY P HOUCHINS NOTARY PUBLIC COBB COUNTY, GEORGIA MY COMMISSION EXPIRES APRIL 03, 2026

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

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_____

_____

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 16 day of October, 2023

_____

Applicants Signature

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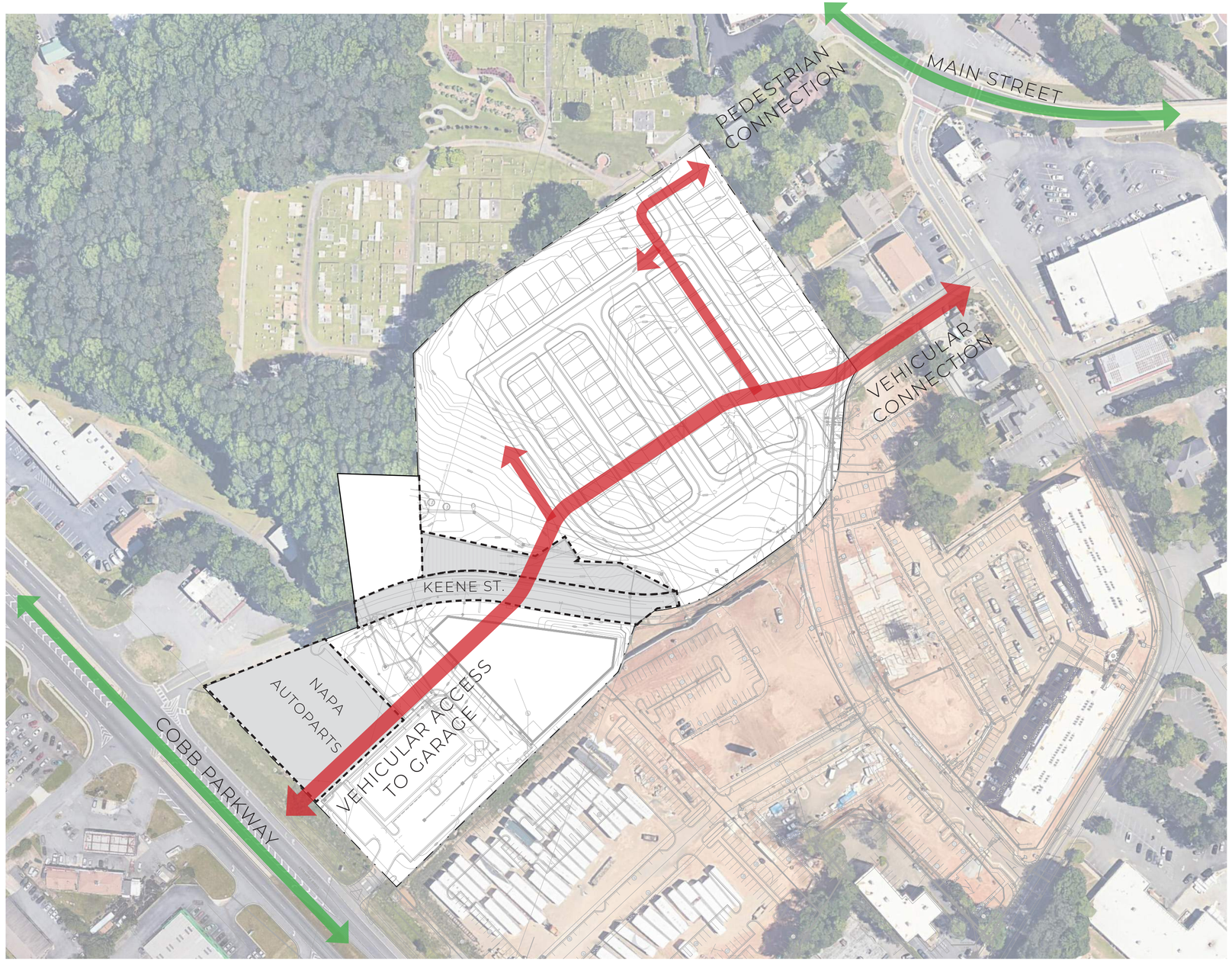
OCTOBER 19, 2023

KENNESAW SQUARE

MASTERPLAN

RSP ARCHITECTS

MASTER PLAN - EXISTING SITE



FENTON
PARAGON TH
BURGER
COLLETTA

PARAGON T
COFFEE BAR
BURGER
COLLETTA
FENTON

GROVE
LEGION

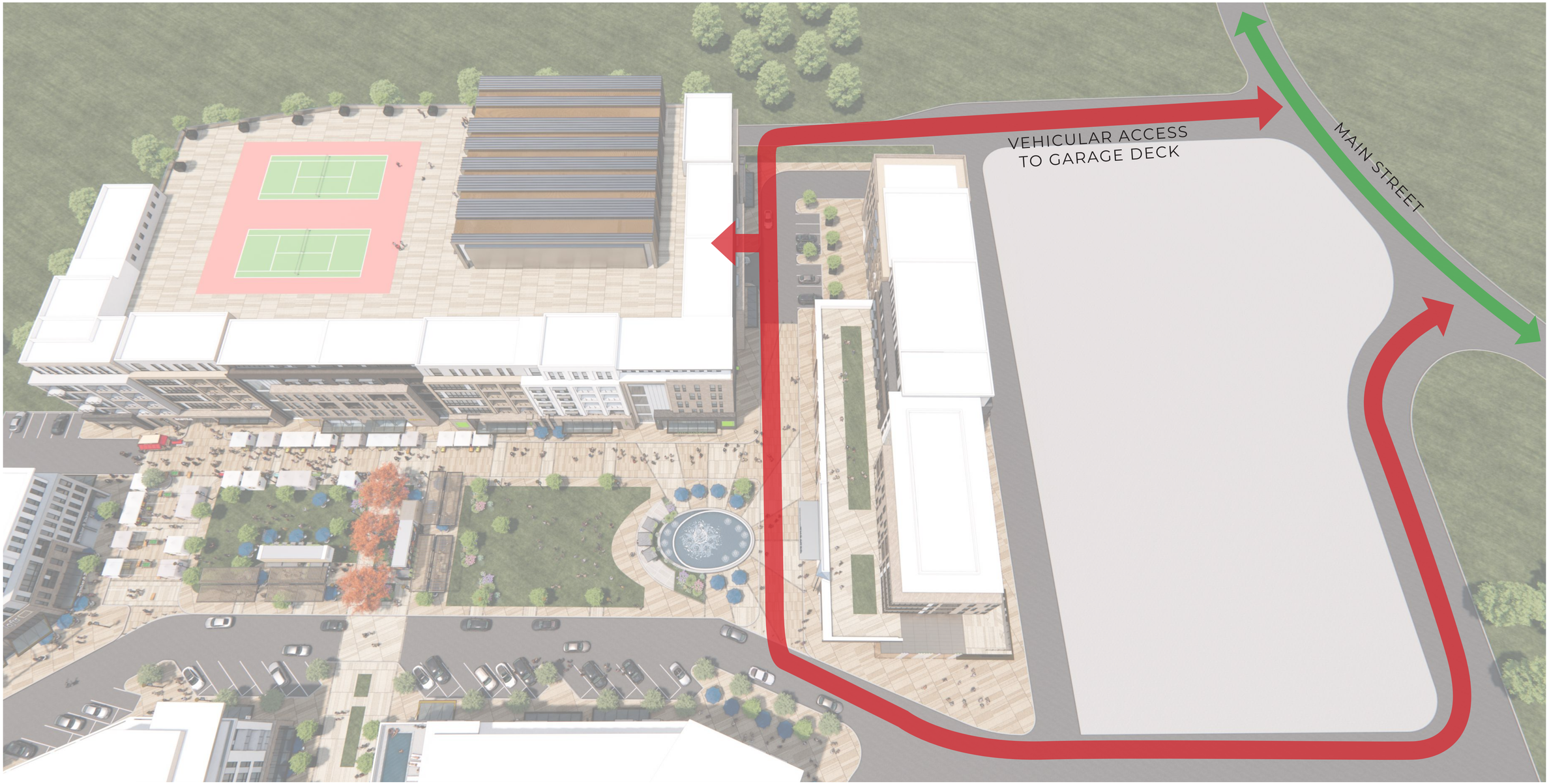
DOUBLE R
RR

FENTON
BAILEY'S

FENTON
SPORTS Bar

VIEW - GARAGE DECK ACCESS FROM COBB PARKWAY

VIEW - GARAGE DECK ACCESS FROM MAIN STREET



VIEW - BIRDS EYE

VIEW - PARK VIEW

VIEW - PARK VIEW

VIEW - SOUTHERN ENTRY

VIEW - SOUTHERN ENTRY

VIEW - MAIN PARK

VIEW - PARK STAGE

VIEW - FOUNTAIN VIEW

VIEW - FARMERS MARKET

VIEW - PARK CENTER

VIEW - ROOFTOP POOL

VIEW - SPORTS CENTER

VIEW - SPORTS CENTER

DEVELOPMENT COLLAGE - VIEW FROM MAIN STREET

DEVELOPMENT COLLAGE - VIEW FROM CEMETERY STREET

DEVELOPMENT COLLAGE - VIEW FROM SUMMER STREET

DEVELOPMENT COLLAGE - VIEW FROM COBB PKWY

THANK YOU

KENNESAW SQUARE

BUSINESS PLAN

Proposed Development

The proposed Kennesaw Square mixed-use development project (the "Project") is a Cobb Parkway corridor improvement project. It is comprised of several adjacent tax parcels and contemplates the inclusion of certain portions of the existing Keene Street Right-of-Way (ROW), which is proposed to be abandoned should the City of Kennesaw look favorably upon this project. The Project totals 12.3 acres, and is located along the northeast side of Cobb Parkway at Keene Street, and is bounded on the north and west by School Drive and the City Cemetery. The Project is planned as a mixed-use development incorporating multi-family residential, commercial retail and a park/plaza area. It is intended to serve not only the proposed residents, but the entire Kennesaw community, while also having a regional draw by taking advantage of the Cobb Parkway transportation corridor.

The Project is proposed to include a total of 410 multi-family residential units encompassing 367,250 gross square feet of building area, spread among four mixed use building. In addition, the project will include a total of 130,600 gross square feet of commercial retail space spread across the four multi-use buildings as well as four solely commercial buildings.[1] The commercial retail buildings proposed closest to Cobb Parkway are single story surrounded by surface parking in keeping with the commercial corridor of the parkway. North of the single-story retail buildings, and closer to downtown, a series of four multi-use buildings, each either five or six-stories in height, will include multi-family residential units over ground-floor retail. In partnership with the KDDA, the Project is proposing a six-story parking structure of 1,110 parking spaces so as to minimize the footprint of the development and allowing for the construction of a park/plaza area rather than additional surface parking. The garage facades internal to the Project will be lined with multifamily residential and ground-floor retail, which will also front upon the park/plaza space. An additional 288 surface parking spaces are included within the Project, resulting in total proposed parking of 1,398 spaces, which is sufficient to accommodate not only the residents of the project, but also customers and visitors from the Kennesaw community and surrounding region.

It is envisioned that the central park plaza space will offer ample seating and broad walkways, landscaped focal points, shading through raised planters and ornamental trees, open lawn space, an outdoor stage/performance area, a water fountain, and patterned pavement surfaces. This central park/plaza will serve as a flexible space for open air events, including farmers markets and festivals, thus encouraging the active outdoor community which will be a central theme of the project.

Type of Business

The Project will include a mix of residential and commercial retail uses surrounding a public square. A total of 410 multi-family residential units are proposed, which will include both for sale condominiums and apartments for rent. The Project is proposing 130,600 square feet of commercial retail space. While

[1] This Project is below the threshold of a Development of Regional Impact (DRI), and is therefore not subject to the Atlanta Regional Commission (ARC) DRI review process. The Project is below the threshold of 500,000 square feet of mixed-use development - which is the ARC threshold for multi-use developments in established and developing suburbs. The Project is also below the threshold of 500 new housing units and 400,000 square feet of commercial square footage which would alternatively trigger a DRI review.

specific business brands won't be determined until after initial planning and zoning approvals are obtained, it is envisioned that the following types of businesses will occupy the proposed commercial retail space:

- Grocery store
- Theater
- Sandwich shop
- Restaurants/Taverns
- Coffee Shop
- Brewery
- Multi-purpose center

In addition, the project is proposing a public square central to the development that is envisioned to offer the following types of activities:

- Outdoor stage/performance area
- Open lawn for multi-use activities and gathering spaces
- Shaded seating and walkways for gathering and expanding the adjacent commercial businesses and dining into the public space
- Water fountain for ambiance and to be utilized as a gathering area
- Kiosk structures for retail and food vendor opportunities
- Paved flex space adjacent to the public square for Farmer's Market and/or community gatherings and festivals

Target Market and Customer

The Project is geared to provide a mix of housing targeted for young professionals, small families, empty nesters and active seniors. The commercial customer base is envisioned to include not only the residents of the proposed community, but also the surrounding neighborhoods and communities in and around the City of Kennesaw. It is expected that special events will draw from a larger regional area.

Traffic Control

The Project's main entry will front Cobb Parkway, with secondary access also from Keene Street and School Drive. An entry boulevard featuring a divided median will welcome visitors to the project from Cobb Parkway. This entry boulevard will provide connections to the parking garage as well as surface parking designed for residents of the multi-use buildings on the southeastern portion of the project. This boulevard will then narrow through the park/plaza area of the project, but will ultimately connect through the northern end of the project, where there will be a secondary vehicular connection to the north and Downtown. Side streets and surface parking will be located on the sides and rear of the proposed buildings fronting along Cobb Parkway and the project boulevard, and will offer pedestrian connections throughout the project and further connecting to Cobb Parkway and to the adjacent properties and Downtown. Bicycle access is also planned along the Project's boulevard connecting this project to the surrounding roadways and nearby trail network. In addition to traffic control and directional signage, the

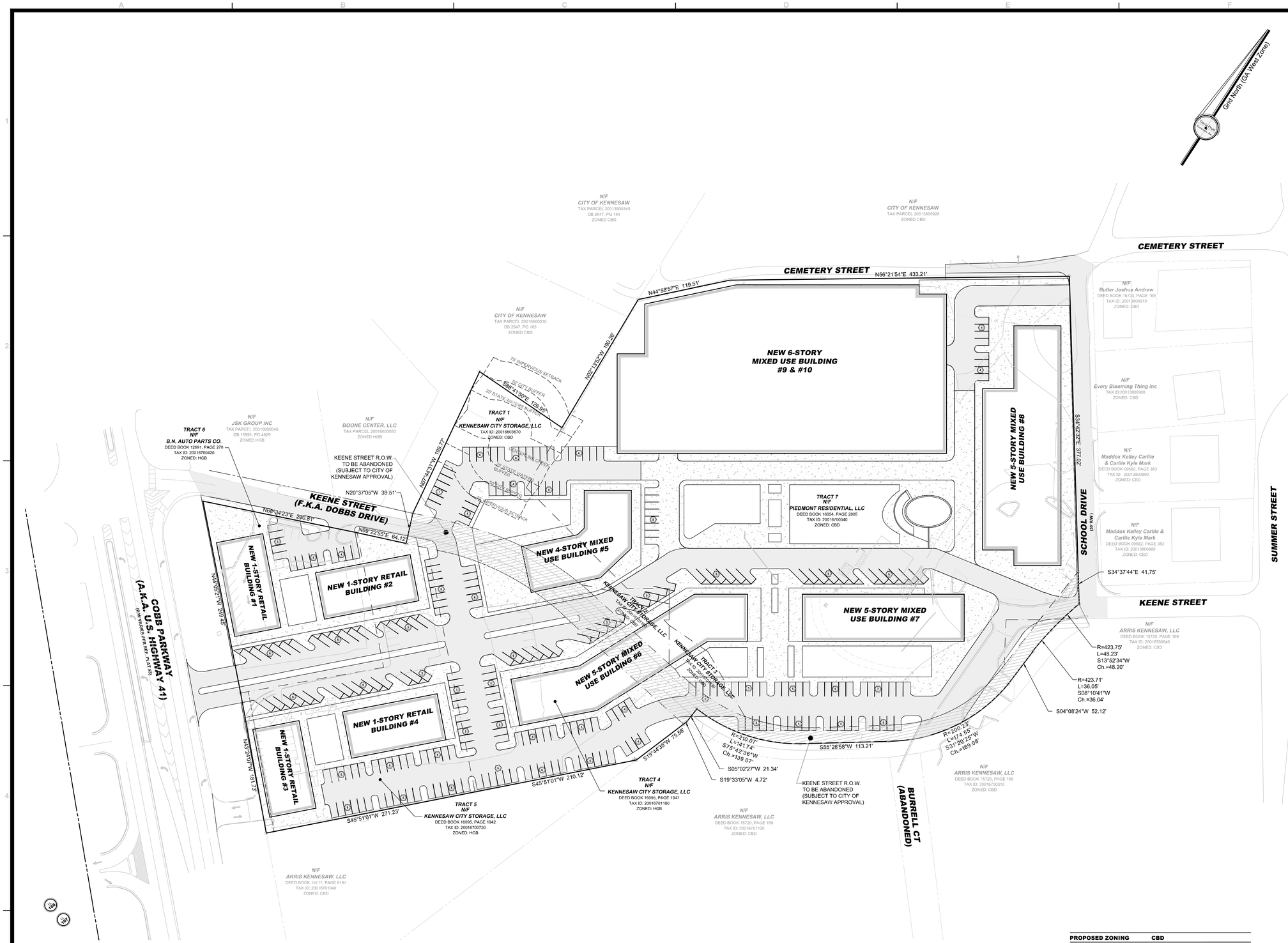
Project is proposing a mix of pavement patterns and surfaces, landscape and hardscape elements to identify and separate the multi-modes of traffic for safety purposes.

Economic Impact

The total cost to construct the Project is estimated slightly in excess of $150,000,000. During the anticipated two-year construction period, it is estimated that approximately 855 construction jobs will be created. The project expenditures would generate a short term increase in demand for engineering and technical services, as well as construction-related labor and materials.

Following completion of construction, the Project will provide housing for new residents of the City of Kennesaw who will support local businesses and increase the local tax base. In addition, the retail and other commercial uses will provide between 125 and 175 full-time and part-time jobs, as well as additional employment for persons included in the management and maintenance of the residential and public square spaces.

The commercial and retail businesses will provide tax revenue through local sales taxes generated by both residents and regional visitors to the development. Beyond expenditures as retail establishments within the Project, it is anticipated that the residents of the Project will also support other local Kennesaw business in the surrounding area.



BUILDING SUMMARY

BUILDING #	USE	RETAIL GSF	RESI GSF	UNITS
1	RETAIL	7,300		
2	RETAIL	7,400		
3	RETAIL	6,800		
4	RETAIL	7,400		
5	MIXED	10,000	30,000	34
6	MIXED	19,400	77,600	87
7	MIXED	12,000	48,000	54
8	MIXED	21,800	82,800	93
9	MIXED	23,500	129,650	142
10	RETAIL	15,000		
TOTAL		130,600	367,250	410

PROPOSED ZONING	**CBD**
SITE AREA:	**12.3 AC**
PERCENT IMPERVIOUS	**87.1%**
PROPOSED FAR	**0.93**
BUILDING COVERAGE	**34%**

TRACT #	PARCEL #	EX. ZONING
TRACT 1	20016603670	CBD
TRACT 2	20016701180	CBD
TRACT 3	20016701130	CBD
TRACT 4	20016701180	HGB
TRACT 5	20016700730	HGB
TRACT 6	20016700420	HGB
TRACT 7	20016700340	CBD

PARKING SUMMARY

DESCRIPTION	PROVIDED
OUTSIDE PARKING	288
GARAGE PARKING	1,110
TOTAL PARKING SPACES:	1,398

ACCESS AISLES FOR ADA PARKING ARE INCLUDED IN PROVIDED PARKING TOTAL.

GRAPHIC SCALE - IN FEET
25 0 50 100 150 200

NOTE: ALL DIMENSIONS ARE TO FACE OF CURB, FACE OF BUILDING, OR CENTER OF STRUCTURE, UNLESS OTHERWISE NOTED.

GEORGIA811 Utilities Protection Center, Inc. 1-800-282-7411 Know what's below. Call before you dig.

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NO	DATE	DESCRIPTION	BY
7			
6			
5			
4			
3			
2			
1			

REVISIONS

4517 Park Drive, Suite 400
Norcross, GA 30093
Phone: (770) 417-2411
Fax: (770) 416-8759
www.travispruitt.com
CONTACT PERSON: BRENT THOMAS P.E.
e-mail: bthomas@travispruitt.com

ZONING SITE PLAN

KENNESAW SQUARE

KEENE STREET & COBB PARKWAY, LAND LOTS 138 AND 167, 20TH DISTRICT, CITY OF KENNESAW, COBB COUNTY, GEORGIA

For The Firm
Travis Pruitt & Associates, Inc.

DATE:	10-20-2023
SCALE:	1" = 50'
CN:	230489ZSP
JN:	1-23-0489
FN:	218-E-017
SHEET NO:	1 of 1

W:\2023\230489\Engineering\CAD\Drawings\230489ZSP.dwg, Concept Plan, jwinston, Oct. 20, 23-9:59:43 AM, 1:1

Deed Book 12691 Pg 270
Filed and Recorded Jul-13-1999 05:43pm
1999-0116070
Real Estate Transfer Tax $84.20

Jay C. Stephenson
Clerk of Superior Court Cobb Cty. Ga.

2/12 RR

92R291.5
RETURN TO:
Moore Ingram Johnson & Steele, LLP
192 Anderson Street
Marietta, GA 30060

QUITCLAIM DEED

STATE OF GEORGIA
COUNTY OF COBB

THIS INDENTURE made the 1 day of May in the year of one thousand nine hundred and ninety-nine, between

DAN W. NORTHCUTT and LINDA C. NORTHCUTT

of the County of Cobb and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and

B. N. AUTO PARTS CO.
a Georgia corporation

of the County of Cobb and State of Georgia, 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 one dollar ($1.00) and other valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, by these presents does hereby remise, convey, and forever QUITCLAIM unto the said Grantee

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 166 OF THE 20TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE.

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.

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:

(Unofficial Witness)

DAN W. NORTHCUTT (Seal)

(Notary Public)

LINDA C. NORTHCUTT (Seal)

My Commission Expires:

(Notarial Seal)

NANCY M. HARRIS NOTARY PUBLIC GEORGIA EXPIRES JULY 16, 2003 COBB COUNTY

4/95

Jay C. Stephenson
Clerk of Superior Court Cobb Cty. Ga.

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 166 of the 20th District, 2nd Section, Cobb County, Georgia, as per plat of survey by Raoul N. Arroyo, Surveyor, dated July 30, 1971, and being more particularly described as follows:

BEGINNING at an iron pin at the corner formed by the intersection of the northeast side of U. S. Highway 41 and the southeast side of Dobbs Drive; running thence south 45 degrees 20 minutes east along the right-of-way of U. S. Highway 41 a distance of 250 feet to an iron pin; running thence north 45 degrees 27 minutes east a distance of 185 feet to an iron pin; running thence north 45 degrees 28 minutes west a distance of 175 feet to an iron pin on the southeast side of Dobbs Drive; running thence south 67 degrees 29 minutes 33 seconds west as measured along the southeast side of Dobbs Drive a distance of 200 feet to an iron pin and the point of beginning, said property being the same as that conveyed in that certain Warranty Deed from Curtis M. Wigley to Northcutt & Northcutt, a Partnership comprised of Floyd W. Northcutt and Dan W. Northcutt, dated October 27, 1983, filed for record October 27, 1983, in **Deed Book 2924, Page 182**, Records of Cobb County, Georgia.

Deed Book 16054 Page 2805
Filed and Recorded 5/9/2022 5:24:00 PM
2022-0053901
Real Estate Transfer Tax $4,900.00
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 5959440500

The Abram Law Group, LLC
1200 Ashwood Parkway, Suite 560
Atlanta, GA 30338
770/349-0120
File #22-0090

LIMITED WARRANTY DEED

STATE OF FLORIDA
COUNTY OF ORANGE

THIS INDENTURE made as of the 9th day of May, in the year two thousand and twenty-two, between

ETERNAL HOLDINGS LLC
a Nevada limited liability company

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

PIEDMONT RESIDENTIAL, 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 TEN DOLLARS ($10.00) AND OTHER 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 and conveyed, and by these presents, does grant, bargain, sell and convey unto the said Grantee, the following described real property to-wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 138 and 167 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia, and being more particularly described on **Exhibit "A"** attached hereto and incorporated herein by reference for a complete legal description.

This conveyance is made subject to those matters shown on **Exhibit "B"** attached hereto.

TO HAVE AND TO HOLD the said bargained property, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever IN FEE SIMPLE.

And the said Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the lawful claims of all persons, claiming by, through, or under said Grantor.

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:

M. Marie Storey
Witness

Notary Public
My commission expires: February 12, 2024
[Notary Seal]

Eternal Holdings LLC
a Nevada limited liability company

BY: Shahriar Ekbatani (SEAL)
Name: Shahriar Ekbatani
Title: Manager

MAYA D. VALDIVIA
MY COMMISSION # GG 953043
EXPIRES: February 12, 2024
Bonded Thru Notary Public Underwriters

P\EDMONTRES\KEENESTS\SALEDOCS\LWD

EXHIBIT "A"
LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 138 & 167 OF THE 20TH DISTRICT, 2ND SECTION, CITY OF KENNESAW, COBB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" REBAR ON THE SOUTHERLY RIGHT-OF-WAY OF CEMETERY STREET (30' R/W) AT THE COMMON CORNER OF LAND LOT 138, 139, 166 & 167;
SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY, NORTH 45 DEGREES 05 MINUTES 57 SECONDS EAST, 119.51 FEET TO A FENCE CORNER;
THENCE, NORTH 56 DEGREES 26 MINUTES 58 SECONDS EAST, 433.02 FEET TO A 1/2" REBAR ON THE WESTERLY RIGHT-OF-WAY OF SCHOOL DRIVE (30' R/W);
THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY, ALONG SAID WESTERLY RIGHT-OF-WAY, SOUTH 34 DEGREES 35 MINUTES 23 SECONDS EAST, 377.45 FEET TO A 1/2" REBAR ON THE NORTHERLY RIGHT-OF-WAY OF KEENE STREET (40' R/W);
THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY, ALONG SAID NORTHERLY RIGHT-OF-WAY, SOUTH 05 DEGREES 44 MINUTES 52 SECONDS WEST, 26.88 FEET TO A 1/2" REBAR;
THENCE, SOUTH 05 DEGREES 44 MINUTES 52 SECONDS WEST, 51.10 FEET TO A 1/2" REBAR;
THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY, SOUTH 57 DEGREES 02 MINUTES 34 SECONDS WEST, 42.91 FEET TO A 1/2" REBAR;
THENCE, SOUTH 30 DEGREES 17 MINUTES 07 SECONDS EAST, 58.60 FEET TO A 1/2" REBAR ON SAID NORTHERLY RIGHT-OF-WAY;
THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY, SOUTH 05 DEGREES 44 MINUTES 52 SECONDS WEST, 13.48 FEET TO A POINT;
THENCE ALONG A CURVE TO THE RIGHT, AN ARC DISTANCE OF 151.48 FEET, SAID CURVE HAVING A RADIUS OF 175.72 FEET AND BEING SUBTENDED BY A CHORD OF 146.83 FEET, AT SOUTH 30 DEGREES 26 MINUTES 32 SECONDS WEST, TO A POINT;
THENCE, SOUTH 55 DEGREES 08 MINUTES 12 SECONDS WEST, 103.52 FEET TO A POINT;
THENCE ALONG A CURVE TO THE RIGHT, AN ARC DISTANCE OF 89.53 FEET, SAID CURVE HAVING A RADIUS OF 224.38 FEET AND BEING SUBTENDED BY A CHORD OF 88.94 FEET, AT SOUTH 66 DEGREES 36 MINUTES 14 SECONDS WEST, TO A POINT;
THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY, NORTH 62 DEGREES 30 MINUTES 41 SECONDS WEST, 95.28 FEET TO A POINT;
THENCE, NORTH 88 DEGREES 33 MINUTES 44 SECONDS WEST, 59.94 FEET TO A POINT;
THENCE, NORTH 77 DEGREES 23 MINUTES 22 SECONDS WEST, 9.42 FEET TO A POINT;
THENCE, NORTH 57 DEGREES 02 MINUTES 34 SECONDS EAST, 6.60 FEET TO A POINT;
THENCE, NORTH 32 DEGREES 57 MINUTES 26 SECONDS WEST, 20.00 FEET TO A 1/2" REBAR;
THENCE, NORTH 33 DEGREES 06 MINUTES 00 SECONDS WEST, 19.88 FEET TO A 1/2" REBAR;
THENCE, SOUTH 57 DEGREES 01 MINUTES 02 SECONDS WEST, 53.83 FEET TO A 1/2" REBAR;
THENCE, NORTH 77 DEGREES 52 MINUTES 06 SECONDS WEST, 181.88 FEET TO A 1/2" REBAR;
THENCE, NORTH 02 DEGREES 14 MINUTES 06 SECONDS WEST, 89.32 FEET TO A 1/2" REBAR;
THENCE, NORTH 02 DEGREES 04 MINUTES 49 SECONDS WEST, 190.43 FEET TO THE POINT OF BEGINNING;

EXHIBIT "B"

1. Taxes and assessments for the year 2022 and subsequent years, which are liens not yet due and payable.

2. Easement from Kennesaw Consolidated School to Georgia Power Company, dated March 22, 1939, filed April 25, 1939, recorded in Deed Book 132, page 448, Cobb County, Georgia records.

3. Easement from Cobb County Board of Education to City of Kennesaw, dated September 29, 1960, filed October 7, 1960, recorded in Deed Book 566, page 66, aforesaid records.

4. Easements and Infrastructure Development Agreement by and between Keene Street JV LLC and Arris Kennesaw, LLC dated 02/20/2020, recorded in Deed Book 15714, Page 3087, aforesaid records

FOR AGREE SEE
DE Book 16098 Page 196

Deed Book 16095 Page 1942
Filed and Recorded 10/19/2022 10:42:00 PM
2022-0120667
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 4417205703

NOTE TO CLERK: Pursuant to O.C.G.A. 48-6-2(a)(3), this deed is exempt from the real estate transfer tax imposed by the State of Georgia.

After recording, return to:
Schreeder, Wheeler & Flint, LLP
1100 Peachtree Street NE, Suite 800
Atlanta, Georgia 30309
Attn: Leo Rose III, Esq.

Cobb County Tax Parcel No. 20016700730

STATE OF GEORGIA
COUNTY OF COBB

LIMITED WARRANTY DEED

THIS LIMITED WARRANTY DEED, made as of the 18th day of October, 2022, between **KENNESAW DOWNTOWN DEVELOPMENT AUTHORITY**, a public corporation created and existing under the laws of the State of Georgia (hereinafter referred to as "**Grantor**"), and **KENNESAW CITY STORAGE, LLC**, a Georgia limited liability company (hereinafter referred to as "**Grantee**") (the words "**Grantor**" and "**Grantee**" to include their respective heirs, legal representatives, successors, and assigns where the context requires or permits);

W I T N E S S E T H: THAT

Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and confirmed, and by these presents does grant, bargain, sell, alien, convey, and confirm unto Grantee, all those tracts or parcels of land lying and being in Cobb County, Georgia, being more particularly described in **Exhibit "A"**, attached hereto and incorporated herein by this reference (hereinafter referred to as the "**Land**");

TOGETHER WITH all buildings, structures, and improvements thereon and all rights, members, easements, hereditaments, tenements and appurtenances appertaining to the Land (the Land, together with the foregoing, is hereinafter referred to as the "**Property**");

This conveyance and the limited warranty of title set forth herein are made subject to the matters set forth on **Exhibit "B"** attached hereto and incorporated herein by reference for all purposes (collectively, the "**Permitted Exceptions**").

TO HAVE AND TO HOLD the Property unto Grantee and unto its successors and assigns, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of Grantee

and its successors and assigns, forever, **IN FEE SIMPLE.**

Grantor covenants with Grantee that it will forever warrant and defend said title to the Property against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

IN WITNESS WHEREOF, Grantor has executed this Limited Warranty Deed, to be effective as of the date set forth above.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

[SIGNATURE PAGE TO LIMITED WARRANTY DEED]

Signed, sealed, and delivered
in the presence of:

Unofficial Witness

Notary Public

Commission Expiration Date:
10-20-24

(NOTARY SEAL)

GRANTOR:

KENNESAW DOWNTOWN DEVELOPMENT AUTHORITY,
a public corporation created and existing under the laws of the State of Georgia

By: _____ (SEAL)
Mark Allen, Chair

By: _____ (SEAL)
Mary Jo Groeneveld, Secretary

(CORPORATE SEAL)

EXHIBIT "A"

Legal Description

All that tract or parcel of land lying and being in land lots 166 and 167, District 20, Section 2, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

Beginning at an iron pin found (1/2" rebar) located at the intersection of the southeasterly right of way of Dobbs Drive (40' R/W) with its intersection of the northeasterly right of way of North Cobb Parkway (A.K.A. Highway 41) (115' from the centerline of highway 41), thence along the southeasterly right of way of Dobbs Drive N 66° 40'51" E a distance of 201.32 feet to a point, said point being the TRUE POINT OF BEGINNING;

Thence continuing along the southeasterly right of way of Dobbs Drive N 67°33'30" E a distance of 120.40 feet to a point.
Thence 177.71 feet along the arc of a curve in a clockwise direction (said curve having a radius of 335.59' and a chord of N 84°38'30" E – 175.64') to a point;
Thence S 82° 40" 45" E a distance of 196.98 feet to an iron pin found (5/8" rebar);
Thence leaving said right of way S 17°53"51" W a distance of 75.54 feet to a point;
Thence S 44°01"15" W a distance of 481.39 feet to a point on the northeasterly right of way of North Cobb Parkway;
Thence along the northeasterly right of way of North Cobb Parkway N 45°20'00" W a distance of 181.48 feet to a point;
Thence leaving said right of way N 44°55'46" E a distance of 185.32 feet to an iron pin found (5/8" rebar);
Thence N 45°49'53" W a distance of 175.12 feet to a point on the southeasterly right of way of Dobbs Drive and the POINT OF BEGINNING.

Said tract containing 2.67 acres as shown hereon.

EXHIBIT "B"
Permitted Exceptions

1. Taxes for year 2023, a lien not yet due and payable.

2. Drainage rights as contained in that certain Right of Way Deed from W. M. Eller to State Highway Department of Georgia dated June 22, 1948, and recorded at Deed Book 202, Page 93, records of the Clerk of Cobb County, Georgia, Superior Court.

3. Drainage rights as contained in that certain Right of Way Deed from O.E. Jones to State Highway Department of Georgia dated June 23, 1948, and recorded at Deed Book 202, Page 96, aforesaid records, as affected by Quitclaim Deed from L.C. Chalker, O.E. Jones and the Board of Education of Cobb County, Georgia, to State Highway Department of Georgia, dated November 12, 1948, and recorded at Deed Book 192, Page 544, aforesaid records.

4. Easement from Pacemaker Inns of America to Georgia Power Company dated April 5, 1972, and recorded in Deed Book 1315, Page 725, aforesaid records.

5. All matters shown on ALTA/NSPS Land Title Survey prepared by Travis Pruitt & Associates, Inc., Travis N. Pruitt, Jr., Georgia Registered Land Surveyor No. 2809, prepared for Kennesaw City Storage, LLC, Signature Bank of Georgia, First American Title Insurance Company, and Candler Abstract Company last revised October 14, 2022, identified as Job No. 1-21-0242.600.

Deed Book 16148 Page 4177
Filed and Recorded 07/24/23 11:46:00 AM
2023-0057320
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 4417205703

Prepared for recording by:
Schreeder, Wheeler & Flint, LLP
1100 Peachtree Street NE, Suite 800
Atlanta, Georgia 30309
Attn: Leo Rose III, Esq.

Clerk please cross reference:
Deed Book 16146, Page 3619
Cobb County Records

This deed is being rerecorded to include the effective date of July 12, 2023.

Cobb County Tax Parcel No.
20016701130 (partial)

STATE OF GEORGIA
COUNTY OF COBB

LIMITED WARRANTY DEED

THIS LIMITED WARRANTY DEED, made as of the 12th day of July, 2023, between **KEENE STREET JV, LLC**, a Georgia limited liability company (hereinafter referred to as "**Grantor**"), and **REDWOOD DEVELOPMENT, LLC**, a Georgia limited liability company (hereinafter referred to as "**Grantee**") (the words "**Grantor**" and "**Grantee**" to include their respective heirs, legal representatives, successors, and assigns where the context requires or permits);

WITNESSETH: THAT

Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and confirmed, and by these presents does grant, bargain, sell, alien, convey, and confirm unto Grantee, all those tracts or parcels of land lying and being in Cobb County, Georgia, being more particularly described in **Exhibit "A"**, attached hereto and incorporated herein by this reference (hereinafter referred to as the "**Land**");

TOGETHER WITH all buildings, structures, and improvements thereon and all rights, members, easements, hereditaments, tenements and appurtenances appertaining to the Land (the Land, together with the foregoing, is hereinafter referred to as the "**Property**");

This conveyance and the limited warranty of title set forth herein are made subject to the matters set forth on **Exhibit "B"** attached hereto and incorporated herein by reference for all purposes (collectively, the "**Permitted Exceptions**").

TO HAVE AND TO HOLD the Property unto Grantee and unto its successors and assigns, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of Grantee and its successors and assigns, forever, **IN FEE SIMPLE.**

Grantor covenants with Grantee that it will forever warrant and defend said title to the Property against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

IN WITNESS WHEREOF, Grantor has executed this Limited Warranty Deed, to be effective as of the date set forth above.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

[SIGNATURE PAGE TO LIMITED WARRANTY DEED]

Signed, sealed, and delivered
in the presence of:

Unofficial Witness

Notary Public

Commission Expiration Date:

4/30/26

(NOTARY SEAL)

K GIBSON
NOTARY PUBLIC
COBB COUNTY
STATE OF GEORGIA
My Comm. Expires April 30, 2026

GRANTOR:

KEENE STREET JV, LLC,
a Georgia limited liability company

By: _____(SEAL)
Chad L. Howie, Manager

EXHIBIT "A"
Legal Description

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

COMMENCING at a point found at the intersection of northeasterly right of way line of Cobb Parkway Variable R/W (AKA HWY 41) and the north right of way line of Keene Street (40' R/W) thence proceeding along the north right of way line of Keene Street 40' R/W (FKA Dobbs) a distance of 280.00 feet to 1/2" rebar found. THENCE following said right of way along a curve to the right with a radius of 757.98 feet and an arc length of 111.83 feet, said curve having a chord bearing of North 71 degrees 55 minutes 32 seconds East and a chord distance of 111.73 feet to a point; THENCE continuing said right of way along a curve to the right with a radius of 368.31 feet and an arc length of 124.36 feet, said curve having a chord bearing of South 87 degrees 11 minutes 24 seconds West and a chord distance of 123.77 feet to a point. THENCE continuing said right of way along a curve to the right with a radius of 368.31 feet and an arc length of 18.32 feet, said curve having a chord bearing of South 81 degrees 34 minutes 52 seconds East and a chord distance of 18.32 feet to a point; South 80 degrees 45 minutes 09 seconds East a distance of 132.78 feet to a point; said point being the TRUE POINT OF BEGINNING.

THENCE from said TRUE POINT OF BEGINNING leaving said right of way North 33 degrees 01 minutes 25 seconds West a distance of 49.46 feet to a 1/2" rebar found w/cap; THENCE South 88 degrees 39 minutes 52 seconds East a distance of 59.94 feet to a point; THENCE South 62 degrees 36 minutes 48 seconds East a distance of 95.28 feet to a point at the northern right of way of Keene St 40' R/W (FKA Dobbs); THENCE following said right of way along a curve to the right with a radius of 224.38 feet and an arc length of 85.72 feet, said curve having a chord bearing of South 88 degrees 58 minutes 47 seconds West and a chord distance of 85.20 feet to a point; THENCE continuing along northern right of way line North 80 degrees 45 minutes 08 seconds West a distance of 32.81 feet to a point; said point being the TRUE POINT OF BEGINNING.

Said tract contains 4,123 square feet or 0.09 acres.

TOGETHER WITH (i) all fixtures, structures and improvements thereon, (ii) all right, title and interest, if any, in and to all rights-of-way, open or proposed streets, alleys, strips or gores of land adjacent thereto and (iii) all and singular the tenements, hereditament, rights, easements and appurtenances now or hereafter belonging thereto.

EXHIBIT "B"
Permitted Exceptions

1. Taxes for year 2023, a lien not yet due and payable.

2. Easement(s) granted in favor of Georgia Power Company as filed in Book 132, Page 448, records of the Clerk of Cobb County, Georgia, Superior Court.

3. All matters shown on Boundary Survey prepared by Travis Pruitt & Associates, Inc., Jacob M. Kaloki., Georgia Registered Land Surveyor No. 3422, prepared for Kennesaw City Storage, LLC, dated May 24, 2023, identified as Job No. 1-23-0231.600.

Deed Book 16146 Page 3633
Filed and Recorded 07/13/23 5:22:00 PM
2023-0054593
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 4417205703

Prepared for recording by:
Schreeder, Wheeler & Flint, LLP
1100 Peachtree Street NE, Suite 800
Atlanta, Georgia 30309
Attn: Leo Rose III, Esq.

Cobb County Tax Parcel Nos.
20016701130 (partial)

STATE OF GEORGIA
COUNTY OF COBB

QUITCLAIM DEED

THIS INDENTURE, made this 12th day of July, 2023 between **KEENE STREET JV LLC**, a Georgia limited liability company (herein referred to as "**Grantor**"), and **REDWOOD DEVELOPMENT, LLC**, a Georgia limited liability company (herein referred to as "**Grantee**").

W I T N E S S E T H T H A T:

The Grantor, for and in consideration of Ten and 00/100 Dollars ($10.00) in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has bargained, sold and does by these presents bargain, sell, release, convey and forever quit-claim to the said Grantee, his its heirs, successors and assigns, all right, title, interest, claim or demand which the said Grantor has or may have in and to:

> **ALL THAT TRACT** or parcel of land lying and being in Land Lots 166 and 167 of the 20th District, 2nd Section of Cobb County, Georgia, being that certain land identified as Tract 1 and Tract 2 which are more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof.

TOGETHER WITH all fixtures, structures and improvements on said property, all right, title and interest, if any, in and to all rights-of-way, open or proposed streets, alleys, strips or gores of land adjacent thereto, and all and singular the tenements, hereditament, rights, easements and appurtenances in anywise appertaining.

TO HAVE AND TO HOLD the said described premises unto the said Grantee, its heirs, successors and assigns, so that neither the said Grantor, nor its heirs or successors, nor any other person or persons claiming under it shall at any time claim or demand any right, title or interest to the aforesaid described premises.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Grantor has signed, sealed and delivered this deed on the date above written.

[SIGNATURE PAGE TO QUITCLAIM DEED]

Signed, sealed, and delivered
in the presence of:

Unofficial Witness

Notary Public

Commission Expiration Date:

4/30/2026

(NOTARY SEAL)
K GIBSON
NOTARY PUBLIC
COBB COUNTY
STATE OF GEORGIA
My Comm. Expires April 30, 2026

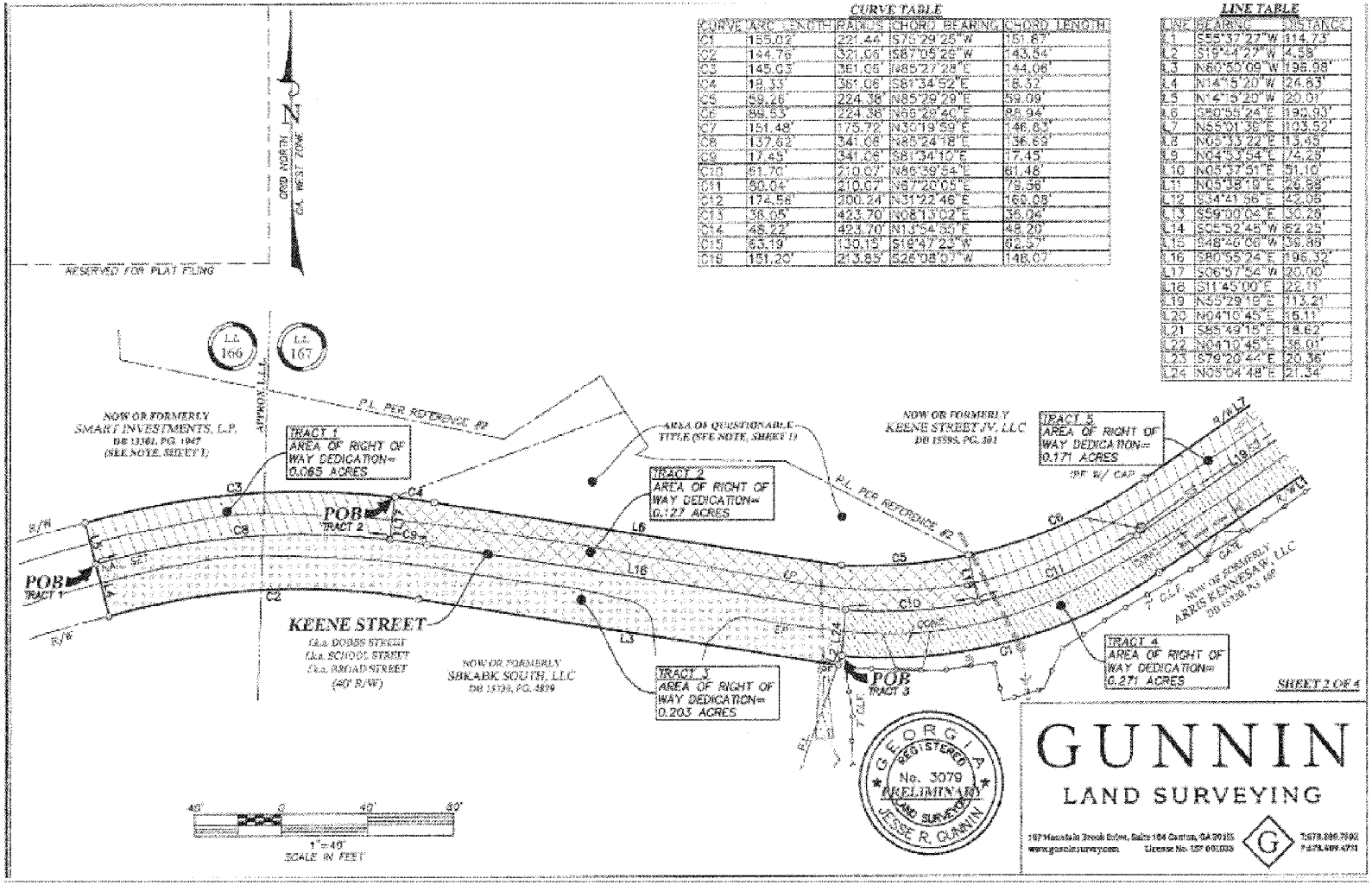
GRANTOR:

KEENE STREET JV LLC,
a Georgia limited liability company

By: _____(SEAL)
Chad L. Howie, Manager

EXHIBIT "A"

Description of proposed abandonment of Keene Street



Legal Description

Summers St Project- Right of Way Abandonment, Tract 1

All that tract or parcel of land lying and being in Land Lots 166 and 167 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at the intersection of the westerly right of way of Burrell Court (40' right of way) and the southerly right of way of Keene Street (40' right of way); thence leaving said westerly right of way and along said southerly right of way the following courses and distances: S55°37'27"W for a distance of 114.73 feet to a point; 155.02 feet along the arc of a curve to the right, said curve having a radius of 221.44 feet and being subtended by a chord of S75°29'25"W, 151.87 feet to a point; S19°44'27"W for a distance of 4.58 feet to a 1/2" rebar found; N80°50'09"W for a distance of 196.98 feet to a point; 144.76 feet along the arc of a curve to the left, said curve having a radius of 321.06 feet and being subtended by a chord of S87°05'29"W, 143.54 feet to a point; thence leaving said southerly right of way N14°15'20"W for a distance of 24.83 feet to a nail set, said point being the **TRUE POINT OF BEGINNING.**

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;
thence N14°15'20"W for a distance of 20.01 feet to a point at the northerly right of way of Keene Street (40' right of way); thence along said northerly right of way 145.03 feet along the arc of a curve to the right, said curve having a radius of 361.06 feet and being subtended by a chord of N85°27'28"E, 144.06 feet to a point; thence leaving said northerly right of way S06°57'54"W for a distance of 20.00 feet to a point; thence 137.62 feet along the arc of a curve to the left, said curve having a radius of 341.06 feet and being subtended by a chord of S85°24'18"W, 136.69 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

Said tract of parcel of land contains 0.065 acres.

Summers St Project- Right of Way Abandonment, Tract 2

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

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at the intersection of the westerly right of way of Burrell Court (40' right of way) and the southerly right of way of Keene Street (40' right of way); thence leaving said westerly right of way and along said southerly right of way the following courses and distances: S55°37'27"W for a distance of 114.73 feet to a point; 155.02 feet along the arc of a curve to the right, said curve having a radius of 221.44 feet and being subtended by a chord of S75°29'25"W, 151.87 feet to a point; S19°44'27"W for a distance of 4.58 feet to a 1/2" rebar found; N80°50'09"W for a distance of 196.98 feet to a point; 144.76 feet along the arc of a curve to the left, said curve having a radius of 321.06 feet and being subtended by a chord of S87°05'29"W, 143.54 feet to a point; thence traversing said right of way N14°15'20"W for a distance of 44.84 feet to a point at the northerly right of way of Keene Street (40' right of way); thence along said northerly right of way 145.03 feet along the arc of a curve to the right, said curve having a radius of 361.06 feet and being subtended by a chord of N85°27'28"E, 144.06 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;
thence continue along said northerly right of way the following courses and distances: 18.33 feet along the arc of a curve to the right, said curve having a radius of 361.06 feet and being subtended by a chord of S81°34'52"E, 18.32 feet to a point; thence S80°55'24"E for a distance of 190.93 feet to a point; thence 59.26 feet along the arc of a curve to the left, said curve having a radius of 224.38 feet and being subtended by a chord of N85°29'29"E, 59.09 feet to a point; thence leaving said northerly right of way S11°45'00"E for a distance of 22.11 feet to a point; thence 61.70 feet along the arc of a curve to the right, said curve having a radius of 210.07 feet and being subtended by a chord of S86°39'54"W, 61.48 feet to a point; thence N80°55'24"W for a distance of 196.32 feet to a point; thence 17.45 feet along the arc of a curve to the left, said curve having a radius of 341.06 feet and being subtended by a chord of N81°34'10"W, 17.45 feet to a point; thence N06°57'54"E for a distance of 20.00 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

Said tract of parcel of land contains 0.127 acres.

Deed Book 16148 Page 4182
Filed and Recorded 07/24/23 11:47:00 AM
2023-0057325
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 4417205703

Prepared for recording by:
Schreeder, Wheeler & Flint, LLP
1100 Peachtree Street NE, Suite 800
Atlanta, Georgia 30309
Attn: Leo Rose III, Esq.

Clerk please cross reference:
Deed Book 16146, Page 3614,
Cobb County Records

This deed is being rerecorded to include the effective date of July 12, 2023.

Cobb County Tax Parcel Nos.
20016603670 and
20016701130 (partial)

STATE OF GEORGIA
COUNTY OF COBB

LIMITED WARRANTY DEED

THIS LIMITED WARRANTY DEED, made as of the 12th day of July, 2023, between **KENNESAW REDEVELOPMENT, LLC**, a Georgia limited liability company (hereinafter referred to as "**Grantor**"), and **KENNESAW CITY STORAGE, LLC**, a Georgia limited liability company (hereinafter referred to as "**Grantee**") (the words "**Grantor**" and "**Grantee**" to include their respective heirs, legal representatives, successors, and assigns where the context requires or permits);

WITNESSETH: THAT

Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and confirmed, and by these presents does grant, bargain, sell, alien, convey, and confirm unto Grantee, all those tracts or parcels of land lying and being in Cobb County, Georgia, being more particularly described in **Exhibit "A"**, attached hereto and incorporated herein by this reference (hereinafter referred to as the "**Land**");

TOGETHER WITH all buildings, structures, and improvements thereon and all rights, members, easements, hereditaments, tenements and appurtenances appertaining to the Land (the Land, together with the foregoing, is hereinafter referred to as the "**Property**");

This conveyance and the limited warranty of title set forth herein are made subject to the matters set forth on **Exhibit "B"** attached hereto and incorporated herein by reference for all purposes (collectively, the "**Permitted Exceptions**").

TO HAVE AND TO HOLD the Property unto Grantee and unto its successors and assigns, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of Grantee and its successors and assigns, forever, **IN FEE SIMPLE.**

Grantor covenants with Grantee that it will forever warrant and defend said title to the Property against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

[SIGNATURE PAGE TO LIMITED WARRANTY DEED]

IN WITNESS WHEREOF, Grantor has executed this Limited Warranty Deed, to be effective as of the date set forth above.

Signed, sealed, and delivered
in the presence of:

Unofficial Witness

Notary Public

Commission Expiration Date:
4/30/26

NOTARY SEAL
R GIBSON
NOTARY PUBLIC
COBB COUNTY
STATE OF GEORGIA
My Comm. Expires April 30, 2026

GRANTOR:

KENNESAW REDEVELOPMENT, LLC, a Georgia limited liability company

By: _____ (SEAL)
Chad L. Howie, Manager

EXHIBIT "A"
Legal Description

All that tract or parcel of land lying and being in Land Lots 166 and 167 of the 20th District, 2nd Section, Cobb County, Georgia as shown on plat of survey prepared by Robert T. Weaver, Surveyor, dated March, 1973, a copy of which is recorded in Plat Book _____, Page _____, Cobb County Records and being more particularly described as follows:

BEGINNING at an iron pin on the northerly side of Dobbs Street (sometimes known as School Street) 280 feet northeast of intersection of the northeast side of the right of way of U.S. Highway 41 and the northwesterly side of Dobbs Street (sometimes known as School Street); running thence north 7 degrees 37 minutes west for a distance of 200 feet to an iron pin; running thence south 88 degrees 13 minutes east for a distance of 127 feet to an iron pin located on the east line of said Land Lot 166; running thence south 2 degrees 01 minutes east for a distance of 89.2 feet to an iron pin; running thence south 77 degrees 55 minutes east for a distance of 182 feet to a point; running thence north 56 degrees 57 minutes east for a distance of 54 feet to an iron pin; running south 32 degrees 48 minutes east for a distance of 20 feet to an iron pin; running thence south 69 degrees 56 minutes west for a distance of 115.1 feet to an iron pin located on the northerly side of Dobbs Street (sometimes known as School Street); running thence southwesterly along the northerly and northwesterly side of Dobbs Street (sometimes known as School Street) for a distance of 236.2 feet to an iron pin and the point of beginning.

Said tract contains 0.673 acres.

TOGETHER WITH:

All that tract or parcel of land lying and being in Land Lot 167 of the 20th District, 2nd Section, Cobb County, Georgia, and being a portion of the property as shown on plat of survey prepared by Robert T. Weaver, Surveyor, for Curtis M. Wigley, dated March, 1973, a copy of which is recorded in Plat Book _____, Page _____, Cobb County Records and being more particularly described as follows:

BEGINNING at a point on the north side of Dobbs Street (sometimes known as School Street) at a point 380 feet east of the intersection of the north side of the right of way of Dobbs Street (sometimes known as School Street) and the east side of the right of way of Cemetery Street; running thence southeasterly along the northeasterly side of the right of way of Dobbs Street (sometimes known as School Street) for a distance of 143.8 feet to the southwest line of the property of the Cobb County Board of Education; running thence north 32 degrees 48 minutes west for a distance of 70 feet to an iron pin; running thence south 69 degrees 56 minutes west for a distance of 115.1 feet to an iron pin and the point of beginning.

EXHIBIT "B"
Permitted Exceptions

1. Taxes for year 2023, a lien not yet due and payable.

2. Easement(s) granted in favor of Georgia Power Company as filed in Book 132, Page 448, records of the Clerk of Cobb County, Georgia, Superior Court.

3. Sanitary Sewer Easement in favor of City of Kennesaw as recorded in Book 566, Page 66, records aforesaid.

4. All matters shown on plat of survey recorded in Plat Book 280, Page 437, records aforesaid.

5. All matters shown on Boundary Survey prepared by Travis Pruitt & Associates, Inc., Jacob M. Kaloki., Georgia Registered Land Surveyor No. 3422, prepared for Kennesaw City Storage, LLC, dated May 24, 2023, identified as Job No. 1-23-0231.600.

Deed Book 16146 Page 3624
Filed and Recorded 7/13/2023 5:17:00 PM
2023-0054591
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 4417205703

Prepared for recording by:
Schreeder, Wheeler & Flint, LLP
1100 Peachtree Street NE, Suite 800
Atlanta, Georgia 30309
Attn: Leo Rose III, Esq.

Cobb County Tax Parcel Nos.
20016603670 and
20016701130 (partial)

STATE OF GEORGIA
COUNTY OF COBB

QUITCLAIM DEED

THIS INDENTURE, made this 12th day of July, 2023 between **KENNESAW REDEVELOPMENT, LLC**, a Georgia limited liability company (herein referred to as "**Grantor**"), and **KENNESAW CITY STORAGE, LLC**, a Georgia limited liability company (herein referred to as "**Grantee**").

W I T N E S S E T H T H A T:

The Grantor, for and in consideration of Ten and 00/100 Dollars ($10.00) in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has bargained, sold and does by these presents bargain, sell, release, convey and forever quit-claim to the said Grantee, his its heirs, successors and assigns, all right, title, interest, claim or demand which the said Grantor has or may have in and to:

> **ALL THAT TRACT** or parcel of land lying and being in Land Lots 166 and 167 of the 20th District, 2nd Section of Cobb County, Georgia being more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof.

TOGETHER WITH all fixtures, structures and improvements on said property and all and singular the rights, members and appurtenances to the said premises in anywise appertaining.

TO HAVE AND TO HOLD the said described premises unto the said Grantee, its heirs, successors and assigns, so that neither the said Grantor, nor its heirs or successors, nor any other person or persons claiming under it shall at any time claim or demand any right, title or interest to the aforesaid described premises.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Grantor has signed, sealed and delivered this deed on the date above written.

[SIGNATURE PAGE TO QUITCLAIM DEED]

Signed, sealed, and delivered
in the presence of:

Unofficial Witness

Notary Public

Commission Expiration Date:

4/30/26

(NOTARY SEAL)

K GIBSON
NOTARY PUBLIC
COBB COUNTY
STATE OF GEORGIA
My Comm. Expires April 30, 2026

GRANTOR:

KENNESAW REDEVELOPMENT, LLC, a Georgia limited liability company

By: _____(SEAL)
Chad L. Howie, Manager

EXHIBIT "A"
Legal Description

Any and all other tract or parcel of land lying and being in Land Lots 166, and 167 of the 20th District, Cobb County, Georgia and being now vested in the name of KENNESAW REDEVELOPMENT, LLC, including, without limitation, that certain land identified as Tract 1 and Tract 2 which are more particularly described on Exhibit "B" attached hereto and incorporated herein by reference.

TOGETHER WITH

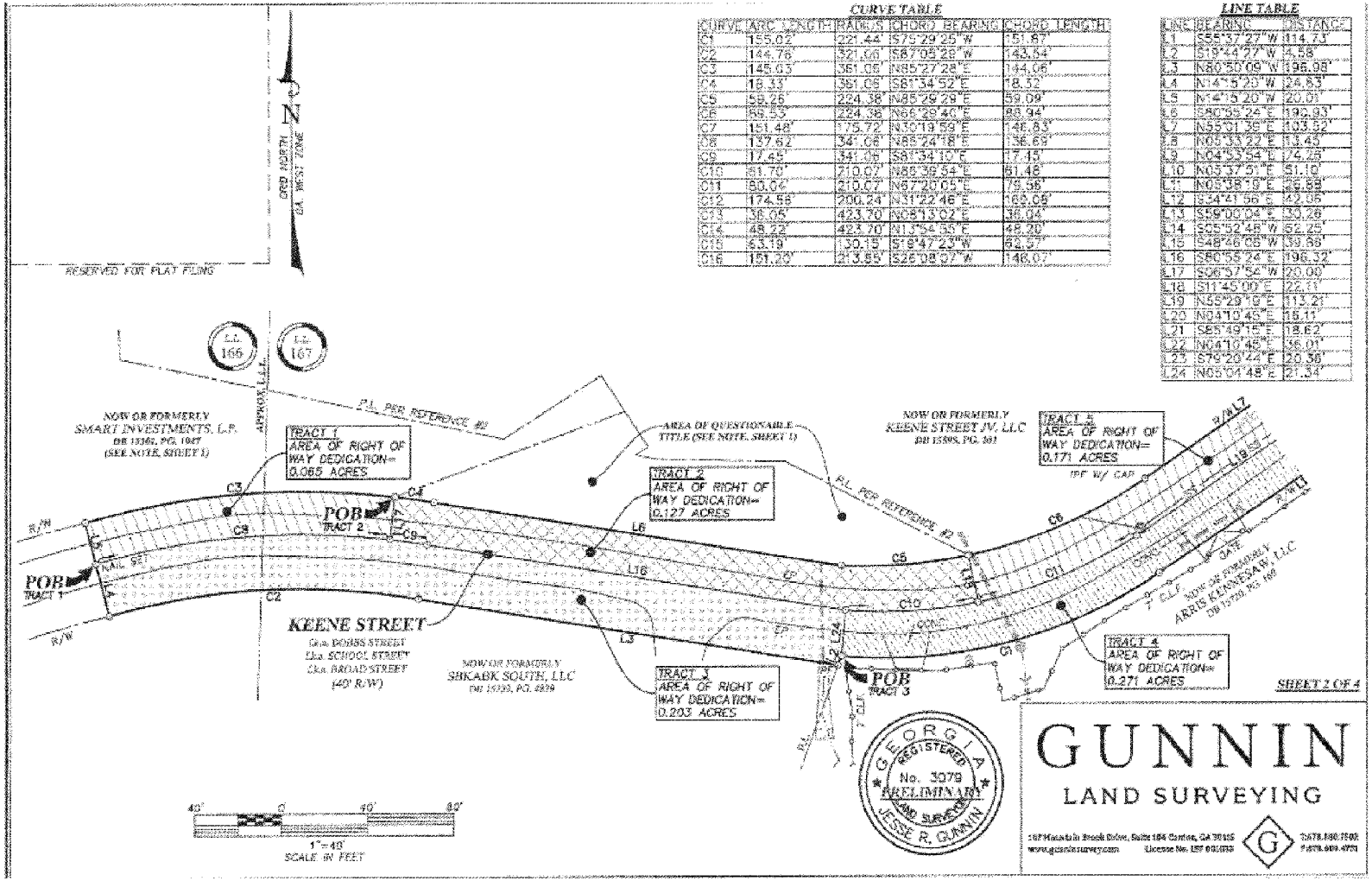
(i) all fixtures, structures and improvements thereon,

(ii) all right, title and interest, if any, in and to all rights-of-way, open or proposed streets, alleys, strips or gores of land adjacent thereto, and.

(iii)all and singular the tenements, hereditament, rights, easements and appurtenances now or hereafter belonging thereto.

EXHIBIT "B"

Description of proposed abandonment of Keene Street



Legal Description

Summers St Project- Right of Way Abandonment, Tract 1

All that tract or parcel of land lying and being in Land Lots 166 and 167 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at the intersection of the westerly right of way of Burrell Court (40' right of way) and the southerly right of way of Keene Street (40' right of way); thence leaving said westerly right of way and along said southerly right of way the following courses and distances: S55°37'27"W for a distance of 114.73 feet to a point; 155.02 feet along the arc of a curve to the right, said curve having a radius of 221.44 feet and being subtended by a chord of S75°29'25"W, 151.87 feet to a point; S19°44'27"W for a distance of 4.58 feet to a 1/2" rebar found; N80°50'09"W for a distance of 196.98 feet to a point; 144.76 feet along the arc of a curve to the left, said curve having a radius of 321.06 feet and being subtended by a chord of S87°05'29"W, 143.54 feet to a point; thence leaving said southerly right of way N14°15'20"W for a distance of 24.83 feet to a nail set, said point being the **TRUE POINT OF BEGINNING.**

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;
thence N14°15'20"W for a distance of 20.01 feet to a point at the northerly right of way of Keene Street (40' right of way); thence along said northerly right of way 145.03 feet along the arc of a curve to the right, said curve having a radius of 361.06 feet and being subtended by a chord of N85°27'28"E, 144.06 feet to a point; thence leaving said northerly right of way S06°57'54"W for a distance of 20.00 feet to a point; thence 137.62 feet along the arc of a curve to the left, said curve having a radius of 341.06 feet and being subtended by a chord of S85°24'18"W, 136.69 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

Said tract of parcel of land contains 0.065 acres.

Summers St Project- Right of Way Abandonment, Tract 2

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

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at the intersection of the westerly right of way of Burrell Court (40' right of way) and the southerly right of way of Keene Street (40' right of way); thence leaving said westerly right of way and along said southerly right of way the following courses and distances: S55°37'27"W for a distance of 114.73 feet to a point; 155.02 feet along the arc of a curve to the right, said curve having a radius of 221.44 feet and being subtended by a chord of S75°29'25"W, 151.87 feet to a point; S19°44'27"W for a distance of 4.58 feet to a 1/2" rebar found; N80°50'09"W for a distance of 196.98 feet to a point; 144.76 feet along the arc of a curve to the left, said curve having a radius of 321.06 feet and being subtended by a chord of S87°05'29"W, 143.54 feet to a point; thence traversing said right of way N14°15'20"W for a distance of 44.84 feet to a point at the northerly right of way of Keene Street (40' right of way); thence along said northerly right of way 145.03 feet along the arc of a curve to the right, said curve having a radius of 361.06 feet and being subtended by a chord of N85°27'28"E, 144.06 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;
thence continue along said northerly right of way the following courses and distances: 18.33 feet along the arc of a curve to the right, said curve having a radius of 361.06 feet and being subtended by a chord of S81°34'52"E, 18.32 feet to a point; thence S80°55'24"E for a distance of 190.93 feet to a point; thence 59.26 feet along the arc of a curve to the left, said curve having a radius of 224.38 feet and being subtended by a chord of N85°29'29"E, 59.09 feet to a point; thence leaving said northerly right of way S11°45'00"E for a distance of 22.11 feet to a point; thence 61.70 feet along the arc of a curve to the right, said curve having a radius of 210.07 feet and being subtended by a chord of S86°39'54"W, 61.48 feet to a point; thence N80°55'24"W for a distance of 196.32 feet to a point; thence 17.45 feet along the arc of a curve to the left, said curve having a radius of 341.06 feet and being subtended by a chord of N81°34'10"W, 17.45 feet to a point; thence N06°57'54"E for a distance of 20.00 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

Said tract of parcel of land contains 0.127 acres.

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

REZONING APPLICATION

Required Fee $375.00

Darryl Simmons
Planning & Zoning Administrator

Rashida Williamson
Zoning Clerk

*****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.**

For questions, please feel free to contact the Planning and Zoning Department at 770-590-8268. When the application and all checklist items have been properly completed and filed with the Planning and Zoning Department, the applicant will be notified of the date of hearing(s).

- ☑ **Original application completed, signed and notarized.**
- ☑ **A copy of the warranty deed for said property that includes the full legal description/ in word format.**
- ☑ **A copy of the current taxes paid in full for said property from the Cobb County Tax & City Tax Departments**
- ☑ **Rezoning Fee – *$375.00***
- ☑ **Completed application and supporting documents listed on one Flash Drive or email to dsimmons@kennesaw-ga.gov in PDF format**

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

City of Kennesaw, GA

REZONING APPLICATION RZ2023-05

Required Fee $375.00

Date Received 10/20/23

Staff's Initials NF

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 10/19/23 Staff's Initials _____

REZONING PROPERTY ADDRESS 2590 Keene Street & 2570 N Cobb Parkway

Land Lot 166 & 167 Tax Parcel 20016700420 & 20016700730 & 20016701160 Lot Size ~~0.92 & 2.67 acres~~ 3.58 acres

Resident Population 0 Housing Units 0 Other Buildings 1

Zoning Request from:

Present Zoning Highway General Business (HGB) To: Central Business District (CBD)

For the purpose of: Mixed Use Development - Multifamily Residential, Commercial Retail, Park/Plaza

APPLICANT EMAIL nsirang@concordwilshire.com

Applicant Address Kennesaw Square Development, LLC
2160 Kingston Court SE, Suite B, Marietta, GA 30067

(Phone #) _____

Applicant Signature _____ Date _____

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

REPRESENTIVE _____

(Fax #)_____ (Work#) _____ (Cell#) _____

Representative Signature _____ Date _____

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

TITLEHOLDER: B N Auto Parts Company **(Phone #)** _____

Signature: _____ **Address** 2864 Wood Park Terrace; Kennesaw, GA 30152

Signed, sealed and delivered in presence of: _____ 10-17-23
Notary **Date**

RACHEL WORTHAN NOTARY PUBLIC COBB COUNTY, GEORGIA MY COMMISSION EXPIRES MAY 25, 2025

Z\P&Z FORMS\Applications 2020

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 16th day of October, 2023

_____

Applicants Signature

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

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

CAMPAIGN DISCLOSURE REPORT[1] BY APPLICANT[2]

Each applicant must complete a separate form

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

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

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

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

_____

_____

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

_____

_____

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

I certify that the foregoing information is true and correct, this 17th day of October, 2023

_____

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.

CALIFORNIA ACKNOWLEDGMENT CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of LOS ANGELES }

On OCTOBER 16, 2023 before me, THERESA CURA, NOTARY PUBLIC,
Date *Here Insert Name and Title of the Officer*

personally appeared NATE SIKANG
Name(s) of Signer(s)

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.

THERESA CURA
Notary Public - California
Los Angeles County
Commission # 2367220
My Comm. Expires Jul 22, 2025

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 _____
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: REZONING APPLICATION - 2590 KEENE ST & 2570 N. COBB PARKWAY

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____	Signer's Name: _____
☐ Corporate Officer – Title(s): _____	☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General	☐ Partner – ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	☐ Trustee ☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer is Representing: APPLICANT	Signer is Representing: _____

©2019 National Notary Association

CALIFORNIA ACKNOWLEDGMENT CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of LOS ANGELES

On OCTOBER 16, 2023 (Date) before me, THERESA CURA, NOTARY PUBLIC (Here Insert Name and Title of the Officer),

personally appeared NATE SIRANG (Name(s) of Signer(s))

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.

THERESA CURA
Notary Public - California
Los Angeles County
Commission # 2367220
My Comm. Expires Jul 22, 2025

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 _____ (Signature of Notary Public)

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: REZONING APPLICATION - 3590 KEENE CT & 3570 N COBB PARKWAY

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____	Signer's Name: _____
☐ Corporate Officer – Title(s): _____	☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General	☐ Partner – ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	☐ Trustee ☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer is Representing: TITLE HOLDER	Signer is Representing: _____

©2019 National Notary Association

KENNESAW SQUARE

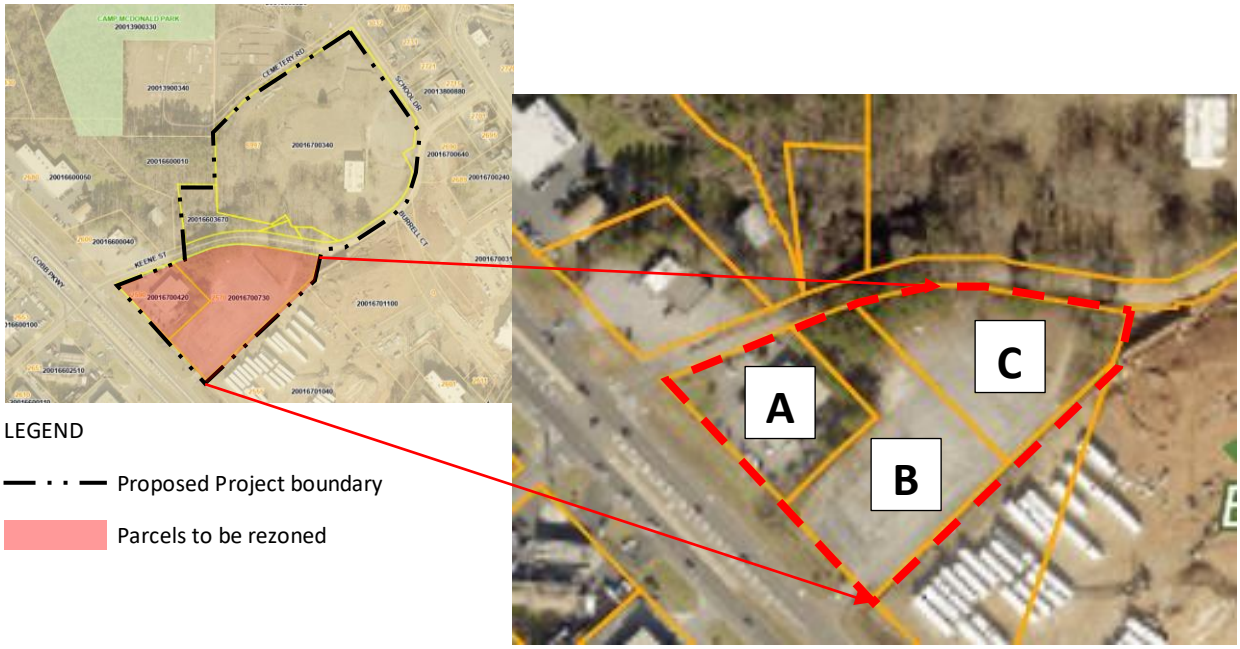
LETTER OF INTENT

Rezoning Application Request

Project Summary

The proposed Kennesaw Square mixed-use development project (the "Project") is comprised of several adjacent tax parcels and contemplates the inclusion of certain portions of the existing Keene Street Right-of-Way (ROW), which is to be abandoned should the City of Kennesaw look favorably upon this project. The overall Project totals 12.3 acres, and is located along the northeast side of Cobb Parkway at Keene Street, and is bounded on the north and west by School Drive and the City Cemetery. The Project is planned as a mixed-use development incorporating multi-family residential, commercial retail and a park/plaza area. It is intended to serve not only the proposed residents, but the entire Kennesaw community, while also having a regional draw by taking advantage of the Cobb Parkway transportation corridor.

The portion of the Project that is southeast of the existing Keene Street ROW is currently zoned Highway General Business (HGB), while that portion of the Project that is northwest of the existing Keene Street ROW is zoned Community Business District (CBD). The applicant is requesting to rezone the three tax parcels southeast of Keene Street (specifically Parcels 20016700420 and 20016700730 and 20016701160), to the CBD district to provide zoning consistency across the entire project. Each tax parcel subject to this rezoning request is further outlined in the graphics and table below:



Parcels proposed to be rezoned within proposed Kennesaw Square project.

Existing Parcel	Parcel Number	Location Address	Owner	FLU	Existing Zoning	Proposed Zoning	Within KDDA	Within Historic District
A	20016700420	2590 Keene Street	B N Auto Parts Company 2864 Wood Park Terrace Kennesaw, GA 30152	CAC	HGB	CBD	Yes	No
B	20016700730	2570 N Cobb Pkwy	Kennesaw City Storage LLC 2160 Kingston CT SE, Suite B Marietta, GA 30067	CAC	HGB	CBD	Yes	No
C	20016701160	2570 N Cobb Pkwy	Kennesaw City Storage LLC 2160 Kingston CT SE, Suite B Marietta, GA 30067	CAC	HGB	CBD	Yes	No

The three tax parcels proposed for rezoning total 3.58 acres of the overall 12.3 acre Project. They are within the Kennesaw Downtown Development Authority (KDDA), however, none are within the Historic District. All three tax parcels have a Future Land Use designation of Community Activity Center (CAC), which is consistent with the proposed rezoning to CBD.

Proposed Development

The Project is planned as a mixed-use development incorporating multi-family residential, commercial retail and a park/plaza area. The commercial aspects of the Project are intended to serve not only the proposed residents of the Project, but also the surrounding neighborhoods, the entire Kennesaw community, as well as the broader regional area by taking advantage of the Cobb Parkway transportation corridor. The Project is intended to provide ample parking for both residents and visitors, and will also provide pedestrian and alternative transportation connections to Main Street and downtown Kennesaw.

The Project is proposed to include a total of 410 multi-family residential units encompassing 367,250 gross square feet of building area, spread among four mixed use building. In addition, the project will include a total of 130,600 gross square feet of commercial retail space spread across the four multi-use buildings as well as four solely commercial buildings.[1] The commercial retail buildings proposed closest to Cobb Parkway are single story surrounded by surface parking in keeping with the commercial corridor of the parkway. North of the single-story retail buildings, and closer to downtown, a series of four multi-use buildings, each either five or six-stories in height, will include multi-family residential units over ground-floor retail. In partnership with the KDDA, the Project is proposing a six-story parking structure of 1,110 parking spaces so as to minimize the footprint of the development and allowing for the construction of a park/plaza area rather than additional surface parking. The garage facades internal to the Project will be lined with multifamily residential and ground-floor retail, which will also front upon the park/plaza space. An additional 288 surface parking spaces are included within the Project, resulting in total proposed parking of 1,398 spaces, which is sufficient to accommodate not only the residents of the project, but also customers and visitors from the Kennesaw community and surrounding region.

It is envisioned that the central park plaza space will offer ample seating and broad walkways, landscaped focal points, shading through raised planters and ornamental trees, open lawn space, an outdoor stage/performance area, a water fountain, and patterned pavement surfaces. This central park/plaza will

[1] This Project is below the threshold of a Development of Regional Impact (DRI), and is therefore not subject to the Atlanta Regional Commission (ARC) DRI review process. The Project is below the threshold of 500,000 square feet of mixed-use development - which is the ARC threshold for multi-use developments in established and developing suburbs. The Project is also below the threshold of 500 new housing units and 400,000 square feet of commercial square footage which would alternatively trigger a DRI review.

serve as a flexible space for open air events, including farmers markets and festivals, thus encouraging the active outdoor community which will be a central theme of the project.

Consistency with Future Land Use (FLU)

The Project falls within the Downtown Activity Center (DAC) and Community Activity Center (CAC) FLU designations. The parcels northwest of Keene Street have a DAC designation, while the parcels southeast of Keene Street have a CAC designation. In accordance with the City's Comprehensive Plan, the DAC purpose is to reinforce the unique role and character of the downtown area. New development and redevelopment are encouraged to be compatible in use, scale and appearance with Kennesaw's downtown activity center uses. The proposed Project is consistent with the DAC by offering a mix of residential and commercial uses coupled with a park/plaza space that serves the proposed residents of the Project as well as the overall Kennesaw community. The Project furthers the initiatives of the DAC by adding entertainment, commercial and retail opportunities, coupled with residential housing opportunities, while providing multi-modal transportation links from the Project to the downtown area and the Cobb Parkway transportation corridor. The Project's multi-story buildings are of a scale and architectural treatment which complement the downtown area, while providing a significant upgrade to the Cobb Parkway corridor. The Project is designed to provide a multi-use transition from Cobb Parkway to the downtown area, and to provide a link between these two areas which does not presently exist.

The CAC future land use designation aims to meet the immediate needs of several neighborhoods and communities. The Project is in compliance with its partial CAC designation by including a mix of uses, including shopping, entertainment and gathering spaces for the immediate needs of not only the proposed Project, but also the surrounding neighborhoods and communities. In addition, the Project provides a link between the Cobb Parkway corridor and downtown which does not exist today.

Consistency with Zoning District

The portion of the Project that is northwest of the existing Keene Street ROW is currently zoned Community Business District (CBD), while that portion of the Project that is southeast of Keene Street (specifically Parcels 20016700420 and 20016700730 and 20016701160), is currently zoned Highway General Business (HGB). This application is submitted to rezone such property to the CBD district to provide zoning consistency across the entire project. While there are no existing buildings located on the property that are needed to be protected, the CBD zoning district provides for the stimulation and enhancement of the vitality and economic growth of this area. The proposed Project is consistent with the CBD zoning district guidelines as it is a development intended to create an environment where

residents and visitors can live, work, meet and play amongst a balance of mixed uses designed around a central public square, and encourages and facilitates pedestrian movement and convenient access to the Historic Downtown Kennesaw and a link to the Cobb Parkway corridor which does not presently exist. The approval of this rezoning application will provide consistent zoning across the entirety of the Project, and will provide the greatest flexibility to allow for a consistent development that will be a benefit to the Kennesaw community.

Consistency with Rezoning Standards

The proposed Project is consistent with the Rezoning Standards of the City's Unified Development Code (UDC) outlined in Chapter 10, Section 10.01.02.G, as follows:

1. **Would the proposed amendment be consistent and compatible with the city's land use and development plans, goals and objectives?**
   The proposed rezoning from HGB to CBD is consistent and compatible with the city's land use and development plans, goals and objectives. As noted above, the Project falls within the Downtown Activity Center (DAC) and Community Activity Center (CAC) FLU designations, and the southern portion of the Project is within the Cobb Parkway Commercial Corridor. A substantial portion of the overall Project is currently zoned CBD, while that portion that is southeast of Keene Street (specifically Parcels 20016700420 and 20016700730 and 20016701160), is currently zoned HGB. The amendment to rezone such property to the CBD district would provide zoning consistency across the entire project. The Project is designed to provide a multi-use transition from Cobb Parkway to the downtown area, and to provide a link between these two areas which does not presently exist, and furthers the initiatives of the city's land use and development plans, goals and objectives.

2. **Would the proposed amendment tend to increase, decrease, or have no impact on traffic safety and congestion in the streets?**
   The HGB district generally permits more commercial types of use than the CBD, but the CBD permits office and residential uses otherwise not found in the HGB. Assuming the mix of uses permitted within the CBD, internally capturing vehicular trips, it is generalized that vehicular traffic generated by uses within the CBD zoning district would be relatively similar to, or possibly even less than, the vehicular trips generated by commercial uses within the HGB zoning district. The proposed amendment to rezone from HGB to CBD, therefore would not have an impact on traffic safety and congestion in the streets that would otherwise be permitted.

3. **Would the proposed amendment tend to increase, decrease, or have no relationship to safety from fire and other dangers?**
   The proposed amendment to rezone from HGB to CBD would have no relationship to safety from fire and other dangers that wouldn't already exist in the HGB district. By allowing consistent development standards across the entirety of the Project, fire safety may actually be increased due to consistency of development methodologies.

4. **Would the proposed amendment tend to promote, diminish, or have no influence on the public health and general welfare of the city?**
   The amendment to the CBD district would promote the public health and general welfare of the city. It is envisioned that the central park plaza space proposed in the Project will offer ample seating and broad walkways, landscaped focal points, shading through raised planters and ornamental trees, open lawn space, an outdoor stage/performance area, a water fountain, and patterned pavement surfaces.

This central park/plaza will serve as a flexible space for open air events, including farmers markets and festivals, thus encouraging the active outdoor community which will be a central theme of the project. If the rezoning is not granted, the ability of the Project to include the expansive public plaza would be limited due to design constraints.

5. **Would the proposed amendment tend to increase, decrease, or have no influence on the adequate [provision] of light and air?**
   The proposed amendment would have no influence on the adequate provision of light and air.

6. **Would the proposed amendment tend to cause, prevent, or have no influence on the overcrowding of land?**
   The amendment from HGB to the CBD district would encourage the development of multiple adjacent parcels in a cohesive design of a mix of uses that would tend to prevent overcrowding of land, while maintaining open spaces and connections between Cobb Parkway and the Kennesaw downtown. The rezoning will increase the ability of the developer to provide a large park/plaza in the center of the development due to increased flexibility in the layout of buildings within the project.

7. **Would the proposed amendment tend to cause, prevent, or have no relationship on the population distribution within the city, thus creating any area so dense in population as to adversely affect the health, safety, and general welfare of the city?**
   While granting the requested rezoning will allow for the construction of residential units within the rezoned area, the net number of units within the overall Project are not affected. Rather, the rezoning will allow for the large park/plaza to be included within the area currently zoned CBD, rather than being used for more dense development thereon, and as such the rezoning does not have an effect on the overall residential density of the Project. Further, the overall density of the Project does not create an area so dense in population as to adversely affect the health, safety, and general welfare of 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 amendment to the CBD district would not impede upon the adequate provision of transportation, water, sewerage, other public services, utilities or 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 amendment to CBD from HGB would be compatible with environmental conditions, and the amendment would not diminish the value, use or enjoyment of surrounding properties. The rezoning will allow for the inclusion of the proposed park/plaza in the development, thereby creating beneficial environmental conditions for residents of the Project.

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 not require the expenditure of any public funds to serve the Project. The developer will construct all necessary road improvements and utilities connections necessary to serve the Project. In addition, while the Project contemplates the abandonment of a portion of the existing right of way of Keene Street, the developer intends to either donate back to the City alternative right of way, or to compensate the City in full for such abandoned right of way.

11. **Would the proposed amendment tend to promote, diminish, or have no influence upon the aesthetic effect of existing and future uses of the property and the surrounding area?**
    The proposed rezoning from HGB to CBD for consistent zoning of the proposed Project would promote the aesthetic of the existing and future uses of the property and surrounding area. The Project is a mix of residential and commercial uses coupled with a park/plaza space that serves the proposed residents of the Project as well as the overall Kennesaw community. The Project's multi-story buildings are of a scale and architectural treatment which complement the downtown area, while providing a significant upgrade to the Cobb Parkway corridor, and create a sense of place. The Project is designed to provide a multi-use transition from Cobb Parkway to the downtown area, and to provide a link between these two areas which does not presently exist. In addition, the Project contemplates providing appropriate screening from, and accommodation for, the adjoining City cemetery.

12. **Would the proposed amendment have measurable adverse economic effect on the value of surrounding or adjacent property?**
    The proposed rezoning from HGB to CBD should increase the value of adjoining properties by kickstarting the redevelopment of properties along with Cobb Parkway corridor within the City. It is anticipated that the residents and patrons of the Project will also support other local Kennesaw business in the surrounding area.

13. **Would the proposed amendment create an isolated district unrelated to adjacent and nearby districts?**
    The proposed rezoning from HGB to CBD would not create an isolated district unrelated to adjacent and nearby districts. The properties adjoining the parcels sought to be rezoned to the north and west are generally all zoned CBD.

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

Darryl Simmons
Planning & Zoning Administrator

VARIANCE APPLICATION

If property identified is located within the Kennesaw Historic District and there are 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.

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

Commission meetings are held on the 1st Wednesday of each month at 7:00 P.M.
The Mayor and Council meetings are held the first and third Monday of the month at 6:30 P.M.
Both meetings are held in the City Hall Council Chambers, 2529 J.O. Stephenson Avenue.

When the application and all checklist items have been properly completed and filed with the Planning and Zoning Department, the applicant will be notified of the date of hearing(s).

- ☑ **Application completed, signed and notarized**
- ☑ **Variance fees paid** ***Required Fee $375.00***
- ☑ **Provide directions from City Hall to Subject Property**
- ☑ **A copy of the warranty deed for said property that includes the full legal description/ in word format.**
- ☑ **A copy of the current taxes paid in full for said property from the Cobb County Tax and City of Kennesaw Tax Departments**
- ☑ **Current copy of boundary survey and plot plan, to scale, prepared by a registered surveyor or registered engineer. Such plans shall also include such other information thereon as may be required by the zoning department, including preliminary plans for development, building locations, parking areas, access points, adjacent streets, land lot lines, buffer areas, future right of way, wetlands, floodplains, utilities and retention. Copy sized 81/2 x 11 inches.**
- ☑ **Applicant or agent must be present at all public hearings**
- ☑ **Documentation authorizing petitioner to submit application by property owners if petitioner is not owner**
- ☑ **Completed application and supporting documents listed on one Flash Drive or email to dsimmons@kennesaw-ga.gov in PDF format**

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

CONSISTENT WITH THE UNITED STATES CONSTITUTION AND THE RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT OF 2000, THE CITY OF KENNESAW DOES NOT DISCRIMINATE ON THE BASIS OF RELIGION IN THE APPLICATION OF ITS LAWS, POLICIES, OR PROCEDURES, INCLUDING THE APPLICATION OF ITS LAND USE REGULATIONS AND ZONING LAWS.

Under the Religious Land Use and Institutionalized Persons Act of 2000 ("RLUIPA"), no government, including the City of Kennesaw, may apply its zoning or land use laws in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution. RLUIPA also provides that no government, including the City of Kennesaw, may apply a land use regulation in a manner that treats a religious assembly or institution (a church, for example) on less than equal terms than a nonreligious institution or assembly (a day care center or movie theater, for example). Finally, RLUIPA provides that no government, including the City of Kennesaw, may impose or implement a land use regulation in a manner that discriminates against a religious assembly or institution.

If you believe that the City of Kennesaw, or any other local government or municipality, has discriminated against you in the implementation of its zoning or land use laws, please contact the United States Department of Justice at:

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

ZV2023-04

Date Received 10/20/23

Staff's Initials NF

VARIANCE APPLICATION

Required Fee $375.00

Is this property located within the Kennesaw Historic District (yes) X portion NW of Keene St (no) X portion SE of Keene St

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 10/19/23 Staff's Initials _____

PURPOSE OF VARIANCE REQUEST The purpose of the variances requested are to allow for a mixed-use development centered around a large public square See attached LOI for details of eachvariance request.

LAND USE PROPERTY ADDRESS 667 Keene Street; Keene Street; 2570 N Cobb Parkway; and 2590 Keene Street

Land Lot 166 & 167 Tax Parcel 20016700340; 20016603670; 20016701180*. 20016700730; 20016700420 (*Tax Parcel identified on Cobb County, GA qPublic.net) Lot Size 12.3 Current Zoning CBD & HGB (CBD rezone requested)

APPLICANT Kennesaw Square Development, LLC

APPLICANT EMAIL nsirang@concordwilshire.com

Applicant address 2160 Kingston Court SE, Suite B; Marietta, GA 30067

(Home#)_____(Work#) 305-428-2528 (Cell#) _____

Applicant Signature _____

Signed, sealed and delivered in presence of: _____

Notary **Date**

REPRESENTATIVE_____

(Fax #)_____(Work#)_____(Cell#) _____

Representative Signature _____

Signed, sealed and delivered in presence of: _____

Notary **Date**

TITLEHOLDER: Piedmont Residential, LLC **Telephone:**

Address: 285 Parkway 575; Woodstock, GA 30188

Signature_____

Signed, sealed and delivered in presence of: Christy P. Houchins 10/16/23

Notary **Date**

CHRISTY P HOUCHINS NOTARY PUBLIC COBB COUNTY, GEORGIA MY COMMISSION EXPIRES APRIL 03, 2026

City of Kennesaw, GA

CENTRAL BUSINESS DISTRICT
PROJECT APPROVAL

Date Received 10/20/23
Staff's Initials NF

Is this property located within the Kennesaw Historic District (yes) x lots north of Keene St. (no) x lots south of Keene Street ?

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

Date Received _____ Staff's Initials _____

Procedures for filing for CBD Approval:

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

CBD Approval Process:

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

PROPERTY ADDRESS 667 Keene Street; Keene Street; 2570 N Cobb Parkway; and 2590 Keene Street

Land Lot 166 & 167 Tax Parcel 20016700340; 20016701180* 20016603670; ~~20016701130~~; 20016700730 and 20016700420 Lot Size 12.3 Present Zoning CBD & HGB (CBD rezone requested)

Proposed Project for Property
Kennesaw Square - a Mixed-Use Development (multi-family residential, commercial retail, and park/plaza)

Add additional sheet if necessary

APPLICANT Kennesaw Square Development, LLC

APPLICANT EMAIL nsirang@concordwilshire.com

Applicant address 2160 Kingston Court SE, Suite B; Marietta, GA 30067

(Fax #)_____ (Work #) _____ (Cell #) _____

Applicant Signature _____

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

TITLEHOLDER: B N Auto Parts Company **Telephone:** 675 860 2801

Address: 2864 Wood Park Terrace; Kennesaw, GA 30152

Signature _____

Signed, sealed and delivered in presence of: _____ 10-17-23
Notary **Date**

RACHEL WORTHAN NOTARY PUBLIC COBB COUNTY, GEORGIA MY COMMISSION EXPIRES MAY 25, 2025

Z\P&Z FORMS\Applications 2020

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:

	COMMENTS
There is extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.	Please see attached statement.
The application of this chapter to this particular piece of property would create practical difficulty or unnecessary hardship.	Please see attached statement.
Such conditions are peculiar to the particular piece of property involved.	Please see attached statement.
Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this chapter.	Please see attached statement.

CAMPAIGN DISCLOSURE REPORT[1] BY APPLICANT[2]

A separate form must be completed by each applicant

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

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

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

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

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

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

I certify that the foregoing information is true and correct, this 16th day of October, 2023

Applicants Signature

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

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

CAMPAIGN DISCLOSURE REPORT[1] BY APPLICANT[2]

A separate form must be completed by each applicant

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

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

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

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

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

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

I certify that the foregoing information is true and correct, this 17th day of October, 2023

Applicants Signature

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

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A separate form must be completed by each applicant

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No

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

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

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

_____

_____

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 16 day of October, 2023

_____

Applicants Signature

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

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CALIFORNIA ACKNOWLEDGMENT CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of LOS ANGELES }

On OCTOBER 16, 2023 before me, THERESA CURA, NOTARY PUBLIC,
Date *Here Insert Name and Title of the Officer*

personally appeared NATE SIRANG
Name(s) of Signer(s)

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.

THERESA CURA
Notary Public - California
Los Angeles County
Commission # 2367220
My Comm. Expires Jul 22, 2025

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 _____
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: CENTRAL BUSINESS DISTRICT PROJECT APPROVAL

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____	Signer's Name: _____
☐ Corporate Officer – Title(s): _____	☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General	☐ Partner – ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	☐ Trustee ☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer is Representing: APPLICANT	Signer is Representing: _____

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CALIFORNIA ACKNOWLEDGMENT CIVIL CODE § 1189

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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.

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☐ Partner – ☐ Limited ☐ General	☐ Partner – ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	☐ Trustee ☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer is Representing: TITLE HOLDER	Signer is Representing: _____

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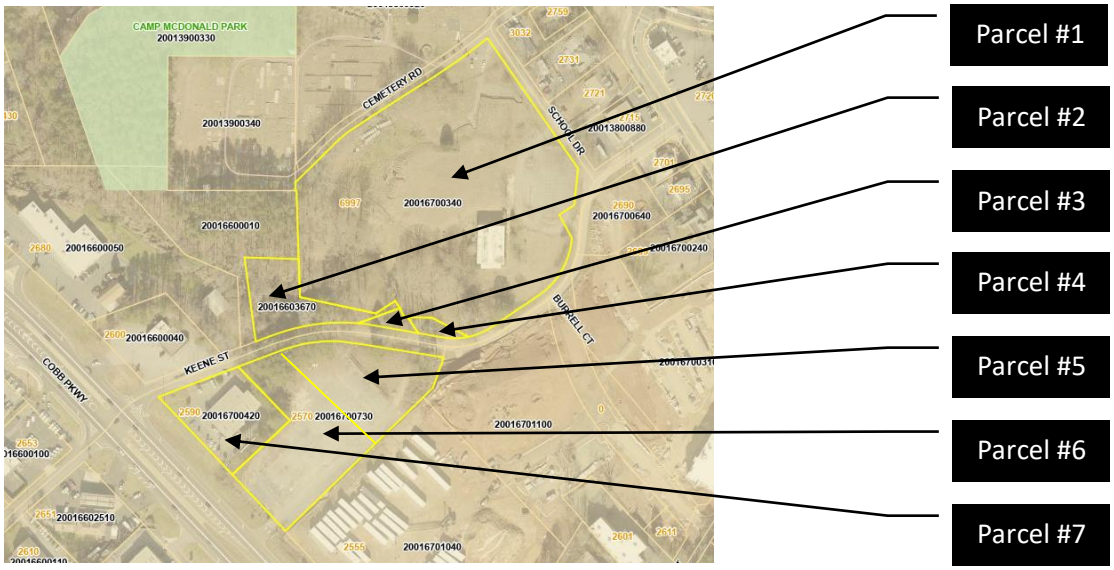
KENNESAW SQUARE

LETTER OF INTENT

Variance Application Request

Project Summary

The proposed Kennesaw Square mixed-use development project (the "Project") is comprised of several adjacent tax parcels along with certain portions of the existing Keene Street Right-of-Way (ROW) proposed to be abandoned subject to approval by the City of Kennesaw. The Project totals 12.3 acres and includes each of the tax parcels outlined in the graphic and table below:



Existing Parcel	Parcel Number	Location Address	Owner	FLU	Existing Zoning	Proposed Zoning	Within KDDA	Within Historic District
1	20016700340	6997 Keene Street	Piedmont Residential LLC 285 Parkway 575 Woodstock, GA 30188	DAC	CBD	CBD	Yes	Yes
2	20016603670	Keene Street	Kennesaw City Storage LLC 1450 Brickell Ave, Suite 2560 Miami, FL 33131	DAC	CBD	CBD	Yes	Yes
3	** (see note) 20016701130 (partial)	Keene Street	Kennesaw City Storage LLC 2160 Kingston CT SE, Suite B Marietta, GA 30067	DAC	CBD	CBD	Yes	Yes
4	20016701130 (partial)	Keene Street	Redwood Development LLC 2160 Kingston CT SE, Suite B Marietta, GA 30067	DAC	CBD	CBD	Yes	Yes
5	20016700730	2570 N Cobb Pkwy	Kennesaw City Storage LLC 2160 Kingston CT SE, Suite B Marietta, GA 30067	CAC	HGB	CBD	Yes	No
6	20016701160	2570 N Cobb Pkwy	Kennesaw City Storage LLC 2160 Kingston CT SE, Suite B Marietta, GA 30067	CAC	HGB	CBD	Yes	No
7	20016700420	2590 Keene Street	B N Auto Parts Company 2864 Wood Park Terrace Kennesaw, GA 30152	CAC	HGB	CBD	Yes	No

Note:
*Existing Keene Street ROW adjacent to subject parcels, to be abandoned (subject to approval by City of Kennesaw), and included in proposed Kennesaw Square project.
**Tax Parcel identified as 20016701180 on Cobb County, GA qPublic.net

The bulk of the acreage included in the Project is presently zoned Central Business District (CBD), while the three parcels located to the southeast of the remaining Keene Street right of way are presently zoned Highway General Business (HGB), but have been requested to be zoned CBD in order to have consistency across the entirety of the Project. Generally, all of the parcels included within the Project are within the Kennesaw Downtown Development Authority (KDDA), while the parcels northwest of Keene Street are also in included in the Historic District. The parcels southeast of Keene Street (which are subject to rezoning) are not located within the Historic District.

The parcels northwest of Keene Street have a Future Land Use designation of Downtown Activity Center (DAC), while the parcels southeast of Keene Street have a Community Activity Center (CAC) designation. The proposed development is consistent with each future land use designation.

Proposed Development

The Project is planned as a mixed-use development incorporating multi-family residential, commercial retail and a park/plaza area. The commercial aspects of the Project are intended to serve not only the proposed residents of the Project, but also the surrounding neighborhoods, the entire Kennesaw community, as well as the broader regional area by taking advantage of the Cobb Parkway transportation corridor. The Project is intended to provide ample parking for both residents and visitors, and will also provide pedestrian and alternative transportation connections to Main Street and downtown Kennesaw.

The Project is proposed to include a total of 410 multi-family residential units encompassing 367,250 gross square feet of building area, spread among four mixed use buildings. In addition, the project will include a total of 130,600 gross square feet of commercial retail space spread across the four multi-use buildings as well as four solely commercial buildings.[1] The commercial retail buildings proposed closest to Cobb Parkway are single story surrounded by surface parking in keeping with the commercial corridor of the parkway. North of the single-story retail buildings, and closer to downtown, a series of four multi-use buildings, each either five or six-stories in height, will include multi-family residential units over ground-floor retail. In partnership with the KDDA, the Project is proposing a six-story parking structure of 1,110 parking spaces so as to minimize the footprint of the development and allowing for the construction of a park/plaza area rather than additional surface parking. The garage facades internal to the Project will be lined with multifamily residential and ground floor retail, which will also front upon the park/plaza space. An additional 288 surface parking spaces are included within the Project, resulting in total proposed parking of 1,398 spaces, which is sufficient to accommodate not only the residents of the project, but also customers and visitors from the Kennesaw community and surrounding region.

It is envisioned that the central park plaza space will offer ample seating and broad walkways, landscaped focal points, shading through raised planters and ornamental trees, open lawn space, an outdoor stage/performance area, a water fountain, and patterned pavement surfaces. This central park/plaza will

[1] This Project is below the threshold of a Development of Regional Impact (DRI), and is therefore not subject to the Atlanta Regional Commission (ARC) DRI review process. The Project is below the threshold of 500,000 square feet of mixed-use development - which is the ARC threshold for multi-use developments in established and developing suburbs. The Project is also below the threshold of 500 new housing units and 400,000 square feet of commercial square footage which would alternatively trigger a DRI review.

serve as a flexible space for open air events, including farmers markets and festivals, thus encouraging the active outdoor community which will be a central theme of the project.

Consistency with Zoning District

The portion of the Project that is northwest of the existing Keene Street ROW is currently zoned Community Business District (CBD), while that portion of the Project that is southeast of Keene Street (specifically Parcels 20016700420 and 20016700730 and 20016701160), is currently zoned Highway General Business (HGB), although an application has been made to rezone such property to the CBD district to provide zoning consistency across the entire project. While there are no existing buildings located on the property that are needed to be protected, the CBD zoning district provides for the stimulation and enhancement of the vitality and economic growth of this area. The proposed Project is consistent with the CBD zoning district guidelines as it is a development intended to create an environment where residents and visitors can live, work, meet and play amongst a balance of mixed uses designed around a central public square, and encourages and facilitates pedestrian movement and convenient access to the Historic Downtown Kennesaw and a link to the Cobb Parkway corridor which does not presently exist.

While the Project is consistent with the intent and uses permitted in the CBD zoning district, there are certain applicable development requirements which the developer desires to vary from in order to develop the Project in a manner consistent with market conditions and which are consistent with other similar developments in the region. These variances are requested so as to allow for a successful project that will be both physically attractive and financially successful.

Variance Requests

Variance Request #1:
Section 4.02.03.B.3.a: Site Design Standards for Central Business District, Minimum Front Setback.

Required:

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

Proposed:

The existing structures located along the Cobb Parkway right-of-way are setback various distances, ranging from approximately 40 feet to 85 feet with an average of 58 feet. The proposed structures located along Cobb Parkway are setback approximately 6.5 feet. The applicant is seeking a variance from this development regulation so as to allow the placement of the buildings along Cobb Parkway as indicated on the Site Plan.

Variance Request #2:
Section 4.02.03.B.4: Site Design Standards for Central Business District, Maximum Building Height, and Section 5.2.03: Historic District Design Guidelines, Building Mass, Scale & Form.

Required:
4.02.03.B.4: Subject to Historic District Design Guidelines.
5.2.03: Mixed use, and nonresidential construction in nonresidential character areas shall not exceed three (3) stories in height; and mixed use and nonresidential construction in residential character areas shall not exceed two (2) stories in height.

Proposed:
While there is no specific building height requirement, the Kennesaw Historic District guidelines limit new construction to three stories. Variances are requested so as to allow the four and five story buildings proposed despite the Kennesaw Historic development regulations. It is noted that there are no proximate historical structures that need to be matched, and as such the proposed heights will not conflict with any adjacent developments. Because this Project is designed to be accessed from Cobb Parkway, and is a Cobb Parkway revitalization Project, the height limitations designed to be consistent with existing historic structures is not applicable.

Variance Request #3:
Section 4.02.03.G.1: Site Design Standards for Central Business District, Residential Development Standards, Condominiums, Minimum Floor Area:

Required:
G. Residential Development Standards
    1. Condominiums: Minimum floor area for all units - 1,000 square feet

Proposed:
The applicant is seeking a variance from the minimum floor area requirement of 1,000sf to allow Studio and One-bedroom units ranging in size from 560sf to 800sf. These minimum floor area sizes are consistent with current market trends for high-density mixed-use developments geared toward young professionals and active adults. These sizes are similar apartments located at The Avalon in Alpharetta.

Variance Request #4:
Section 4.02.03.G.2.b: Site Design Standards for Central Business District, Residential Development Standards, Mixed use retail/residential with residential on second floor, Gross Floor Area occupied by residential:

Required:
G. Residential Development Standards
    2. Mixed use retail/residential with residential on second floor:
        b. The gross floor area occupied by residential uses shall not exceed seventy-five (75) percent of the total gross floor area of the buildings or individual structures.

Proposed:

The applicant is seeking a variance from the standard limiting the gross floor area occupied by residential uses not exceeding 75% of the total gross floor area of the buildings or individual structures. While the applicant proposes non-residential uses on the ground floor, due to the increased number of stories above the non-residential uses, the floor area occupied by residential use exceeds the minimum standard. The overall square footage of the development provides for 130,600 gross square feet of commercial and retail space, and 367,250 gross square feet of residential space. This results in an overall allocation of approximately 74% residential area as against 26% commercial and retail area.

Variance Request #5:

Section 4.02.03.G.2.c: Site Design Standards for Central Business District, Residential Development Standards, Mixed use retail/residential with residential on second floor, Minimum Floor Area:

Required:

G. Residential Development Standards
    2. Mixed use retail/residential with residential on second floor:
        c. Minimum floor area for all residential units—1,000 square feet

Proposed:

As noted above, the applicant seeks a variance on the minimum size of all residential units. Applicant seeks a variance to allow for the minimum floor area for all residential units is 560 square feet and 800 square feet for Studio and One-bedroom units.

Variance Request #6:

Section 4.02.03.G.5.d: Site Design Standards for Central Business District, Residential Development Standards, For-Rent Residential Apartment Units, Minimum Floor Area:

Required:

For-Rent Residential Apartment units:

d. Units with a floor plan totaling the minimum of 850 square feet can be utilized for no more than 30 percent of the total apartment units for the project.

Proposed:

Based upon the proposed minimum square footage of each apartment, coupled with the anticipated mix of unit types, the applicant seeks a variance to allow for a minimum apartment size of 560 square feet, but agrees that such units shall not account for more than 15% of the total units of the Project. Further, applicant seeks to allow a total of 70% of the units in the Project to be less than 850 square feet in size.

Variance Request #7:
Article 6: Stream Buffer Ordinance. Section 46-440.1 and Section 46-440.2: Buffer and setback requirements:

Required:
Buffer and setback requirements.
All land development activity subject to this article shall meet the following requirements:

(1) An undisturbed natural vegetative buffer shall be maintained for 50 feet, measured horizontally, from both banks of the stream.
(2) An additional area setback shall be maintained for 25 feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling and earthmoving shall be minimized within the setback.
(3) No septic tanks or septic tank drain fields shall be permitted within the buffer or the setback area.

Proposed:
There is one section of exposed stream near the northwestern corner of the property which is approximately 150' in length. This stream is presently piped on both ends of this area. The Applicant seeks variances to allow this entire section of stream to be piped and to therefore eliminate all stream buffers associated therewith.

Variance Request #8
Kennesaw Historic District Design Standards, Section 5.4 *Exterior Walls*. This provision requires the use of architectural elements that are consistent with the downtown historic area, but are not consistent with this Project which is a revitalization of the Cobb Parkway corridor.

Proposed:
The Applicant seeks a variance from its need to comply with Section 5.4 of the Kennesaw Historic District Design Standards so as to allow for architectural treatments consistent with the architectural renderings submitted in conjunction with this application.

Variance Standards

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

Applicant shows that the standards from which it seeks variances are not consistent with a mixed-use development of this size and shape, which is located adjacent to Cobb Parkway and is designed as revitalization along the Cobb Parkway corridor. While the Historic District Standards are legally applicable to this property as it is located within the Historic District, there are no historical properties located on the site and as such the Project will not detract from, or be inconsistent with, any existing structures.

The application of this chapter to this particular piece of property would create practical difficulty or unnecessary hardship.

The application of the identified standards would prevent the development of this Property as proposed. The costs associated with creating a development of this magnitude which will include a parking deck and significant public plaza in the center require the efficient utilization of the property in a manner consistent with the desires of the market-place. The subject property does not have any buildings of historical

significance, and the design of the project to part of the Cobb Parkway corridor revitalization supports the requested variances.

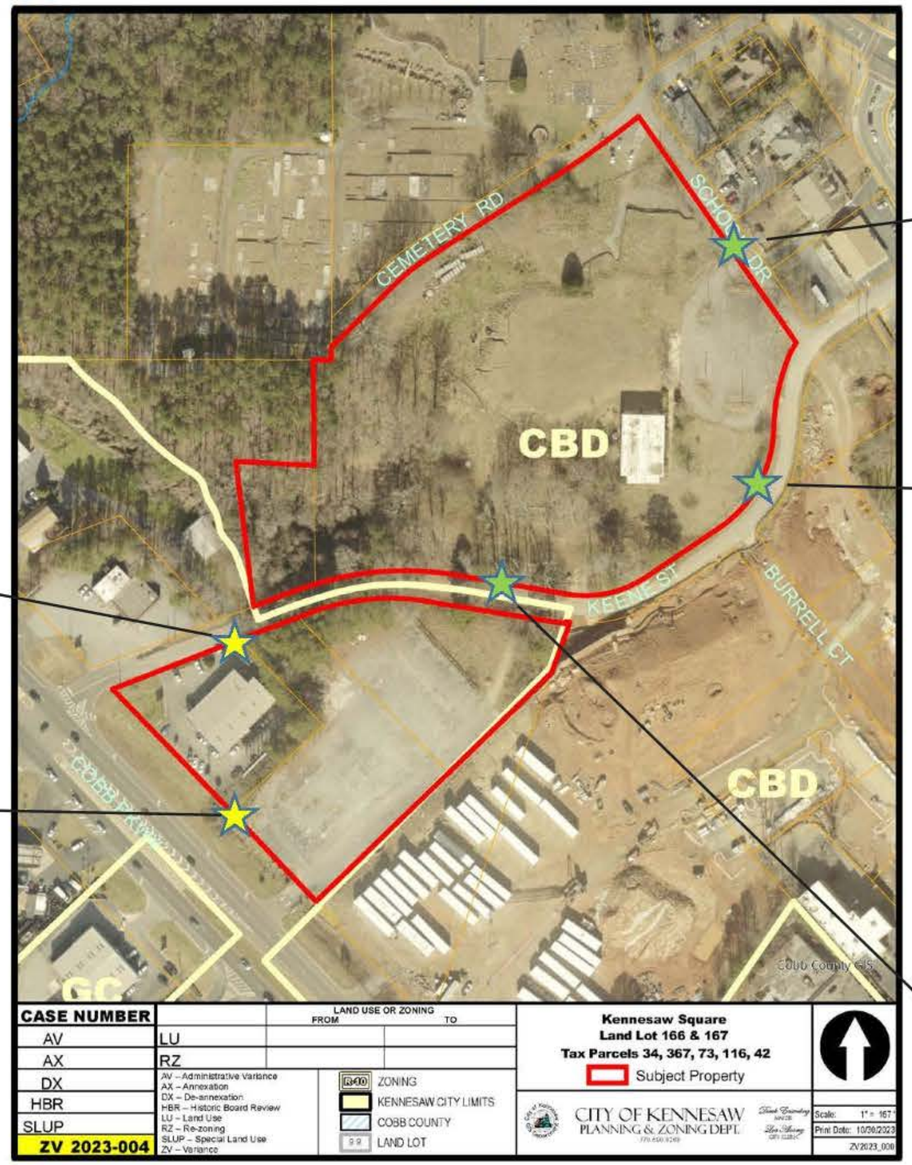
Such conditions are peculiar to the particular piece of property involved.

This property is uniquely located in that it is partially within the Historic District, but it fronts upon Cobb Parkway and does not include any structures of historic significance. As such, the grant of the requested variances are peculiar to this property.

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

Because this Project is uniquely situated, the grant of the requested variances will not impair the purposes or intent of the subject ordinances, nor will they be a detriment to the public good. The grant of the requested variances will further the intent and desire of the City of Kennesaw to begin the revitalization of the Cobb Parkway corridor and will provide a significant benefit to the community.

Yellow star = rezoning sign Green star = variance sign



CITY OF KENNESAW
LAND USE NOTICE
APPLICATION # RZ2023-05
PURPOSE Rezoning from Highway General Business (HGB) to Central Business District (CBD)
DATE OF PUBLIC MEETING: 12/6/2023 TIME: 6:30PM
DATE OF PUBLIC MEETING: 12/18/2023 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
11.21.2023 11:20

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DEAN PHILLIPS LAW
OUTFRONT
CITY OF KENNESAW
LAND USE NOTICE
APPLICATION # RZ2023-05
PURPOSE Rezoning from Highway General Business (HGB) to Central Business District (CBD)
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FOR FURTHER INFORMATION PLEASE CALL:
PLANNING AND ZONING DEPARTMENT 770-590-8268
11.21.2023 11:17

CITY OF KENNESAW
LAND USE NOTICE

APPLICATION # ZV2023-04

PURPOSE VARIANCES

DATE OF PUBLIC MEETING: 12/6/2023 TIME: 6:30PM

DATE OF PUBLIC MEETING: 12/18/2023 TIME: 6:30PM

PLACE: CITY HALL KENNESAW, GA

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For specific public meeting guidelines and access to all application information please visit our website

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FOR FURTHER INFORMATION PLEASE CALL:

PLANNING AND ZONING DEPARTMENT 770-590-8268

11.21.2023 11:13

CITY OF KENNESAW
LAND USE NOTICE

APPLICATION # ZV2023-04

PURPOSE VARIANCES

DATE OF PUBLIC MEETING: 12/6/2023 TIME: 6:30PM

DATE OF PUBLIC MEETING: 12/18/2023 TIME: 6:30PM

PLACE: CITY HALL KENNESAW, GA

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HTTP://WWW.KENNESAW-GA.GOV

FOR FURTHER INFORMATION PLEASE CALL :

PLANNING AND ZONING DEPARTMENT 770-590-8268

11.21.2023 11:23

CITY OF KENNESAW
LAND USE NOTICE

APPLICATION # ZV2023-04

PURPOSE VARIANCES

DATE OF PUBLIC MEETING: 12/6/2023 TIME: 6:30PM

DATE OF PUBLIC MEETING 12/18/2023 TIME: 6:30PM

PLACE: CITY HALL KENNESAW, GA

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KENNESAW GA 30144

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Item Report

TO: The Honorable Mayor and City Council

FROM: Darryl Simmons, Zoning Administrator

DATE: December 18, 2023

TITLE: Consideration for approval of a variance application submitted by Kennesaw Square Development, LLC for the properties located at 6997 Keene Street (20016700340), Keene Street (20016603670, 20016701130), 2570 N Cobb Parkway (20016700730, 20016701160), and 2590 Keene Street (20016700420). Case #ZV2023-04.

Summary:
The proposed request is to vary from the Unified Development Code for parcels listed above.

Approved December 6, 2023, at a special meeting called by the Historic Preservation Commission with the following conditions:

- Design may vary from Kennesaw Historic District Design Standard 5.2.03 regarding building height.
- Design updates must be submitted to the Historic Preservation Commission at 25, 50, 90, and 100 percent completion until the approval of the final project.
- Design updates must include landscaping plans to be submitted to the Historic Preservation Commission for review.
- The applicant will maintain consistency with HPC guidelines with the variance approval for section 5.4 of the Kennesaw Historic District Design Standards regarding exterior features.
- The mass and scale of the buildings that face the cemetery will be considered in the plan review process.
- A commemorative plaque or monument approved by the HPC should be prominently placed within the development to recognize the historic area of Camp McDonald.

Recommendation:

The Zoning Administrator recommends approval with consideration of the conditions outlined by the Historic Preservation Commission.

Fiscal Impact:

Attachments:
1. 23-12-06_Kennesaw Square VARIANCES (002)
2. PACKET - VARIANCE-APPLICATION.Kennesaw Square_Redacted
3. 12-15-23 COMBINED-RZ2023-05_ZV2ennesawSquare ds final version 33
4. 12-06-2023 HPC Draft Minutes
5. 12-06-2023 Planning Commission Action Minutes
6. 23-12-08 Kennesaw Square Letter of Intent Variance R1
7. ZV2023-04 - Legal Ad Confirmation
8. ZV2023-04 Mailing Certifications
9. Kennesaw Square County Notification Letter
10. Kennesaw Square Signs
11. Kennesaw Square Mailing Certifications to City Properties

Kennesaw Square Variance Requests

City of Kennesaw, GA

Planning Commission (PC)

December 6, 2023

Variance #1 – Front Setback “Build-to-Line”, Cobb Parkway

Section 4.02.03.B.3.a: Site Design Standards for Central Business District, Minimum Front Setback.

Required:

3) Minimum Setbacks

a. Front – Established to “build-to-line” which equals the averaged distance from the property lines measured from the existing structures along right-of-way adjoining properties as measured from existing structures.

Proposed:

The existing structures located along the Cobb Parkway right-of-way are setback various distances, ranging from approximately 40 feet to 85 feet with an average of 58 feet. However, based upon the revitalization plan for Cobb Parkway, the proposed structures located along Cobb Parkway are setback approximately 6.5 feet. The requested variance will allow the placement of the buildings along Cobb Parkway as indicated on the Site Plan, which is consistent with Kennesaw’s vision for Cobb Parkway.

Variance #2 – Building Mass, Scale & Form

Section 4.02.03.B.4: Site Design Standards for Central Business District, Maximum Building Height, and Section 5.2.03: Historic District Design Guidelines, Building Mass, Scale & Form.

Required:

4.02.03.B.4: Subject to Historic District Design Guidelines.

5.2.03: Mixed use, and nonresidential construction in nonresidential character areas shall not exceed three (3) stories in height; and mixed use and nonresidential construction in residential character areas shall not exceed two (2) stories in height.

Proposed:

There are no historical buildings within proximity to the site which require that historical height limits be maintained. As such, the applicant seeks variances for 5 of the 10 buildings included in the development. The HPC has recommended approval of this variance.

Building #	Building Type	Proposed # of Stories	Variance (> 3 Stories)
1	Retail	1	No
2	Retail	1	No
3	Retail	1	No
4	Retail	1	No
5	Mixed-Use	4	Yes
6	Mixed-Use	5	Yes
7	Mixed-Use	5	Yes
8	Mixed-Use	6	Yes
9	Mixed-Use	6	Yes
10	Commercial	1	No

Variance #3 and # 5 and #6 – Minimum Floor Area

Variance #3: Section 4.02.03.G.1: Site Design Standards for Central Business District, Residential Development Standards, Condominiums, Minimum Floor Area:

Required:

G. Residential Development Standards

1. Condominiums: Minimum floor area for all units - 1,000 square feet

Proposed:

The applicant is seeking a variance from the minimum floor area requirement of 1,000sf for the proposed condominium units to allow one-bedroom condominium units at a minimum size of 725sf. These minimum floor area sizes are consistent with current market trends for high-density mixed-use developments geared toward young professionals and active adults.

Variance #3 and # 5 and #6 – Minimum Floor Area

Variance #5: Section 4.02.03.G.2.c: Site Design Standards for Central Business District, Residential Development Standards, Mixed use retail/residential with residential on second floor, Minimum Floor Area:

Required:

G. Residential Development Standards

2. Mixed use retail/residential with residential on second floor:

c. Minimum floor area for all residential units—1,000 square feet

Proposed:

The applicant seeks a variance on the minimum size of all residential units. Applicant seeks a variance to allow for the minimum floor area for all residential units to allow for studio units at a minimum size of 600 square feet and one-bedroom units at a minimum size of 725 square feet.

Variance #3 and # 5 and #6 – Minimum Floor Area

Variance #6: Section 4.02.03.G.5.d: Site Design Standards for Central Business District, Residential Development Standards, For-Rent Residential Apartment Units, Minimum Floor Area:

Required:

For-Rent Residential Apartment units:

d. Units with a floor plan totaling the minimum of 850 square feet can be utilized for no more than 30 percent of the total apartment units for the project.

Proposed:

Based upon the proposed minimum square footage of each apartment, coupled with the anticipated mix of unit types, the applicant seeks a variance to allow for a minimum apartment size of 600 square feet, provided that such units shall not account for a maximum of 10% of the total For-Rent apartment units of the Project. Further, applicant seeks to allow a total of not more than 55% of the For-Rent apartment units in the Project to be less than 850 square feet in size.

For-Rent Unit Type	Minimum Unit SF	Preliminary Unit Count	Ratio	Variance (<1,000 SF)
Studio	600	33	10%	Yes
1-Bedroom	725	152	45%	Yes
2-Bedroom	1,000+	133	39%	No
3-Bedroom	1,000+	19	6%	No
		337		

Variance #4 – Gross Floor Area Occupied by Residential

Section 4.02.03.G.2.b: Site Design Standards for Central Business District, Residential Development Standards, Mixed use retail/residential with residential on second floor, Gross Floor Area occupied by residential:

Required:

G. Residential Development Standards

2. Mixed use retail/residential with residential on second floor:

b. The gross floor area occupied by residential uses shall not exceed seventy-five (75) percent of the total gross floor area of the buildings or individual structures.

Proposed:

Variances are requested for individual buildings and the overall development as specified below. The applicant agrees that the overall project shall not exceed 78% residential uses.

Building #	Retail GSF	Residential GSF / %	Total GSF	Variance (Res GSF > 75%)
1	7,320		7,320	No
2	7,368		7,368	No
3	6,840		6,840	No
4	7,368		7,368	No
5	5,306	36,961 / 87%	42,267	Yes
6	12,000	80,672 / 87%	92,672	Yes
7	7,600	63,507 / 89%	71,107	Yes
8	21,800	78,320 / 78%	100,120	Yes
9	19,398	128,390 / 87%	147,788	Yes
10	15,000		15,000	No
Total	110,000	387,850 / 78%	497,850	Yes

Variance #7 – Stream Buffer

Article 6: Stream Buffer Ordinance. Section 46-440.1 and Section 46-440.2: Buffer and setback requirements:

Required:
Buffer and setback requirements.
All land development activity subject to this article shall meet the following requirements:

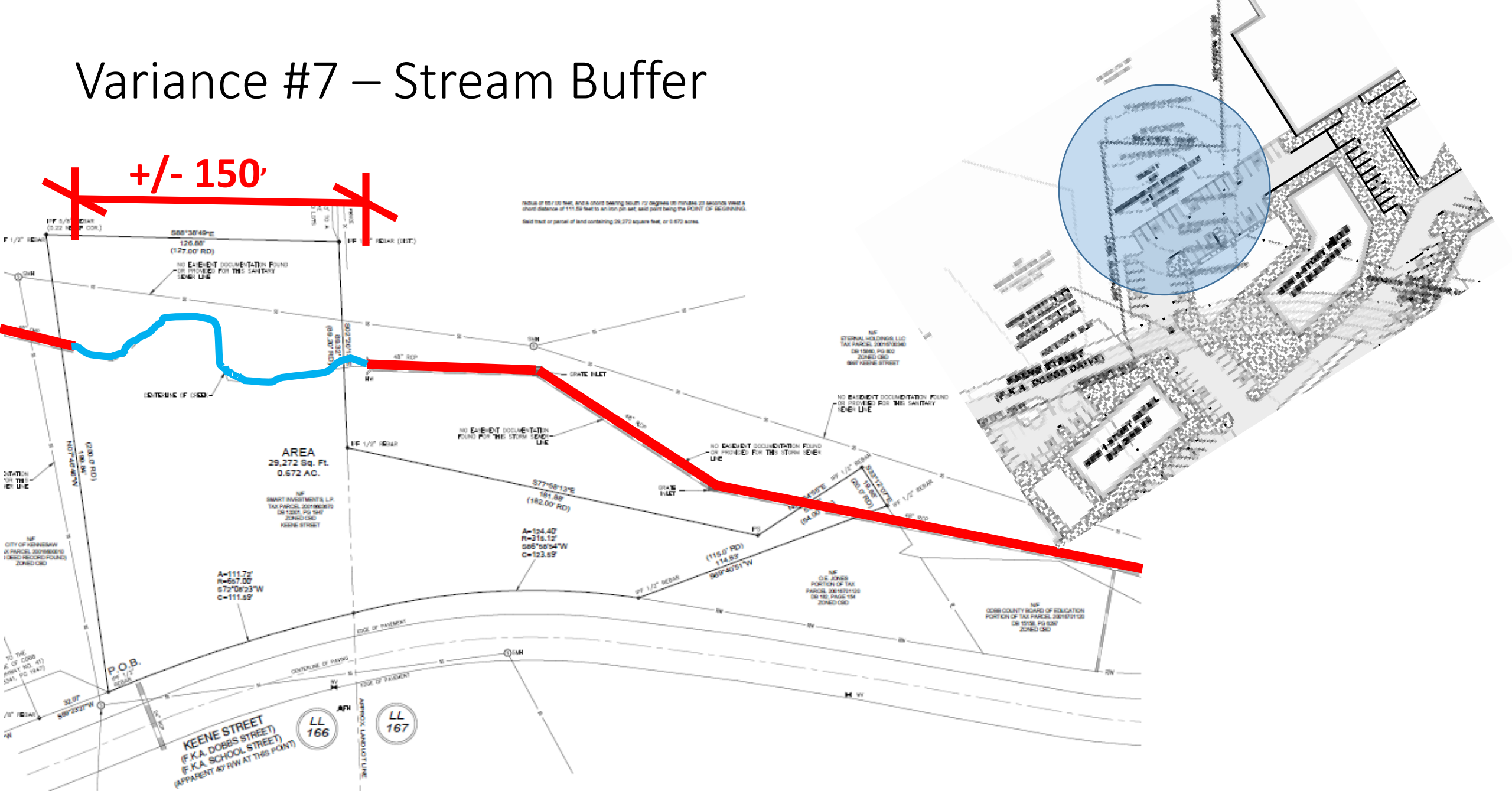
(1) An undisturbed natural vegetative buffer shall be maintained for 50 feet, measured horizontally, from both banks of the stream.

(2) An additional area setback shall be maintained for 25 feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling and earthmoving shall be minimized within the setback.

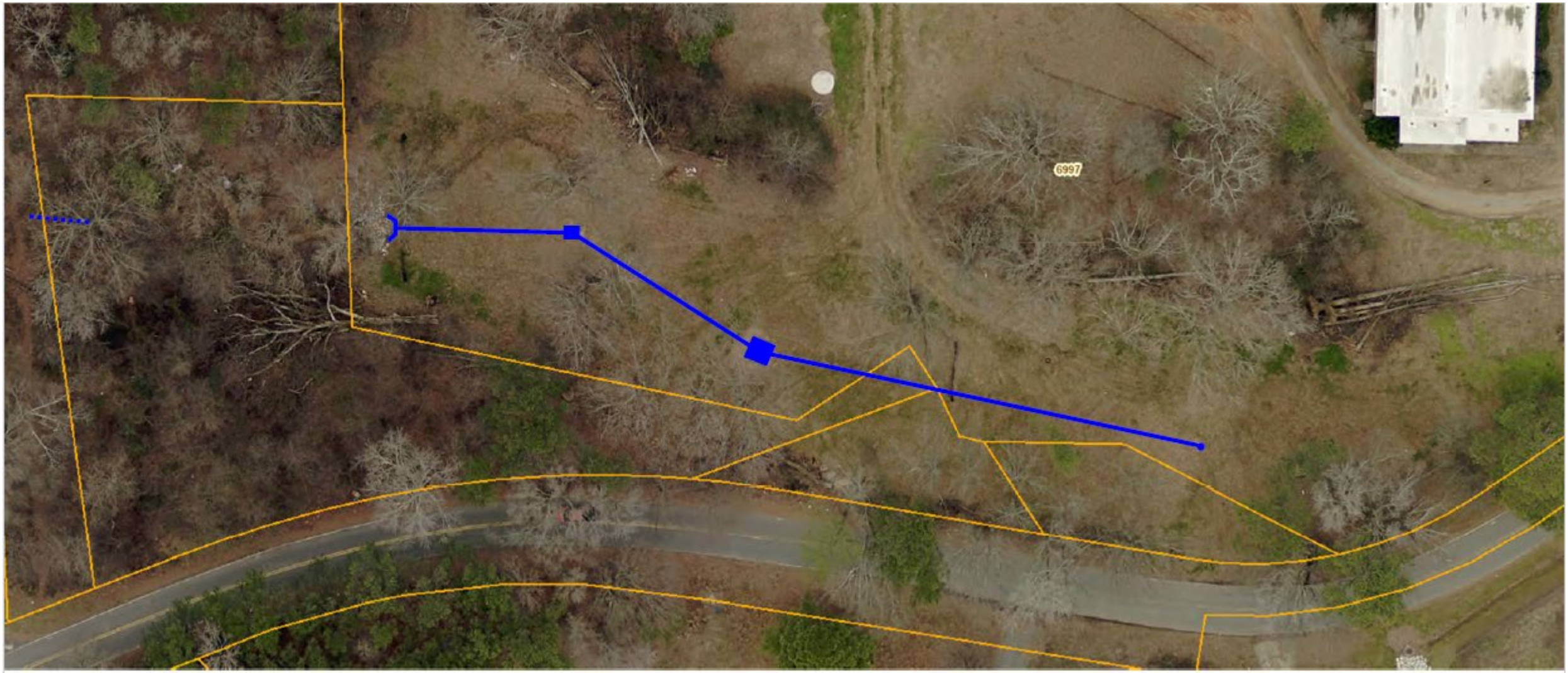
(3) No septic tanks or septic tank drain fields shall be permitted within the buffer or the setback area.

Proposed:
There is one section of exposed stream near the northwestern corner of the property which is approximately 150’ in length. This stream is presently piped on both ends of this area. The Applicant seeks variances to allow this entire section of stream to be piped and to therefore eliminate all stream buffers associated therewith. It appears that this section of the stream was not previously piped because the prior developer did not own this section of the property.

Variance #7 – Stream Buffer



Variance #7 – Stream Buffer



Variance #8 – Historic District Design Standards

Required:
Kennesaw Historic District Design Standards, Section 5.4 *Exterior Walls*. This provision requires the use of architectural elements that are consistent with the downtown historic area, but are not consistent with this Project which is a revitalization of the Cobb Parkway corridor.

Proposed:
The Applicant seeks a variance from its need to comply with Section 5.4 of the Kennesaw Historic District Design Standards so as to allow for architectural treatments consistent with the architectural renderings submitted in conjunction with this application. There are no existing historical buildings located on the subject property or adjacent thereto, and as such there are no historical examples to be matched. The applicant's proposed alternative architectural treatments are consistent with existing materials in the adjoin Kennesaw cemetery.

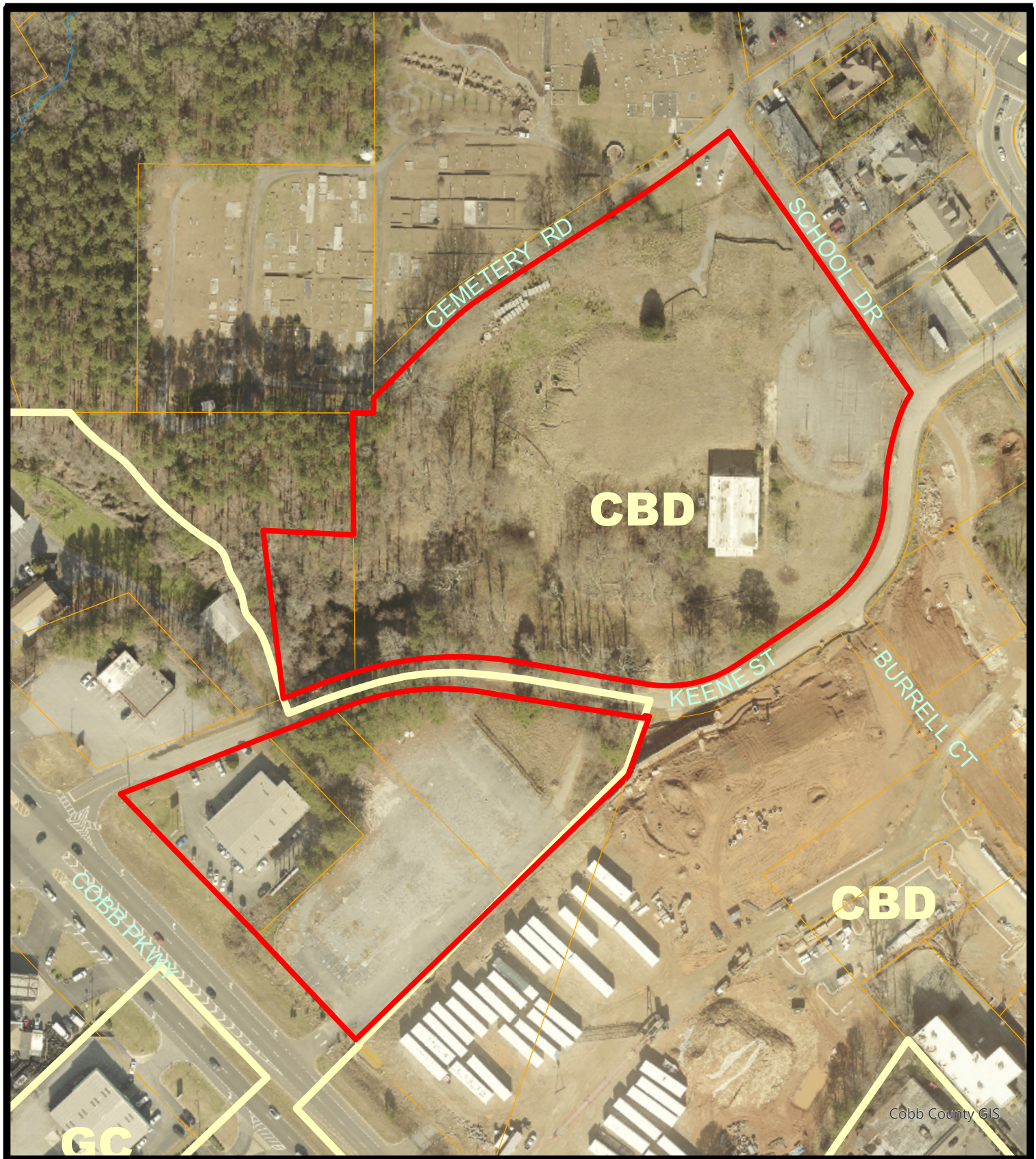
The HPC has recommended approval of this variance.

Thank You

City of Kennesaw, GA

Planning Commission (PC)

December 6, 2023



CASE NUMBER		LAND USE OR ZONING FROM	TO
AV	LU		
AX	RZ		
DX			
HBR			
SLUP			
ZV 2023-004			

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

Kennesaw Square
Land Lot 166 & 167
Tax Parcels 34, 367, 73, 116, 42
Subject Property

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

Derek Easterling MAYOR
Lea Alvarez CITY CLERK

Scale: 1" = 167 '
Print Date: 10/30/2023
ZV2023_000

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

Darryl Simmons
Planning & Zoning Administrator

VARIANCE APPLICATION

If property identified is located within the Kennesaw Historic District and there are 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.

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

Commission meetings are held on the 1st Wednesday of each month at 7:00 P.M.
The Mayor and Council meetings are held the first and third Monday of the month at 6:30 P.M.
Both meetings are held in the City Hall Council Chambers, 2529 J.O. Stephenson Avenue.

When the application and all checklist items have been properly completed and filed with the Planning and Zoning Department, the applicant will be notified of the date of hearing(s).

- ☑ **Application completed, signed and notarized**
- ☑ **Variance fees paid** ***Required Fee $375.00***
- ☑ **Provide directions from City Hall to Subject Property**
- ☑ **A copy of the warranty deed for said property that includes the full legal description/ in word format.**
- ☑ **A copy of the current taxes paid in full for said property from the Cobb County Tax and City of Kennesaw Tax Departments**
- ☑ **Current copy of boundary survey and plot plan, to scale, prepared by a registered surveyor or registered engineer. Such plans shall also include such other information thereon as may be required by the zoning department, including preliminary plans for development, building locations, parking areas, access points, adjacent streets, land lot lines, buffer areas, future right of way, wetlands, floodplains, utilities and retention. Copy sized 81/2 x 11 inches.**
- ☑ **Applicant or agent must be present at all public hearings**
- ☑ **Documentation authorizing petitioner to submit application by property owners if petitioner is not owner**
- ☑ **Completed application and supporting documents listed on one Flash Drive or email to dsimmons@kennesaw-ga.gov in PDF format**

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

CONSISTENT WITH THE UNITED STATES CONSTITUTION AND THE RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT OF 2000, THE CITY OF KENNESAW DOES NOT DISCRIMINATE ON THE BASIS OF RELIGION IN THE APPLICATION OF ITS LAWS, POLICIES, OR PROCEDURES, INCLUDING THE APPLICATION OF ITS LAND USE REGULATIONS AND ZONING LAWS.

Under the Religious Land Use and Institutionalized Persons Act of 2000 ("RLUIPA"), no government, including the City of Kennesaw, may apply its zoning or land use laws in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution. RLUIPA also provides that no government, including the City of Kennesaw, may apply a land use regulation in a manner that treats a religious assembly or institution (a church, for example) on less than equal terms than a nonreligious institution or assembly (a day care center or movie theater, for example). Finally, RLUIPA provides that no government, including the City of Kennesaw, may impose or implement a land use regulation in a manner that discriminates against a religious assembly or institution.

If you believe that the City of Kennesaw, or any other local government or municipality, has discriminated against you in the implementation of its zoning or land use laws, please contact the United States Department of Justice at:

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

ZV2023-04

Date Received 10/20/23

Staff's Initials NF

VARIANCE APPLICATION

Required Fee $375.00

Is this property located within the Kennesaw Historic District (yes) X portion NW of Keene St (no) X portion SE of Keene St

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 10/19/23 Staff's Initials _____

PURPOSE OF VARIANCE REQUEST The purpose of the variances requested are to allow for a mixed-use development centered around a large public square See attached LOI for details of eachvariance request.

LAND USE PROPERTY ADDRESS 667 Keene Street; Keene Street; 2570 N Cobb Parkway; and 2590 Keene Street

Land Lot 166 & 167 Tax Parcel 20016700340; 20016603670; 20016701180*. 20016700730; 20016700420 (*Tax Parcel identified on Cobb County, GA qPublic.net) Lot Size 12.3 Current Zoning CBD & HGB (CBD rezone requested)

APPLICANT Kennesaw Square Development, LLC

APPLICANT EMAIL [redacted]

Applicant address 2160 Kingston Court SE, Suite B; Marietta, GA 30067

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

Applicant Signature _____

Signed, sealed and delivered in presence of: _____

Notary **Date**

REPRESENTATIVE_____

(Fax #)_____(Work#)_____(Cell#) _____

Representative Signature _____

Signed, sealed and delivered in presence of: _____

Notary **Date**

TITLEHOLDER: Piedmont Residential, LLC **Telephone:**

Address: 285 Parkway 575; Woodstock, GA 30188

Signature_____

Signed, sealed and delivered in presence of: Christy P. Houchins 10/16/23

Notary **Date**

CHRISTY P HOUCHINS NOTARY PUBLIC COBB COUNTY, GEORGIA MY COMMISSION EXPIRES APRIL 03, 2026

CENTRAL BUSINESS DISTRICT
PROJECT APPROVAL

Date Received 10/20/23
Staff's Initials NF

Is this property located within the Kennesaw Historic District (yes) x lots north of Keene St. (no) x lots south of Keene Street ?

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

Date Received _____ Staff's Initials _____

Procedures for filing for CBD Approval:

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

CBD Approval Process:

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

PROPERTY ADDRESS 667 Keene Street; Keene Street; 2570 N Cobb Parkway; and 2590 Keene Street

Land Lot 166 & 167 Tax Parcel 20016700340; 20016701180* 20016603670; ~~20016701130~~; 20016700730 and 20016700420 Lot Size 12.3 Present Zoning CBD & HGB (CBD rezone requested)

Proposed Project for Property
Kennesaw Square - a Mixed-Use Development (multi-family residential, commercial retail, and park/plaza)

Add additional sheet if necessary

APPLICANT Kennesaw Square Development, LLC

APPLICANT EMAIL [redacted]

Applicant address 2160 Kingston Court SE, Suite B; Marietta, GA 30067

(Fax #)_____ (Work #) _____ (Cell #) _____

Applicant Signature _____

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

TITLEHOLDER: B N Auto Parts Company [redacted] **Telephone:** [redacted]

Address: 2864 Wood Park Terrace; Kennesaw, GA 30152

Signature _____

Signed, sealed and delivered in presence of: _____ 10-17-23
Notary Date

RACHEL WORTHAN NOTARY PUBLIC COBB COUNTY, GEORGIA MY COMMISSION EXPIRES MAY 25, 2025

Z\P&Z FORMS\Applications 2020

CAMPAIGN DISCLOSURE REPORT[1] BY APPLICANT[2]

A separate form must be completed by each applicant

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

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

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

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

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

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

I certify that the foregoing information is true and correct, this 16th day of October, 2023

Applicants Signature

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

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

CAMPAIGN DISCLOSURE REPORT[1] BY APPLICANT[2]

A separate form must be completed by each applicant

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

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

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

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

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

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

I certify that the foregoing information is true and correct, this 17th day of October, 2023

Applicants Signature

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CAMPAIGN DISCLOSURE REPORT[1] BY APPLICANT[2]

A separate form must be completed by each applicant

Has the applicant made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating two hundred fifty dollars ($250.00) or more or made gifts having in the aggregate a value of two hundred fifty dollars ($250.00) or more to a member or members of the Mayor and Council or Planning Commission who will consider the application?

No

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

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

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

_____

_____

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

_____

_____

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

I certify that the foregoing information is true and correct, this 16 day of October, 2023

_____

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.

CALIFORNIA ACKNOWLEDGMENT CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of LOS ANGELES }

On OCTOBER 16, 2023 before me, THERESA CURA, NOTARY PUBLIC,
Date *Here Insert Name and Title of the Officer*

personally appeared NATE SIRANG
Name(s) of Signer(s)

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.

THERESA CURA
Notary Public - California
Los Angeles County
Commission # 2367220
My Comm. Expires Jul 22, 2025

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 _____
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: CENTRAL BUSINESS DISTRICT PROJECT APPROVAL

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____	Signer's Name: _____
☐ Corporate Officer – Title(s): _____	☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General	☐ Partner – ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	☐ Trustee ☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer is Representing: APPLICANT	Signer is Representing: _____

©2019 National Notary Association

CALIFORNIA ACKNOWLEDGMENT CIVIL CODE § 1189

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State of California
County of LOS ANGELES

On OCTOBER 16, 2023 (Date) before me, THERESA CURA, NOTARY PUBLIC (Here Insert Name and Title of the Officer),

personally appeared NATE SIRANG (Name(s) of Signer(s))

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.

THERESA CURA
Notary Public - California
Los Angeles County
Commission # 2367220
My Comm. Expires Jul 22, 2025

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WITNESS my hand and official seal.

Signature _____ (Signature of Notary Public)

Place Notary Seal and/or Stamp Above

OPTIONAL

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☐ Corporate Officer – Title(s): _____	☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General	☐ Partner – ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	☐ Trustee ☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer is Representing: TITLE HOLDER	Signer is Representing: _____

©2019 National Notary Association

Variance Request #7:
Article 6: Stream Buffer Ordinance. Section 46-440.1 and Section 46-440.2: Buffer and setback requirements:

Required:
Buffer and setback requirements.
All land development activity subject to this article shall meet the following requirements:

(1) An undisturbed natural vegetative buffer shall be maintained for 50 feet, measured horizontally, from both banks of the stream.
(2) An additional area setback shall be maintained for 25 feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling and earthmoving shall be minimized within the setback.
(3) No septic tanks or septic tank drain fields shall be permitted within the buffer or the setback area.

Proposed:
There is one section of exposed stream near the northwestern corner of the property which is approximately 150' in length. This stream is presently piped on both ends of this area. The Applicant seeks variances to allow this entire section of stream to be piped and to therefore eliminate all stream buffers associated therewith.

Variance Request #8
Kennesaw Historic District Design Standards, Section 5.4 *Exterior Walls*. This provision requires the use of architectural elements that are consistent with the downtown historic area, but are not consistent with this Project which is a revitalization of the Cobb Parkway corridor.

Proposed:
The Applicant seeks a variance from its need to comply with Section 5.4 of the Kennesaw Historic District Design Standards so as to allow for architectural treatments consistent with the architectural renderings submitted in conjunction with this application.

Variance Standards

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

Applicant shows that the standards from which it seeks variances are not consistent with a mixed-use development of this size and shape, which is located adjacent to Cobb Parkway and is designed as revitalization along the Cobb Parkway corridor. While the Historic District Standards are legally applicable to this property as it is located within the Historic District, there are no historical properties located on the site and as such the Project will not detract from, or be inconsistent with, any existing structures.

The application of this chapter to this particular piece of property would create practical difficulty or unnecessary hardship.

The application of the identified standards would prevent the development of this Property as proposed. The costs associated with creating a development of this magnitude which will include a parking deck and significant public plaza in the center require the efficient utilization of the property in a manner consistent with the desires of the market-place. The subject property does not have any buildings of historical

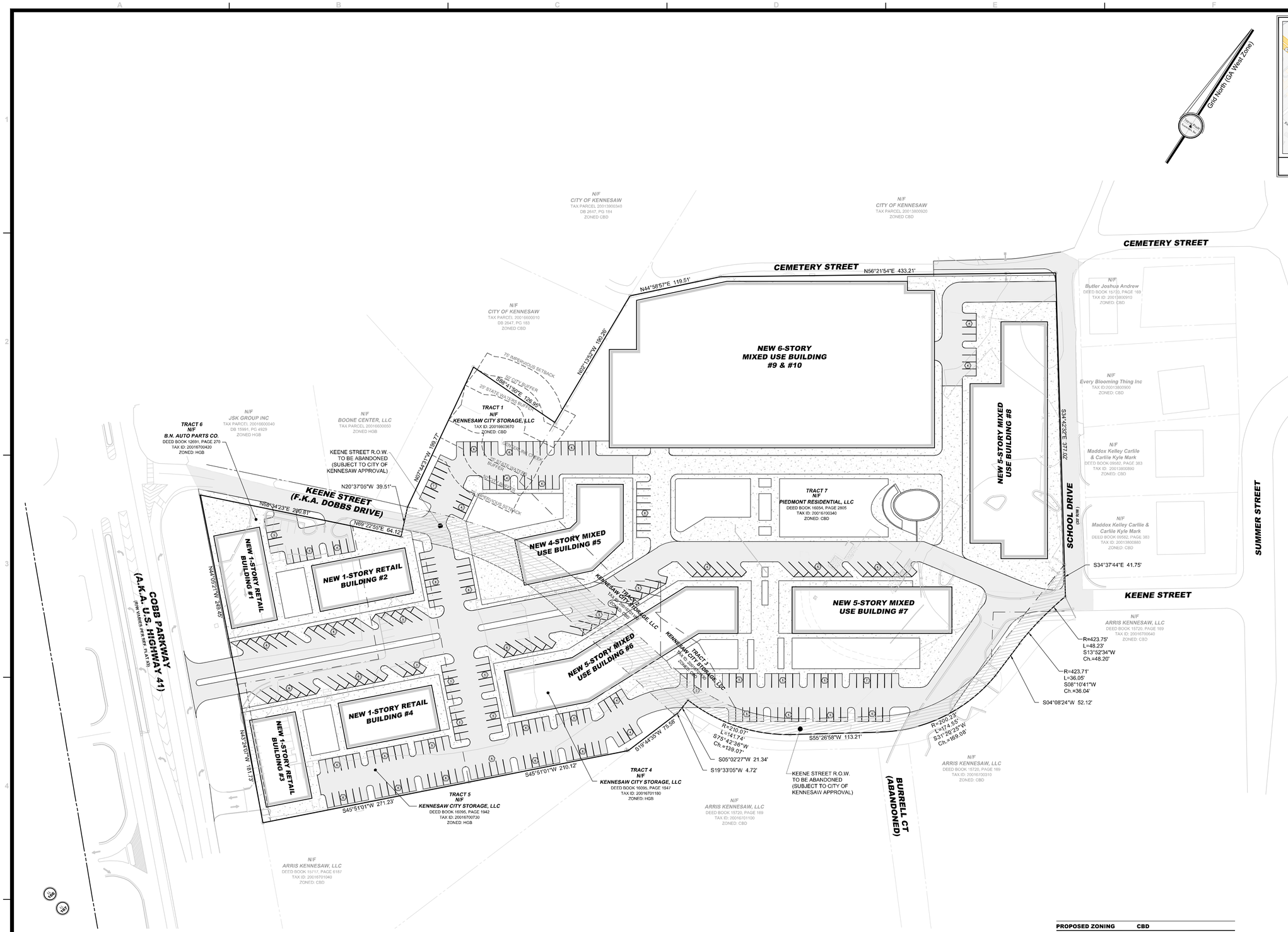
significance, and the design of the project to part of the Cobb Parkway corridor revitalization supports the requested variances.

Such conditions are peculiar to the particular piece of property involved.

This property is uniquely located in that it is partially within the Historic District, but it fronts upon Cobb Parkway and does not include any structures of historic significance. As such, the grant of the requested variances are peculiar to this property.

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

Because this Project is uniquely situated, the grant of the requested variances will not impair the purposes or intent of the subject ordinances, nor will they be a detriment to the public good. The grant of the requested variances will further the intent and desire of the City of Kennesaw to begin the revitalization of the Cobb Parkway corridor and will provide a significant benefit to the community.



BUILDING SUMMARY				
BUILDING #	USE	RETAIL GSF	RESI GSF	UNITS
1	RETAIL	7,300		
2	RETAIL	7,400		
3	RETAIL	6,800		
4	RETAIL	7,400		
5	MIXED	10,000	30,000	34
6	MIXED	19,400	77,600	87
7	MIXED	12,000	48,000	54
8	MIXED	21,800	82,800	93
9	MIXED	23,500	129,650	142
10	RETAIL	15,000		
TOTAL		130,600	367,250	410

PROPOSED ZONING	**CBD**
SITE AREA:	**12.3 AC**
PERCENT IMPERVIOUS	**87.1%**
PROPOSED FAR	**0.93**
BUILDING COVERAGE	**34%**

TRACT #	PARCEL #	EX. ZONING
TRACT 1	20016603670	CBD
TRACT 2	20016701180	CBD
TRACT 3	20016701130	CBD
TRACT 4	20016701180	HGB
TRACT 5	20016700730	HGB
TRACT 6	20016700420	HGB
TRACT 7	20016700340	CBD

PARKING SUMMARY	
DESCRIPTION	PROVIDED
OUTSIDE PARKING	288
GARAGE PARKING	1,110
TOTAL PARKING SPACES:	1,398

ACCESS AISLES FOR ADA PARKING ARE INCLUDED IN PROVIDED PARKING TOTAL.

GRAPHIC SCALE - IN FEET
25 0 50 100 150 200

NOTE: ALL DIMENSIONS ARE TO FACE OF CURB, FACE OF BUILDING, OR CENTER OF STRUCTURE, UNLESS OTHERWISE NOTED.

GEORGIA811 Utilities Protection Center, Inc. 1-800-282-7411 Know what's below. Call before you dig.

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REVISIONS			
NO	DATE	DESCRIPTION	BY
1			
2			
3			
4			
5			
6			
7			

4517 Park Drive, Suite 400
Norcross, GA 30093
Phone: (770) 417-2411
Fax: (770) 416-6759
www.travispruitt.com
CONTACT PERSON: BRENT THOMAS P.E.
e-mail: bthomas@travispruitt.com

ZONING SITE PLAN

KENNESAW SQUARE

KEENE STREET & COBB PARKWAY, LAND LOTS 138 AND 167, 20TH DISTRICT, CITY OF KENNESAW, COBB COUNTY, GEORGIA

For The Firm
Travis Pruitt & Associates, Inc.

DATE:	10-20-2023
SCALE:	1" = 50'
CN:	230489ZSP
JN:	1-23-0489
FN:	218-E-017
SHEET NO:	1 of 1

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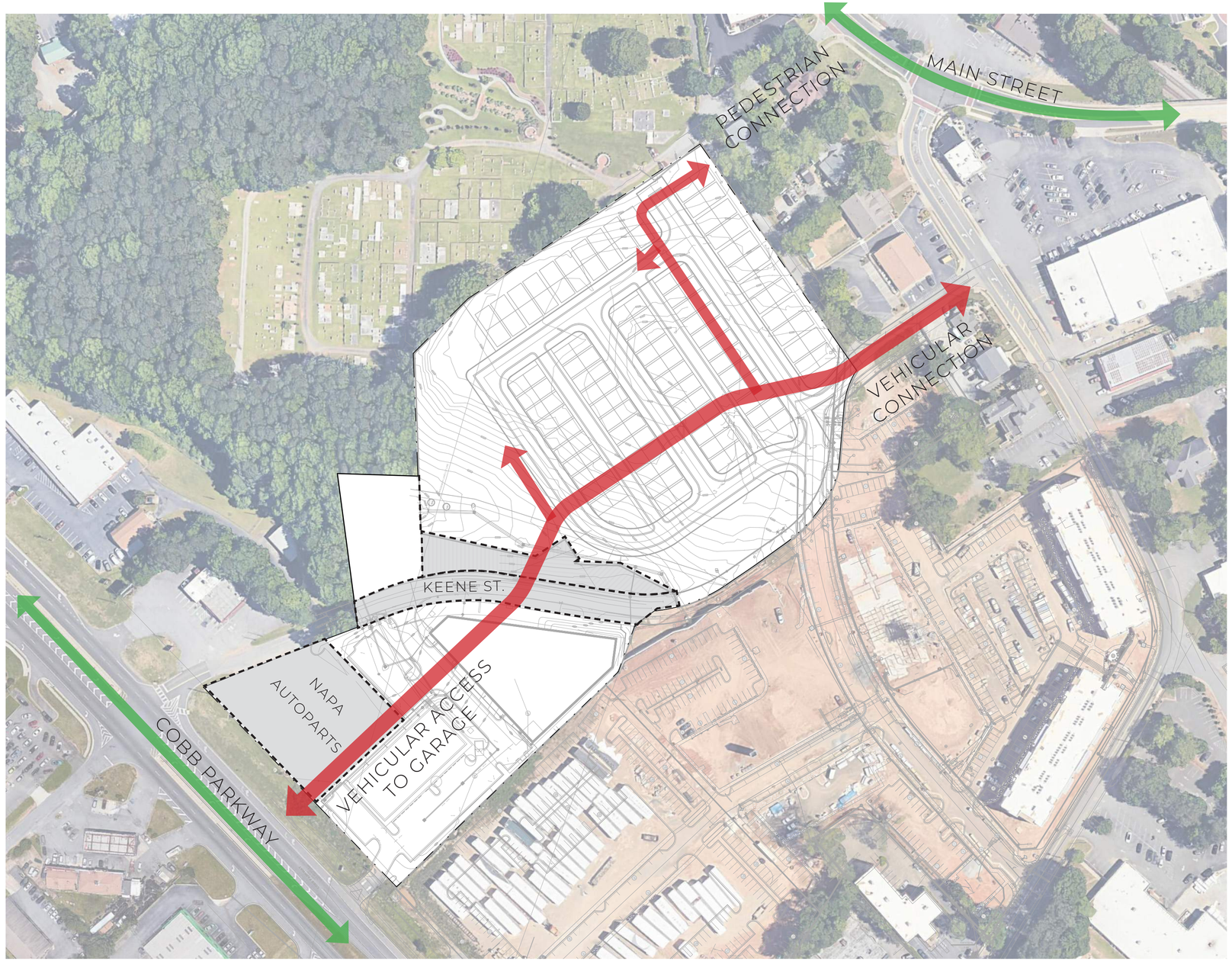
OCTOBER 19, 2023

KENNESAW SQUARE

MASTERPLAN

RSP ARCHITECTS

MASTER PLAN - EXISTING SITE



FENTON
PARAGON TH
BURGER
COLLETTA

PARAGON T
COFFEE BAR
BURGER
COLLETTA
FENTON

GROVE
LEGION

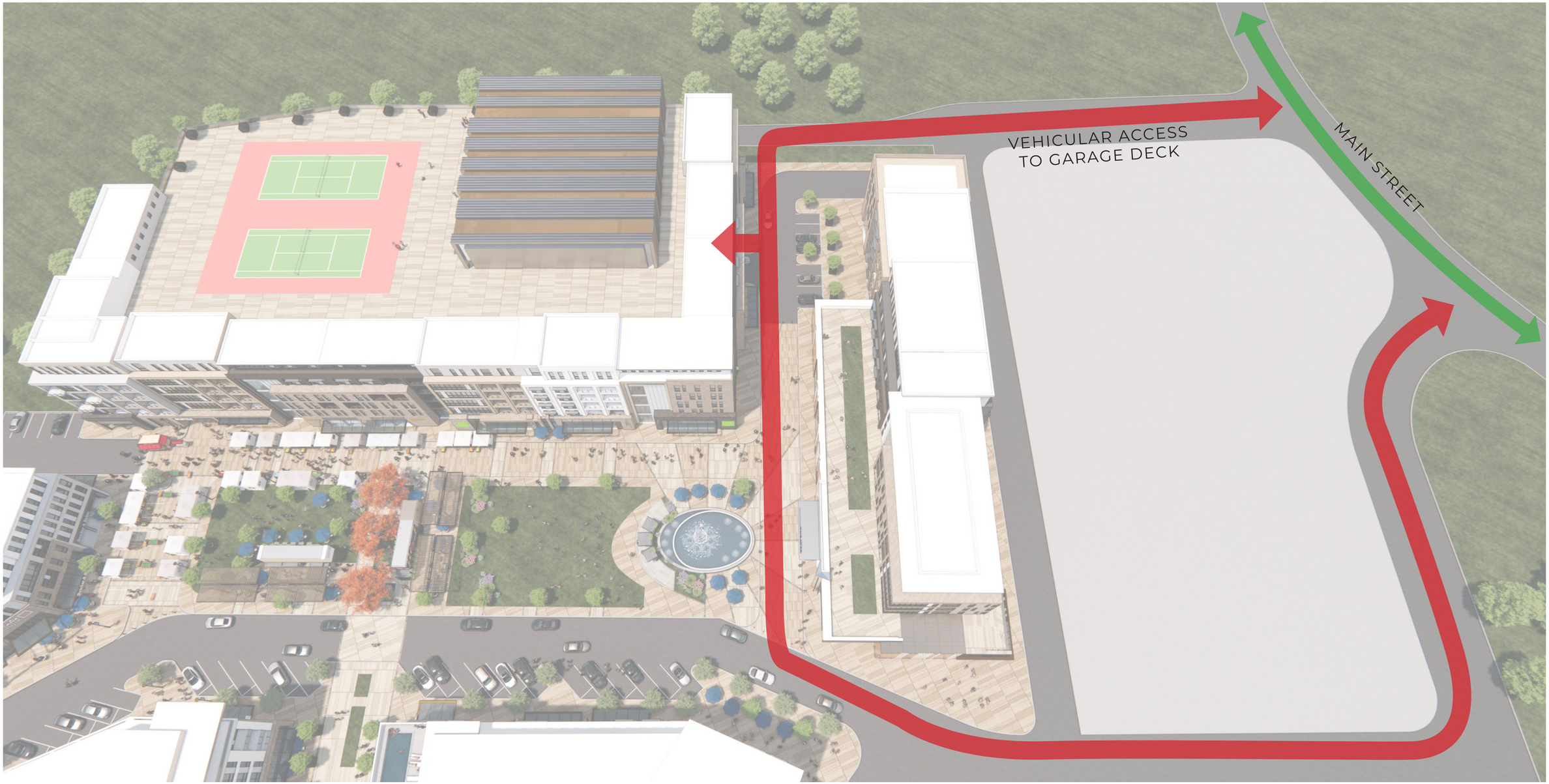
DOUBLER
RR

FENTON
BAILEY'S

FENTON
SPORTS Bar
Bar

VIEW - GARAGE DECK ACCESS FROM COBB PARKWAY

VIEW - GARAGE DECK ACCESS FROM MAIN STREET



VIEW - BIRDS EYE

VIEW - PARK VIEW

VIEW - PARK VIEW

VIEW - SOUTHERN ENTRY

VIEW - SOUTHERN ENTRY

VIEW - MAIN PARK

VIEW - PARK STAGE

VIEW - FOUNTAIN VIEW

VIEW - FARMERS MARKET

VIEW - PARK CENTER

VIEW - ROOFTOP POOL

VIEW - SPORTS CENTER

VIEW - SPORTS CENTER

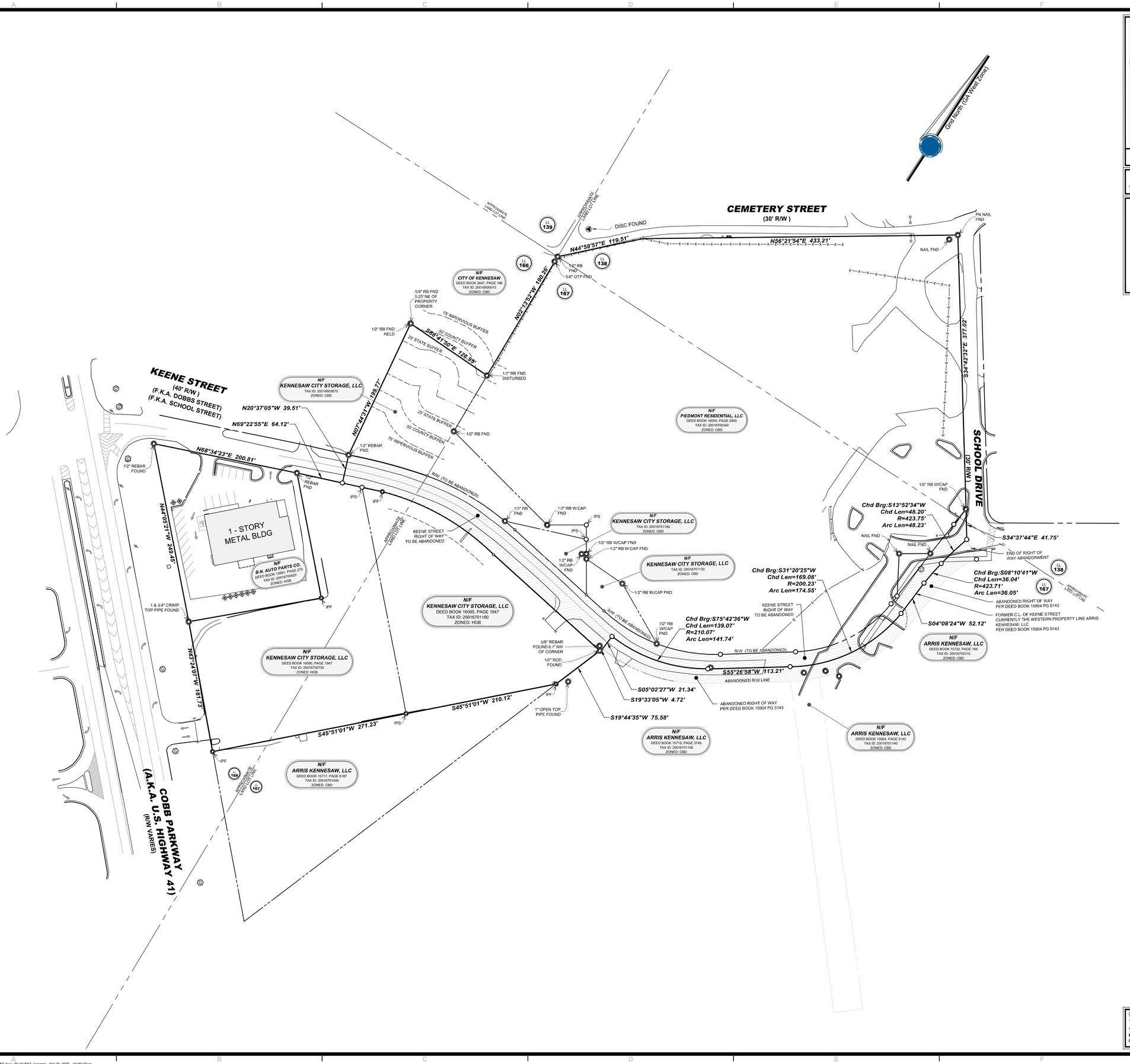
DEVELOPMENT COLLAGE - VIEW FROM MAIN STREET

DEVELOPMENT COLLAGE - VIEW FROM CEMETERY STREET

DEVELOPMENT COLLAGE - VIEW FROM SUMMER STREET

DEVELOPMENT COLLAGE - VIEW FROM COBB PKWY

THANK YOU



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For The Firm
Travis Pruitt & Associates, Inc.

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.

PLAT DATE:	10/19/2023
FIELD DATE:	10/16/23
SCALE:	1" = 50'
JN:	230489
FN:	218-E-016
SHEET NO:	1 of 1

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DESCRIPTION OF

Overall Zoning Boundary Exhibit

All that tract or parcel of land lying and being in Land Lots 138,139,166, and 167 of the 20th District, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

BEGINNING at a point at the intersection of the southeasterly right of way line of Keene Street (40' right of way) and the northeasterly right of way line of Cobb Parkway (right of way varies), THENCE leaving said intersection following the southeasterly right of way line of Keene Street (40' right of way) North 68 degrees 34 minutes 23 seconds East a distance of 200.81 feet to 1/2" REBAR FOUND; THENCE continue following said right of way North 69 degrees 22 minutes 55 seconds East a distance of 64.12 feet to a point; THENCE leaving said right of way North 20 degrees 37 minutes 05 seconds West a distance of 39.51 feet to 1/2" REBAR FOUND at the northwesterly right of way line of Keene Street (40’ right of way); THENCE leaving said right of way North 07 degrees 44 minutes 31 seconds West a distance of 199.77 feet to 1/2" REBAR FOUND; THENCE South 88 degrees 41 minutes 50 seconds East a distance of 126.95 feet to 1/2" REBAR FOUND on the Land Lot Line common to land lots 166 and 167; THENCE following said land lot line North 02 degrees 13 minutes 52 seconds West a distance of 190.26 feet to 1/2" REBAR FOUND at the common Land Lot corner of Land Lots 138,139,166, AND 167 and the southeasterly right of way line of Cemetery Street (30' right of way); THENCE following said southeasterly right of way line of Cemetery Street (30' right of way) North 44 degrees 58 minutes 57 seconds East a distance of 119.51 feet to a point; THENCE continue following said right of way North 56 degrees 21 minutes 54 seconds East a distance of 433.21 feet to a PK NAIL FOUND at the intersection of the southeasterly right of way line of Cemetery Street (30' right of way) and the southwesterly right of way line of School Drive (30' right of way); THENCE following said southwesterly right of way line of School Drive (30' right of way) South 34 degrees 42 minutes 32 seconds East a distance of 377.02 feet to 1/2" REBAR FOUND; THENCE leaving said right of way South 34 degrees 37 minutes 44 seconds East a distance of 41.75 feet to a point on the centerline of now abandoned Keene Street; THENCE following said centerline of now abandoned Keene Street the following courses and distances: along a curve to the left with a radius of 423.75 feet and an arc length of 48.23 feet, said curve having a chord bearing of South 13 degrees 52 minutes 34 seconds West and a chord distance of 48.20 feet to a point; THENCE along a curve to the left with a radius of 423.71 feet and an arc length of 36.05 feet, said curve having a chord bearing of South 08 degrees 10 minutes 41 seconds West and a chord distance of 36.04 feet to a point; THENCE South 04 degrees 08 minutes 24 seconds West a distance of 52.12 feet to a point; THENCE along a curve to the right with a radius of 200.23 feet and an arc length of 174.55 feet, said curve having a chord bearing of South 31 degrees 20 minutes 25 seconds West and a chord distance of 169.08 feet to a point; THENCE South 55 degrees 26 minutes 58 seconds West a distance of 113.21 feet to a point; THENCE along a curve to the right with a radius of 210.07 feet and an arc length of 141.74 feet, said curve having a chord bearing of South 75 degrees 42 minutes 36 seconds West and a chord distance of 139.07 feet to a point; THENCE leaving said centerline of now abandoned Keene Street South 05 degrees 02 minutes 27 seconds West a distance of 21.34 feet to a point at the southerly right of way line of Keene Street (40’ right of way); THENCE South 19 degrees 33

minutes 05 seconds West a distance of 4.72 feet to a 1/2" ROD FOUND; THENCE South 19 degrees 44 minutes 35 seconds West a distance of 75.58 feet to 1/2" REBAR FOUND; THENCE South 45 degrees 51 minutes 01 seconds West a distance of 210.12 feet to 1/2" REBAR SET; THENCE South 45 degrees 51 minutes 01 seconds West a distance of 271.23 feet to 1/2" REBAR FOUND on the northeasterly right of way line of Cobb Parkway (right of way varies); THENCE following said right of way North 43 degrees 24 minutes 07 seconds West a distance of 181.73 feet to a point; THENCE continue following said right of way North 44 degrees 05 minutes 21 seconds West a distance of 249.45 feet to a point at the intersection of the northeasterly right of way line of Cobb Parkway (right of way varies) and the northwesterly right of way line of Keene Street (40' right of way), said point being the **TRUE POINT OF BEGINNING.**

Said tract contains 536,772 square feet or 12.323 acres.

The above-described property is shown on a Zoning Boundary Exhibit for Concord Wilshire Companies, dated October 19, 2023, prepared by Travis Pruitt & Associates, Inc. Survey File Number (218-E-016).

THIS BOX RESERVED FOR
THE CLERK OF THE SUPERIOR COURT

LEGEND

(LL)	LAND LOT IDENTIFICATION
●	IRON PIN FOUND (AS NOTED)
○	1/2" REBAR SET W/CAP(IPS)
N/F	NOW OR FORMERLY
R/W	RIGHT OF WAY
FND	FOUND
EOP	EDGE OF PAVEMENT
S/W	SIDEWALK
	LAMP POST
	POWER POLE
PVC	POLYVINYL CHLORIDE PIPE
RCP	REINFORCED CONCRETE PIPE
CMP	CORRUGATED METAL PIPE
INV	INVERT
	SANITARY SEWER MANHOLE
	CLEAN OUT
SB1 SB	CATCH BASINS
	DROP INLET
	STORM SEWER MANHOLE
	HEADWALL
	CABLE TV BOX
	TELEPHONE BOX
IR	IRRIGATION CONTROL VALVE
	FIRE HYDRANT
WM	WATER VALVE
	APPROX. UTILITY STRUCTURE
—X—	FENCE LINE
—S—	SANITARY SEWER LINE
	STORM SEWER LINE
—G—	APPROXIMATE LOCATION OF UNDERGROUND GAS LINE
—W—	APPROXIMATE LOCATION OF UNDERGROUND WATER LINE

Grid North (GA West Zone)

LOCATION MAP
NOT TO SCALE

SITE ADDRESS

Keene Street, Kennesaw, GA, USA

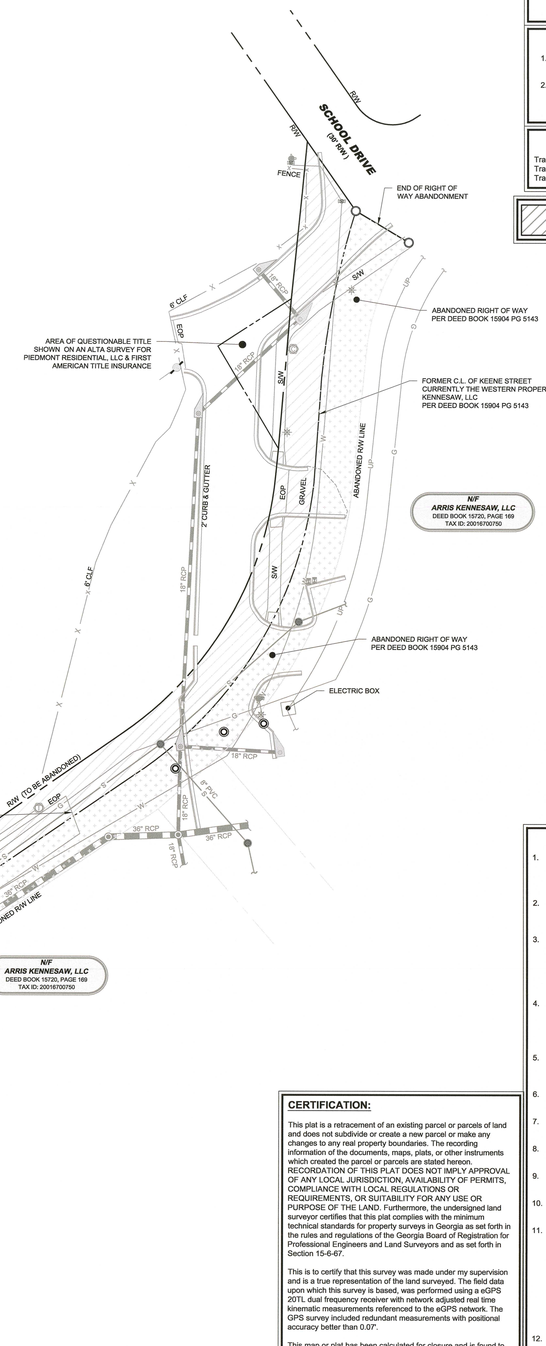
REFERENCE PLATS

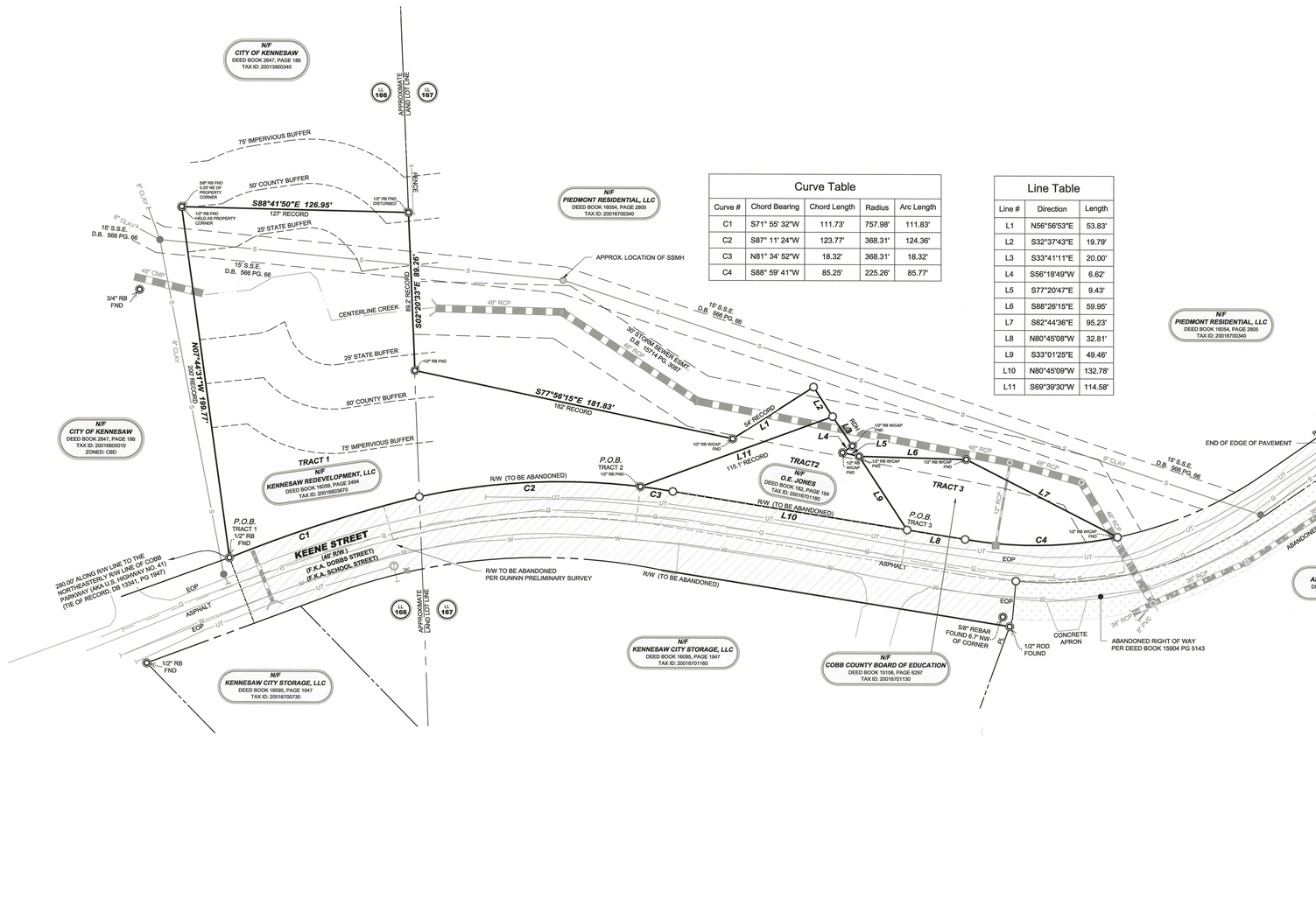
1. ALTA/NSPS Land Title Survey for Kennesaw Town Center Self Storage prepared by Travis Pruitt & Associates dated 08/10/2021, revised 10/14/2022.
2. ALTA/NSPS Land Title Survey for Eternal Holdings, LLC, A Nevada Limited Liability Company & First American Title Insurance Company prepared by Paramount Surveys dated 05/03/2022.

SITE AREA

Tract 1 = 29,341 square feet or 0.675 acres
Tract 2 = 4,225 square feet or 0.100 acres
Tract 3 = 4,123 square feet or 0.095 acres

RIGHT OF WAY TO BE ABANDONED
APPROXIMATE AREA = 30,343 square feet or 0.696 acres





Curve Table

Curve #	Chord Bearing	Chord Length	Radius	Arc Length
C1	S71° 55' 32"W	111.73'	757.98'	111.83'
C2	S87° 11' 24"W	123.77'	368.31'	124.36'
C3	N81° 34' 52"W	18.32'	368.31'	18.32'
C4	S88° 59' 41"W	85.25'	225.26'	85.77'

Line Table

Line #	Direction	Length
L1	N56°56'53"E	53.83'
L2	S32°37'43"E	19.79'
L3	S33°41'11"E	20.00'
L4	S56°18'49"W	6.62'
L5	S77°20'47"E	9.43'
L6	S88°26'15"E	59.95'
L7	S62°44'36"E	95.23'
L8	N80°45'08"W	32.81'
L9	S33°01'25"E	49.46'
L10	N80°45'09"W	132.78'
L11	S69°39'30"W	114.58'

CERTIFICATION:

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in Section 15-6-67.

This is to certify that this survey was made under my supervision and is a true representation of the land surveyed. The field data upon which this survey is based, was performed using a eGPS 20TL dual frequency receiver with network adjusted real time kinematic measurements referenced to the eGPS network. The GPS survey included redundant measurements with positional accuracy better than 0.07'.

This map or plat has been calculated for closure and is found to be accurate within one foot in 78,463 feet.

Kevin Pate 10-19-23

KEVIN G. PATE — Date
Georgia Professional Land Surveyor No. 3499
For the Firm Travis Pruitt & Associates, Inc.

SURVEY NOTES

1. This plat was prepared for the exclusive use of the person, persons, or entity named in the title block. Said use does not extend to any unnamed person without express permission by the surveyor naming said person.
2. Unless otherwise specified, all distances shown are horizontal ground distances measured in U.S. survey feet (39.37 inches = 1 meter).
3. The project horizontal datum is relative to the North American Datum 1983 (NAD83), 2011 adjustment, projected to the Georgia State Plane Coordinate System, Georgia West Zone. The vertical datum is relative to the North American Vertical Datum of 1988 (NAVD88) using the National Geodetic Survey (NGS) Geoid 12A.
4. By graphic plotting only this property Does Not lie within a 100 year flood hazard zone and is depicted as Zone X as defined by the F.E.M.A Flood Insurance Rate Map of Cobb County, Georgia and incorporated areas Map Number 13067C0038H, effective date 3/4/2013
5. No common observable evidence of cemeteries, burial grounds or isolated gravesites were found during the course of the survey.
6. No observable evidence that the site was used as a solid waste dump, sump or sanitary landfill.
7. No wetland delineation markers were observed at the time of the survey.
8. No observable evidence of earth moving work, building construction or building additions at the time of the survey.
9. No observable evidence or proposed changes in right of way made available to the surveyor.
10. No observable evidence of recent street or sidewalk construction or repairs.
11. Information regarding the reputed presence, size, character and location of existing underground utilities and structure is shown hereon. There is no certainty of the accuracy of this information and it shall be considered in that light by those using this drawing. The location and arrangement of underground utilities and structures shown hereon may be inaccurate and utilities and structure not shown may be encountered. The owner, his employees, his consultants and his contractors shall hereby distinctly understand that the surveyor is not responsible for the correctness or sufficiency of this information.
12. Underground utility research, field markings, size and character of material has been provided by Utilisurvey, LLC on 5/9/2023

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NO	DATE	REVISE PROPERTY LINE DESCRIPTION	BY
1	03/19/2023		JW
2			
3			
4			
5			
6			
7			
8			

REVISIONS

4317 Park Drive, Suite 400
Norcross, Georgia 30093
Phone: (770) 416-7511
Fax: (770) 416-6759
www.travispruitt.com

Certificate of Authorization Number 613

BOUNDARY SURVEY

KENNESAW TOWN CENTER

AUTHORIZED BY: KENNESAW CITY STORAGE, LLC
LAND LOT 166 & 167 - 20TH DISTRICT - CITY OF KENNESAW - COBB COUNTY - GEORGIA
GRAPHIC SCALE - IN FEET
0 15 30 60 90 120

GEORGIA REGISTERED PROFESSIONAL LAND SURVEYOR NO. 3499 10/19/2023 KEVIN GLENN PATE

For The Firm
Travis Pruitt & Associates, Inc.

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.

PLAT DATE:	05/24/2023
FIELD DATE:	5/11/2023
SCALE:	1" = 30'
JN:	1-23-0231.600
FN:	217-E-131
SHEET NO:	1 of 1

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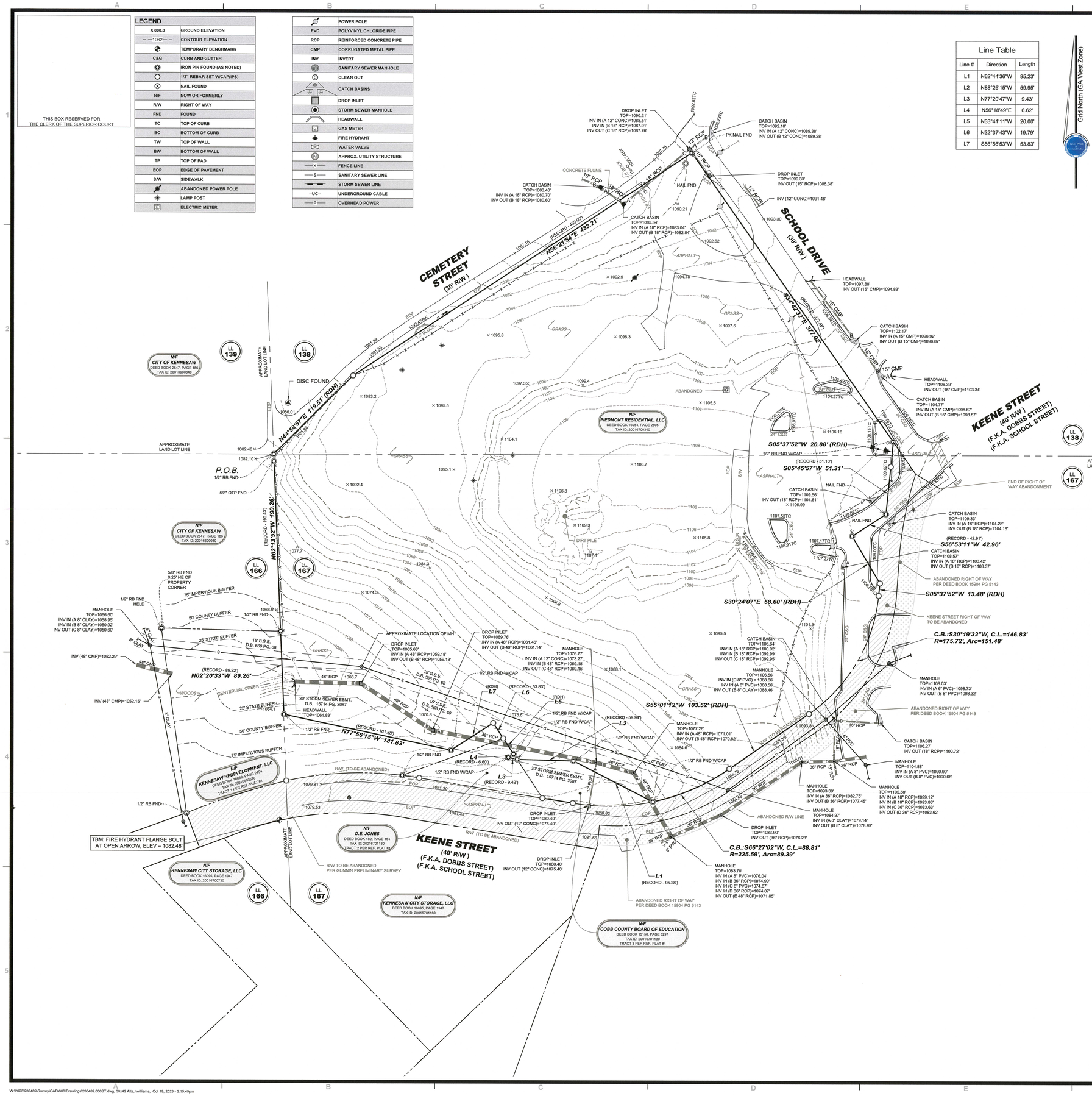
THIS BOX RESERVED FOR
THE CLERK OF THE SUPERIOR COURT

LEGEND

X 000.0	GROUND ELEVATION
1062	CONTOUR ELEVATION
	TEMPORARY BENCHMARK
C&G	CURB AND GUTTER
	IRON PIN FOUND (AS NOTED)
	1/2" REBAR SET W/CAP(IPS)
	NAIL FOUND
N/F	NOW OR FORMERLY
R/W	RIGHT OF WAY
FND	FOUND
TC	TOP OF CURB
BC	BOTTOM OF CURB
TW	TOP OF WALL
BW	BOTTOM OF WALL
TP	TOP OF PAD
EOP	EDGE OF PAVEMENT
S/W	SIDEWALK
	ABANDONED POWER POLE
	LAMP POST
E	ELECTRIC METER

	POWER POLE
PVC	POLYVINYL CHLORIDE PIPE
RCP	REINFORCED CONCRETE PIPE
CMP	CORRUGATED METAL PIPE
INV	INVERT
	SANITARY SEWER MANHOLE
	CLEAN OUT
	CATCH BASINS
	DROP INLET
	STORM SEWER MANHOLE
	HEADWALL
G	GAS METER
	FIRE HYDRANT
	WATER VALVE
N	APPROX. UTILITY STRUCTURE
X	FENCE LINE
S	SANITARY SEWER LINE
	STORM SEWER LINE
UC	UNDERGROUND CABLE
P	OVERHEAD POWER



Line Table		
Line #	Direction	Length
L1	N62°44'36"W	95.23'
L2	N88°26'15"W	59.95'
L3	N77°20'47"W	9.43'
L4	N56°18'49"E	6.62'
L5	N33°41'11"W	20.00'
L6	N32°37'43"W	19.79'
L7	S56°56'53"W	53.83'

Grid North (GA West Zone)

Travis Pruitt & Associates, Inc.

SITE ADDRESS

6667 Keene Street Northwest, Kennesaw, GA, USA
Kennesaw Ga,

SITE AREA

Total = 311,531 square feet or 7.152 acres

REFERENCE PLATS

1. Boundary Exhibit for Kennesaw Town Center prepared by Travis Pruitt & Associates, Inc., dated 05/24/2023. (FN: 217-E-131)
2. ALTA/NSPS Land Title and Topographic Survey for Piedmont Residential, LLC & First American Title Insurance Company prepared by Paramount Surveys dated 05/3/2022.

TITLE EXCEPTIONS

Title pending review upon receipt of title.

SPECIAL NOTE

The survey shown hereon was prepared without benefit of any abstract of title; therefore, Kevin G. Pate and Travis Pruitt & Associates, Inc., make no guarantees or representations regarding information shown hereon pertaining to easements, rights of way, setback lines., agreements, reservations, and other similar matters.

LOCATION MAP
NOT TO SCALE

PROPERTY DESCRIPTION

All that tract or parcel of land lying and being in Land Lots 138 & 167 of the 20th District, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

BEGINNING at a 1/2" rebar found on the southeasterly right of way line of Cemetery Street (30' right of way) at the common corner of land lots 138, 139, 166 and 167, THENCE leaving said common land lot corner and proceeding along the southeasterly right of way line of Cemetery Street (30' right of way) the following courses and distances North 44 degrees 58 minutes 57 seconds East a distance of 119.51 feet to a point; THENCE North 56 degrees 21 minutes 54 seconds East a distance of 433.21 feet to a PK nail found at the intersection of the southeasterly right of way line of Cemetery Street (30' right of way) and the westerly right of way line of School Drive (30' right of way); THENCE leaving the southeasterly right of way line of Cemetery Street (30' right of way) and proceeding along the southwesterly right of way line of School Drive (30' right of way) South 34 degrees 42 minutes 32 seconds East a distance of 377.02 feet to a 1/2" rebar found with cap at the intersection of the south westerly right of way line of School Drive (30' right of way) and the westerly right of way of Keene Street (40' right of way) (F.K.A. Dobbs Street) (F.K.A. School Street); THENCE leaving said southwesterly right of way line of School Drive (30' right of way) and proceeding along the northwesterly right of way line of Keene Street (40' right of way) (F.K.A. Dobbs Street) (F.K.A. School Street) the following courses and distances South 05 degrees 37 minutes 52 seconds West a distance of 26.88 feet to a point; THENCE South 05 degrees 45 minutes 57 seconds West a distance of 51.31 feet to a nail found; THENCE South 56 degrees 53 minutes 11 seconds West a distance of 42.96 feet to a nail found; THENCE South 30 degrees 24 minutes 07 seconds East a distance of 58.60 feet to a point; THENCE South 05 degrees 37 minutes 52 seconds West a distance of 13.48 feet to a point; THENCE along a curve to the right with a radius of 175.72 feet and an arc length of 151.48 feet, said curve having a chord bearing of South 30 degrees 19 minutes 32 seconds West and a chord distance of 146.83 feet to a point; THENCE South 55 degrees 01 minutes 12 seconds West a distance of 103.52 feet to a point; THENCE along a curve to the right with a radius of 225.59 feet and an arc length of 89.39 feet, said curve having a chord bearing of South 66 degrees 27 minutes 02 seconds West and a chord distance of 88.81 feet to a 1/2" rebar found with cap; THENCE leaving said northwesterly right of way line of Keene Street (40' right of way) (F.K.A. Dobbs Street) (F.K.A. School Street) North 62 degrees 44 minutes 36 seconds West a distance of 95.23 feet to a 1/2" rebar found with cap; THENCE North 88 degrees 26 minutes 15 seconds West a distance of 59.95 feet to a 1/2" rebar found with cap; THENCE North 77 degrees 20 minutes 47 seconds West a distance of 9.43 feet to a 1/2" rebar found with cap; THENCE North 56 degrees 18 minutes 49 seconds East a distance of 6.62 feet to a 1/2" rebar found with cap; THENCE North 33 degrees 41 minutes 11 seconds West a distance of 20.00 feet to a point; THENCE North 32 degrees 37 minutes 43 seconds West a distance of 19.79 feet to a point; THENCE South 56 degrees 56 minutes 53 seconds West a distance of 53.83 feet to a 1/2" rebar found with cap; THENCE North 77 degrees 56 minutes 15 seconds West a distance of 181.83 feet to a 1/2" rebar found; THENCE North 02 degrees 13 minutes 52 seconds West a distance of 190.26 feet to a 1/2" rebar found with cap, said point being the **TRUE POINT OF BEGINNING.**

Said tract contains 311,531 square feet or 7.152 acres.

The above-described property is shown on an ALTA/NSPS Land Title Survey for Concord Wilshire Companies, dated October 19, 2023, prepared by Travis Pruitt & Associates, Inc., Survey File Number (218-E-015).

SURVEY NOTES

1. This plat was prepared for the exclusive use of the person, persons, or entity named in the title block. Said use does not extend to any unnamed person without express permission by the surveyor naming said person.
2. Unless otherwise specified, all distances shown are horizontal ground distances measured in U.S. survey feet (39.37 inches = 1 meter).
3. The project horizontal datum is relative to the North American Datum 1983 (NAD83), 2011 adjustment, projected to the Georgia State Plane Coordinate System, Georgia West Zone. The vertical datum is relative to the North American Vertical Datum of 1988 (NAVD88) using the National Geodetic Survey (NGS) Geoid 12A.
4. Exterior footprint of all buildings at ground level.
5. By graphic plotting only this property Does Not lie within a 100 year flood hazard zone and is depicted as Zone X as defined by the F.E.M.A Flood Insurance Rate Map of Cobb County, Georgia and incorporated areas Map Number 13067C0038H, effective date 3/4/2013
6. No common observable evidence of cemeteries, burial grounds or isolated gravesites were found during the course of the survey
7. No observable evidence that the site was used as a solid waste dump, sump or sanitary landfill.
8. The Property has direct vehicular access to School Drive 30' right of way) and Keene Street Northwest (F.K.A. Dobbs Street) (F.K.A. School Street) (40' right of way) and pedestrian access to School Drive (30' right of way) and Cemetery Street (30' right of way), dedicated public right of way, as shown on the survey.
9. No wetland delineation markers were observed at the time of the survey.
10. No observable evidence of earth moving work, building construction or building additions at the time of the survey.
11. A portion of the right of way of Keene Street (40' right of way) (F.K.A. Dobbs Street) (F.K.A. School Street) is proposed to be abandoned.
12. Ongoing construction along the right of way of Keene Street (40' right of way) (F.K.A. Dobbs Street) (F.K.A. School Street.
13. There may be underground utilities not shown on this survey.

CERTIFICATION:

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in Section 15-6-67.

This is to certify that this survey was made under my supervision and is a true representation of the land surveyed. The field data upon which this survey is based, was performed using a a eGPS 20TL dual frequency receiver with network adjusted real time kinematic measurements referenced to the eGPS network. The GPS survey included redundant measurements with positional accuracy better than 0.07'.

This map or plat has been calculated for closure and is found to be accurate within one foot in 148,459 feet.

To (Name of Insured, if known), (Name of Lender, if known), (Name of Insurer, if known,) (Name of others as negotiated with the Client):

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 of Table A thereof 1, 2, 3, 4, 5, 6(a),7(b)(1), 8, 9, 11(b), 13 and 19. The fieldwork was completed on 10/17/2023.

Kevin Pate 10-19-23

KEVIN G. PATE — Date
Georgia Professional Land Surveyor No. 3499
For the Firm Travis Pruitt & Associates, Inc.

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REVISIONS			
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4317 Park Drive, Suite 400
Norcross, Georgia 30093
Phone: (770) 416-7511
Fax: (770) 416-7510
www.travispruitt.com

Certificate of Authorization Number 613

Travis Pruitt & Associates, Inc. — Surveyors · Engineers · Environmental Consultants · Landscape Architects

ALTA/NSPS LAND TITLE SURVEY

KENNESAW SQUARE

AUTHORIZED BY: CONCORD WILSHIRE COMPANIES
LAND LOTS 138 & 167 · 20TH DISTRICT · CITY OF KENNESAW · COBB COUNTY · GEORGIA

GRAPHIC SCALE - IN FEET
0 20 40 80 120 160

GEORGIA REGISTERED PROFESSIONAL LAND SURVEYOR NO. 3499 10/19/2023 KEVIN GLENN PATE

For The Firm
Travis Pruitt & Associates, Inc.

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.

PLAT DATE:	10/19/2023
FIELD DATE:	10/17/2023
SCALE:	1" = 40'
JN:	1-23-0489.600
FN:	218-E-015
SHEET NO:	1 of 1

W:\2023\230489\Survey\CAD\600\Drawings\230489.600BT.dwg, 30x42 Alta, twilliams, Oct 19, 2023 - 2:15:49pm

DESCRIPTION OF

Kennesaw Square

All that tract or parcel of land lying and being in Land Lots 138 & 167 of the 20th District, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

BEGINNING at a 1/2'' rebar found on the southeasterly right of way line of Cemetery Street (30' right of way) at the common corner of land lots 138, 139, 166 and 167, THENCE leaving said common land lot corner and proceeding along the southeasterly right of way line of Cemetery Street (30' right of way) the following courses and distances North 44 degrees 58 minutes 57 seconds East a distance of 119.51 feet to a point; THENCE North 56 degrees 21 minutes 54 seconds East a distance of 433.21 feet to a PK nail found at the intersection of the southeasterly right of way line of Cemetery Street (30' right of way) and the south westerly right of way line of School Drive (30' right of way); THENCE leaving the southeasterly right of way line of Cemetery Street (30' right of way) and proceeding along the southwesterly right of way line of School Drive (30' right of way) South 34 degrees 42 minutes 32 seconds East a distance of 377.02 feet to a 1/2'' rebar found with cap at the intersection of the southwesterly right of way line of School Drive (30' right of way) and the westerly right of way of Keene Street (40' right of way) (F.K.A. Dobbs Street) (F.K.A. School Street); THENCE leaving said southwesterly right of way line of School Drive (30' right of way) and proceeding along the northwesterly right of way line of Keene Street (40' right of way) (F.K.A. Dobbs Street) (F.K.A. School Street) the following courses and distances South 05 degrees 37 minutes 52 seconds West a distance of 26.88 feet to a point; THENCE South 05 degrees 45 minutes 57 seconds West a distance of 51.31 feet to a nail found; THENCE South 56 degrees 53 minutes 11 seconds West a distance of 42.96 feet to a nail found; THENCE South 30 degrees 24 minutes 07 seconds East a distance of 58.60 feet to a point; THENCE South 05 degrees 37 minutes 52 seconds West a distance of 13.48 feet to a point; THENCE along a curve to the right with a radius of 175.72 feet and an arc length of 151.48 feet, said curve having a chord bearing of South 30 degrees 19 minutes 32 seconds West and a chord distance of 146.83 feet to a point; THENCE South 55 degrees 01 minutes 12 seconds West a distance of 103.52 feet to a point; THENCE along a curve to the right with a radius of 225.59 feet and an arc length of 89.39 feet, said curve having a chord bearing of South 66 degrees 27 minutes 02 seconds West and a chord distance of 88.81 feet to a 1/2'' rebar found with cap; THENCE leaving said northwesterly right of way line of Keene Street (40' right of way) (F.K.A. Dobbs Street) (F.K.A. School Street) North 62 degrees 44 minutes 36 seconds West a distance of 95.23 feet to a 1/2'' rebar found with cap; THENCE North 88 degrees 26 minutes 15 seconds West a distance of 59.95 feet to a 1/2'' rebar found with cap; THENCE North 77 degrees 20 minutes 47 seconds West a distance of 9.43 feet to a 1/2'' rebar found with cap; THENCE North 56 degrees 18 minutes 49 seconds East a distance of 6.62 feet to a 1/2'' rebar found with cap; THENCE North 33 degrees 41 minutes 11 seconds West a distance of 20.00 feet to a point; THENCE North 32 degrees 37 minutes 43 seconds West a distance of 19.79 feet to a point; THENCE South 56 degrees 56 minutes 53 seconds West a distance of 53.83 feet to a 1/2'' rebar found with cap; THENCE North 77 degrees 56 minutes 15 seconds West a distance of 181.83 feet to a 1/2'' rebar found; THENCE North 02 degrees 20 minutes 33

seconds West a distance of 89.26 feet to a 1/2'' rebar found; THENCE North 02 degrees 13 minutes 52 seconds West a distance of 190.26 feet to a 1/2'' rebar found with cap, said point being the **TRUE POINT OF BEGINNING.**

Said tract contains 311,531 square feet or 7.152 acres.

The above-described property is shown on an ALTA/NSPS Land Title Survey for Concord Wilshire Companies, dated October 19, 2023, prepared by Travis Pruitt & Associates, Inc., Survey File Number (218-E-015)

DESCRIPTION OF

TRACT 1 – BOUNDARY EXHIBIT PLAT

All that tract or parcel of land lying and being in Land Lots 166 and 167 of the 20th District, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

BEGINNING at a 1/2" rebar found on the northerly right-of-way of Keene Street (40’ R/W, f.k.a Dobbs Street, f.k.a. School Street), +/- 280 along the northerly right-of-way of said Keene Street from the intersection with the northeasterly right-of-way of Cobb Parkway (right-of-way varies, a.k.a U.S. Hwy 41); THENCE departing said right-of-way North 07 degrees 44 minutes 31 seconds West a distance of 199.77 feet to a 1/2" rebar found; THENCE South 88 degrees 41 minutes 50 seconds East a distance of 126.95 feet to a 1/2" rebar found; THENCE South 02 degrees 20 minutes 33 seconds East a distance of 89.26 feet to a 1/2" rebar found ; THENCE South 77 degrees 56 minutes 15 seconds East a distance of 181.83 feet to a 1/2" rebar with cap found; THENCE North 56 degrees 56 minutes 53 seconds East a distance of 53.83 feet to an iron pin set; THENCE South 32 degrees 37 minutes 43 seconds East a distance of 19.79 feet to an iron pin set; THENCE South 69 degrees 39 minutes 30 seconds West a distance of 114.58 feet to a 1/2" rebar found on the northerly right-of-way of Keene Street; THENCE proceed along said right-of-way the following two courses: along a curve to the left with a radius of 368.31 feet and an arc length of 124.36 feet, said curve having a chord bearing of South 87 degrees 11 minutes 24 seconds West and a chord distance of 123.77 feet to a point; THENCE along a curve to the left with a radius of 757.98 feet and an arc length of 111.83 feet, said curve having a chord bearing of South 71 degrees 55 minutes 32 seconds West and a chord distance of 111.73 feet to a 1/2" rebar found, said point being the **TRUE POINT OF BEGINNING.**

Said tract contains 29,341 square feet or 0.675 acres.

The above-described property is shown as Tract 1 on a Boundary Survey for Kennesaw City Storage, LLC dated 05/24/2023, last revised 10/19/2023 and prepared by Travis Pruitt & Associates, Inc. Survey File Number (217-E-131).

DESCRIPTION OF

TRACT 2 BOUNDARY EXHIBIT PLAT

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

COMMENCING at the intersection of the easterly right-of-way of Cobb Parkway (right-of-way varies, a.k.a. U.S. Hwy 41) and the northerly right-of-way of Keene Street (40’ right-of-way) proceed along said Keene Street right-of-way +/- 516 feet to a 1/2" rebar found, said rebar being the **TRUE POINT OF BEGINNING.**

From the **TRUE POINT OF BEGINNING,** THENCE departing said right-of-way North 69 degrees 39 minutes 30 seconds East a distance of 114.58 feet to a 1/2” rebar set; THENCE South 33 degrees 41 minutes 11 seconds East a distance of 20.00 feet to a 1/2” rebar with cap found; THENCE South 56 degrees 18 minutes 49 seconds West a distance of 6.62 feet to a 1/2” rebar with cap found; THENCE South 77 degrees 20 minutes 47 seconds East a distance of 9.43 feet to a 1/2” rebar with cap found; THENCE South 33 degrees 01 minutes 25 seconds East a distance of 49.46 feet to a point on the northerly right-of-way of Keene Street; THENCE proceed along said right-of-way the following two courses: North 80 degrees 45 minutes 09 seconds West a distance of 132.78 feet to a point; THENCE along a curve to the left with a radius of 368.31 feet and an arc length of 18.32 feet, said curve having a chord bearing of North 81 degrees 34 minutes 52 seconds West and a chord distance of 18.32 feet to a 1/2” rebar found , said rebar being the **TRUE POINT OF BEGINNING.**

Said tract contains 4,225 square feet or 0.10 acres.

The above-described property is shown as Tract 2 on a Boundary Survey for Kennesaw City Storage, LLC dated 05/24/2023, last revised 10/19/2023 and prepared by Travis Pruitt & Associates, Inc. Survey File Number (217-E-131).

DESCRIPTION OF

TRACT 3 BOUNDARY EXHIBIT PLAT

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

COMMENCING at the intersection of the easterly right-of-way of Cobb Parkway (right-of-way varies, a.k.a. U.S. Hwy 41) and the northerly right-of-way of Keene Street (40’ right-of-way) proceed along said Keene Street right-of-way +/- 667 feet to a 1/2" rebar set, said rebar being the **TRUE POINT OF BEGINNING.**

From the **TRUE POINT OF BEGINNING,** departing said right-of-way THENCE North 33 degrees 01 minutes 25 seconds West a distance of 49.46 feet to a 1/2" rebar with cap found; THENCE South 88 degrees 26 minutes 15 seconds East a distance of 59.95 feet to a 1/2" rebar with cap found; THENCE South 62 degrees 44 minutes 36 seconds East a distance of 95.23 feet to a 1/2" rebar with cap found on the northerly right-of-way of Keene Street; THENCE proceed along said right-of-way the following two courses: along a curve to the right with a radius of 225.26 feet and an arc length of 85.77 feet, said curve having a chord bearing of South 88 degrees 59 minutes 41 seconds West and a chord distance of 85.25 feet to a point; THENCE North 80 degrees 45 minutes 08 seconds West a distance of 32.81 feet to a 1/2” rebar, said point being the **TRUE POINT OF BEGINNING.**

Said tract contains 4,123 square feet or 0.095 acres.

The above-described property is shown as Tract 3 on a Boundary Survey for Kennesaw City Storage, LLC dated 05/24/2023, last revised 10/19/2023 and prepared by Travis Pruitt & Associates, Inc. Survey File Number (217-E-131).

THIS BOX RESERVED FOR
THE CLERK OF THE SUPERIOR COURT

PROPERTY DESCRIPTION

All that tract or parcel of land lying and being in Land Lots 166 & 167 of the 20th District, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

BEGINNING at a 1/2" rebar found at the intersection of the southern right of way of Keene Street (40' right of way) and the eastern right of way of Cobb Parkway (A.K.A. U.S. Highway 41)(right of way varies), THENCE proceeding along the southern right of way of Keene Street (40' right of way) North 68 degrees 34 minutes 23 seconds East a distance of 200.81 feet to a 1/2" rebar found on said right of way; THENCE leaving said right of way South 44 degrees 05 minutes 11 seconds East a distance of 175.12 feet to an iron pin found; THENCE South 46 degrees 51 minutes 01 seconds West a distance of 185.32 feet to a 1 & 3/4" crimp top pipe found on the eastern right of way of Cobb Parkway (A.K.A. U.S. Highway 41)(right of way varies); THENCE proceeding along said right of way North 44 degrees 05 minutes 21 seconds West a distance of 249.45 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

Said tract contains 39,337 square feet or 0.903 acre.

Being the same property as described in Exhibit A of Commitment No. 110073389 prepared by First American Title Insurance Company with an Effective Date of August 7, 2023.

TBM: RAILROAD SPIKE SET IN POWER POLE, ELEV = 1076.51'

KEENE STREET (F.K.A. DOBBS DRIVE) (40' R/W PER REF. PLAT #3)

(RECORD - 200.00') N68°34'23"E 200.81'

P.O.B. 1/2" REBAR FOUND

1/2" REBAR FOUND

N/F B.N. AUTO PARTS CO. DEED BOOK 12691, PAGE 270 TAX ID: 20016700420

N/F KENNESAW CITY STORAGE, LLC DEED BOOK 18595, PAGE 1942 TAX ID: 20016700730

(RECORD - 175.00') S44°05'11"E 175.12'

MANHOLE UNABLE TO ACCESS TOP=1081.09'

1 STORY ALUMINIUM BUILDING 7595 SQ. FT.

OUTLET CONTROL STRUCTURE TOP=1076.52' INV OUT (18" CMP)=1073.35'

INV (18" RCP)=1072.11'

INV (18" CMP)=1072.33'

N44°05'21"W 249.45' (RECORD - 250.00')

(RECORD - 185.00') S46°51'01"W 185.32'

MANHOLE TOP=1083.11' INV IN (A 18" RCP)=1079.17' INV OUT (B 18" RCP)=1078.88'

1 & 3/4" CRIMP TOP PIPE FOUND

N/F KENNESAW CITY STORAGE, LLC DEED BOOK 18595, PAGE 1942 TAX ID: 20016700730

COBB PARKWAY (A.K.A. U.S. HIGHWAY 41) (R/W VARIES PER REF. PLAT #3)

APPROXIMATE LOCATION OF LAND LOT LINE

Grid North (GA West Zone)

LOCATION MAP

NOT TO SCALE

SITE ADDRESS

2590 Keene Street Northwest
Kennesaw GA, 30144

SITE AREA

Total = 39,337 square feet or 0.903 acre

PARKING SUMMARY

Regular Parking Spaces:	17
Handicap Parking Spaces:	1
Total Parking Spaces:	18

LEGEND

●	BOLLARD
▩	SQUARE COLUMN
▭	MAILBOX
X 000.0	GROUND ELEVATION
– –1062– –	CONTOUR ELEVATION
♿	HANDICAP PARKING
–o–	SIGN
◆	TEMPORARY BENCHMARK
CONC	CONCRETE
TC	TOP OF CURB
BC	BOTTOM OF CURB
TW	TOP OF WALL
BW	BOTTOM OF WALL
FFE	FINISHED FLOOR ELEVATION
EOP	EDGE OF PAVEMENT
A	AC UNIT
E	ELECTRIC BOX
E	ELECTRIC METER
	GUY WIRE
	POWER POLE
RCP	REINFORCED CONCRETE PIPE
CMP	CORRUGATED METAL PIPE
INV	INVERT
S	SANITARY SEWER MANHOLE
C	CLEAN OUT
S	STORM SEWER MANHOLE
	SQUARE OUTLET CONTROL STRUCTURE
T	TELEPHONE BOX
G	GAS METER
G	GAS MARKER
W	WATER VALVE
STORM	STORM SEWER LINE
P	OVERHEAD POWER
T	OVERHEAD TELEPHONE

TITLE EXCEPTIONS

This survey relied upon information contained within a Title Commitment number 110073389 prepared by First American Title Insurance Company, with an effective date of August 7, 2023 at 8:00 AM, with respect to the property surveyed described in "Exhibit A", and the exceptions listed in "Schedule B, Section II".

8. Judgement of Court recorded in Deed Book 1147, Page 457. *Comments: May affect subject property. Document does not contain a legal description.*

9. Judgement of Court recorded in Deed Book 1147, Page 458. *Comments: May affect subject property. Document does not contain a legal description.*

10. All matters shown on plat of survey recorded in Plat Book 43, page 10, aforesaid records. *Comments: Affects subject property. All applicable matters are shown hereon.*

SURVEY NOTES

1. This plat was prepared for the exclusive use of the person, persons, or entity named in the title block. Said use does not extend to any unnamed person without express permission by the surveyor naming said person.
2. Unless otherwise specified, all distances shown are horizontal ground distances measured in U.S. survey feet (39.37 inches = 1 meter).
3. The project horizontal datum is relative to the North American Datum 1983 (NAD83), 2011 adjustment, projected to the Georgia State Plane Coordinate System, Georgia West Zone. The vertical datum is relative to the North American Vertical Datum of 1988 (NAVD88) using the National Geodetic Survey (NGS) Geoid 12A.
4. Exterior footprint of all buildings at ground level.
5. By graphic plotting only this property Does Not lie within a 100 year flood hazard zone and is depicted as Zone X as defined by the F.E.M.A Flood Insurance Rate Map of Cobb County, Georgia and incorporated areas Map Number 13067C0038H, effective date 3/4/2013.
6. No common observable evidence of cemeteries, burial grounds or isolated gravesites were found during the course of the survey.
7. No observable evidence that the site was used as a solid waste dump, sump or sanitary landfill.
8. The Property has direct vehicular access to Keene Street (F.K.A. Dobbs Drive)(40' right of way) and pedestrian access to Keene Street (F.K.A. Dobbs Drive)(40' right of way) and Cobb Parkway (A.K.A. U.S. Highway 41)(right of way varies), both are dedicated public right of ways, as shown on the survey.
9. No wetland delineation markers were observed at the time of the survey.
10. No observable evidence of earth moving work, building construction or building additions at the time of the survey.
11. No observable evidence or proposed changes in right of way made available to the surveyor.
12. No observable evidence of recent street or sidewalk construction or repairs.
13. Information regarding the reputed presence, size, character and location of existing underground utilities and structure is shown hereon. There is no certainty of the accuracy of this information and it shall be considered in that light by those using this drawing. The location and arrangement of underground utilities and structures shown hereon may be inaccurate and utilities and structure not shown may be encountered. The owner, his employees, his consultants and his contractors shall hereby distinctly understand that the surveyor is not responsible for the correctness or sufficiency of this information.
14. Underground utility research, field markings, size and character of material has been provided by RHD Services on 10/03/2023

REFERENCE PLATS

1. ALTA/ACSM Land Title Survey for The Extended Stay in Kennessaw, LLC prepared by Diversified Technical Group, L.L.C. dated 11/15/2013.
2. ALTA/NSPS Land Title Survey for CPC Real Estate Acquisitions, LLC prepared by Gunnin Land Surveying, LLC dated 07/11/2019, revised 11/26/2019.
3. ALTA/NSPS Land Title Survey for Kennesaw Town Center Self Storage prepared by Travis Pruitt & Associates dated 08/10/2021, revised 10/14/2022.

CERTIFICATION:

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in Section 15-6-67.

This is to certify that this survey was made under my supervision and is a true representation of the land surveyed. The field data upon which this survey is based, was performed using a a eGPS 20TL dual frequency receiver with network adjusted real time kinematic measurements referenced to the eGPS network. The GPS survey included redundant measurements with positional accuracy better than 0.07'.

This map or plat has been calculated for closure and is found to be accurate within one foot in 204,904 feet.

To Kennesaw City Storage, LLC, Concord Wilshire Companies and First American 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, 5, 6(a), 7(b)(1), 8, 9, 11(b), 13 and 19 of Table A thereof. The fieldwork was completed on 09/29/2023.

KEVIN G. PATE
Georgia Professional Land Surveyor No. 3499
For the Firm Travis Pruitt & Associates, Inc.

10-18-23
Date

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NO	DATE	DESCRIPTION	BY
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REVISIONS

Travis Pruitt & Associates, Inc.
CIVIL ENGINEERS • SURVEYORS • ENVIRONMENTAL SCIENTISTS • LANDSCAPE ARCHITECTS
4317 Park Drive, Suite 400
Norcross, Georgia 30093
Phone: (770) 416-7511
Fax: (770) 416-6759
www.travispruitt.com
Certificate of Authorization Number 613

ALTA/NSPS LAND TITLE SURVEY

KENNESAW CITY STORAGE, LLC & FIRST AMERICAN TITLE INSURANCE COMPANY

AUTHORIZED BY: CONCORD WILSHIRE COMPANIES

LAND LOTS 166 & 167 • 20TH DISTRICT • CITY OF KENNESAW • COBB COUNTY • GEORGIA

GRAPHIC SCALE - IN FEET

10 0 20 40 60

GEORGIA PROFESSIONAL LAND SURVEYOR NO. 3499 10/18/2023 KEVIN GLENN PATE

For The Firm
Travis Pruitt & Associates, Inc.

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.

PLAT DATE:	10/18/2023
FIELD DATE:	09/29/2023
SCALE:	1" = 20'
JN:	1-23-0472.600
FN:	172-D-027
SHEET NO:	1 of 1

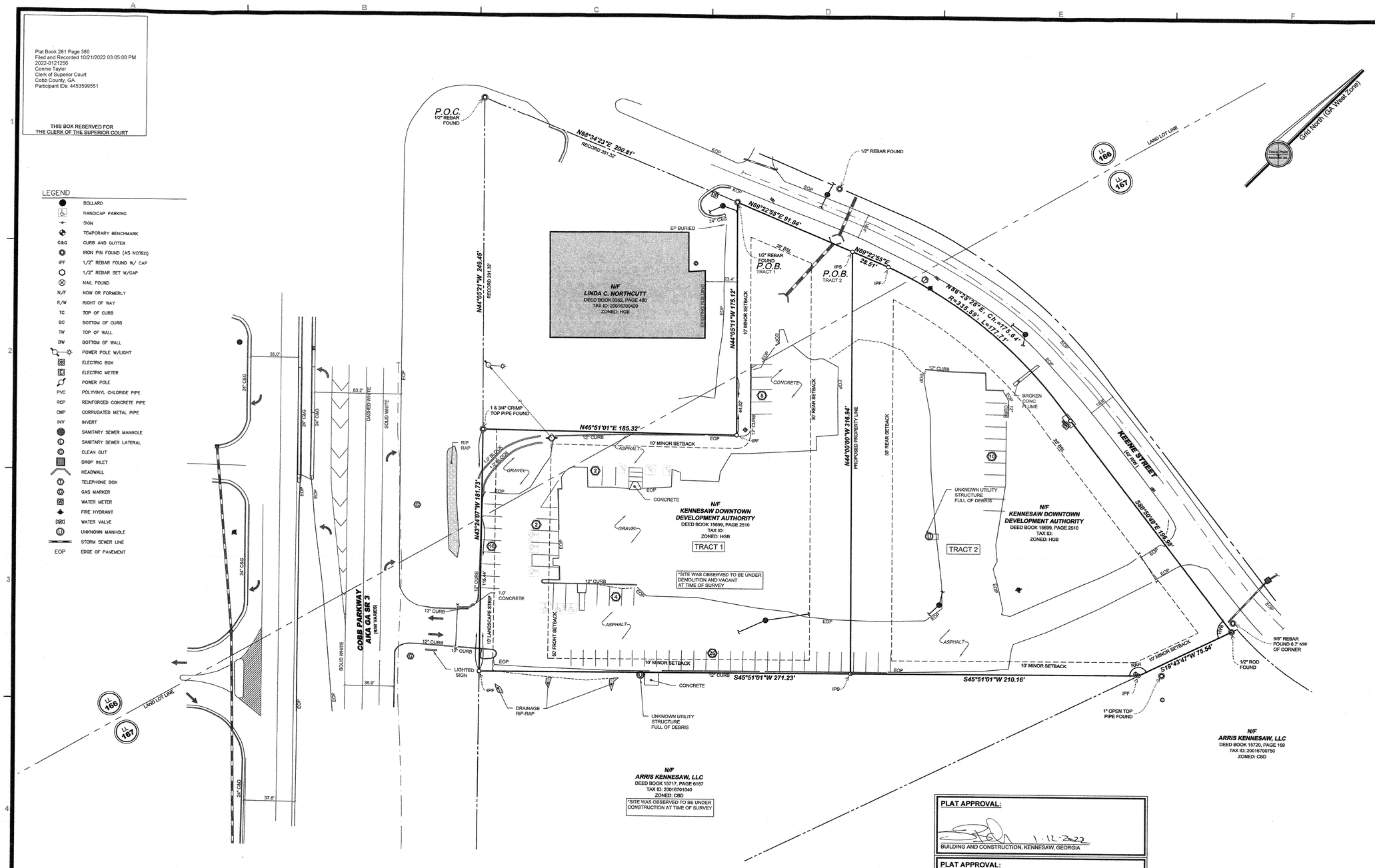
W:\2023\230472\Survey\CAD\612,600\Drawings\230472,612,600BT.dwg, 24x36 Alta, kpate, Oct 18, 2023 - 5:05:49pm

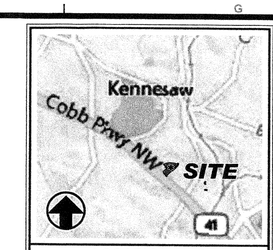
Plat Book 281 Page 380
Filed and Recorded 10/21/2022 03:05:00 PM
2022-0121256
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 4453599551

THIS BOX RESERVED FOR
THE CLERK OF THE SUPERIOR COURT

LEGEND

- BOLLARD
- HANDICAP PARKING
- SIGN
- TEMPORARY BENCHMARK
- C&G — CURB AND GUTTER
- IRON PIN FOUND (AS NOTED)
- IPF — 1/2" REBAR FOUND W/ CAP
- 1/2" REBAR SET W/CAP
- NAIL FOUND
- N/F — NOW OR FORMERLY
- R/W — RIGHT OF WAY
- TC — TOP OF CURB
- BC — BOTTOM OF CURB
- TW — TOP OF WALL
- BW — BOTTOM OF WALL
- POWER POLE W/LIGHT
- ELECTRIC BOX
- ELECTRIC METER
- POWER POLE
- PVC — POLYVINYL CHLORIDE PIPE
- RCP — REINFORCED CONCRETE PIPE
- CMP — CORRUGATED METAL PIPE
- INV — INVERT
- SANITARY SEWER MANHOLE
- SANITARY SEWER LATERAL
- CLEAN OUT
- DROP INLET
- HEADWALL
- TELEPHONE BOX
- GAS MARKER
- WATER METER
- FIRE HYDRANT
- WATER VALVE
- UNKNOWN MANHOLE
- STORM SEWER LINE
- EOP — EDGE OF PAVEMENT





LOCATION MAP
1" = 2000'

ZONING: HGB

Front Yard: Arterial: 50' , Collector: 40 Local: 40 ,
Side Yard: Major side yard: 25' or 35' , Min. side yard: 10'
Rear Yard: 30'
This information is reported from public information obtained from City of Kennesaw records on 7/23/2021. It is not the intent of the surveyor to interpret or make conclusions regarding the zoning designation shown hereon.

REFERENCE PLATS:

1. ALTA/ACSM Land Title Survey for the Extended Stay Kennesaw, LLC prepared by Diversified Technical Group ,LLC dated March 14, 2014. Filed and Recorded September 3, 2014 in PB 274, PG 247.
2. ALTA/NSPS Land Title Survey for Arris Kennesaw, LLC its successors, assigns, and/or affiliates, SPT Real Estate Capital, LLC, As Administrative Agent for the benefit of the Lenders and each of their successors and/or assigns, as their interest may appear and Fidelity National Title Insurance Company prepared by Gunnin Land Surveying dated February 22, 2021. Last revised February 22, 2021
3. ALTA/NSPS Land Title Survey for Concord Wilshire Capital, LLC. A Florida Limited Liability Company, Kennesaw Downtown Development Authority & First American Title Insurance Company prepared by Travis Pruitt & Associates Inc. dated August 26, 2021 (FN: 215-E-179.)

NOTES:

1. This plat was prepared for the exclusive use of the person, persons, or entity named in the title block. Said use does not extend to any unnamed person without express permission by the surveyor naming said person.
2. Unless otherwise specified, all distances as shown are horizontal ground distances in U.S. survey feet (39.37 inches = 1 meter).
3. The project horizontal datum is relative to the North American Datum 1983 (NAD83), 2011 adjustment, projected to the Georgia State Plane Coordinate System, West Zone. The vertical datum is relative to the North American Vertical Datum of 1988 (NAVD88) using the National Geodetic Survey (NGS) Geoid 2012A.
4. Flood Plain Shown is from FIRM panel number 13067C0038H dated 3/4/2013.
5. Nothing herein shall be construed to mean that the City of Kennesaw has accepted the dedication of any rights-of-way, easements or other area as being dedicated to public use.
6. Error of closure
   Tract 1: 1 in 185,411
   Tract 2: 1 in 154,145

PURPOSE STATEMENT:

The purpose of this plat is to subdivide tax parcel 20013700730 into Tract 1 and Tract 2 shown hereon.

ADDRESS

TRACT 1:	2570 N Cobb Pkwy
TRACT 2:	2610 Keene Street
EXISTING:	2570 Cobb Parkway Northwest Kennesaw GA, 30152

AREA SUMMARY

TRACT 1:	61,736 SQ. FT OR 1.417 ACRES
TRACT 2:	54,834 SQ. FT OR 1.258 ACRES
TOTAL(EXISTING):	116,570 SQ. FT OR 2.675 ACRES

PUBLIC ROAD RIGHT-OF-WAYS

KEENE STREET: 40' R/W — COBB PARKWAY: VARIABLE WIDTH R/W

ZONING CASE ZV2021-04:

The setback line has ben reduced to 20' along Keene Street per zoning case ZV2021-04 approved by City of Kennesaw on October 18, 2021.

B.Consideration of a variance request for property submitted by BlueTiger Properties, LLC for the property located at 2570 North Cobb Parkway. Case No. ZV2021-04. Said request is to reduce the rear setback to 20-feet within the Highway General Business (HGB) zoning district per section 4.01.02 of the Unified Development Code. Property is located at 2570 Cobb Parkway on a parcel totalling2.67 +/- acres. Lying in Land Lots 166 & 167, Tax Parcel 73, 20th District, 2nd Section, Cobb County, Georgia. The intent of this project is to construct a three (3) story with basement climate controlled self-service storage facility (section 4.04.03) that will contain approximately 123,600 square feet of space as well as a separate detached single-story commercial/retail space that will contain approximately 14,000 square feet. The variance request was advertised in the Marietta Daily Journal on September 17 and 24, 2021 and a public notice sign has been posted on site. At their October 6, 2021 meeting, the Planning Commission recommended to approve the variance request. STAFF RECOMMENDATION: Zoning Administrator recommends approval of the variance request to reduce the rear building setback line from 30-feet to 20-feet.

Assistant Zoning Administrator Albert Trevino presented a variance request for property submitted by BlueTiger Properties, LLC for the property located at 2570 North Cobb Parkway. The request is to reduce the rear setback to 20-feet within the Highway General Business (HGB) zoning district per section 4.01.02 of the Unified Development Code. The intent of the project is to construct a three-story, climate controlled, self-service storage facility as well as a separate detached single-story commercial or retail space. This property was the former site of Budgetel and is currently sitting vacant. The Zoning Administrator recommends approval of the variance request to reduce the rear building setback line from 30-feet to 20-feet.

Motion by Councilmember Eaton to approve a variance request for property submitted by BlueTiger Properties, LLC for the property located at 2570 North Cobb Parkway, as presented, seconded by Councilmember Patel.

6:45 P.M. Floor Open for Public Comments
No comments.
6:46 P.M. Floor Closed for Public Comments

Vote taken, approved unanimously 5-0. Motion carried.
[Items X-C and X-D were presented concurrently; however, the floors for public comment for each item were opened separately].

PROPERTY DESCRIPTION TRACT 2:

All that tract or parcel of land lying and being in Land Lots 166 & 167 of the 20th District, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

COMMENCING at a 1/2" rebar found at the intersection of the southerly Right-of-Way line of Keene Street (40' R/W) and the northerly R/W line of Cobb Parkway (R/W Varies); THENCE continuing along the southerly R/W line of Keene Street the following courses and distances: North 68 degrees 34 minutes 23 seconds East a distance of 200.81 feet to a 1/2" rebar found; THENCE North 68 degrees 22 minutes 55 seconds East a distance of 91.84 feet to an iron pin set, said point being the TRUE POINT OF BEGINNING.

THENCE from said TRUE POINT OF BEGINNING continuing along the southerly R/W line of Keene Street the following courses and distances: North 69 degrees 22 minutes 55 seconds East a distance of 28.51 feet to an iron pin found ; THENCE along a curve to the right with a radius of 335.59 feet and an arc length of 177.71 feet, said curve having a chord bearing of North 86 degrees 28 minutes 26 seconds East and a chord distance of 175.64 feet to a point; THENCE South 80 degrees 50 minutes 49 seconds East a distance of 196.98 feet to a 1/2" rod found; THENCE leaving said R/W line of Keene Street South 19 degrees 43 minutes 47 seconds West a distance of 75.54 feet to an iron pin found; THENCE South 45 degrees 51 minutes 01 seconds West a distance of 210.16 feet to an iron pin set; THENCE North 44 degrees 00 minutes 00 seconds West a distance of 316.94 feet to an iron pin set in the southerly R/W line of Keene Street, said pin being the TRUE POINT OF BEGINNING.

Said tract contains 54,834 SQ. FT OR 1.258 ACRES

PROPERTY DESCRIPTION TRACT 1:

All that tract or parcel of land lying and being in Land Lots 166 & 167 of the 20th District, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

COMMENCING at a 1/2" rebar found at the intersection of the southerly Right-of-Way line of Keene Street (40' R/W) and the northerly R/W line of Cobb Parkway (R/W Varies); THENCE continuing along the southerly R/W of Keene Street, North 68 degrees 34 minutes 23 seconds East a distance of 200.81 feet to a 1/2" rebar found, said point being the TRUE POINT OF BEGINNING.

THENCE from said TRUE POINT OF BEGINNING continuing along the southerly R/W line of Keene Street, North 69 degrees 22 minutes 55 seconds East a distance of 91.84 feet to an iron pin set; THENCE leaving said R/W line South 44 degrees 00 minutes 00 seconds East a distance of 316.94 feet to an iron pin set; THENCE South 45 degrees 51 minutes 01 seconds West a distance of 271.23 feet to an iron pin found on the northerly R/W line of Cobb Parkway; THENCE continuing along said R/W line of Cobb Parkway North 43 degrees 24 minutes 07 seconds West a distance of 181.73 feet to a 1 3/4" crimp top pipe found; THENCE leaving said R/W line of Cobb Parkway North 46 degrees 51 minutes 01 seconds East a distance of 185.32 feet to an iron pin found; THENCE North 44 degrees 05 minutes 11 seconds West a distance of 175.12 feet to a 1/2" rebar found on the southerly R/W line of Keene Street, said rebar being the TRUE POINT OF BEGINNING.

Said tract contains 61,736 SQ. FT OR 1.417 ACRES

SLOPE EASEMENT STATEMENT:

This plat is approved with the understanding that easement is granted to the City of Kennesaw along all road frontage for the purpose of sloping cuts and fills as follows:

0'-5' - not less than 3 to 1 slope
5'-10' - not less than 2 to 1 slope

COBB COUNTY WATER SYSTEM PLAT APPROVAL:

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

1/10/2022
DATE

PLAT APPROVAL:

1-12-2022
BUILDING AND CONSTRUCTION, KENNESAW, GEORGIA

PLAT APPROVAL:

1-18-22
CITY ENGINEER, KENNESAW, GEORGIA

PLAT APPROVAL:

1-18-22
PLANNING AND ZONING ,KENNESAW, GEORGIA

PLAT APPROVAL:

1-18-22
PUBLIC WORKS, KENNESAW, GEORGIA

PLAT APPROVAL:

CITY COUNCIL, KENNESAW, GEORGIA

PLAT APPROVAL:

Pursuant to the Land Subdivision sections of this UDC of the City of Kennesaw, Georgia, all the requirements of approval having been fulfilled, this final plat was given final approval by the Mayor and Council of Kennesaw, Georgia on 01/18/22 (Date).

MAYOR, KENNESAW, GEORGIA — 01/18/2022 DATE

ENGINEER AND LAND SURVEYOR ACKNOWLEDGEMENT:

It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property made by me or under my supervision; that all monuments shown hereon actually exist or are marked as "future," and their location, size, type and material are correctly shown; and that all engineering requirements of the Kennesaw Subdivision Regulations have been fully complied with.

TRAVIS N. PRUITT, JR — PRINT NAME
2809 — GEORGIA PROFESSIONAL LAND SURVEYOR NO.
12/21/21 — DATE

OWNER'S ACKNOWLEDGEMENT:

The owner of the land shown on this plat and whose name is subscribed thereto, and in person or through duly authorized agents, acknowledges that this plat was made from an actual survey and dedicates to the use of the public forever all streets, parks, drains, easements and public grounds thereon shown, which comprises a total of 2.675 acres, for the purposes therein expressed.

Provided, however, that nothing herein nor acceptance shall create liability on the part of the City of Kennesaw, its officers, agents or employees for flooding or erosion from storm drains or from flooding from high water of natural creeks or rivers, and the City of Kennesaw is hereby specifically released from any such liability or from liability for the negligent construction or maintenance of all drainage structures, roads, sediment control facilities and all other work performed by the owner or developer of the property, their agent, servants, employees or contractors.

KENNESAW CITY STORAGE, LLC — SUBDIVIDER (PRINT NAME)
MITCHELL E COOKE — OWNER (PRINT NAME)
SIGNATURE
12-22-2021 — DATE

CERTIFICATION:

The property hereon lies completely within a jurisdiction which does not review or approve any plats or this type of plat prior to recording. 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.

This is to certify that this survey was made under my supervision and is a true representation of the land surveyed. The field data upon which this survey is based has a closure precision of one foot in 72,165 feet, and an angular error of 1" per angle point, and was adjusted using the Compass Rule Method. Angular and linear measurements were made using a Leica TS 15 Robotic Total Station. A portion of this survey was performed using Leica GS 15 GPS receivers with network adjusted real time kinematic measurements referenced to the eGPS network. The GPS survey included redundant measurements with positional accuracy better than 0.07'.

Travis N. Pruitt Jr. — Date
Georgia Professional Land Surveyor No. 2809
For the Firm Travis Pruitt & Associates, Inc.

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Travis Pruitt & Associates, Inc.
These drawings and their reproductions are the property of the Surveyor and may not be reproduced, published, or used in any way without the written permission of this Surveyor.

GEORGIA PROFESSIONAL ENGINEER AND LAND SURVEYOR TRAVIS N. PRUITT JR. No. 2809
12/21/21
For The Firm
Travis Pruitt & Associates, Inc.

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.

PLAT DATE:	12/2/2021
FIELD DATE:	8/16/2021
SCALE:	1" = 30'
JN:	1-21-0242.646
FN:	216-E-054
SHEET NO:	1 of 1

REVISIONS

NO	DATE	DESCRIPTION	BY
1	12/2/2021	ADDRESSED CITY AND COUNTY COMMENTS	DD

Travis Pruitt & Associates, Inc.
CIVIL ENGINEERS · SURVEYORS · PLANNERS · LANDSCAPE ARCHITECTS
4317 Park Drive, Suite 400
Norcross, Georgia 30093
Phone: (770) 416-7511
Fax: (770) 416-0797
www.travispruitt.com
Certificate of Authorization Number 613

FINAL PLAT OF PARCEL SPLIT

KENNESAW TOWN CENTER SELF STORAGE

AUTHORIZED BY: KENNESAW CITY STORAGE, LLC
LAND LOTS 166 & 167 • 20TH DISTRICT • CITY OF KENNESAW • COBB COUNTY • GEORGIA
GRAPHIC SCALE - IN FEET
0 15 30 60 90 120

W:\2021\21024\Survey\CAD\646\Drawings\210242.646BT.dwg, 30x42 Alta (1 of 1), bphelts, Dec 21, 2021 - 1:34:43pm

DESCRIPTION OF

2590 Keene Street

All that tract or parcel of land lying and being in Land Lots 166 & 167 of the 20th District, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

BEGINNING at a 1/2'' rebar found at the intersection of the southern right of way of Keene Street (40' right of way) and the eastern right of way of Cobb Parkway (A.K.A. U.S. Highway 41)(right of way varies), THENCE proceeding along the southern right of way of Keene Street (40' right of way) North 68 degrees 34 minutes 23 seconds East a distance of 200.81 feet to a 1/2'' rebar found on said right of way; THENCE leaving said right of way South 44 degrees 05 minutes 11 seconds East a distance of 175.12 feet to an iron pin found; THENCE South 46 degrees 51 minutes 01 seconds West a distance of 185.32 feet to a 1 & 3/4'' crimp top pipe found on the eastern right of way of Cobb Parkway (A.K.A. U.S. Highway 41)(right of way varies); THENCE proceeding along said right of way North 44 degrees 05 minutes 21 seconds West a distance of 249.45 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

Said tract contains 39,337 square feet or 0.903 acre.

The above-described property is shown on an ALTA/NSPS Land Title Survey for Concord Wilshire Companies, dated October 18, 2023, prepared by Travis Pruitt & Associates, Inc. Survey File Number (172-D-027).

DESCRIPTION OF TRACT 1

(2570 N Cobb Pkwy)

All that tract or parcel of land lying and being in Land Lots 166 & 167 of the 20th District, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

COMMENCING at a 1/2” rebar found at the intersection of the southerly Right-of-Way line of Keene Street (40' R/W) and the northerly R/W line of Cobb Parkway (R/W Varies); THENCE continuing along the southerly R/W of Keene Street, North 68 degrees 34 minutes 23 seconds East a distance of 200.81 feet to a 1/2” rebar found, said point being the TRUE POINT OF BEGINNING.

THENCE from said TRUE POINT OF BEGINNING continuing along the southerly R/W line of Keene Street, North 69 degrees 22 minutes 55 seconds East a distance of 91.84 feet to an iron pin set; THENCE leaving said R/W line South 44 degrees 00 minutes 00 seconds East a distance of 316.94 feet to an iron pin set; THENCE South 45 degrees 51 minutes 01 seconds West a distance of 271.23 feet to an iron pin found in the northerly R/W of Cobb Parkway; THENCE continuing along said R/W North 43 degrees 24 minutes 07 seconds West a distance of 181.73 feet to a 1 3/4” crimp top pipe found; THENCE ,leaving said R/W North 46 degrees 51 minutes 01 seconds East a distance of 185.32 feet to an iron pin found; THENCE North 44 degrees 05 minutes 11 seconds West a distance of 175.12 feet to a 1/2” rebar found in the southerly R/W of Keene Street, said rebar being the TRUE POINT OF BEGINNING.

Said tract contains 61,736 SQ. FT OR 1.417 ACRES

The above-described property is shown as Tract 1 on a Final Plat of Parcel Split for Kennesaw City Storage, LLC, dated December 21, 202, prepared by Travis Pruitt & Associates, Inc. Filed for record at Plat Book 281, Page 380, Cobb County, Georgia records. Survey File Number (216-E-054).

DESCRIPTION OF TRACT 2

(2610 Keene Street)

All that tract or parcel of land lying and being in Land Lots 166 & 167 of the 20th District, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

COMMENCING at a 1/2” rebar found at the intersection of the southerly Right-of-Way line of Keene Street (40' R/W) and the northerly R/W line of Cobb Parkway (R/W Varies); THENCE continuing along the southerly R/W of Keene Street the following courses and distances: North 68 degrees 34 minutes 23 seconds East a distance of 200.81 feet to a 1/2” rebar found; THENCE North 69 degrees 22 minutes 55 seconds East a distance of 91.84 feet to an iron pin set, said point being the TRUE POINT OF BEGINNING.

THENCE from said TRUE POINT OF BEGINNING continuing along the southerly R/W line of Keene Street the following courses and distances: North 69 degrees 22 minutes 55 seconds East a distance of 28.51 feet to an iron pin found ; THENCE along a curve to the right with a radius of 335.59 feet and an arc length of 177.71 feet, said curve having a chord bearing of North 86 degrees 28 minutes 26 seconds East and a chord distance of 175.64 feet to a point; THENCE South 80 degrees 50 minutes 49 seconds East a distance of 196.98 feet to a 1/2" rod found; THENCE leaving said R/W South 19 degrees 43 minutes 47 seconds West a distance of 75.54 feet to an iron pin found; THENCE leaving said R/W, South 45 degrees 51 minutes 01 seconds West a distance of 210.16 feet to an iron pin set; THENCE North 44 degrees 00 minutes 00 seconds West a distance of 316.94 feet to an iron pin set in the southerly R/W line of Keene Street, said pin being the TRUE POINT OF BEGINNING.

Said tract contains 54,834 SQ. FT OR 1.258 ACRES

The above-described property is shown as Tract 2 on a Final Plat of Parcel Split for Kennesaw City Storage, LLC, dated December 21, 202, prepared by Travis Pruitt & Associates, Inc. Filed for record at Plat Book 281, Page 380, Cobb County, Georgia records. Survey File Number (216-E-054).

Deed Book 12691 Pg 270
Filed and Recorded Jul-13-1999 05:43pm
1999-0116070
Real Estate Transfer Tax $84.20

Jay C. Stephenson
Clerk of Superior Court Cobb Cty. Ga.

2/12 RR

92R291.5
RETURN TO:
Moore Ingram Johnson & Steele, LLP
192 Anderson Street
Marietta, GA 30060

QUITCLAIM DEED

STATE OF GEORGIA
COUNTY OF COBB

THIS INDENTURE made the 1 day of May in the year of one thousand nine hundred and ninety-nine, between

DAN W. NORTHCUTT and LINDA C. NORTHCUTT

of the County of Cobb and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and

B. N. AUTO PARTS CO.
a Georgia corporation

of the County of Cobb and State of Georgia, 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 one dollar ($1.00) and other valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, by these presents does hereby remise, convey, and forever QUITCLAIM unto the said Grantee

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 166 OF THE 20TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE.

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.

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:

(Unofficial Witness)

DAN W. NORTHCUTT (Seal)

(Notary Public)

LINDA C. NORTHCUTT (Seal)

My Commission Expires:

(Notarial Seal)

NANCY M. HARRIS NOTARY PUBLIC GEORGIA EXPIRES JULY 16, 2003 COBB COUNTY

4/95

Jay C. Stephenson
Clerk of Superior Court Cobb Cty. Ga.

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 166 of the 20th District, 2nd Section, Cobb County, Georgia, as per plat of survey by Raoul N. Arroyo, Surveyor, dated July 30, 1971, and being more particularly described as follows:

BEGINNING at an iron pin at the corner formed by the intersection of the northeast side of U. S. Highway 41 and the southeast side of Dobbs Drive; running thence south 45 degrees 20 minutes east along the right-of-way of U. S. Highway 41 a distance of 250 feet to an iron pin; running thence north 45 degrees 27 minutes east a distance of 185 feet to an iron pin; running thence north 45 degrees 28 minutes west a distance of 175 feet to an iron pin on the southeast side of Dobbs Drive; running thence south 67 degrees 29 minutes 33 seconds west as measured along the southeast side of Dobbs Drive a distance of 200 feet to an iron pin and the point of beginning, said property being the same as that conveyed in that certain Warranty Deed from Curtis M. Wigley to Northcutt & Northcutt, a Partnership comprised of Floyd W. Northcutt and Dan W. Northcutt, dated October 27, 1983, filed for record October 27, 1983, in **Deed Book 2924, Page 182**, Records of Cobb County, Georgia.

Deed Book 16054 Page 2805
Filed and Recorded 5/9/2022 5:24:00 PM
2022-0053901
Real Estate Transfer Tax $4,900.00
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 5959440500

The Abram Law Group, LLC
1200 Ashwood Parkway, Suite 560
Atlanta, GA 30338
770/349-0120
File #22-0090

LIMITED WARRANTY DEED

STATE OF FLORIDA
COUNTY OF ORANGE

THIS INDENTURE made as of the 9th day of May, in the year two thousand and twenty-two, between

ETERNAL HOLDINGS LLC
a Nevada limited liability company

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

PIEDMONT RESIDENTIAL, 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 TEN DOLLARS ($10.00) AND OTHER 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 and conveyed, and by these presents, does grant, bargain, sell and convey unto the said Grantee, the following described real property to-wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 138 and 167 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia, and being more particularly described on **Exhibit "A"** attached hereto and incorporated herein by reference for a complete legal description.

This conveyance is made subject to those matters shown on **Exhibit "B"** attached hereto.

TO HAVE AND TO HOLD the said bargained property, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever IN FEE SIMPLE.

And the said Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the lawful claims of all persons, claiming by, through, or under said Grantor.

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:

M. Marie Storey
Witness

Notary Public
My commission expires: February 12, 2024
[Notary Seal]

Eternal Holdings LLC
a Nevada limited liability company

BY: Shahriar Ekbatani (SEAL)
Name: Shahriar Ekbatani
Title: Manager

MAYA D. VALDIVIA
MY COMMISSION # GG 953043
EXPIRES: February 12, 2024
Bonded Thru Notary Public Underwriters

P\EDMONTRES\KEENESTS\SALEDOCS\LWD

EXHIBIT "A"
LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 138 & 167 OF THE 20TH DISTRICT, 2ND SECTION, CITY OF KENNESAW, COBB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" REBAR ON THE SOUTHERLY RIGHT-OF-WAY OF CEMETERY STREET (30' R/W) AT THE COMMON CORNER OF LAND LOT 138, 139, 166 & 167;
SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY, NORTH 45 DEGREES 05 MINUTES 57 SECONDS EAST, 119.51 FEET TO A FENCE CORNER;
THENCE, NORTH 56 DEGREES 26 MINUTES 58 SECONDS EAST, 433.02 FEET TO A 1/2" REBAR ON THE WESTERLY RIGHT-OF-WAY OF SCHOOL DRIVE (30' R/W);
THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY, ALONG SAID WESTERLY RIGHT-OF-WAY, SOUTH 34 DEGREES 35 MINUTES 23 SECONDS EAST, 377.45 FEET TO A 1/2" REBAR ON THE NORTHERLY RIGHT-OF-WAY OF KEENE STREET (40' R/W);
THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY, ALONG SAID NORTHERLY RIGHT-OF-WAY, SOUTH 05 DEGREES 44 MINUTES 52 SECONDS WEST, 26.88 FEET TO A 1/2" REBAR;
THENCE, SOUTH 05 DEGREES 44 MINUTES 52 SECONDS WEST, 51.10 FEET TO A 1/2" REBAR;
THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY, SOUTH 57 DEGREES 02 MINUTES 34 SECONDS WEST, 42.91 FEET TO A 1/2" REBAR;
THENCE, SOUTH 30 DEGREES 17 MINUTES 07 SECONDS EAST, 58.60 FEET TO A 1/2" REBAR ON SAID NORTHERLY RIGHT-OF-WAY;
THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY, SOUTH 05 DEGREES 44 MINUTES 52 SECONDS WEST, 13.48 FEET TO A POINT;
THENCE ALONG A CURVE TO THE RIGHT, AN ARC DISTANCE OF 151.48 FEET, SAID CURVE HAVING A RADIUS OF 175.72 FEET AND BEING SUBTENDED BY A CHORD OF 146.83 FEET, AT SOUTH 30 DEGREES 26 MINUTES 32 SECONDS WEST, TO A POINT;
THENCE, SOUTH 55 DEGREES 08 MINUTES 12 SECONDS WEST, 103.52 FEET TO A POINT;
THENCE ALONG A CURVE TO THE RIGHT, AN ARC DISTANCE OF 89.53 FEET, SAID CURVE HAVING A RADIUS OF 224.38 FEET AND BEING SUBTENDED BY A CHORD OF 88.94 FEET, AT SOUTH 66 DEGREES 36 MINUTES 14 SECONDS WEST, TO A POINT;
THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY, NORTH 62 DEGREES 30 MINUTES 41 SECONDS WEST, 95.28 FEET TO A POINT;
THENCE, NORTH 88 DEGREES 33 MINUTES 44 SECONDS WEST, 59.94 FEET TO A POINT;
THENCE, NORTH 77 DEGREES 23 MINUTES 22 SECONDS WEST, 9.42 FEET TO A POINT;
THENCE, NORTH 57 DEGREES 02 MINUTES 34 SECONDS EAST, 6.60 FEET TO A POINT;
THENCE, NORTH 32 DEGREES 57 MINUTES 26 SECONDS WEST, 20.00 FEET TO A 1/2" REBAR;
THENCE, NORTH 33 DEGREES 06 MINUTES 00 SECONDS WEST, 19.88 FEET TO A 1/2" REBAR;
THENCE, SOUTH 57 DEGREES 01 MINUTES 02 SECONDS WEST, 53.83 FEET TO A 1/2" REBAR;
THENCE, NORTH 77 DEGREES 52 MINUTES 06 SECONDS WEST, 181.88 FEET TO A 1/2" REBAR;
THENCE, NORTH 02 DEGREES 14 MINUTES 06 SECONDS WEST, 89.32 FEET TO A 1/2" REBAR;
THENCE, NORTH 02 DEGREES 04 MINUTES 49 SECONDS WEST, 190.43 FEET TO THE POINT OF BEGINNING;

EXHIBIT "B"

1. Taxes and assessments for the year 2022 and subsequent years, which are liens not yet due and payable.

2. Easement from Kennesaw Consolidated School to Georgia Power Company, dated March 22, 1939, filed April 25, 1939, recorded in Deed Book 132, page 448, Cobb County, Georgia records.

3. Easement from Cobb County Board of Education to City of Kennesaw, dated September 29, 1960, filed October 7, 1960, recorded in Deed Book 566, page 66, aforesaid records.

4. Easements and Infrastructure Development Agreement by and between Keene Street JV LLC and Arris Kennesaw, LLC dated 02/20/2020, recorded in Deed Book 15714, Page 3087, aforesaid records

FOR AGREE SEE
DE Book 16098 Page 196

Deed Book 16095 Page 1942
Filed and Recorded 10/19/2022 10:42:00 PM
2022-0120667
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 4417205703

NOTE TO CLERK: Pursuant to O.C.G.A. 48-6-2(a)(3), this deed is exempt from the real estate transfer tax imposed by the State of Georgia.

After recording, return to:
Schreeder, Wheeler & Flint, LLP
1100 Peachtree Street NE, Suite 800
Atlanta, Georgia 30309
Attn: Leo Rose III, Esq.

Cobb County Tax Parcel No. 20016700730

STATE OF GEORGIA
COUNTY OF COBB

LIMITED WARRANTY DEED

THIS LIMITED WARRANTY DEED, made as of the 18th day of October, 2022, between **KENNESAW DOWNTOWN DEVELOPMENT AUTHORITY**, a public corporation created and existing under the laws of the State of Georgia (hereinafter referred to as "**Grantor**"), and **KENNESAW CITY STORAGE, LLC**, a Georgia limited liability company (hereinafter referred to as "**Grantee**") (the words "**Grantor**" and "**Grantee**" to include their respective heirs, legal representatives, successors, and assigns where the context requires or permits);

W I T N E S S E T H: THAT

Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and confirmed, and by these presents does grant, bargain, sell, alien, convey, and confirm unto Grantee, all those tracts or parcels of land lying and being in Cobb County, Georgia, being more particularly described in **Exhibit "A"**, attached hereto and incorporated herein by this reference (hereinafter referred to as the "**Land**");

TOGETHER WITH all buildings, structures, and improvements thereon and all rights, members, easements, hereditaments, tenements and appurtenances appertaining to the Land (the Land, together with the foregoing, is hereinafter referred to as the "**Property**");

This conveyance and the limited warranty of title set forth herein are made subject to the matters set forth on **Exhibit "B"** attached hereto and incorporated herein by reference for all purposes (collectively, the "**Permitted Exceptions**").

TO HAVE AND TO HOLD the Property unto Grantee and unto its successors and assigns, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of Grantee

and its successors and assigns, forever, **IN FEE SIMPLE.**

Grantor covenants with Grantee that it will forever warrant and defend said title to the Property against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

IN WITNESS WHEREOF, Grantor has executed this Limited Warranty Deed, to be effective as of the date set forth above.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

[SIGNATURE PAGE TO LIMITED WARRANTY DEED]

Signed, sealed, and delivered
in the presence of:

Unofficial Witness

Notary Public

Commission Expiration Date:
10-20-24

(NOTARY SEAL)

GRANTOR:

KENNESAW DOWNTOWN DEVELOPMENT AUTHORITY,
a public corporation created and existing under the laws of the State of Georgia

By: _____ (SEAL)
Mark Allen, Chair

By: _____ (SEAL)
Mary Jo Groeneveld, Secretary

(CORPORATE SEAL)

EXHIBIT "A"

Legal Description

All that tract or parcel of land lying and being in land lots 166 and 167, District 20, Section 2, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

Beginning at an iron pin found (1/2" rebar) located at the intersection of the southeasterly right of way of Dobbs Drive (40' R/W) with its intersection of the northeasterly right of way of North Cobb Parkway (A.K.A. Highway 41) (115' from the centerline of highway 41), thence along the southeasterly right of way of Dobbs Drive N 66° 40'51" E a distance of 201.32 feet to a point, said point being the TRUE POINT OF BEGINNING;

Thence continuing along the southeasterly right of way of Dobbs Drive N 67°33'30" E a distance of 120.40 feet to a point.
Thence 177.71 feet along the arc of a curve in a clockwise direction (said curve having a radius of 335.59' and a chord of N 84°38'30" E – 175.64') to a point;
Thence S 82° 40" 45" E a distance of 196.98 feet to an iron pin found (5/8" rebar);
Thence leaving said right of way S 17°53"51" W a distance of 75.54 feet to a point;
Thence S 44°01"15" W a distance of 481.39 feet to a point on the northeasterly right of way of North Cobb Parkway;
Thence along the northeasterly right of way of North Cobb Parkway N 45°20'00" W a distance of 181.48 feet to a point;
Thence leaving said right of way N 44°55'46" E a distance of 185.32 feet to an iron pin found (5/8" rebar);
Thence N 45°49'53" W a distance of 175.12 feet to a point on the southeasterly right of way of Dobbs Drive and the POINT OF BEGINNING.

Said tract containing 2.67 acres as shown hereon.

EXHIBIT "B"
Permitted Exceptions

1. Taxes for year 2023, a lien not yet due and payable.

2. Drainage rights as contained in that certain Right of Way Deed from W. M. Eller to State Highway Department of Georgia dated June 22, 1948, and recorded at Deed Book 202, Page 93, records of the Clerk of Cobb County, Georgia, Superior Court.

3. Drainage rights as contained in that certain Right of Way Deed from O.E. Jones to State Highway Department of Georgia dated June 23, 1948, and recorded at Deed Book 202, Page 96, aforesaid records, as affected by Quitclaim Deed from L.C. Chalker, O.E. Jones and the Board of Education of Cobb County, Georgia, to State Highway Department of Georgia, dated November 12, 1948, and recorded at Deed Book 192, Page 544, aforesaid records.

4. Easement from Pacemaker Inns of America to Georgia Power Company dated April 5, 1972, and recorded in Deed Book 1315, Page 725, aforesaid records.

5. All matters shown on ALTA/NSPS Land Title Survey prepared by Travis Pruitt & Associates, Inc., Travis N. Pruitt, Jr., Georgia Registered Land Surveyor No. 2809, prepared for Kennesaw City Storage, LLC, Signature Bank of Georgia, First American Title Insurance Company, and Candler Abstract Company last revised October 14, 2022, identified as Job No. 1-21-0242.600.

Deed Book 16148 Page 4177
Filed and Recorded 07/24/23 11:46:00 AM
2023-0057320
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 4417205703

Prepared for recording by:
Schreeder, Wheeler & Flint, LLP
1100 Peachtree Street NE, Suite 800
Atlanta, Georgia 30309
Attn: Leo Rose III, Esq.

Clerk please cross reference:
Deed Book 16146, Page 3619
Cobb County Records

This deed is being rerecorded to include the effective date of July 12, 2023.

Cobb County Tax Parcel No.
20016701130 (partial)

STATE OF GEORGIA
COUNTY OF COBB

LIMITED WARRANTY DEED

THIS LIMITED WARRANTY DEED, made as of the 12th day of July, 2023, between **KEENE STREET JV, LLC**, a Georgia limited liability company (hereinafter referred to as "**Grantor**"), and **REDWOOD DEVELOPMENT, LLC**, a Georgia limited liability company (hereinafter referred to as "**Grantee**") (the words "**Grantor**" and "**Grantee**" to include their respective heirs, legal representatives, successors, and assigns where the context requires or permits);

WITNESSETH: THAT

Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and confirmed, and by these presents does grant, bargain, sell, alien, convey, and confirm unto Grantee, all those tracts or parcels of land lying and being in Cobb County, Georgia, being more particularly described in **Exhibit "A"**, attached hereto and incorporated herein by this reference (hereinafter referred to as the "**Land**");

TOGETHER WITH all buildings, structures, and improvements thereon and all rights, members, easements, hereditaments, tenements and appurtenances appertaining to the Land (the Land, together with the foregoing, is hereinafter referred to as the "**Property**");

This conveyance and the limited warranty of title set forth herein are made subject to the matters set forth on **Exhibit "B"** attached hereto and incorporated herein by reference for all purposes (collectively, the "**Permitted Exceptions**").

TO HAVE AND TO HOLD the Property unto Grantee and unto its successors and assigns, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of Grantee and its successors and assigns, forever, **IN FEE SIMPLE.**

Grantor covenants with Grantee that it will forever warrant and defend said title to the Property against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

IN WITNESS WHEREOF, Grantor has executed this Limited Warranty Deed, to be effective as of the date set forth above.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

[SIGNATURE PAGE TO LIMITED WARRANTY DEED]

Signed, sealed, and delivered
in the presence of:

Unofficial Witness

Notary Public

Commission Expiration Date:

4/30/26

(NOTARY SEAL)

K GIBSON
NOTARY PUBLIC
COBB COUNTY
STATE OF GEORGIA
My Comm. Expires April 30, 2026

GRANTOR:

KEENE STREET JV, LLC,
a Georgia limited liability company

By: _____(SEAL)
Chad L. Howie, Manager

EXHIBIT "A"
Legal Description

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

COMMENCING at a point found at the intersection of northeasterly right of way line of Cobb Parkway Variable R/W (AKA HWY 41) and the north right of way line of Keene Street (40' R/W) thence proceeding along the north right of way line of Keene Street 40' R/W (FKA Dobbs) a distance of 280.00 feet to 1/2" rebar found. THENCE following said right of way along a curve to the right with a radius of 757.98 feet and an arc length of 111.83 feet, said curve having a chord bearing of North 71 degrees 55 minutes 32 seconds East and a chord distance of 111.73 feet to a point; THENCE continuing said right of way along a curve to the right with a radius of 368.31 feet and an arc length of 124.36 feet, said curve having a chord bearing of South 87 degrees 11 minutes 24 seconds West and a chord distance of 123.77 feet to a point. THENCE continuing said right of way along a curve to the right with a radius of 368.31 feet and an arc length of 18.32 feet, said curve having a chord bearing of South 81 degrees 34 minutes 52 seconds East and a chord distance of 18.32 feet to a point; South 80 degrees 45 minutes 09 seconds East a distance of 132.78 feet to a point; said point being the TRUE POINT OF BEGINNING.

THENCE from said TRUE POINT OF BEGINNING leaving said right of way North 33 degrees 01 minutes 25 seconds West a distance of 49.46 feet to a 1/2" rebar found w/cap; THENCE South 88 degrees 39 minutes 52 seconds East a distance of 59.94 feet to a point; THENCE South 62 degrees 36 minutes 48 seconds East a distance of 95.28 feet to a point at the northern right of way of Keene St 40' R/W (FKA Dobbs); THENCE following said right of way along a curve to the right with a radius of 224.38 feet and an arc length of 85.72 feet, said curve having a chord bearing of South 88 degrees 58 minutes 47 seconds West and a chord distance of 85.20 feet to a point; THENCE continuing along northern right of way line North 80 degrees 45 minutes 08 seconds West a distance of 32.81 feet to a point; said point being the TRUE POINT OF BEGINNING.

Said tract contains 4,123 square feet or 0.09 acres.

TOGETHER WITH (i) all fixtures, structures and improvements thereon, (ii) all right, title and interest, if any, in and to all rights-of-way, open or proposed streets, alleys, strips or gores of land adjacent thereto and (iii) all and singular the tenements, hereditament, rights, easements and appurtenances now or hereafter belonging thereto.

EXHIBIT "B"
Permitted Exceptions

1. Taxes for year 2023, a lien not yet due and payable.

2. Easement(s) granted in favor of Georgia Power Company as filed in Book 132, Page 448, records of the Clerk of Cobb County, Georgia, Superior Court.

3. All matters shown on Boundary Survey prepared by Travis Pruitt & Associates, Inc., Jacob M. Kaloki., Georgia Registered Land Surveyor No. 3422, prepared for Kennesaw City Storage, LLC, dated May 24, 2023, identified as Job No. 1-23-0231.600.

Deed Book 16146 Page 3633
Filed and Recorded 07/13/23 5:22:00 PM
2023-0054593
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 4417205703

Prepared for recording by:
Schreeder, Wheeler & Flint, LLP
1100 Peachtree Street NE, Suite 800
Atlanta, Georgia 30309
Attn: Leo Rose III, Esq.

Cobb County Tax Parcel Nos.
20016701130 (partial)

STATE OF GEORGIA
COUNTY OF COBB

QUITCLAIM DEED

THIS INDENTURE, made this 12th day of July, 2023 between **KEENE STREET JV LLC**, a Georgia limited liability company (herein referred to as "**Grantor**"), and **REDWOOD DEVELOPMENT, LLC**, a Georgia limited liability company (herein referred to as "**Grantee**").

W I T N E S S E T H T H A T:

The Grantor, for and in consideration of Ten and 00/100 Dollars ($10.00) in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has bargained, sold and does by these presents bargain, sell, release, convey and forever quit-claim to the said Grantee, his its heirs, successors and assigns, all right, title, interest, claim or demand which the said Grantor has or may have in and to:

> **ALL THAT TRACT** or parcel of land lying and being in Land Lots 166 and 167 of the 20th District, 2nd Section of Cobb County, Georgia, being that certain land identified as Tract 1 and Tract 2 which are more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof.

TOGETHER WITH all fixtures, structures and improvements on said property, all right, title and interest, if any, in and to all rights-of-way, open or proposed streets, alleys, strips or gores of land adjacent thereto, and all and singular the tenements, hereditament, rights, easements and appurtenances in anywise appertaining.

TO HAVE AND TO HOLD the said described premises unto the said Grantee, its heirs, successors and assigns, so that neither the said Grantor, nor its heirs or successors, nor any other person or persons claiming under it shall at any time claim or demand any right, title or interest to the aforesaid described premises.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Grantor has signed, sealed and delivered this deed on the date above written.

[SIGNATURE PAGE TO QUITCLAIM DEED]

Signed, sealed, and delivered
in the presence of:

Unofficial Witness

Notary Public

Commission Expiration Date:

4/30/2026

(NOTARY SEAL)
K GIBSON
NOTARY PUBLIC
COBB COUNTY
STATE OF GEORGIA
My Comm. Expires April 30, 2026

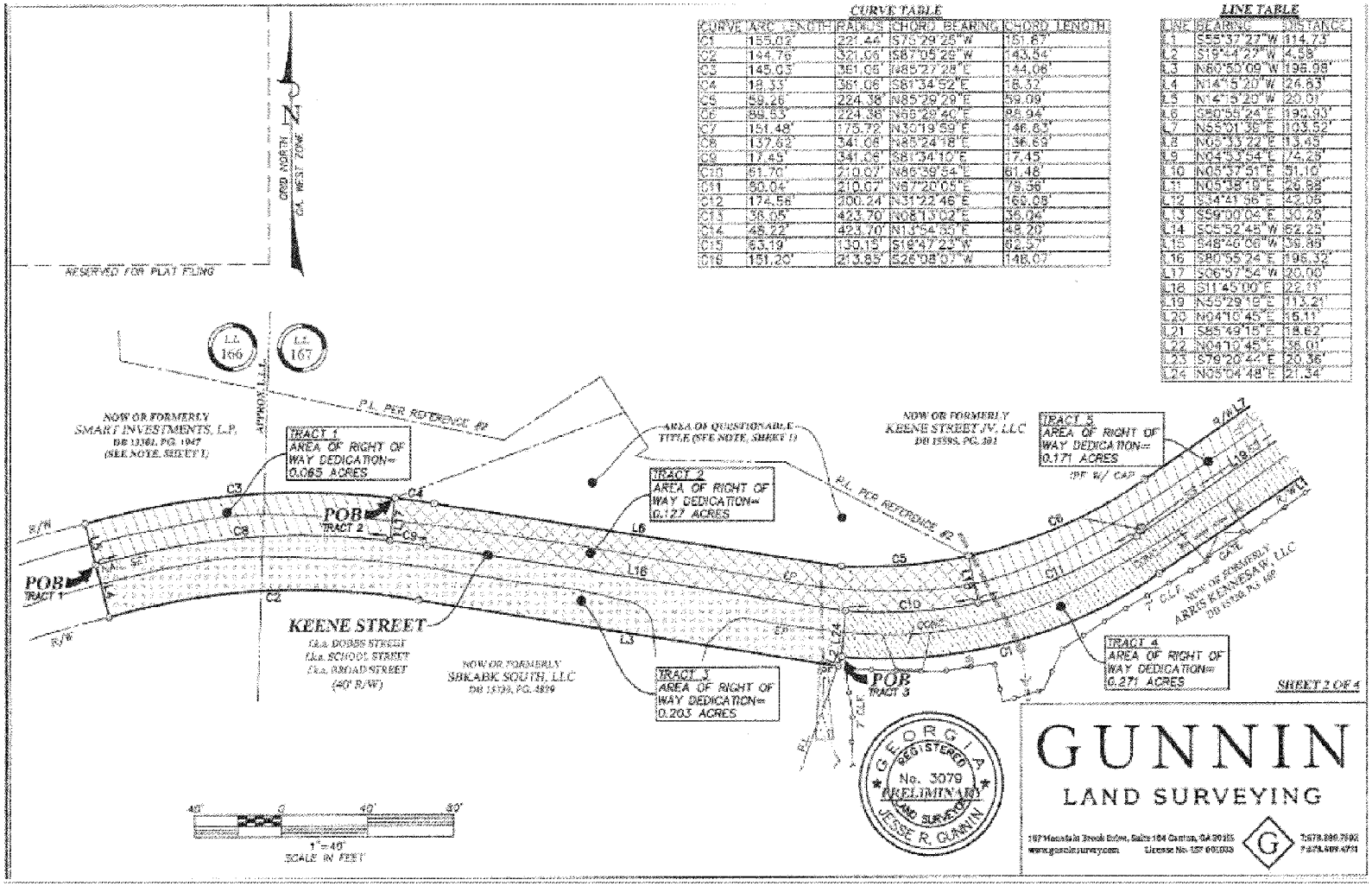
GRANTOR:

KEENE STREET JV LLC,
a Georgia limited liability company

By: _____(SEAL)
Chad L. Howie, Manager

EXHIBIT "A"

Description of proposed abandonment of Keene Street



Legal Description

Summers St Project- Right of Way Abandonment, Tract 1

All that tract or parcel of land lying and being in Land Lots 166 and 167 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at the intersection of the westerly right of way of Burrell Court (40' right of way) and the southerly right of way of Keene Street (40' right of way); thence leaving said westerly right of way and along said southerly right of way the following courses and distances: S55°37'27"W for a distance of 114.73 feet to a point; 155.02 feet along the arc of a curve to the right, said curve having a radius of 221.44 feet and being subtended by a chord of S75°29'25"W, 151.87 feet to a point; S19°44'27"W for a distance of 4.58 feet to a 1/2" rebar found; N80°50'09"W for a distance of 196.98 feet to a point; 144.76 feet along the arc of a curve to the left, said curve having a radius of 321.06 feet and being subtended by a chord of S87°05'29"W, 143.54 feet to a point; thence leaving said southerly right of way N14°15'20"W for a distance of 24.83 feet to a nail set, said point being the **TRUE POINT OF BEGINNING.**

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;
thence N14°15'20"W for a distance of 20.01 feet to a point at the northerly right of way of Keene Street (40' right of way); thence along said northerly right of way 145.03 feet along the arc of a curve to the right, said curve having a radius of 361.06 feet and being subtended by a chord of N85°27'28"E, 144.06 feet to a point; thence leaving said northerly right of way S06°57'54"W for a distance of 20.00 feet to a point; thence 137.62 feet along the arc of a curve to the left, said curve having a radius of 341.06 feet and being subtended by a chord of S85°24'18"W, 136.69 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

Said tract of parcel of land contains 0.065 acres.

Summers St Project- Right of Way Abandonment, Tract 2

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

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at the intersection of the westerly right of way of Burrell Court (40' right of way) and the southerly right of way of Keene Street (40' right of way); thence leaving said westerly right of way and along said southerly right of way the following courses and distances: S55°37'27"W for a distance of 114.73 feet to a point; 155.02 feet along the arc of a curve to the right, said curve having a radius of 221.44 feet and being subtended by a chord of S75°29'25"W, 151.87 feet to a point; S19°44'27"W for a distance of 4.58 feet to a 1/2" rebar found; N80°50'09"W for a distance of 196.98 feet to a point; 144.76 feet along the arc of a curve to the left, said curve having a radius of 321.06 feet and being subtended by a chord of S87°05'29"W, 143.54 feet to a point; thence traversing said right of way N14°15'20"W for a distance of 44.84 feet to a point at the northerly right of way of Keene Street (40' right of way); thence along said northerly right of way 145.03 feet along the arc of a curve to the right, said curve having a radius of 361.06 feet and being subtended by a chord of N85°27'28"E, 144.06 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;
thence continue along said northerly right of way the following courses and distances: 18.33 feet along the arc of a curve to the right, said curve having a radius of 361.06 feet and being subtended by a chord of S81°34'52"E, 18.32 feet to a point; thence S80°55'24"E for a distance of 190.93 feet to a point; thence 59.26 feet along the arc of a curve to the left, said curve having a radius of 224.38 feet and being subtended by a chord of N85°29'29"E, 59.09 feet to a point; thence leaving said northerly right of way S11°45'00"E for a distance of 22.11 feet to a point; thence 61.70 feet along the arc of a curve to the right, said curve having a radius of 210.07 feet and being subtended by a chord of S86°39'54"W, 61.48 feet to a point; thence N80°55'24"W for a distance of 196.32 feet to a point; thence 17.45 feet along the arc of a curve to the left, said curve having a radius of 341.06 feet and being subtended by a chord of N81°34'10"W, 17.45 feet to a point; thence N06°57'54"E for a distance of 20.00 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

Said tract of parcel of land contains 0.127 acres.

Deed Book 16148 Page 4182
Filed and Recorded 07/24/23 11:47:00 AM
2023-0057325
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 4417205703

Prepared for recording by:
Schreeder, Wheeler & Flint, LLP
1100 Peachtree Street NE, Suite 800
Atlanta, Georgia 30309
Attn: Leo Rose III, Esq.

Clerk please cross reference:
Deed Book 16146, Page 3614,
Cobb County Records

This deed is being rerecorded to include the effective date of July 12, 2023.

Cobb County Tax Parcel Nos.
20016603670 and
20016701130 (partial)

STATE OF GEORGIA
COUNTY OF COBB

LIMITED WARRANTY DEED

THIS LIMITED WARRANTY DEED, made as of the 12th day of July, 2023, between **KENNESAW REDEVELOPMENT, LLC**, a Georgia limited liability company (hereinafter referred to as "**Grantor**"), and **KENNESAW CITY STORAGE, LLC**, a Georgia limited liability company (hereinafter referred to as "**Grantee**") (the words "**Grantor**" and "**Grantee**" to include their respective heirs, legal representatives, successors, and assigns where the context requires or permits);

WITNESSETH: THAT

Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and confirmed, and by these presents does grant, bargain, sell, alien, convey, and confirm unto Grantee, all those tracts or parcels of land lying and being in Cobb County, Georgia, being more particularly described in **Exhibit "A"**, attached hereto and incorporated herein by this reference (hereinafter referred to as the "**Land**");

TOGETHER WITH all buildings, structures, and improvements thereon and all rights, members, easements, hereditaments, tenements and appurtenances appertaining to the Land (the Land, together with the foregoing, is hereinafter referred to as the "**Property**");

This conveyance and the limited warranty of title set forth herein are made subject to the matters set forth on **Exhibit "B"** attached hereto and incorporated herein by reference for all purposes (collectively, the "**Permitted Exceptions**").

TO HAVE AND TO HOLD the Property unto Grantee and unto its successors and assigns, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of Grantee and its successors and assigns, forever, **IN FEE SIMPLE.**

Grantor covenants with Grantee that it will forever warrant and defend said title to the Property against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

[SIGNATURE PAGE TO LIMITED WARRANTY DEED]

IN WITNESS WHEREOF, Grantor has executed this Limited Warranty Deed, to be effective as of the date set forth above.

Signed, sealed, and delivered
in the presence of:

Unofficial Witness

Notary Public

Commission Expiration Date:
4/30/26

NOTARY SEAL
R GIBSON
NOTARY PUBLIC
COBB COUNTY
STATE OF GEORGIA
My Comm. Expires April 30, 2026

GRANTOR:

KENNESAW REDEVELOPMENT, LLC, a Georgia limited liability company

By: _____ (SEAL)
Chad L. Howie, Manager

EXHIBIT "A"
Legal Description

All that tract or parcel of land lying and being in Land Lots 166 and 167 of the 20th District, 2nd Section, Cobb County, Georgia as shown on plat of survey prepared by Robert T. Weaver, Surveyor, dated March, 1973, a copy of which is recorded in Plat Book _____, Page _____, Cobb County Records and being more particularly described as follows:

BEGINNING at an iron pin on the northerly side of Dobbs Street (sometimes known as School Street) 280 feet northeast of intersection of the northeast side of the right of way of U.S. Highway 41 and the northwesterly side of Dobbs Street (sometimes known as School Street); running thence north 7 degrees 37 minutes west for a distance of 200 feet to an iron pin; running thence south 88 degrees 13 minutes east for a distance of 127 feet to an iron pin located on the east line of said Land Lot 166; running thence south 2 degrees 01 minutes east for a distance of 89.2 feet to an iron pin; running thence south 77 degrees 55 minutes east for a distance of 182 feet to a point; running thence north 56 degrees 57 minutes east for a distance of 54 feet to an iron pin; running south 32 degrees 48 minutes east for a distance of 20 feet to an iron pin; running thence south 69 degrees 56 minutes west for a distance of 115.1 feet to an iron pin located on the northerly side of Dobbs Street (sometimes known as School Street); running thence southwesterly along the northerly and northwesterly side of Dobbs Street (sometimes known as School Street) for a distance of 236.2 feet to an iron pin and the point of beginning.

Said tract contains 0.673 acres.

TOGETHER WITH:

All that tract or parcel of land lying and being in Land Lot 167 of the 20th District, 2nd Section, Cobb County, Georgia, and being a portion of the property as shown on plat of survey prepared by Robert T. Weaver, Surveyor, for Curtis M. Wigley, dated March, 1973, a copy of which is recorded in Plat Book _____, Page _____, Cobb County Records and being more particularly described as follows:

BEGINNING at a point on the north side of Dobbs Street (sometimes known as School Street) at a point 380 feet east of the intersection of the north side of the right of way of Dobbs Street (sometimes known as School Street) and the east side of the right of way of Cemetery Street; running thence southeasterly along the northeasterly side of the right of way of Dobbs Street (sometimes known as School Street) for a distance of 143.8 feet to the southwest line of the property of the Cobb County Board of Education; running thence north 32 degrees 48 minutes west for a distance of 70 feet to an iron pin; running thence south 69 degrees 56 minutes west for a distance of 115.1 feet to an iron pin and the point of beginning.

EXHIBIT "B"
Permitted Exceptions

1. Taxes for year 2023, a lien not yet due and payable.

2. Easement(s) granted in favor of Georgia Power Company as filed in Book 132, Page 448, records of the Clerk of Cobb County, Georgia, Superior Court.

3. Sanitary Sewer Easement in favor of City of Kennesaw as recorded in Book 566, Page 66, records aforesaid.

4. All matters shown on plat of survey recorded in Plat Book 280, Page 437, records aforesaid.

5. All matters shown on Boundary Survey prepared by Travis Pruitt & Associates, Inc., Jacob M. Kaloki., Georgia Registered Land Surveyor No. 3422, prepared for Kennesaw City Storage, LLC, dated May 24, 2023, identified as Job No. 1-23-0231.600.

Deed Book 16146 Page 3624
Filed and Recorded 7/13/2023 5:17:00 PM
2023-0054591
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 4417205703

Prepared for recording by:
Schreeder, Wheeler & Flint, LLP
1100 Peachtree Street NE, Suite 800
Atlanta, Georgia 30309
Attn: Leo Rose III, Esq.

Cobb County Tax Parcel Nos.
20016603670 and
20016701130 (partial)

STATE OF GEORGIA
COUNTY OF COBB

QUITCLAIM DEED

THIS INDENTURE, made this 12th day of July, 2023 between **KENNESAW REDEVELOPMENT, LLC**, a Georgia limited liability company (herein referred to as "**Grantor**"), and **KENNESAW CITY STORAGE, LLC**, a Georgia limited liability company (herein referred to as "**Grantee**").

W I T N E S S E T H T H A T:

The Grantor, for and in consideration of Ten and 00/100 Dollars ($10.00) in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has bargained, sold and does by these presents bargain, sell, release, convey and forever quit-claim to the said Grantee, his its heirs, successors and assigns, all right, title, interest, claim or demand which the said Grantor has or may have in and to:

> **ALL THAT TRACT** or parcel of land lying and being in Land Lots 166 and 167 of the 20th District, 2nd Section of Cobb County, Georgia being more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof.

TOGETHER WITH all fixtures, structures and improvements on said property and all and singular the rights, members and appurtenances to the said premises in anywise appertaining.

TO HAVE AND TO HOLD the said described premises unto the said Grantee, its heirs, successors and assigns, so that neither the said Grantor, nor its heirs or successors, nor any other person or persons claiming under it shall at any time claim or demand any right, title or interest to the aforesaid described premises.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Grantor has signed, sealed and delivered this deed on the date above written.

[SIGNATURE PAGE TO QUITCLAIM DEED]

Signed, sealed, and delivered
in the presence of:

Unofficial Witness

Notary Public

Commission Expiration Date:

4/30/26

(NOTARY SEAL)

K GIBSON
NOTARY PUBLIC
COBB COUNTY
STATE OF GEORGIA
My Comm. Expires April 30, 2026

GRANTOR:

KENNESAW REDEVELOPMENT, LLC, a Georgia limited liability company

By: _____(SEAL)
Chad L. Howie, Manager

EXHIBIT "A"
Legal Description

Any and all other tract or parcel of land lying and being in Land Lots 166, and 167 of the 20th District, Cobb County, Georgia and being now vested in the name of KENNESAW REDEVELOPMENT, LLC, including, without limitation, that certain land identified as Tract 1 and Tract 2 which are more particularly described on Exhibit "B" attached hereto and incorporated herein by reference.

TOGETHER WITH

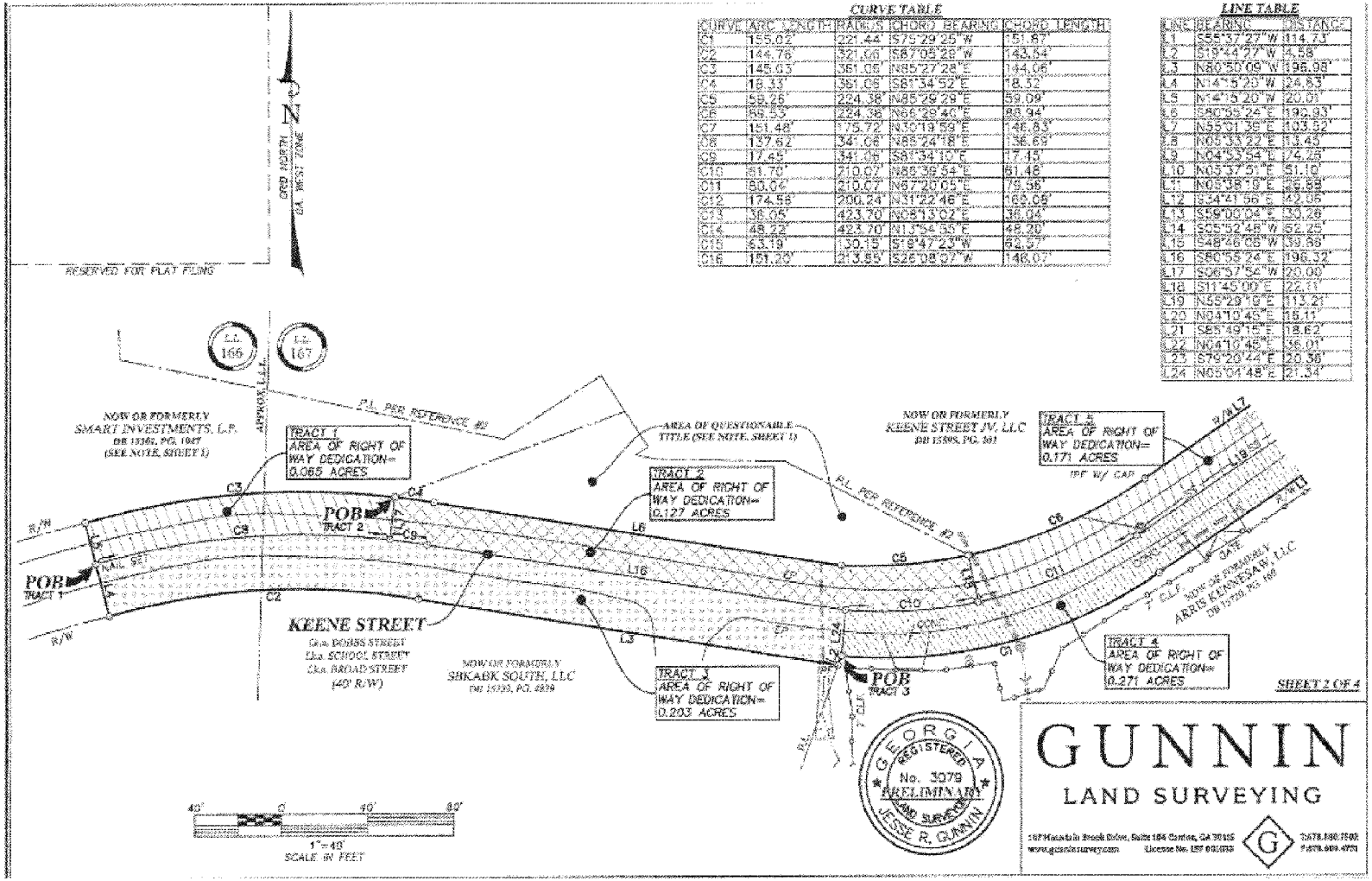
(i) all fixtures, structures and improvements thereon,

(ii) all right, title and interest, if any, in and to all rights-of-way, open or proposed streets, alleys, strips or gores of land adjacent thereto, and.

(iii)all and singular the tenements, hereditament, rights, easements and appurtenances now or hereafter belonging thereto.

EXHIBIT "B"

Description of proposed abandonment of Keene Street



Legal Description

Summers St Project- Right of Way Abandonment, Tract 1

All that tract or parcel of land lying and being in Land Lots 166 and 167 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at the intersection of the westerly right of way of Burrell Court (40' right of way) and the southerly right of way of Keene Street (40' right of way); thence leaving said westerly right of way and along said southerly right of way the following courses and distances: S55°37'27"W for a distance of 114.73 feet to a point; 155.02 feet along the arc of a curve to the right, said curve having a radius of 221.44 feet and being subtended by a chord of S75°29'25"W, 151.87 feet to a point; S19°44'27"W for a distance of 4.58 feet to a 1/2" rebar found; N80°50'09"W for a distance of 196.98 feet to a point; 144.76 feet along the arc of a curve to the left, said curve having a radius of 321.06 feet and being subtended by a chord of S87°05'29"W, 143.54 feet to a point; thence leaving said southerly right of way N14°15'20"W for a distance of 24.83 feet to a nail set, said point being the **TRUE POINT OF BEGINNING.**

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;
thence N14°15'20"W for a distance of 20.01 feet to a point at the northerly right of way of Keene Street (40' right of way); thence along said northerly right of way 145.03 feet along the arc of a curve to the right, said curve having a radius of 361.06 feet and being subtended by a chord of N85°27'28"E, 144.06 feet to a point; thence leaving said northerly right of way S06°57'54"W for a distance of 20.00 feet to a point; thence 137.62 feet along the arc of a curve to the left, said curve having a radius of 341.06 feet and being subtended by a chord of S85°24'18"W, 136.69 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

Said tract of parcel of land contains 0.065 acres.

Summers St Project- Right of Way Abandonment, Tract 2

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

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at the intersection of the westerly right of way of Burrell Court (40' right of way) and the southerly right of way of Keene Street (40' right of way); thence leaving said westerly right of way and along said southerly right of way the following courses and distances: S55°37'27"W for a distance of 114.73 feet to a point; 155.02 feet along the arc of a curve to the right, said curve having a radius of 221.44 feet and being subtended by a chord of S75°29'25"W, 151.87 feet to a point; S19°44'27"W for a distance of 4.58 feet to a 1/2" rebar found; N80°50'09"W for a distance of 196.98 feet to a point; 144.76 feet along the arc of a curve to the left, said curve having a radius of 321.06 feet and being subtended by a chord of S87°05'29"W, 143.54 feet to a point; thence traversing said right of way N14°15'20"W for a distance of 44.84 feet to a point at the northerly right of way of Keene Street (40' right of way); thence along said northerly right of way 145.03 feet along the arc of a curve to the right, said curve having a radius of 361.06 feet and being subtended by a chord of N85°27'28"E, 144.06 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;
thence continue along said northerly right of way the following courses and distances: 18.33 feet along the arc of a curve to the right, said curve having a radius of 361.06 feet and being subtended by a chord of S81°34'52"E, 18.32 feet to a point; thence S80°55'24"E for a distance of 190.93 feet to a point; thence 59.26 feet along the arc of a curve to the left, said curve having a radius of 224.38 feet and being subtended by a chord of N85°29'29"E, 59.09 feet to a point; thence leaving said northerly right of way S11°45'00"E for a distance of 22.11 feet to a point; thence 61.70 feet along the arc of a curve to the right, said curve having a radius of 210.07 feet and being subtended by a chord of S86°39'54"W, 61.48 feet to a point; thence N80°55'24"W for a distance of 196.32 feet to a point; thence 17.45 feet along the arc of a curve to the left, said curve having a radius of 341.06 feet and being subtended by a chord of N81°34'10"W, 17.45 feet to a point; thence N06°57'54"E for a distance of 20.00 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

Said tract of parcel of land contains 0.127 acres.

Printed: 10/19/2023

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:
DAN NORTHCUTT

Payment Date: 10/19/2023

Tax Year	Parcel ID	Due Date		Appeal Amount		Taxes Due
2023	20016700420	10/25/2023	**Pay:**	N/A	or	$0.00

Interest	Penalty	Fees	Total Due	Amount Paid	Balance
$0.00	$0.00	$38.53	$0.00	$4,822.73	**$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

2023
Property Tax Bill

Parcel ID	Tax District	Bill #
20016700420	3/3-BOND - KENNESAW CITY	238056

Property Owner/Location/Description	Fair Market Value	Taxable Value
B N AUTO PARTS COMPANY 2590 KEENE ST	396,700	158,680

Levies	Taxable Value	-	Exemptions	=	Net Assessment	X	Tax Rate	=	Net Tax
CITY OF KENNESAW	158680		0		158680		7.7500000000		$1,229.77
BOND	158680		0		158680		1.5000000000		$238.02

Exemptions:

>Per House Bill 960 calculation, interest will accrue at .875%. Penalty will accrue at 5% after 120 days with an additional 5% assessed after each successive 120 days to a maximum of 20% of the principle amount due (House Bill 960).
>Payments can be made online at www.municipalonlinepayments.com/kennesawga, in person, by mail or via our dropbox. Tax bills are mailed annually on October 1, with a due date of December 1.
>Any questions concerning ownership changes or change of address should be directed to Cobb County Tax Commissioner's Office. For all other questions or concerns regarding this statement, give us a call at 770-429-4542.

Current Year Tax	$1,467.79
Interest	$0.00
Penalty	$0.00
Other Fees	$0.00
Payments Received	$1,467.79
Other Amounts Due	$0.00
Total Due	$0.00
Due Date	12/01/2023

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:	20016700420
Amount Due:	$0.00
Bill#:	238056
Due Date:	12/01/2023
	AMOUNT PAID

B N AUTO PARTS COMPANY
2864 WOOD PARK TRCE
KENNESAW, GA 30152

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

Printed: 10/19/2023

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:
Nate Sirang

KENNESAW CITY STORAGE LLC

Payment Date: 9/1/2023

Tax Year	Parcel ID	Due Date		Appeal Amount		Taxes Due
2023	20016603670	10/15/2023	**Pay:**	N/A	or	$0.00

Interest	Penalty	Fees	Total Due	Amount Paid	Balance
$0.00	$0.00	$0.00	$0.00	$759.78	**$0.00**

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

2023
Property Tax Bill

Parcel ID	Tax District	Bill #
20016603670	3/3-BOND - KENNESAW CITY	237740

Property Owner/Location/Description	Fair Market Value	Taxable Value
KENNESAW CITY STORAGE LLC 0 KEENE ST	63,000	25,200

Levies	Taxable Value	-	Exemptions	=	Net Assessment	X	Tax Rate	=	Net Tax
CITY OF KENNESAW	25200		0		25200		7.7500000000		$195.30
BOND	25200		0		25200		1.5000000000		$37.80

Exemptions:

>Per House Bill 960 calculation, interest will accrue at .875%. Penalty will accrue at 5% after 120 days with an additional 5% assessed after each successive 120 days to a maximum of 20% of the principle amount due (House Bill 960).
>Payments can be made online at www.municipalonlinepayments.com/kennesawga, in person, by mail or via our dropbox. Tax bills are mailed annually on October 1, with a due date of December 1.
>Any questions concerning ownership changes or change of address should be directed to Cobb County Tax Commissioner's Office. For all other questions or concerns regarding this statement, give us a call at 770-429-4542.

Current Year Tax	$233.10
Interest	$0.00
Penalty	$0.00
Other Fees	$0.00
Payments Received	$0.00
Other Amounts Due	$0.00
Total Due	$233.10
Due Date	12/01/2023

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:	20016603670
Amount Due:	$233.10
Bill#:	237740
Due Date:	12/01/2023
	AMOUNT PAID

KENNESAW CITY STORAGE LLC
1450 BRICKELL AVE
MIAMI, FL 33131

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

Printed: 10/19/2023

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:
PIEDMONT RESIDENTIAL LLC

PIEDMONT RESIDENTIAL LLC

Payment Date: 10/4/2023

Tax Year	Parcel ID	Due Date		Appeal Amount		Taxes Due
2023	20016700340	10/15/2023	**Pay:**	N/A	or	$0.00

Interest	Penalty	Fees	Total Due	Amount Paid	Balance
$0.00	$0.00	$0.00	$0.00	$18,349.05	**$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

2023
Property Tax Bill

Parcel ID	Tax District	Bill #
20016700340	3/3-BOND - KENNESAW CITY	238050

Property Owner/Location/Description	Fair Market Value	Taxable Value
PIEDMONT RESIDENTIAL LLC 6997 KEENE ST	1,521,480	608,592

Levies	Taxable Value	-	Exemptions	=	Net Assessment	X	Tax Rate	=	Net Tax
CITY OF KENNESAW	608592		0		608592		7.7500000000		$4,716.59
BOND	608592		0		608592		1.5000000000		$912.89

Exemptions:

>Per House Bill 960 calculation, interest will accrue at .875%. Penalty will accrue at 5% after 120 days with an additional 5% assessed after each successive 120 days to a maximum of 20% of the principle amount due (House Bill 960).
>Payments can be made online at www.municipalonlinepayments.com/kennesawga, in person, by mail or via our dropbox. Tax bills are mailed annually on October 1, with a due date of December 1.
>Any questions concerning ownership changes or change of address should be directed to Cobb County Tax Commissioner's Office. For all other questions or concerns regarding this statement, give us a call at 770-429-4542.

Current Year Tax	$5,629.48
Interest	$0.00
Penalty	$0.00
Other Fees	$0.00
Payments Received	$5,629.48
Other Amounts Due	$0.00
Total Due	$0.00
Due Date	12/01/2023

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:	20016700340
Amount Due:	$0.00
Bill#:	238050
Due Date:	12/01/2023
	AMOUNT PAID

PIEDMONT RESIDENTIAL LLC
285 PARKWAY 575
WOODSTOCK, GA 30188

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

2023
Property Tax Bill

Parcel ID	Tax District	Bill #
20016700730	3/3-BOND - KENNESAW CITY	238248

Property Owner/Location/Description	Fair Market Value	Taxable Value
KENNESAW CITY STORAGE LLC 2570 N COBB PKWY	1,303,450	521,380

Levies	Taxable Value	-	Exemptions	=	Net Assessment	X	Tax Rate	=	Net Tax
CITY OF KENNESAW	521380		0		521380		7.7500000000		$4,040.70
BOND	521380		0		521380		1.5000000000		$782.07

Exemptions:

>Per House Bill 960 calculation, interest will accrue at .875%. Penalty will accrue at 5% after 120 days with an additional 5% assessed after each successive 120 days to a maximum of 20% of the principle amount due (House Bill 960).
>Payments can be made online at www.municipalonlinepayments.com/kennesawga, in person, by mail or via our dropbox. Tax bills are mailed annually on October 1, with a due date of December 1.
>Any questions concerning ownership changes or change of address should be directed to Cobb County Tax Commissioner's Office. For all other questions or concerns regarding this statement, give us a call at 770-429-4542.

Current Year Tax	$4,822.77
Interest	$0.00
Penalty	$0.00
Other Fees	$0.00
Payments Received	$0.00
Other Amounts Due	$0.00
Total Due	$4,822.77
Due Date	12/01/2023

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:	20016700730
Amount Due:	$4,822.77
Bill#:	238248
Due Date:	12/01/2023
	AMOUNT PAID

KENNESAW CITY STORAGE LLC
2160 KINGSTON CT SE SUITE B
MARIETTA, GA 30067

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

From:	Jennifer vail
To:	Natalie Faustine
Cc:	Andre Branch; Nate Sirang; Darryl Simmons
Subject:	RE: Kennesaw Square CBD Project City Taxes
Date:	Wednesday, November 8, 2023 1:58:32 PM
Attachments:	image001.jpg Outstanding_City_Tax_Statement_20016700730.pdf Outstanding_City_Tax_Statement_20016603670.pdf

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Natalie,

Per your message below with the outstanding tax statement attachments also included hereto, we wanted to provide an update as to the status of payment. Andre Branch, our comptroller (copied), called the Cobb County Assessor's office to clarify the outstanding fees due as the parcel numbers and previous payments issued were not matching up with our records. It seems they (the County) are making adjustments and reassessing and updating parcels. They suggested we should wait to pay the county tax bill another month as they will be sending out adjusted bills. They are still recording current deeds and uploading the newest surveys they missed. Our office intends to follow-up with the county at the end of this month (Nov) to ensure we have the updated tax bill information to pay immediately upon receipt. Again, we simply wanted to ensure you were aware that the County suggested we hold off on payment for a few more weeks. Thank you!

Kind regards,

JENNIFER VAIL | DIRECTOR OF PLANNING
CONCORD WILSHIRE COMPANIES

[redacted]
CONCORDWILSHIRE.COM

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From: Nate Sirang[redacted]
Sent: Tuesday, October 24, 2023 10:21 AM
To: Jennifer vail[redacted]
Cc: Andre Branch[redacted]
Subject: FW: Kennesaw Square CBD Project City Taxes
Importance: High

Sincerely,

NATE SIRANG | PRESIDENT
CONCORD WILSHIRE COMPANIES

[redacted]
[redacted]
CONCORDWILSHIRE.COM

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From: Natalie Faustine <nfaustine@kennesaw-ga.gov>
Sent: Tuesday, October 24, 2023 6:52 AM
To: Nate Sirang [redacted]
Cc: Darryl Simmons <dsimmons@kennesaw-ga.gov>
Subject: Kennesaw Square CBD Project City Taxes

Good morning,

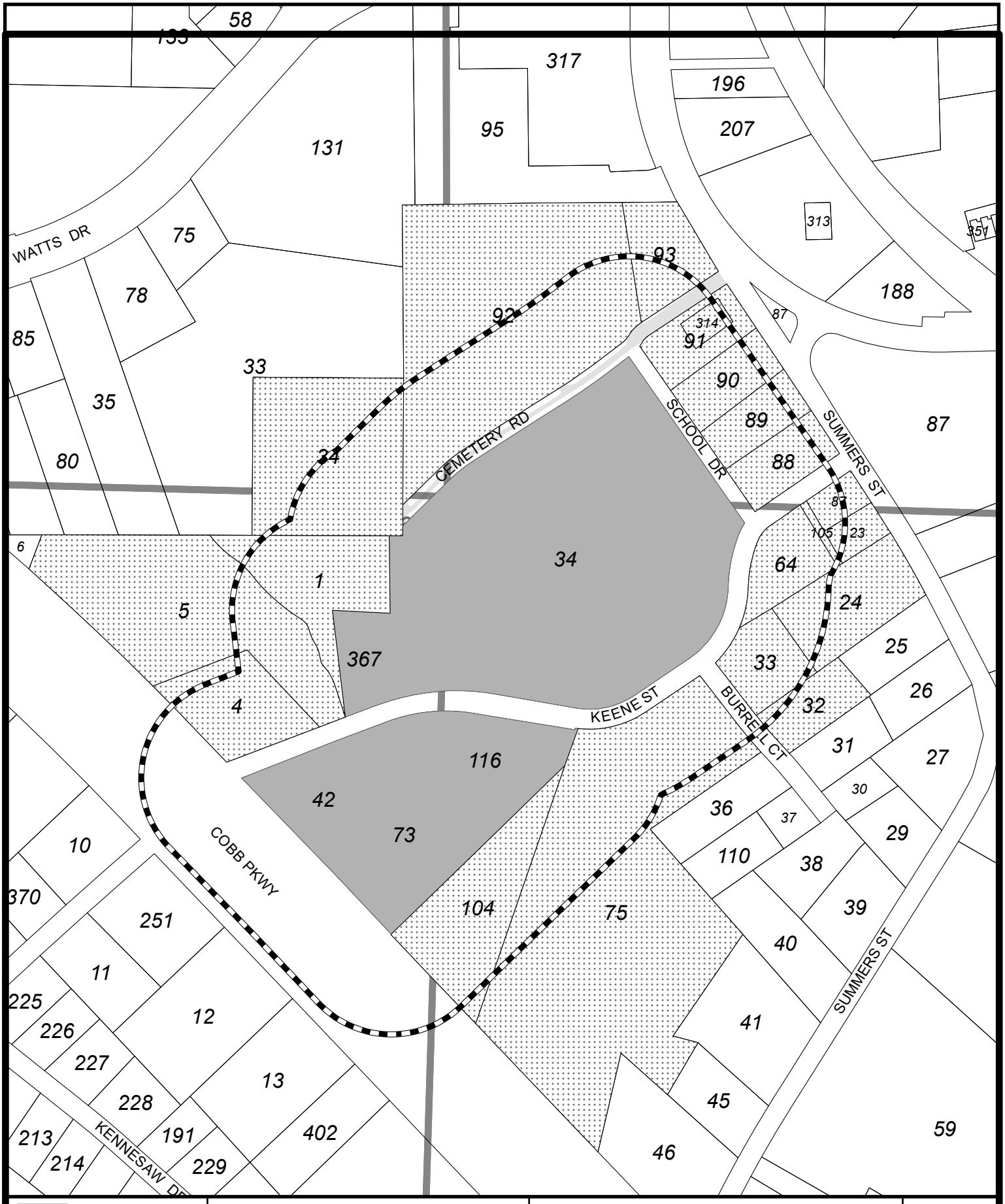
It has been brought to my attention that 2 lots in the Kennesaw Square development project have outstanding City property tax balances. The 2023 property tax bills are attached for your reference.

All property taxes must be paid before the project goes in front of Mayor and Council, presumably in December. Once they are paid please email a receipt to zoningdept@kennesaw-ga.gov.

If you have any questions or concerns please let me know.

Sincerely,

Natalie Faustine
Community Development Administrative Assistant
Department of Community Development | Planning & Zoning
2529 J.O. Stephenson Ave Kennesaw, GA 30144
Office: (770)-590-8268
https://www.kennesaw-ga.gov/



Subject Parcel

200' Radius

Properties Notified

Kennesaw Square
Land Lot 166 & 167
Tax Parcel 34, 367, 73, 116, & 42

ZV2023-004
200' PROPERTY NOTIFICATION

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

Derek Easterling, MAYOR
Lea Alvarez, CITY CLERK

Date: 10/30/2023
ZV2023_000

1" = 250'

Tax Parcel - 20016700870
DOBSON ANITA G
2701 SUMMERS ST
KENNESAW GA 30144

Tax Parcel - 20013803140
BUTLER JOSHUA ANDREW
2741 SUMMERS ST NW
KENNESAW GA 30144

Tax Parcel - 20016700230
REGAN FAMILY HOMES LLC
2695 SUMMERS ST
KENNESAW GA 30144

Tax Parcel - 20016600010
KENNESAW CITY OF
2539 PARK DR
KENNESAW GA 30144

Tax Parcel - 20013800910
BUTLER JOSHUA ANDREW
2741 SUMMERS ST
KENNESAW GA 30144

Tax Parcel - 20013800930
JBMU GROUP LLC
1247 GRAND VIEW DR
MABLETON GA 30126

Tax Parcel - 20013800880
MADDOX KELLEY CARLILE & CARLILE KYLE MAR K
730 KENNESAW DUE WEST RD
KENNESAW, GA 30152

Tax Parcel - 20016700640
ARRIS KENNESAW LLC C/O RYAN LLC
PO BOX 20197
ATLANTA GA 30325

Tax Parcel - 20013800900
EVERY BLOOMING THING INC
1240 WOOLF VALLEY CT
ACWORTH GA 30102

Tax Parcel - 20016701040
ARRIS KENNESAW LLC C/O RYAN LLC
PO BOX 20197
ATLANTA GA 30325

Tax Parcel - 20013800890
CARLILE KENNETH R SR
3820 VINEYARDS LAKE CIR
KENNESAW GA 30144

Tax Parcel - 20013800920
KENNESAW CITY OF
2539 PARK DR
KENNESAW GA 30144

Tax Parcel - 20016600040
JSK GROUP INC
2600 COBB PKWY NW
KENNESAW GA 30152

Tax Parcel - 20016600050
BOONE CENTER LLC
PO BOX 2074
KENNESAW GA 30156

Tax Parcel - 20016700240
KADEMS LLC
2689 SUMMERS ST
KENNESAW GA 30144

Tax Parcel - 20013900340
KENNESAW CITY OF
2539 PARK DR
KENNESAW GA 30144

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2023-05 & ZV2023-04

PLANNING AND ZONING

Site Visit:
___ Yes
☑ No

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

Cemetery Preservation:
No cemeteries on site

COMMERCIAL: 387,850 gross sq. ft.
RESIDENTIAL: 110,000 gross sq. ft.

TOTAL LAND AREA: 12.3 ACRES or 535,788 SQ. FT.

PARKING & LANDSCAPING

PROPOSED PARKING:
Parking garage: 1,110 spaces
Surface parking: 288 spaces

Total spaces: 1,398

PROPOSED LANDSCAPE BUFFER:
To be reviewed by the Historic Preservation Commission

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

The Zoning Administrator recommends **approval with conditions** of case numbers #RZ2023-05, ZV2023-04, and CBD2023-02.

Conditions: Please see proposed zoning conditions starting on page 34.

BASIS FOR ZONING ADMINISTRATOR'S RECOMMENDATION

Development is in line with the comprehensive plan for Cobb Parkway redevelopment as a major corridor improvement project. The pedestrian connectivity to Downtown Kennesaw is in line with the adopted 2015 LCI study report.

The variances for the design standards was reviewed by the historic preservation commission on December 6, 2023 for scale and mass as well as the architectural design. The variances submitted regarding apartment sizes, gross square footage ratios and design features are required for the project to fit on this challenging site located on Cobb Parkway.

PLANNING COMMISSION RECOMMENDATION:

On December 6, 2023 the Planning Commission recommended approval with staff's proposed conditions.

MAYOR AND COUNCIL DECISION:

To be determined on December 18, 2023.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2023-05 & ZV2023-04

VARIANCE APPROVALS

Variance 1: Variance is granted to reduce front setback along Cobb Parkway to 6.5 feet.

Variance 2: Variance is granted from Kennesaw Historic District Design Standard 5.2.03 regarding building height to permit Building 5 as identified on the submitted site plan to be four (4) stories; Buildings 6 and 7 to be five (5) stories; and Buildings 8 and 9/10 to be six (6) stories.

Variance 3: Variance is granted to allow condominium units to be a minimum of 725 square feet.

Variance 4: Variance is granted to permit a maximum gross floor area of residential uses in the development to not exceed 78%. Further, the maximum gross floor area of residential uses within the following individual buildings as identified on the submitted site plan shall be as follows:

-Building 5: 87%

-Building 6: 87%

-Building 7: 89%

-Building 8: 78%

-Building 9: 87%

Variance 5: Variance is granted to permit studio apartments to have a minimum floor area of 600 square feet and one-bedroom apartments to have a minimum floor area of 725 square feet.

Variance 6 : Variance is granted to allow a maximum of 10% of the residential apartments to have a minimum of 600 square feet and a maximum of an additional 45% of the residential apartments to have a minimum of 725 square feet.

Variance 7: Variance is granted to allow the 150 foot section of exposed stream near the northwestern corner of the development to be piped and to therefore eliminate all stream buffers associated, subject to applicant obtaining any applicable approvals required by the State of Georgia or the US Army Corp of Engineers.

Variance 8: Variance is granted from Kennesaw Historic District Design Standard 5.4 regarding the Exterior Wall design standards, provided that applicant shall otherwise maintain consistency with the remaining HPC guidelines, subject to any future additional variances that are granted during the design review process.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2023-05 & ZV2023-04

STAFF RECOMMENDATIONS – VARIANCES

Staff recommendations to be applicable to applications RZ2023-05, ZV2023-04, and CBD2023-02.

A. Project design as submitted will vary from Kennesaw Historic District Design Standard 5.2.03 regarding building height. Building heights will vary from four (4) to six (6) stories.

B. Project design updates must be submitted to the Historic Preservation Commission at 25, 50, 90, and 100 percent completion until the approval of the final project design.

C. Design updates submitted to the Historic Preservation Commission for review must include landscaping and buffer screening plans for the site including areas adjoining the city cemetery. The final city cemetery screening design will be the result of a collaboration with the City Staff and applicant so as to soften the visual boundary between the parking garage and the cemetery.

D. Applicant will maintain consistency with Historic Preservation Commission guidelines with the variance approval for section 5.4 of the Kennesaw Historic District Design Standards regarding exterior features.

E. The applicant shall work with the city to design a commemorative plaque or monument approved by the Historic Preservation Commission, which will be prominently placed within the development to recognize the historical area of Camp McDonald.

F. The total number of residential units will be 371 with a breakdown of 337 for-rent apartment units and a minimum of 34 for-sale condominiums. The residential mix regarding the increase of condominiums above 34 units will be subject to market conditions.

G. Applicant will proceed with the development contingent upon the mutual acceptance and approval of a development agreement between the applicant and the City of Kennesaw.

MINUTES OF HISTORIC PRESERVATION COMMISSION MEETING
CITY OF KENNESAW
Council Chambers
December 6, 2023
8:00 AM

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1. Call to Order / Roll Call

The meeting was called to order by Chairman Whipple at 8:05 a.m.
Roll Call: Commissioner Ferguson, Commissioner Butler, Commissioner Gallagher, Commissioner Buffington
Absent: Commissioner Blandford
Staff Present: Darryl Simmons (Planning and Zoning Administrator) and Natalie Faustine (Community Development Administrative Assistant)
Speakers Present: Michael Miller (Applicant, Piedmont Residential), Nate Sirang (Applicant, Concord Wilshire), and Scott Peters (Applicant's Attorney).

2. Approval of the Meeting Minutes

A. Meeting Minutes from October 20, 2023

Chairman Whipple calls for a motion to approve meeting minutes from the meeting on October 20, 2023.
Motion by Commissioner Butler to approve.
Seconded by Commissioner Gallagher.
Chairman Whipple proceeds with a roll call for approval.
Vote taken, motion unanimously approved 3-0. Motion carried. Commissioner Buffington abstains.

3. Financial Report

Mr. Darryl Simmons reports that since the last meeting there have been no new expenditures by the HPC or by staff on their behalf. All the current amounts of training dollars and donated dollars remain unchanged. There is a $1,000 budget item under Planning and Zoning, as well as $3,000 for related training for use by the HPC. $23,179 has been put in a special account for donated dollars per year.

Chairman Whipple calls for a motion to approve the financial report as submitted.
Motion by Commissioner Gallagher to approve.
Seconded by Commissioner Butler.
Vote taken, motion unanimously approved 4-0. Motion carried.

4. Old Business

5. New Business

A. Consideration for approval of a variance application submitted by Kennesaw

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Square Development, LLC for the properties located at 6997 Keene Street (20016700340), Keene Street (20016603670, 20016701130, 20016701190), 2570 N Cobb Parkway (20016700730, 20016701180), and 2590 Keene Street (20016700420). Case #ZV2023-04.

Mr. Simmons states both agenda items pertain to the same project, the development of Kennesaw Square. Since part of the project is near downtown and within the Camp McDonald Historic District, the project must be approved by the Kennesaw Downtown Development Authority, the Historic Preservation Commission, the Planning Commission, and the Mayor & Council. He explains that the applicant will do their presentation, then the items will be addressed separately. One item deals with two variances in the proposal, and the other item is the overall Central Business District project approval. He yields the floor to the applicant.

Mr. Nate Sirang (Applicant) introduces his real estate development company, Concord Wilshire, and tells the Commissioners about previous and current developments. He describes the proposed project as a Cobb Parkway corridor improvement project that is intended to create a destination mixed-use development located along the northeast side of Cobb Parkway.

Mr. Michael Miller (Applicant) explains that the proposed site of this development consists of several parcels of land. Their vision is to build a mixed-use development containing commercial and residential space. They wish to incorporate a central plaza to be used as common space for the community to host seasonal events, farmers markets, and so forth. Four buildings are proposed to be strictly commercial retail, three are to be residential over commercial, and one is to be residential over an entertainment facility such as a theater. There will also be a parking garage to provide parking not only for the residents, but 500 additional spaces for the public.

Mr. Miller reviews the entrances to the proposed development and highlights its pedestrian-friendly connectivity to Main Street and vehicular traffic connectivity to Cobb Parkway. Various architectural renderings are presented to portray what the development is expected to look like from different points in the city, as well as to convey the proposed architectural style. He points out that they are aware the development will be next to the city's cemetery. During a survey of the property, they identified certain elements that are part of the cemetery that encroach on the property they acquired. He states that it is not a problem, and they are willing to work with the city to deal with those encroachments.

Mr. Scott Peters (Applicant's Attorney) goes to the podium to introduce the two variances they are seeking from the HPC. He briefly reviews the current zoning of the area and explains they have also submitted a rezoning application, so all parcels included in this project will be in the Central Business District. According to the Unified Development Code Section 4.02.03.B.4, site design standards for the Central Business District are subject to Historic District Design guidelines.

The first variance request is to vary from the Historic District Design Standard Section 5.2.03, non-

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residential buildings shall not exceed 3 stories in height. This project proposes buildings that are four, five, or six stories in height. He mentions that apartments are being built next door that are four stories in height and are on a higher topography, so the development they are proposing will be consistent with that. He continues to explain that the purpose of the code is to ensure that buildings in the historic district match the existing downtown area, but this project is located in the Camp McDonald Historic District, which does not have any buildings to match. Given it is a Cobb Parkway redevelopment project, Mr. Peters states he believes that the proposed development is consistent with the city's vision, and they are asking for a variance for the height of the buildings.

The second variance request is to vary from section 5.4 of the Historic District Design Standard regarding exterior walls. Again, the purpose of the Historic District Design Standard is to ensure that new developments are designed to match the character of the existing buildings, but there are no existing buildings in this historic district. He mentions that they are conscious of the fact that the cemetery is right next door and, as a result, they are looking at using materials that are consistent with the cemetery from an appearance standpoint, such as stack stone and brick. He reiterates that this project is geared towards Cobb Parkway, not downtown, and the architectural standards for downtown are not consistent with those of Cobb Parkway.

Mr. Simmons presents a map of the five historic districts in Kennesaw. He points out Camp McDonald's location along Cobb Parkway and its closeness in proximity to modern buildings such as a car wash, pawn shop, bank, and dental offices. There is very little as far as historic assets to reference, so staff recommends this is looked at as a non-contributing district. He proposes that a monument or plaque should be built into the project to identify the history of the site.

Chairman Whipple asks about an ongoing survey of the historical districts and what their stance is on the Camp McDonald district. Mr. Simmons responds that they recommended the land area for the Camp McDonald district to be reduced to solely include land that still has historical significance, or that the district may be eliminated altogether. The Commission will ultimately determine what course of action is appropriate.

Commissioner Gallagher asks whether the external building materials will match the Historic District Design Standards or if they are seeking a variance for that as well. Mr. Peters responds that they are not seeking a variance for the materials, they are seeking variance for the style. He states they are comfortable with the permitted materials.

Chairman Whipple briefly reviews the variance requests and highlights some factors of consideration that are important to the HPC. He asks if there are architectural renderings of the view of the project from the cemetery or if the builders have ideas on how they plan to soften the look. Mr. Peters responds that they are still working on the design, and they are willing to have the design and materials go through HPC approval. Mr. Simmons adds that they also discussed the buffering of the cemetery for the project, so that it will be included in a resubmittal to the HPC once they determine what is suitable.

Commissioner Ferguson asks if the Cemetery Preservation Commission has been apprised of this project. Mr. Simmons responds that the project was presented to Mayor

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& Council, and the council liaison to the Cemetery Preservation Commission is well aware of the project. However, the final submittal of the project will not be required to go before the CPC.

Commissioner Buffington asks if the buffer for the cemetery will go past the developed portion of the property onto the undeveloped portion that stretches to Keene Street. Mr. Simmons responds that the final landscaping plan will determine that, but for now they are focusing on the cemetery. He states that this project would be developed in one phase, so there will not be too much back and forth as far as revisions go.

Commissioner Gallagher asks where they are in the design phase of the structure and finishes. Mr. Sirang responds that they are still in the preliminary phase, which is why they do not have details regarding the materials to share at this time.

Commissioner Butler brings up her concern about building a five-story structure right behind our historic site on Summers Street and the six-story structure behind the cemetery. She expresses that she does not want the historic sites to be overshadowed by bigger buildings, as has been done in the city before.

Chairman Whipple comments that previously with large developments, the HPC has requested that developers present progress updates for review and approval and suggests the same is done with this project. He asks Mr. Simmons if there have been any similar motions made by other Commissions, so they could align what those progress updates will look like. Mr. Simmons responds that there have not. He explains the CBD project approval goes before the KDDA for the business plan, then it goes before the HPC and Planning Commission before going to the Mayor and Council. He reminds the commissioners that with some of the previous mixed-use developments, updates were requested for key milestones in the project, such as at twenty-five percent completion, fifty percent, seventy-five percent, and one hundred percent. He asks the Commissioners to keep in mind that at this point this project is entirely conceptual. As the design process progresses, other agencies outside the city will be required to weigh in, such as Cobb Water and Sewer as well as the Cobb County Fire Marshall. He states that conceptually it will be appropriate to ask for a timeline or milestone-based status report.

Chairman Whipple returns to the topic of a commemoration to the Camp McDonald historical site. He suggests the applicant works with Mr. Andrew Bramlett in developing the verbiage for a commemoration of Camp McDonald for review and approval by the HPC.

Mr. Miller says they would be happy to do that and mentions that Piedmont Residential previously built a commemoration to Mayor Pritchard in the Pritchard Park development here in Kennesaw.

Chairman Whipple thanks Mr. Miller and goes over the conditions that must be mentioned in the motion.

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Chairman Whipple calls for a motion.
Motion by Commissioner Gallagher to approve under the following conditions:

- Design may vary from Kennesaw Historic District Design Standard 5.2.03 regarding building height.
- Design updates must be submitted at 25, 50, 90, and 100 percent completion until the approval of the final project.
- Design updates must include landscaping plans.
- Applicant will maintain consistency with HPC guidelines with the variance approval for section 5.4 of the Kennesaw Historic District Design Standards regarding exterior features.
- The mass and scale of the buildings that face the cemetery should be considered in the plan review process.
- A commemorative plaque or monument approved by the HPC should be prominently placed within the development to recognize the historical area of Camp McDonald.

Seconded by Commissioner Ferguson.
Chairman Whipple proceeds with a roll call for approval.
Vote taken, motion unanimously approved 4-0. Motion carried.

B. Consideration to review a CBD project application request for a mixed-use development on five parcels located at 6997 Keene Street (20016700340), Keene Street (20016603670, 20016701130, 20016701190), 2570 N Cobb Parkway (20016700730,030016701180), and 2590 Keene Street (20016700420). Case #CBD2023-02.

Mr. Simmons briefly introduces the next item, which is the CBD project approval.

Chairman Whipple calls for a motion to approve the application with conditions outlined in item A.
Motion by Commissioner Gallagher to approve.
Seconded by Commissioner Buffington.
Chairman Whipple proceeded with a roll call for approval.
Vote taken, motion unanimously approved 4-0. Motion carried.

6. COAA Approval by City Staff and HPC Chair

A. COAA2023-19 - 2910 Cherokee Street NW, Suite 101

This Certificate of Appropriateness application was submitted by Katie Matthews on behalf of High Stakes Creative to change the face of a sign at 2910 Cherokee Street NW to reflect a business name change. There were no structural changes to be made. It was administratively reviewed and approved on October 26, 2023.

B. COAA2023-20 - 2243 Lewis Street

This Certificate of Appropriateness Application was submitted by Kim Wakefield on behalf of Denyse Companies Inc to install two non-illuminated wall signs on the front

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elevation of the building at 2243 Lewis Street. It was administratively reviewed and approved on November 9, 2023.

C. COAA2023-21 - 3001 N Main Street

This Certificate of Appropriateness Application was submitted by Fred Moore to re-roof his home at 3001 N Main Street with shingles matching the existing roof. It was administratively reviewed and approved on November 9, 2023.

D. COAA2023-22 - 2237 Whitfield Place NW

This Certificate of Appropriateness Application was submitted by Katie Matthews of High Stakes Creative to install a stand-alone sign at 2237 Whitfield Place NW. It was determined that the height and type of sign is appropriate, as it does not cause any motorist or pedestrian visibility issues. It was administratively approved on November 10, 2023.

7. Discussion

Mr. Simmons introduces the newest member, Commissioner Buffington, and mentions that there is still an opening on the Commission that needs to be filled.

8. Public Comment

Chairman Whipple calls for public comment, to which he receives no response.

9. Staff Comment

Chairman Whipple opens the floor for staff comment.

Mr. Simmons explains that this is Commissioner Ferguson's last meeting as a member of the HPC and thanks him for his consistent participation and thoughtful questions.

Chairman Whipple mentions that the next meeting is scheduled for Friday, December 15th but will be canceled if no new applications are recieved.

10. Adjourn

Chairman Whipple adjourned the meeting at 8:57 a.m.

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MINUTES OF PLANNING COMMISSION MEETING
CITY OF KENNESAW
Council Chambers
December 6, 2023
6:30 PM

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1. Call to Order / Roll Call

Chairman Bergwall calls the meeting to order at 6:31 p.m.
Roll Call: Commissioner Patterson, Commissioner Greenall, Commissioner Jackson, Commissioner Vande Zande, Commissioner Ragus
Absent: Commissioner Bodenhamer
Staff Present: Darryl Simmons (Zoning Administrator) and Natalie Faustine (Community Development Administrative Assistant)
Applicants Present: Michael Miller (Representing Piedmont Residential) and Scott Peters (Representing Concord Willshire)

2. Announcements

A. This public meeting is being conducted via the use of real-time telephonic technology, allowing the public simultaneous access to the public meeting. The meeting may be accessed using Facebook Live via the following link: www.Facebook.com/City of Kennesaw/. However, comments made on Facebook Live will not be visible by City staff. If you would like to provide public comment on a specific agenda item, you can email kennesawcouncil@kennesaw-ga.gov no later than 6:00 p.m. the night of the regular meeting. Your comment will be read aloud or grouped into categories for the record. All interested parties may attend the meeting in person with limited seating available at the City Hall Council Chambers and the Ben Robertson Community Center, if needed. 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 Monday, December 18, 2023.

3. Approval of the Meeting Minutes

A. Approval of Meeting Minutes from November 1, 2023

Chairman Bergwall calls for a motion to approve meeting minutes from November 1, 2023

Motion by Commissioner Vande Zande to approve
Seconded by Commissioner Jackson
Chairman Bergwall proceeds with a roll call for approval
Vote taken, motion unanimously approved 5-0. Motion carried.

4. New Business

Mr. Darryl Simmons requests a motion to change the order of the new business items, so item B is reviewed first and item A is reviewed second.
Chairman Bergwall asks if there are any objections from the Commissioners. Hearning none, he moves forward with item B.

A. Consideration for approval of a variance application submitted by Kennesaw Square Development, LLC for the properties located at 6997 Keene Street (20016700340), Keene Street (20016603670, 20016701130), 2570 N Cobb Parkway (20016700730, 20016701160), and 2590 Keene Street (20016700420). Case #ZV2023-04.

Chairman Bergwall calls for a motion to approve the first variance request. This is a request to vary from the Unified Development Code Section 4.02.03.B.3.a by allowing a 6.5 foot setback on Cobb Parkway.
Motion to approve by Commissioner Ragus
Seconded by Commissioner Patterson
Chairman Bergwall proceeds with a roll call for approval
Vote taken, motion unanimously approved 5-0. Motion carried.

Chairman Bergwall calls for a motion to approve the second variance request. This is a request to vary from the Unified Development Code Section 4.02.03.B.4 regarding building mass, scale, and form in the Central Business District
Motion to approve by Commissioner Vande Zande
Seconded by Commissioner Ragus
Chairman Bergwall proceeds with a roll call for approval
Vote taken, motion unanimously approved 5-0. Motion carried.

Chairman Bergwall calls for a motion to approve the third variance request. This is a request to vary from the Unified Development Code Section 4.02.03.G.1 by reducing the minimum floor area for condominiums from 1,000 square feet to no less than 725 square feet.
Motion to approve by Commissioner Greenall
Seconded by Commissioner Ragus
Chairman Bergwall proceeds with a roll call for approval
Vote taken, motion unanimously approved 5-0. Motion carried.

Chairman Bergwall calls for a motion to approve the fourth variance request. This is a request to vary from the Unified Development Code Section 4.02.03.G.2.b by increasing the the gross floor area occupied by residential use to seventy-eight (78) percent.
Motion to approve by Commissioner Ragus
Seconded by Commissioner Vande Zande

Chairman Bergwall proceeds with a roll call for approval.
Vote taken, motion unanimously approved 5-0. Motion carried.

Chairman Bergwall calls for a motion to approve the fifth variance request. This is a request to vary from the Unified Development Code Section 4.02.03.G.2.c by reducing the minimum floor area for all residential units from 1,000 square feet to 600 square feet for studio units and 725 square feet for one-bedroom units.
Motion to approve by Commissioner Vande Zande
Seconded by Commissioner Greenall
Chairman Bergwall proceeds with a roll call for approval
Vote taken, motion unanimously approved 5-0. Motion carried.

Chairman Bergwall calls for a motion to approve the sixth variance request. This is a request to vary from the Unified Development Code Section 4.02.03.G.5.d by allowing a minimum apartment size of 600 square feet, provided that such units shall account for a maximum of 10% of the total For-Rent apartment units for the project and to allow a total of not more than 55% of the For-Rent apartment units in the Project to be less than 850 square feet in size.
Motion to approve by Commissioner Ragus
Seconded by Commissioner Patterson
Chairman Bergwall proceeds with a roll call for approval
Vote taken, motion unanimously approved 5-0. Motion carried.

Chairman Bergwall calls for a motion to approve the seventh variance request. This is a request to allow the 150 foot section of exposed stream near the northwestern corner of the property to be piped and to therefore eliminate all stream buffers associated therewith.
Motion to approve by Commissioner Vande Zande
Seconded by Commissioner Ragus
Chairman Bergwall proceeds with a roll call for approval
Vote taken, motion unanimously approved 5-0. Motion carried.

Chairman Bergwall calls for a motion to approve the eighth variance request. This is a request to vary from the Kennesaw Historic District Design Standards, Section 5.4 pertaining to exterior walls so as to allow for architectural treatments consistent with the architectural renderings submitted in conjunction with the application. The Historic Preservation Commission recommends approval.
Motion to approve by Commissioner Greenall
Seconded by Commissioner Vande Zande
Chairman Bergwall proceeds with a roll call for approval.
Vote taken, motion unanimously approved 5-0. Motion carried.

B. Consideration for approval of a rezoning application submitted by Kennesaw Square Development, LLC for the properties located at 2590 Keene Street (20016700420) and 2570 N Cobb Parkway (20016700730, 20016701160) to zone from HGB to CBD. Case #RZ2023-04.

Chairman Bergwall calls for a motion to approve the rezoning application from Kennesaw Square Development LLC to rezone parcels 20016700420, 20016700130, and 20016701160 from Highway General Business to the Central Business District.
Motion to approve by Commissioner Vande Zande
Seconded by Commissioner Ragus
Chairman Bergwall proceeds with a roll call for approval.
Vote taken, motion unanimously approved 5-0. Motion carried.

5. Staff Comment

6. Adjourn

Chairman Bergwall adjourns at 8:34 p.m.

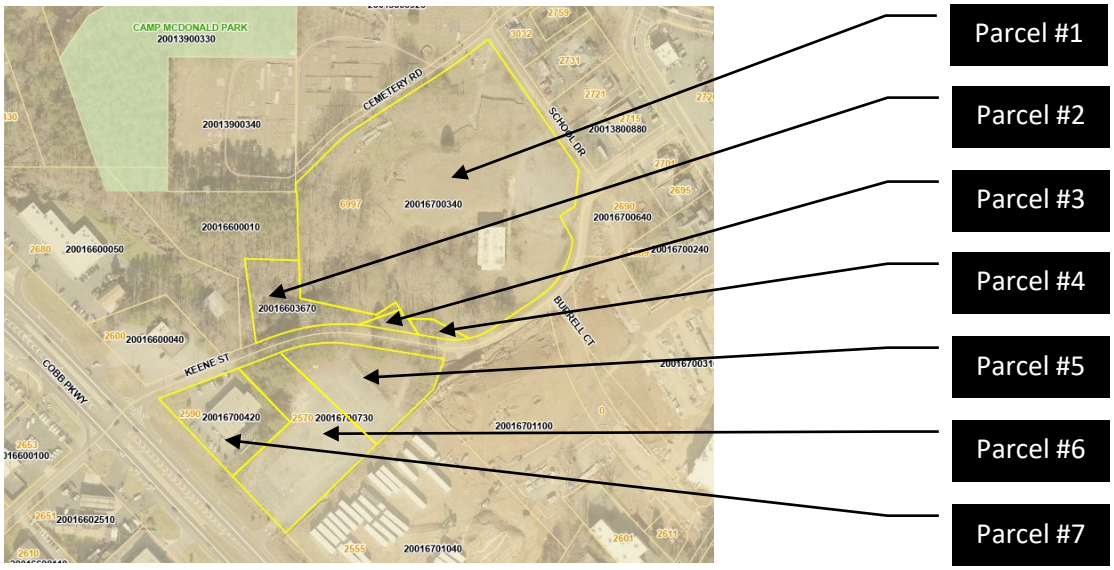
KENNESAW SQUARE

LETTER OF INTENT

Variance Application Request

Project Summary

The proposed Kennesaw Square mixed-use development project (the "Project") is comprised of several adjacent tax parcels along with certain portions of the existing Keene Street Right-of-Way (ROW) proposed to be abandoned subject to approval by the City of Kennesaw. The Project totals 12.3 acres and includes each of the tax parcels outlined in the graphic and table below:



Existing Parcel	Parcel Number	Location Address	Owner	FLU	Existing Zoning	Proposed Zoning	Within KDDA	Within Historic District
1	20016700340	6997 Keene Street	Piedmont Residential LLC 285 Parkway 575 Woodstock, GA 30188	DAC	CBD	CBD	Yes	Yes
2	20016603670	Keene Street	Kennesaw City Storage LLC 1450 Brickell Ave, Suite 2560 Miami, FL 33131	DAC	CBD	CBD	Yes	Yes
3	20016701190 **(previously 20016701130)	Keene Street	Kennesaw City Storage LLC 2160 Kingston CT SE, Suite B Marietta, GA 30067	DAC	CBD	CBD	Yes	Yes
4	20016701130	Keene Street	Redwood Development LLC 2160 Kingston CT SE, Suite B Marietta, GA 30067	DAC	CBD	CBD	Yes	Yes
5	20016701180 **(previously 20016700730)	2570 N Cobb Pkwy	Kennesaw City Storage LLC 2160 Kingston CT SE, Suite B Marietta, GA 30067	CAC	HGB	CBD	Yes	No
6	20016700730 **(previously 20016701160)	2570 N Cobb Pkwy	Kennesaw City Storage LLC 2160 Kingston CT SE, Suite B Marietta, GA 30067	CAC	HGB	CBD	Yes	No
7	20016700420	2590 Keene Street	B N Auto Parts Company 2864 Wood Park Terrace Kennesaw, GA 30152	CAC	HGB	CBD	Yes	No

Note:
*Existing Keene Street ROW adjacent to subject parcels, to be abandoned (subject to approval by City of Kennesaw), and included in proposed Kennesaw Square project.
**Tax Assessor records updated PINs following the initial 10/20/23 application submission. New PINs include 20016701180 and 20016701190, and no longer reference PIN 20016701160.

The bulk of the acreage included in the Project is presently zoned Central Business District (CBD), while the three parcels located to the southeast of the remaining Keene Street right of way are presently zoned Highway General Business (HGB), but have been requested to be zoned CBD in order to have consistency across the entirety of the Project. Generally, all of the parcels included within the Project are within the Kennesaw Downtown Development Authority (KDDA), while the parcels northwest of Keene Street are also in included in the Historic District. The parcels southeast of Keene Street (which are subject to rezoning) are not located within the Historic District.

The parcels northwest of Keene Street have a Future Land Use designation of Downtown Activity Center (DAC), while the parcels southeast of Keene Street have a Community Activity Center (CAC) designation. The proposed development is consistent with each future land use designation.

Proposed Development

The Project is planned as a mixed-use development incorporating multi-family residential, commercial retail and a park/plaza area. The commercial aspects of the Project are intended to serve not only the proposed residents of the Project, but also the surrounding neighborhoods, the entire Kennesaw community, as well as the broader regional area by taking advantage of the Cobb Parkway transportation corridor. The Project is intended to provide ample parking for both residents and visitors, and will also provide pedestrian and alternative transportation connections to Main Street and downtown Kennesaw.

The Project is proposed to include a total of 371 multi-family residential units encompassing 387,850 gross square feet of building area, spread among five mixed use buildings. In addition, the project will include a total of 110,000 gross square feet of commercial retail space spread across the five multi-use buildings as well as four solely commercial buildings.[1] The commercial retail buildings proposed closest to Cobb Parkway are single story surrounded by surface parking in keeping with the commercial corridor of the parkway. North of the single-story retail buildings, and closer to downtown, a series of five multi-use buildings, each either four, five or six-stories in height, will include multi-family residential units over ground-floor retail. In partnership with the KDDA, the Project is proposing a six-story parking structure of 1,110 parking spaces so as to minimize the footprint of the development and allowing for the construction of a park/plaza area rather than additional surface parking. The garage facades internal to the Project will be lined with multifamily residential and ground floor retail, which will also front upon the park/plaza space. An additional 275 surface parking spaces are included within the Project, resulting in total proposed parking of 1,385 spaces, which is sufficient to accommodate not only the residents of the project, but also customers and visitors from the Kennesaw community and surrounding region.

It is envisioned that the central park plaza space will offer ample seating and broad walkways, landscaped focal points, shading through raised planters and ornamental trees, open lawn space, an outdoor

[1] This Project is below the threshold of a Development of Regional Impact (DRI), and is therefore not subject to the Atlanta Regional Commission (ARC) DRI review process. The Project is below the threshold of 500,000 square feet of mixed-use development - which is the ARC threshold for multi-use developments in established and developing suburbs. The Project is also below the threshold of 500 new housing units and 400,000 square feet of commercial square footage which would alternatively trigger a DRI review.

stage/performance area, a water fountain, and patterned pavement surfaces. This central park/plaza will serve as a flexible space for open air events, including farmers markets and festivals, thus encouraging the active outdoor community which will be a central theme of the project.

Consistency with Zoning District

The portion of the Project that is northwest of the existing Keene Street ROW is currently zoned Community Business District (CBD), while that portion of the Project that is southeast of Keene Street (specifically Parcels 20016700420 and 20016700730 and 20016701180 (previously identified as parcel 20016701160)), is currently zoned Highway General Business (HGB), although an application has been made to rezone such property to the CBD district to provide zoning consistency across the entire project. While there are no existing buildings located on the property that are needed to be protected, the CBD zoning district provides for the stimulation and enhancement of the vitality and economic growth of this area. The proposed Project is consistent with the CBD zoning district guidelines as it is a development intended to create an environment where residents and visitors can live, work, meet and play amongst a balance of mixed uses designed around a central public square, and encourages and facilitates pedestrian movement and convenient access to the Historic Downtown Kennesaw and a link to the Cobb Parkway corridor which does not presently exist.

While the Project is consistent with the intent and uses permitted in the CBD zoning district, there are certain applicable development requirements which the developer desires to vary from in order to develop the Project in a manner consistent with market conditions and which are consistent with other similar developments in the region. These variances are requested so as to allow for a successful project that will be both physically attractive and financially successful.

Variance Requests

Variance Request #1:
Section 4.02.03.B.3.a: Site Design Standards for Central Business District, Minimum Front Setback.

Required:

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

Proposed:

The existing structures located along the Cobb Parkway right-of-way are setback various distances, ranging from approximately 40 feet to 85 feet with an average of 58 feet. The proposed structures located along Cobb Parkway are setback approximately 6.5 feet. The applicant is seeking a variance from this development regulation so as to allow the placement of the buildings along Cobb Parkway as indicated on the Site Plan.

Variance Request #2:
Section 4.02.03.B.4: Site Design Standards for Central Business District, Maximum Building Height, and Section 5.2.03: Historic District Design Guidelines, Building Mass, Scale & Form.

Required:
4.02.03.B.4: Subject to Historic District Design Guidelines.
5.2.03: Mixed use, and nonresidential construction in nonresidential character areas shall not exceed three (3) stories in height; and mixed use and nonresidential construction in residential character areas shall not exceed two (2) stories in height.

Proposed:
While there is no specific building height requirement, the Kennesaw Historic District guidelines limit new construction to three stories. Variances are requested so as to allow the following building heights for each of the identified buildings as shown on the submitted site plan:

Building 5	Four (4) Stories
Building 6	Five (5) Stories
Building 7	Five (5) Stories
Building 8	Six (6) Stories
Building 9/10	Six (6) Stories

It is noted that there are no proximate historical structures that need to be matched, and as such the proposed heights will not conflict with any adjacent developments. Because this Project is designed to be accessed from Cobb Parkway, and is a Cobb Parkway revitalization Project, the height limitations designed to be consistent with existing historic structures is not applicable.

Variance Request #3:
Section 4.02.03.G.1: Site Design Standards for Central Business District, Residential Development Standards, Condominiums, Minimum Floor Area:

Required:
G. Residential Development Standards
    1. Condominiums: Minimum floor area for all units - 1,000 square feet

Proposed:
The applicant is seeking a variance from the minimum floor area requirement of 1,000sf for the proposed condominium units to allow one-bedroom condominium units at a minimum size of 725sf. These minimum floor area sizes are consistent with current market trends for high-density mixed-use developments geared toward young professionals and active adults.

Variance Request #4:
Section 4.02.03.G.2.b: Site Design Standards for Central Business District, Residential Development Standards, Mixed use retail/residential with residential on second floor, Gross Floor Area occupied by residential:

Required:

G. Residential Development Standards
    2. Mixed use retail/residential with residential on second floor:
        b. The gross floor area occupied by residential uses shall not exceed seventy-five (75) percent of the total gross floor area of the buildings or individual structures.

Proposed:

The applicant is seeking a variance from the standard limiting the gross floor area occupied by residential uses not exceeding 75% of the total gross floor area of the buildings or individual structures. While the applicant proposes non-residential uses on the ground floor, due to the increased number of stories above the non-residential uses, the floor area occupied by residential use exceeds the minimum standard. The overall square footage of the development provides for 110,000 gross square feet of commercial and retail space, and 387,850 gross square feet of residential space. The Applicant therefore requests a variance for the overall project to allow a maximum of 78% of the gross floor area for residential use, and for the following percentages for each of the individual buildings identified on the submitted site plan:

Building 5	87% Residential
Building 6	87% Residential
Building 7	89% Residential
Building 8	78% Residential
Building 9	87% Residential

Variance Request #5:
Section 4.02.03.G.2.c: Site Design Standards for Central Business District, Residential Development Standards, Mixed use retail/residential with residential on second floor, Minimum Floor Area:

Required:

G. Residential Development Standards
    2. Mixed use retail/residential with residential on second floor:
        c. Minimum floor area for all residential units—1,000 square feet

Proposed:

Applicant seeks a variance for the minimum floor area for all residential units to allow for studio units at a minimum of 600 square feet and one-bedroom units at a minimum of 725 square feet. These minimum floor area sizes are consistent with current market trends for high-density mixed-use developments geared toward young professionals and active adults.

Variance Request #6:
Section 4.02.03.G.5.d: Site Design Standards for Central Business District, Residential Development Standards, For-Rent Residential Apartment Units, Minimum Floor Area:

Required:
For-Rent Residential Apartment units:

d. Units with a floor plan totaling the minimum of 850 square feet can be utilized for no more than 30 percent of the total apartment units for the project.

Proposed:
Based upon the proposed minimum square footage of each apartment, coupled with the anticipated mix of unit types, the applicant seeks a variance to allow for a minimum apartment size of 600 square feet, provided that such units shall account for a maximum of 10% of the total For-Rent apartment units of the Project. Further, applicant seeks to allow a total of not more than 55% of the For-Rent apartment units in the Project to be less than 850 square feet in size.

Variance Request #7:
Article 6: Stream Buffer Ordinance. Section 46-440.1 and Section 46-440.2: Buffer and setback requirements:

Required:
Buffer and setback requirements.
All land development activity subject to this article shall meet the following requirements:

(1) An undisturbed natural vegetative buffer shall be maintained for 50 feet, measured horizontally, from both banks of the stream.
(2) An additional area setback shall be maintained for 25 feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling and earthmoving shall be minimized within the setback.
(3) No septic tanks or septic tank drain fields shall be permitted within the buffer or the setback area.

Proposed:
There is one section of exposed stream near the northwestern corner of the property which is approximately 150' in length. This stream is presently piped on both ends of this area. The Applicant seeks variances to allow this entire section of stream to be piped and to therefore eliminate all stream buffers associated therewith. It appears that this section of the stream was not previously piped because the prior developer did not own this section of the property.

Variance Request #8
Kennesaw Historic District Design Standards, Section 5.4 *Exterior Walls*. This provision requires the use of architectural elements that are consistent with the downtown historic area, but are not consistent with this Project which is a revitalization of the Cobb Parkway corridor.

Proposed:
The Applicant seeks a variance from its need to comply with Section 5.4 of the Kennesaw Historic District Design Standards so as to allow for architectural treatments consistent with the architectural renderings submitted in conjunction with this application. There are no existing historical buildings located on the subject property or adjacent thereto, and as such there are no historical examples to be matched. The applicant's proposed alternative architectural treatments are consistent with existing materials in the adjoin Kennesaw cemetery.

Variance Standards

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

Applicant shows that the standards from which it seeks variances are not consistent with a mixed-use development of this size and shape, which is located adjacent to Cobb Parkway and is designed as revitalization along the Cobb Parkway corridor. While the Historic District Standards are legally applicable to this property as it is located within the Historic District, there are no historical properties located on the site and as such the Project will not detract from, or be inconsistent with, any existing structures.

The application of this chapter to this particular piece of property would create practical difficulty or unnecessary hardship.

The application of the identified standards would prevent the development of this Property as proposed. The costs associated with creating a development of this magnitude which will include a parking deck and significant public plaza in the center require the efficient utilization of the property in a manner consistent with the desires of the market-place. The subject property does not have any buildings of historical significance, and the design of the project to part of the Cobb Parkway corridor revitalization supports the requested variances.

Such conditions are peculiar to the particular piece of property involved.

This property is uniquely located in that it is partially within the Historic District, but it fronts upon Cobb Parkway and does not include any structures of historic significance. As such, the grant of the requested variances are peculiar to this property.

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

Because this Project is uniquely situated, the grant of the requested variances will not impair the purposes or intent of the subject ordinances, nor will they be a detriment to the public good. The grant of the requested variances will further the intent and desire of the City of Kennesaw to begin the revitalization of the Cobb Parkway corridor and will provide a significant benefit to the community.

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Start: 11/17/2023 — Stop: 11/17/2023
Times Ord: 1 — Times Run: ***
LEG 1.00 X 8.71 Words: 600
Total LEG 8.71
Class: 8003 PUBLIC HEARING
Rate: LEGL — Cost: 90.00
Ad Descrpt: PH-8708 VARIANCE
Descr Cont: MDJ-8708 GPN-16 CITY OF K
Given by: NATALIE FAUSTINE
P.O. #: VARIANCE
Created: khick 11/13/23 08:53
Last Changed: khick 11/13/23 08:58

Contact: LEA ALVAREZ
Phone: (770)424-8274
Fax#:
Email: lalvarez@kennesaw-ga.gov
Agency:

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MDJ-8708
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 Kennesaw Square Development, LLC. Said request is to vary from the Unified Development Code for parcels located at 6997 Keene Street (20016700340), 2570 N Cobb Parkway (20016700730), and 2590 Keene Street (20016700420), and Keene Street (20016603670, 20016701160). The requested variances are as follows:

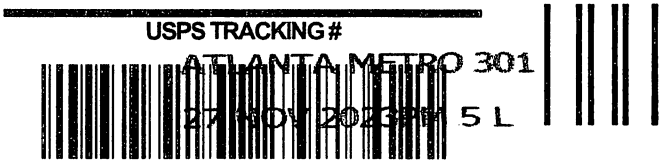
1. Request to vary from the minimum setbacks required for the Central Business District zoning district and reduce the minimum front setback from the "build-to-line" standard to approximately 6.5 feet under Appendix A, Section 4.02.03.B.3.a.
2. Request to vary from the building height requirement for the Historic District Design Guidelines from three (3) stories in height to allow the four (4) and five (5) story buildings within the Unified Development Code under Appendix A, Section 5.2.03.
3. Request to vary from the minimum floor area for condominiums in the Central Business District and reduce the minimum floor area from 1,000 square feet to allow studio and one-bedroom units ranging in size from 560 square feet to 800 square feet within the Unified Development Code under Appendix A, Section 4.02.03.G.1.
4. Request to vary from the standard gross floor area occupied by residential units and expand the total gross floor area of the buildings or individual structures to seventy-five (75) percent to accommodate the increased number of stories above non-residential uses within the Unified Development Code under Appendix A, Section 4.02.03.G.2.b.
5. Request to vary from the minimum floor area of residential units in the Central Business District in mixed use retail/residential buildings with residential on the second floor and reduce the minimum floor area required from 1,000 square feet to allow studio and one-bedroom units ranging in size from 560 square feet to 800 square feet within the Unified Development Code under Appendix A, Section 4.02.03.G.2.c.
6. Request to vary from the minimum floor area of for-rent residential apartment units in the Central Business District to allow for a minimum apartment size of 560 square feet to 800 square feet to allow studio and one-bedroom units ranging in size from 560 square feet to 800 square feet within the Unified Development Code under Appendix A, Section 4.02.03.G.5.d.
7. Request to vary from the stream buffer ordinance within the Unified Development Code under Section 46-440.1 and Section 46-440.2 by allowing the entire section of the stream on the property to be piped and to therefore eliminate all stream buffers associated therewith.
8. Request to vary from the Historic District Design Standards (Section 5.4) that require the use of architectural elements on the exterior walls that are consistent with the downtown historic area.

A copy of the amendments to the Unified Development Code is on file in the Office of Planning and Zoning during normal business hours, Monday-Friday from 8 a.m. to 5 p.m. for public viewing. The Planning Commission shall hold a meeting on December 6th at 6:30 p.m. with a final scheduled hearing and adoption by the Mayor and Council to be considered on December 18th at 6:30 p.m. Meetings will be held in the Kennesaw City Council Chambers, 2529 J.O. Stephenson Avenue, Kennesaw, GA. All interested persons may attend and be heard relative there to.

Mayor and Council will be conducting their meeting in person and you can access the meeting via the following link: **https://www.facebook.com/CityofKennesaw/**

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

11:17-2023



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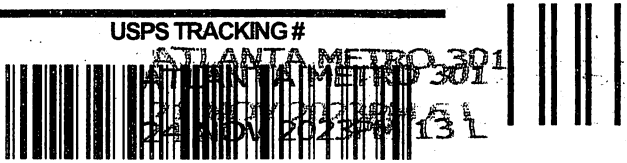

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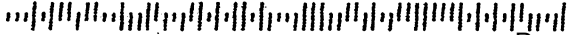

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KADEMS LLC
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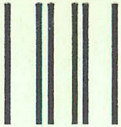

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Tax Parcel – 20016701040

ARRIS KENNESAW LLC
C/O RYAN LLC
PO BOX 20197
ATLANTA GA 30325

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C/O RYAN LLC
PO BOX 20197
ATLANTA GA 30325

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X K. Cullen ☐ Agent ☐ Addressee

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DOBSON ANITA G
2701 SUMMERS ST
KENNESAW [illegible] 30144

9590 9402 8568 3244 5712 54

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Derek Easterling

City Manager
Jeff Drobney, ICMA-CM

City Clerk
Lea Alvarez, CMC

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

November 10, 2023

Pamela Mabry, County Clerk
Cobb County
100 Cherokee Street, #355
Marietta, Georgia 30090-9679

Subject: City of Kennesaw Zoning Applications (Case #RZ2023-05 & #ZV2023-04)
2590 Keene Street Kennesaw, Georgia 30144 (20016700420)
2570 N Cobb Parkway Kennesaw, Georgia 30152 (20016700730, 20016701180)
6997 Keene Street Kennesaw, Georgia 30144 (20016700340)
Keene Street Kennesaw, Georgia 30144 (20016603670)

Dear Ms. Mabry,

Attached, please find the zoning applications submitted by Kennesaw Square Development, LLC to petition for rezoning and variance requests for the above 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.

These cases are set to go before the Kennesaw Planning Commission on Wednesday, December 6, 2023, at 6:30 p.m. for public hearing and Mayor and Council on Monday, December 18, 2023, at 6:30 p.m. for public hearing as well.

Thank you for your attention. Should you have any questions, you may call me at 770-590-8268 or send an e-mail to dsimmons@kennesaw-ga.gov.

Sincerely,

Darryl Simmons

Darryl Simmons
Planning and Zoning Administrator

Enclosure: Applications & Supplemental Documents

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)
Natalie Faustine, Community Development Administrative Assistant, City of Kennesaw (Via E-mail)

October 20, 2023

Darryl Simmons
Zoning Administrator
City of Kennesaw
2529 J.O. Stephenson Ave
Kennesaw, GA 30144

Re: Kennesaw Square Mixed-Use Development Project
Rezoning Application
Central Business District (CBD) Application
Variance Application

Dear Mr. Simmons,

Please find enclosed a PDF copy of the following applications and supplemental materials for the proposed Kennesaw Square Mixed-Use Development Project.

Rezoning Application

1) Application & Letter of Intent (LOI)
2) Legal Descriptions & Surveys
3) Site Plan
4) Tax Receipts
5) Warranty Deeds

CBD Application

1) Application & Letter of Intent (LOI)
2) Architectural Renderings
3) Business Plan
4) Legal Descriptions & Surveys
5) Site Plan
6) Tax Receipts
7) Warranty Deeds

Variance Application

1) Application & Letter of Intent (LOI)
2) Architectural Renderings
3) Directions to Site
4) Legal Descriptions & Surveys
5) Site Plan
6) Tax Receipts
7) Warranty Deeds

Should you have any questions or require anything further, please do not hesitate to contact our office directly. Thank you.

Kind regards,

Jennifer Vail, Director of Planning
Concord Wilshire Companies

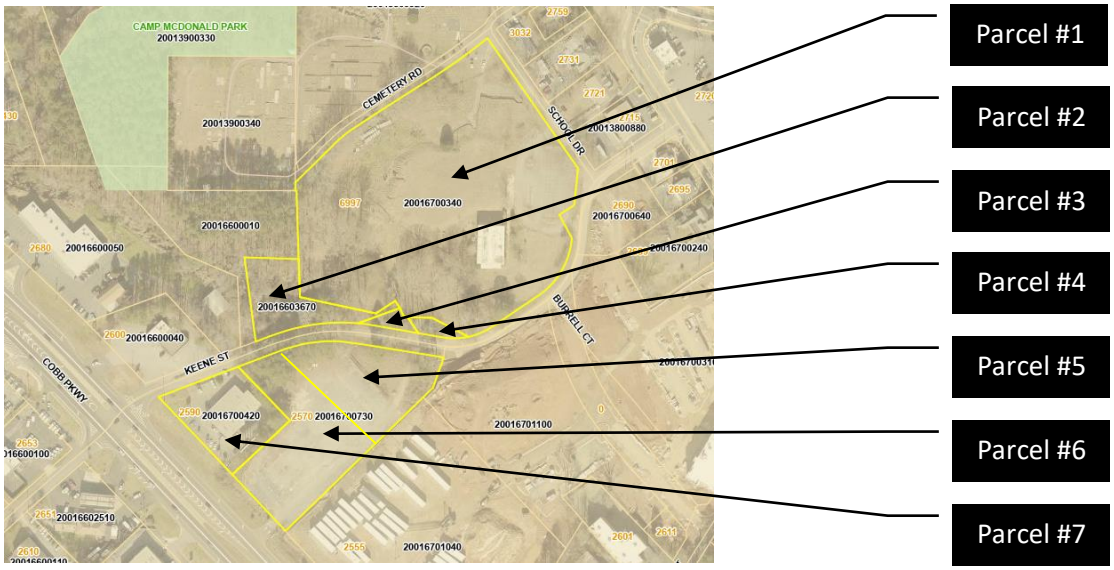
KENNESAW SQUARE

LETTER OF INTENT

Central Business District (CBD) Application Request

Project Summary

The proposed Kennesaw Square mixed-use development project (the "Project") is comprised of several adjacent tax parcels along with certain portions of the existing Keene Street Right-of-Way (ROW) proposed to be abandoned subject to approval by the City of Kennesaw. The Project totals 12.3 acres and includes each of the tax parcels outlined in the graphic and table below:



Existing Parcel	Parcel Number	Location Address	Owner	FLU	Existing Zoning	Proposed Zoning	Within KDDA	Within Historic District
1	20016700340	6997 Keene Street	Piedmont Residential LLC 285 Parkway 575 Woodstock, GA 30188	DAC	CBD	CBD	Yes	Yes
2	20016603670	Keene Street	Kennesaw City Storage LLC 1450 Brickell Ave, Suite 2560 Miami, FL 33131	DAC	CBD	CBD	Yes	Yes
3	** (see note) 20016701130 (partial)	Keene Street	Kennesaw City Storage LLC 2160 Kingston CT SE, Suite B Marietta, GA 30067	DAC	CBD	CBD	Yes	Yes
4	20016701130 (partial)	Keene Street	Redwood Development LLC 2160 Kingston CT SE, Suite B Marietta, GA 30067	DAC	CBD	CBD	Yes	Yes
5	20016700730	2570 N Cobb Pkwy	Kennesaw City Storage LLC 2160 Kingston CT SE, Suite B Marietta, GA 30067	CAC	HGB	CBD	Yes	No
6	20016701160	2570 N Cobb Pkwy	Kennesaw City Storage LLC 2160 Kingston CT SE, Suite B Marietta, GA 30067	CAC	HGB	CBD	Yes	No
7	20016700420	2590 Keene Street	B N Auto Parts Company 2864 Wood Park Terrace Kennesaw, GA 30152	CAC	HGB	CBD	Yes	No

Note:
*Existing Keene Street ROW adjacent to subject parcels, to be abandoned (subject to approval by City of Kennesaw), and included in proposed Kennesaw Square project.
**Tax Parcel identified as 20016701180 on Cobb County, GA qPublic.net

The bulk of the acreage included in the Project is presently zoned Central Business District (CBD), while the three parcels located to the southeast of the remaining Keene Street right of way are presently zoned Highway General Business (HGB), but have been requested to be zoned CBD in order to have consistency across the entirety of the Project. Generally, all of the parcels included within the Project are within the Kennesaw Downtown Development Authority (KDDA), while the parcels northwest of Keene Street are also in included in the Historic District. The parcels southeast of Keene Street (which are subject to rezoning) are not located within the Historic District.

The parcels northwest of Keene Street have a Future Land Use designation of Downtown Activity Center (DAC), while the parcels southeast of Keene Street have a Community Activity Center (CAC) designation. The proposed development is consistent with each future land use designation.

Proposed Development

The Project is planned as a mixed-use development incorporating multi-family residential, commercial retail and a park/plaza area. The commercial aspects of the Project are intended to serve not only the proposed residents of the Project, but also the surrounding neighborhoods, the entire Kennesaw community, as well as the broader regional area by taking advantage of the Cobb Parkway transportation corridor. The Project is intended to provide ample parking for both residents and visitors, and will also provide pedestrian and alternative transportation connections to Main Street and downtown Kennesaw.

The Project is proposed to include a total of 410 multi-family residential units encompassing 367,250 gross square feet of building area, spread among four mixed use buildings. In addition, the project will include a total of 130,600 gross square feet of commercial retail space spread across the four multi-use buildings as well as four solely commercial buildings.[1] The commercial retail buildings proposed closest to Cobb Parkway are single story surrounded by surface parking in keeping with the commercial corridor of the parkway. North of the single-story retail buildings, and closer to downtown, a series of four multi-use buildings, each either five or six-stories in height, will include multi-family residential units over ground-floor retail. In partnership with the KDDA, the Project is proposing a six-story parking structure of 1,110 parking spaces so as to minimize the footprint of the development and allowing for the construction of a park/plaza area rather than additional surface parking. The garage facades internal to the Project will be lined with multifamily residential and ground floor retail, which will also front upon the park/plaza space. An additional 288 surface parking spaces are included within the Project, resulting in total proposed parking of 1,398 spaces, which is sufficient to accommodate not only the residents of the project, but also customers and visitors from the Kennesaw community and surrounding region.

It is envisioned that the central park plaza space will offer ample seating and broad walkways, landscaped focal points, shading through raised planters and ornamental trees, open lawn space, an outdoor stage/performance area, a water fountain, and patterned pavement surfaces. This central park/plaza will

[1] This Project is below the threshold of a Development of Regional Impact (DRI), and is therefore not subject to the Atlanta Regional Commission (ARC) DRI review process. The Project is below the threshold of 500,000 square feet of mixed-use development - which is the ARC threshold for multi-use developments in established and developing suburbs. The Project is also below the threshold of 500 new housing units and 400,000 square feet of commercial square footage which would alternatively trigger a DRI review.

serve as a flexible space for open air events, including farmers markets and festivals, thus encouraging the active outdoor community which will be a central theme of the project.

Consistency with Future Land Use (FLU)

As noted above, the Project falls within the Downtown Activity Center (DAC) and Community Activity Center (CAC) FLU designations. The parcels northwest of Keene Street have a DAC designation, while the parcels southeast of Keene Street have a CAC designation. In accordance with the City's Comprehensive Plan, the DAC purpose is to reinforce the unique role and character of the downtown area. New development and redevelopment are encouraged to be compatible in use, scale and appearance with Kennesaw's downtown activity center uses. The proposed Project is consistent with the DAC by offering a mix of residential and commercial uses coupled with a park/plaza space that serves the proposed residents of the Project as well as the overall Kennesaw community. The Project furthers the initiatives of the DAC by adding entertainment, commercial and retail opportunities, coupled with residential housing opportunities, while providing multi-modal transportation links from the Project to the downtown area and the Cobb Parkway transportation corridor. The Project's multi-story buildings are of a scale and architectural treatment which complement the downtown area, while providing a significant upgrade to the Cobb Parkway corridor. The Project is designed to provide a multi-use transition from Cobb Parkway to the downtown area, and to provide a link between these two areas which does not presently exist.

The CAC future land use designation aims to meet the immediate needs of several neighborhoods and communities. The Project is in compliance with its partial CAC designation by including a mix of uses, including shopping, entertainment and gathering spaces for the immediate needs of not only the proposed Project, but also the surrounding neighborhoods and communities. In addition, the Project provides a link between the Cobb Parkway corridor and downtown which does not exist today.

Consistency with Zoning District

The portion of the Project that is northwest of the existing Keene Street ROW is currently zoned Community Business District (CBD), while that portion of the Project that is southeast of Keene Street (specifically Parcels 20016700420 and 20016700730 and 20016701160), is currently zoned Highway General Business (HGB), although an application has been made to rezone such property to the CBD district to provide zoning consistency across the entire project. While there are no existing buildings located on the property that are needed to be protected, the CBD zoning district provides for the stimulation and enhancement of the vitality and economic growth of this area. The proposed Project is consistent with the CBD zoning district guidelines as it is a development intended to create an

environment where residents and visitors can live, work, meet and play amongst a balance of mixed uses designed around a central public square, and encourages and facilitates pedestrian movement and convenient access to the Historic Downtown Kennesaw and a link to the Cobb Parkway corridor which does not presently exist.

Consistency with Development Regulations

The proposed Project is consistent with the development regulations of the City's Code of Ordinances outlined in Section 4.02.03 Site Design Standards for Central Business District, as follows:

1) Minimum lot size, widths, and depths: None. It is the intent that each enterprise or use be located on a site commensurate with its use and sufficient to meet the requirements of off-street parking, loading and unloading, and setback requirements, where applicable.
   - ✓ The subject site proposed for the multi-use Project is sufficient in size, width and depth to meet the requirements of off-street parking, loading and setbacks, where applicable.

2) Maximum Lot Coverage: Not more that eighty-seven (87) percent of the area of any lot may be covered by buildings, structures, or stormwater facilities.
   - ✓ The proposed lot coverage is 34%, and does not exceed the maximum lot coverage allowance of 87%.

3) Minimum Setbacks
   a. Front – Established to "build-to-line" which equals the averaged distance from the property lines measured from the existing structures along right-of-way adjoining properties as measured from existing structures.
      - ✓ The existing structures located along the Cobb Parkway right-of-way are setback various distances, ranging from approximately 40 feet to 85 feet with an average of 58 feet. The proposed structures located along Cobb Parkway are setback approximately 6.5 feet. The applicant is seeking a variance from this development regulation.

   b. Side – None, except when abutting a residential zoning district where there is no intervening right-of-way, the setbacks requirement is ten feet. Where alleys exist between districts, the setbacks shall be five feet from the property line/alley right-of-way.
      - ✓ The subject property is surrounded by properties within the CBD zoning district, with two properties northwest of the Cobb Parkway and Keene Street intersection falling within the HGB zoning district. In addition, the School Drive right-of-way abuts the property on the northeast side. Since the property does not abut a residential district, no setback is required. While the City cemetery is located adjacent to the northwest portion of the property, the developer intends to work with the City to provide for an adequate setback, screening and facing architectural treatments to ensure appropriate consideration of the location of the cemetery and the needs thereof.

   c. Rear – None, except when abutting a residential district where there is no intervening right-of-way the setback requirement is 25 feet.
      - ✓ The subject property abuts the School Drive right-of-way to the rear, which in turn abuts properties in the CBD zoning district, thus it is not abutting a residential district and no setback is required. Despite the lack of any required setback, it is proposed that a minimum 6.5 foot setback around the entirety of the project.

d. Alleys – Where any alley exists between districts, the setback shall be five feet from the property line/ alley right-of-way.
   ✓ No alleys abut the subject property so this is not applicable.

4) Maximum building height: While there is no specific building height requirement, it is noted that variances are requested so as to allow the four and five story buildings proposed despite the Kennesaw Historic development regulations. It is noted that there are no proximate historical structures that need to be matched, and as such the proposed heights will not conflict with any adjacent developments.

5) Maximum floor area ratio (FAR) – 1.1 (FAR = Floor Area/ Lot Area)
   - The maximum FAR proposed is 0.93, which is below the maximum permissible FAR of 1.1.

6) Residential Development Standards:

Mixed use retail/residential with residential on second floor:

a. The non-residential portion of the development shall obtain a certificate of completion before the issuance of the certificates of occupancy for the last 20 percent of residential units for the residential portion.
   ✓ The Project will adhere to this regulation.
b. The gross floor area occupied by residential uses shall not exceed seventy-five (75) percent of the total gross floor area of the buildings or individual structures.
   ✓ The applicant is seeking a variance from the gross floor area (GFA) occupied by residential uses in the mixed-use retail/residential buildings not exceeding more than 75 percent of the total GFA. While the applicant proposes non-residential uses on the ground floor, due to the increased number of stories above the non-residential uses, the floor area occupied by residential use exceeds the minimum standard in several of the individual buildings. The overall square footage of the development provides for 130,600 gross square feet of commercial and retail space, and 367,250 gross square feet of residential space. This results in an overall allocation of approximately 74% residential area as against 26% commercial and retail area.
c. Minimum floor area for all residential units—1,000 square feet
   ✓ The applicant is seeking a variance from the minimum floor area requirement of 1,000sf to allow Studio and One-bedroom units ranging in size from 560sf to 800sf. These minimum floor area sizes are consistent with current market trends for high-density mixed-use developments geared toward young professionals and active adults. These sizes are similar apartments located at The Avalon in Alpharetta.

For-Rent Residential Apartment units:

a. To be allowed only in mixed use residential/commercial projects.
   ✓ The Project proposed is a mixed-use residential/commercial development.
b. Rental apartment units will be allowed subject to specific development agreement conditions as part of the Central Business District project approval process as per UDC Section 4.02.03(H).
   ✓ The Project is being reviewed through the CBD approval process.
c. Minimum floor area for all residential units in mixed use residential project to average 1,000 square feet.

- ✓ The minimum floor area for all residential units is anticipated to average less than 1,000 square feet. The applicant is seeking a variance from the minimum floor area for all residential units in a mixed-use project standard.

d. Units with a floor plan totaling the minimum of 850 square feet can be utilized for no more than 30 percent of the total apartment units for the project.
   - ✓ Based upon the proposed minimum square footage of each apartment, coupled with the anticipated mix of unit types, the applicant seeks a variance to allow for a minimum apartment size of 560 square feet, but agrees that such units shall not account for more than 15% of the total units of the Project. Further, applicant seeks to allow a total of 70% of the units in the Project to be less than 850 square feet in size.

7) Parking, Road and Access Requirements:
   - Angled on-street parking on both sides shall be permitted dependent upon site plan review and approval.
     - ✓ Angled on-street parking is proposed on both sides along a portion of the main boulevard proposed as part of the Project, although in some areas only one side of the street will include angled parking.
   - Rear access shall be provided to townhouse and multifamily garages, single-family dwelling garages, and commercial loading and service areas, where such access is feasible.
     - ✓ Commercial loading and services areas are proposed within the rear of the relevant buildings. Surface parking and access to the garage deck is proposed in the rear or sides of the multifamily mixed-use buildings. Is this still an accurate statement?
   - Bicycle or moped parking spaces are required as follows: All new non-residential uses shall provide one (1) such space for every twenty (20) automobile spaces but not less than one (1) space and new residential uses shall provide one (1) such space for every five (5) units. Such spaces shall be located a maximum distance of 100 feet from the primary pedestrian entrance.
     - ✓ Bicycle parking is provided and will be located within 100 feet from each of the primary residential building entrances. Based on the total 1,398 parking spaces proposed for the project, a minimum of 70 bicycle spaces are required; however with 410 residential units proposed, the minimum bicycle spaces required increases to a total of 82 bicycle spaces.

Compliance to Downtown Redevelopment Plan Vision

The Downtown Kennesaw Livable Communities Initiative (LCI) purpose is to create an economically viable and active Downtown that serves Kennesaw's multi-generational community with a mix of uses and community amenities, while preserving its small town charm. The proposed Project is in compliance with the LCI based on the following elements proposed within and as a part of the Project development:

- Multifamily development with a mix of unit sizes to provide housing opportunities for a mix of incomes and generations
- Structured parking encouraged in developments over 2 acres, to be screened by buildings fronting the primary streets and landscaping along secondary streets
  - Structured parking designed to supplement surface parking, especially at peak hours and during events
- Active public spaces – proposed public square labeled as the park/plaza envisioned to include:
  - Outdoor stage/performance area

    - Open lawn
    - Shaded seating and walkways
    - Water fountain
    - Raised landscape planters
    - Landscape materials to provide shade, focal points and ornamentation
    - Patterned pavement vehicular drives adjacent to public square to enlarge public space separate from vehicular traffic for special events and festivals for vendors to further activate the space and connect the surrounding ground-floor commercial retail to the public square
- Activate public spaces with healthy design features
    - Water features (relaxation element and mitigate depression)
    - Natural elements (improve cognitive function, attentiveness and concentration, also reduce depression)
    - Shade [trees] (block harmful UV rays)
    - Bio swales (collect and filter harmful runoff)
    - Small gathering spaces (social interaction and meditation)
    - Accessibility (provide inclusion and universal access)
    - Bike lanes (multi-modal transit and exercise)
- Wayfinding and beautification for major gateway nodes into Downtown (Keene Street and Cobb Pkwy identified)
- Sidewalk connectivity and infill, in addition to Keene Street being identified for pedestrian connections to downtown
- Cobb Parkway offers opportunities for regional mixed-use job centers and future transit oriented development
- Cobb Parkway corridor should encourage higher densities and building heights to further promote transit oriented development and future rapid transit stops and serve a regional audience

CENTRAL BUSINESS DISTRICT PROJECT APPROVAL

CBD2023-02

Date Received 10/20/23
Staff's Initials NF

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

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

Date Received _____ Staff's Initials _____

Procedures for filing for CBD Approval:

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

CBD Approval Process:

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

PROPERTY ADDRESS 6997 Keene Street; Keene Street; 2570 N Cobb Parkway; and 2590 Keene Street

Land Lot 166 & 167 Tax Parcel 20016700340; 20016603670; 20016701180*; 20016701130; 20016700730; 20016701160; 20016700420 (Tax Parcel identified on Cobb Co. GA qPublic.net) Lot Size 12.3 Present Zoning CBD & HGB (CBD rezone requested)

Proposed Project for Property

Kennesaw Square - a Mixed-use Development (multi-family residential, commercial retail and park/plaza)

Add additional sheet if necessary

APPLICANT See attached.

APPLICANT EMAIL_____

Applicant address_____

(Fax #)_____ (Work #) _____ (Cell #) _____

Applicant Signature _____

Signed, sealed and delivered in presence of: _____

Notary **Date**

TITLEHOLDER: See attached. **Telephone:**_____

Address:_____

Signature_____

Signed, sealed and delivered in presence of: _____

Notary **Date**

CBD2023-02

CENTRAL BUSINESS DISTRICT PROJECT

CBD Project Administratively approved by:

_____
Darryl Simmons, Planning & Zoning Administrator

Date: _____

☐ APPROVED

☐ REQUIRES KDDA APPROVAL

☐ REQUIRES HPC APPROVAL

☐ MAYOR AND COUNCIL

KENNESAW DOWNTOWN DEVELOPMENT AUTHORITY:

Hearing Date: 11/10/2023

Recommendation: see attached minutes

_____
Signature Kennesaw Downtown Development Authority:

HISTORIC PRESERVATION COMMISSION:

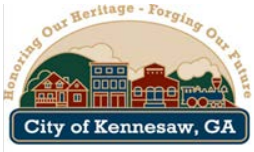
Hearing Date: 11/17/2023

Recommendation: see attached minutes

_____
Signature Historic Preservation Commission

KENNESAW MAYOR AND COUNCIL:

Hearing Date: 12/18/2023 see attached minutes



CENTRAL BUSINESS DISTRICT PROJECT

CONSISTENT WITH THE UNITED STATES CONSTITUTION AND THE RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT OF 2000, THE CITY OF KENNESAW DOES NOT DISCRIMINATE ON THE BASIS OF RELIGION IN THE APPLICATION OF ITS LAWS, POLICIES, OR PROCEDURES, INCLUDING THE APPLICATION OF ITS LAND USE REGULATIONS AND ZONING LAWS.

Under the Religious Land Use and Institutionalized Persons Act of 2000 ("RLUIPA"), no government, including the City of Kennesaw, may apply its zoning or land use laws in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution. RLUIPA also provides that no government, including the City of Kennesaw, may apply a land use regulation in a manner that treats a religious assembly or institution (a church, for example) on less than equal terms than a nonreligious institution or assembly (a day care center or movie theater, for example). Finally, RLUIPA provides that no government, including the City of Kennesaw, may impose or implement a land use regulation in a manner that discriminates against a religious assembly or institution.

If you believe that the City of Kennesaw, or any other local government or municipality, has discriminated against you in the implementation of its zoning or land use laws, please contact the United States Department of Justice.

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

CENTRAL BUSINESS DISTRICT
PROJECT APPROVAL

Date Received 10/20/23
Staff's Initials NF

Is this property located within the Kennesaw Historic District (yes) X lots north of Keene St. (no) X lots south of Keene Street ?

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

Date Received _____ Staff's Initials _____

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PROPERTY ADDRESS 667 Keene Street; Keene Street; 2570 N Cobb Parkway; and 2590 Keene Street

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Proposed Project for Property
Kennesaw Square - a Mixed-Use Development (multi-family residential, commercial retail, and park/plaza)

Add additional sheet if necessary

APPLICANT Kennesaw Square Development, LLC

APPLICANT EMAIL nsirang@concordwilshire.com

Applicant address 2160 Kingston Court SE, Suite B; Marietta, GA 30067

(Fax #)_____ (Work #) 305-428-2528 (Cell #) _____

Applicant Signature _____

Signed, sealed and delivered in presence of: _____ 10/16/23 (see attached)
Notary **Date**

TITLEHOLDER: Kennesaw City Storage, LLC **Telephone:** 305-428-2528

Address: 2160 Kingston Court SE, Suite B; Marietta, GA 30067

Signature _____

Signed, sealed and delivered in presence of: _____ 10/16/23 (see attached)
Notary **Date**

Z\P&Z FORMS\Applications 2020

CENTRAL BUSINESS DISTRICT
PROJECT APPROVAL

Date Received 10/20/23
Staff's Initials NF

Is this property located within the Kennesaw Historic District (yes) X lots north of Keene St. (no) X lots south of Keene Street ?

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Kennesaw Square - a Mixed-Use Development (multi-family residential, commercial retail, and park/plaza)

Add additional sheet if necessary

APPLICANT Kennesaw Square Development, LLC

APPLICANT EMAIL nsirang@concordwilshire.com

Applicant address 2160 Kingston Court SE, Suite B; Marietta, GA 30067

(Fax #)_____ (Work #) 305-428-2528 (Cell #) _____

Applicant Signature _____

Signed, sealed and delivered in presence of: _____ 10/16/23 (see attached)
Notary **Date**

TITLEHOLDER: Redwood Development, LLC **Telephone:** 305-428-2528

Address: 2160 Kingston Court SE, Suite B; Marietta, GA 30067

Signature _____

Signed, sealed and delivered in presence of: _____ 10/16/23 (see attached)
Notary **Date**

Z\P&Z FORMS\Applications 2020

CALIFORNIA ACKNOWLEDGMENT CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of LOS ANGELES

On OCTOBER 16, 2023 (Date) before me, THERESA CURA, NOTARY PUBLIC (Here Insert Name and Title of the Officer),

personally appeared NATE SIRANG (Name(s) of Signer(s)),

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.

THERESA CURA
Notary Public - California
Los Angeles County
Commission # 2367220
My Comm. Expires Jul 22, 2025

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 _____ (Signature of Notary Public)

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: CENTRAL BUSINESS DISTRICT PROJECT APPROVAL

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____	Signer's Name: _____
☐ Corporate Officer – Title(s): _____	☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General	☐ Partner – ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	☐ Trustee ☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer is Representing: APPLICANT	Signer is Representing: _____

©2019 National Notary Association

CALIFORNIA ACKNOWLEDGMENT CIVIL CODE § 1189

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State of California
County of LOS ANGELES

On OCTOBER 16, 2023 before me, THERESA CURA, NOTARY PUBLIC,
Date *Here Insert Name and Title of the Officer*

personally appeared NATE SIRANG
Name(s) of Signer(s)

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.

THERESA CURA
Notary Public - California
Los Angeles County
Commission # 2367220
My Comm. Expires Jul 22, 2025

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 _____
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: CENTRAL BUSINESS DISTRICT PROJECT APPROVAL

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____	Signer's Name: _____
☐ Corporate Officer – Title(s): _____	☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General	☐ Partner – ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	☐ Trustee ☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer is Representing: TITLE HOLDER	Signer is Representing: _____

©2019 National Notary Association

CAMPAIGN DISCLOSURE REPORT[1] BY APPLICANT[2]

A separate form must be completed by each applicant

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

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

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

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

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

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

I certify that the foregoing information is true and correct, this 16th day of October, 2023

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.

City of Kennesaw, GA

CENTRAL BUSINESS DISTRICT
PROJECT APPROVAL

Date Received 10/20/23
Staff's Initials NF

Is this property located within the Kennesaw Historic District (yes) x lots north of Keene St. (no) x lots south of Keene Street ?

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

Date Received _____ Staff's Initials _____

Procedures for filing for CBD Approval:

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

CBD Approval Process:

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

PROPERTY ADDRESS 667 Keene Street; Keene Street; 2570 N Cobb Parkway; and 2590 Keene Street

Land Lot 166 & 167 Tax Parcel 20016700340; 20016701180*; 20016701160; 20016603670; 20016701130; 20016700730 and 20016700420 Lot Size 12.312 Present Zoning CBD & HGB (CBD rezone requested)

Proposed Project for Property
Kennesaw Square - a Mixed-Use Development (multi-family residential, commercial retail, and park/plaza)

Add additional sheet if necessary

APPLICANT Kennesaw Square Development, LLC

APPLICANT EMAIL nsirang@concordwilshire.com

Applicant address 2160 Kingston Court SE, Suite B; Marietta, GA 30067

(Fax #)_____ (Work #) _____ (Cell #) _____

Applicant Signature _____

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

TITLEHOLDER: B N Auto Parts Company **Telephone:** 675 860 2801

Address: 2864 Wood Park Terrace; Kennesaw, GA 30152

Signature _____

Signed, sealed and delivered in presence of: _____ 10-17-23
Notary **Date**

RACHEL WORTHAN NOTARY PUBLIC COBB COUNTY, GEORGIA MY COMMISSION EXPIRES MAY 25, 2025

Z\P&Z FORMS\Applications 2020

CAMPAIGN DISCLOSURE REPORT[1] BY APPLICANT[2]

A separate form must be completed by each applicant

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

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

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

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

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

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

I certify that the foregoing information is true and correct, this 17th day of October, 2023

Applicants Signature

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

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

CENTRAL BUSINESS DISTRICT
PROJECT APPROVAL

Date Received 10/20/23
Staff's Initials NF

Is this property located within the Kennesaw Historic District (yes) x lots north of Keene St. (no) x lots south of Keene Street ?

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

Date Received _____ Staff's Initials _____

Procedures for filing for CBD Approval:

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

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

PROPERTY ADDRESS 667 Keene Street; Keene Street; 2570 N Cobb Parkway; and 2590 Keene Street

Land Lot 166 & 167 Tax Parcel 20016700340; 20016701180*; 20016701160; 20016603670; 20016701130; 20016700730 and 20016700420 Lot Size 12.3 Present Zoning CBD & HGB (CBD rezone requested)

Proposed Project for Property
Kennesaw Square - a Mixed-Use Development (multi-family residential, commercial retail, and park/plaza)

Add additional sheet if necessary

APPLICANT Kennesaw Square Development, LLC

APPLICANT EMAIL nsirang@concordwilshire.com

Applicant address 2160 Kingston Court SE, Suite B; Marietta, GA 30067

(Fax #)_____ (Work #) _____ (Cell #) _____

Applicant Signature _____

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

TITLEHOLDER: Piedmont Residential, LLC **Telephone:** 678.366.6470

Address: 285 Parkway 575; Woodstock, GA 30188

Signature _____

Signed, sealed and delivered in presence of: Christy P. Houchins 10/16/23
Notary **Date**

CHRISTY P HOUCHINS NOTARY PUBLIC COBB COUNTY, GEORGIA MY COMMISSION EXPIRES APRIL 03, 2026

CAMPAIGN DISCLOSURE REPORT[1] BY APPLICANT[2]

A separate form must be completed by each applicant

Has the applicant made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating two hundred fifty dollars ($250.00) or more or made gifts having in the aggregate a value of two hundred fifty dollars ($250.00) or more to a member or members of the Mayor and Council or Planning Commission who will consider the application?

No

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

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

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

_____

_____

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

_____

_____

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

I certify that the foregoing information is true and correct, this 16 day of October, 2023

_____

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.

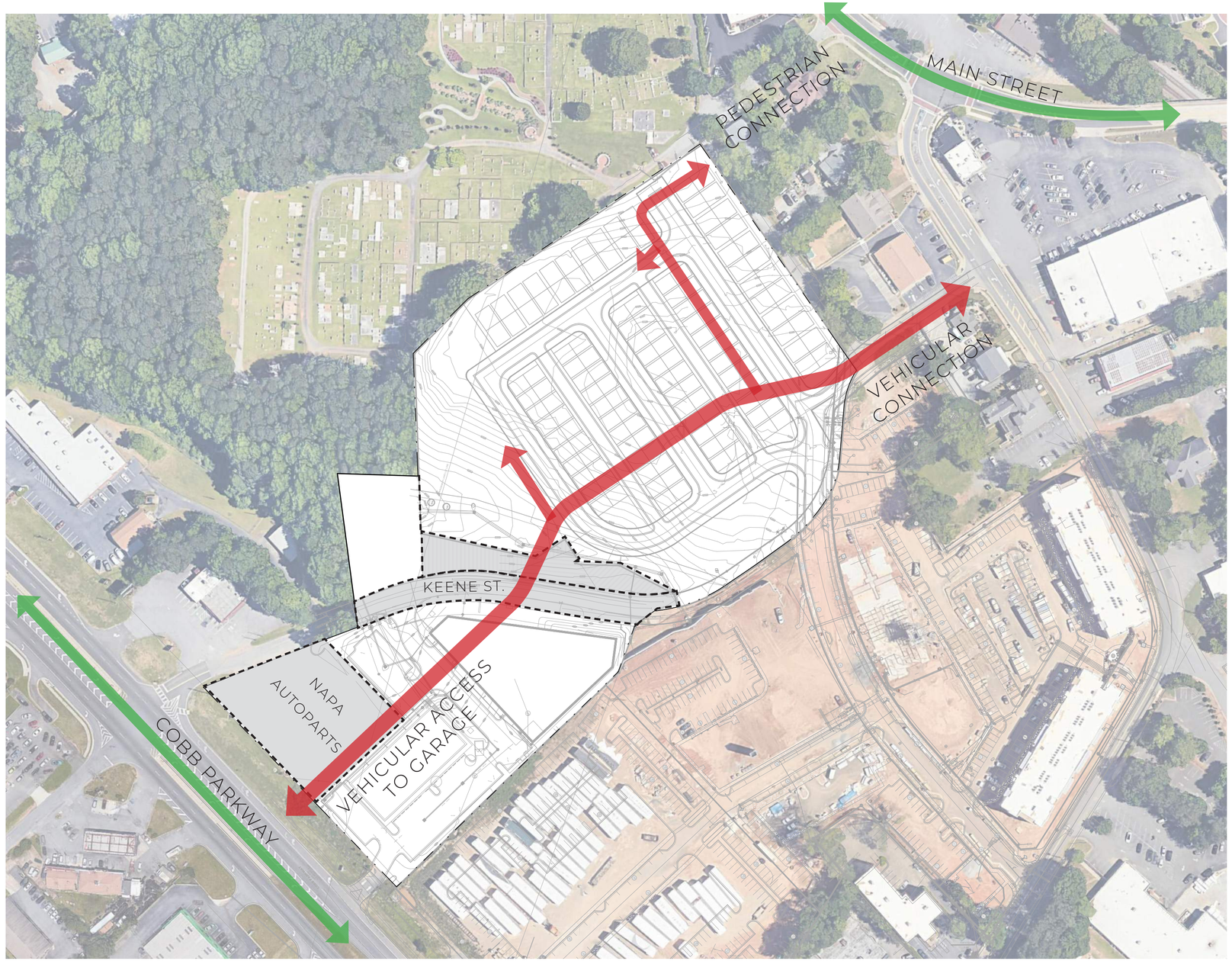
OCTOBER 19, 2023

KENNESAW SQUARE

MASTERPLAN

RSP ARCHITECTS

MASTER PLAN - EXISTING SITE



FENTON
PARAGON TH
BURGER
COLLETTA

PARAGON T
COFFEE BAR
BURGER
COLLETTA
FENTON

GROVE
LEGION

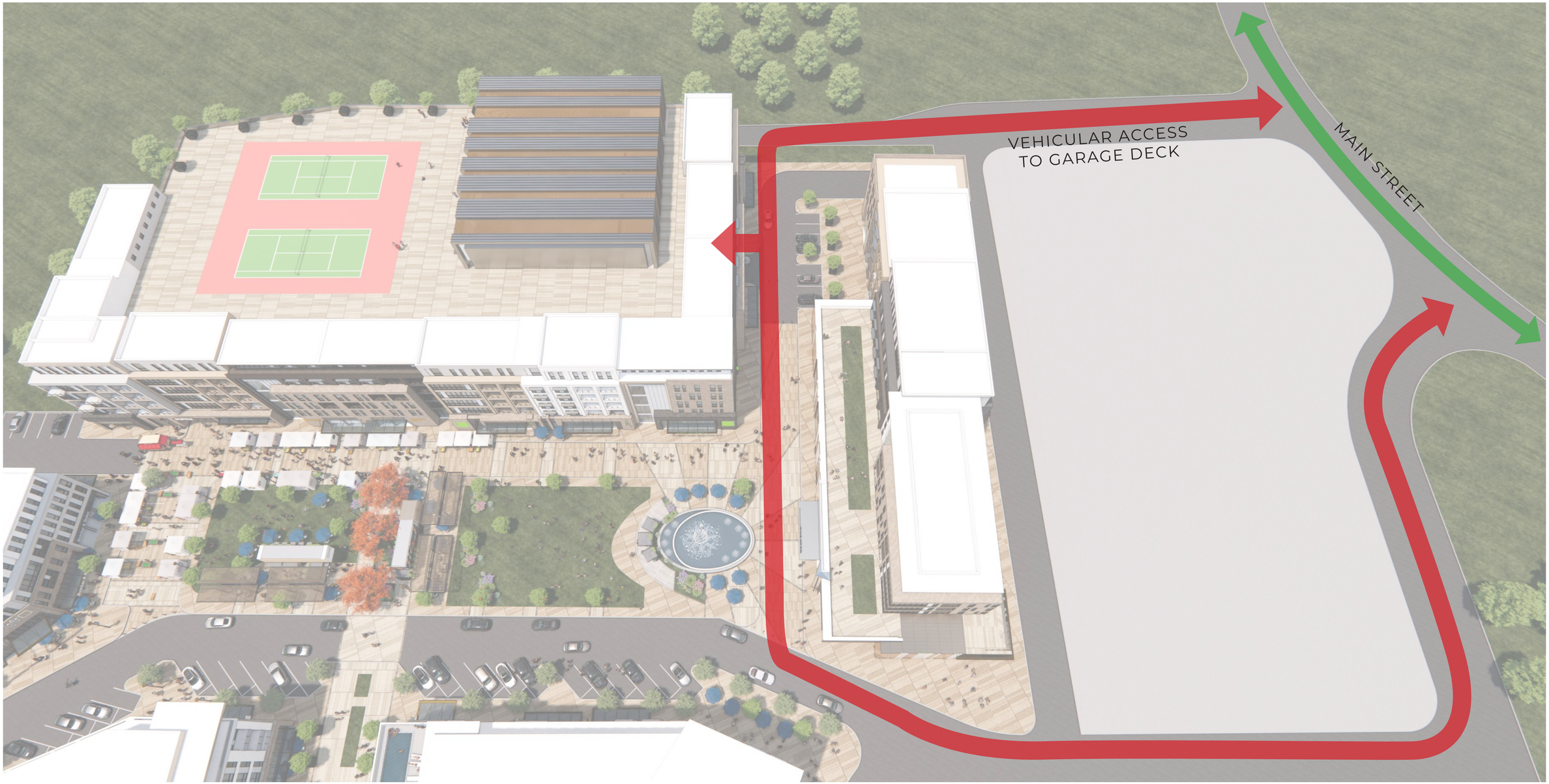
DOUBLE R
RR

FENTON
BAILEY'S

FENTON
SPORTS Bar

VIEW - GARAGE DECK ACCESS FROM COBB PARKWAY

VIEW - GARAGE DECK ACCESS FROM MAIN STREET



VIEW - BIRDS EYE

VIEW - PARK VIEW

VIEW - PARK VIEW

VIEW - SOUTHERN ENTRY

VIEW - SOUTHERN ENTRY

VIEW - MAIN PARK

VIEW - PARK STAGE

VIEW - FOUNTAIN VIEW

VIEW - FARMERS MARKET

VIEW - PARK CENTER

VIEW - ROOFTOP POOL

VIEW - SPORTS CENTER

VIEW - SPORTS CENTER

DEVELOPMENT COLLAGE - VIEW FROM MAIN STREET

DEVELOPMENT COLLAGE - VIEW FROM CEMETERY STREET

DEVELOPMENT COLLAGE - VIEW FROM SUMMER STREET

DEVELOPMENT COLLAGE - VIEW FROM COBB PKWY

THANK YOU

KENNESAW SQUARE

BUSINESS PLAN

Proposed Development

The proposed Kennesaw Square mixed-use development project (the "Project") is a Cobb Parkway corridor improvement project. It is comprised of several adjacent tax parcels and contemplates the inclusion of certain portions of the existing Keene Street Right-of-Way (ROW), which is proposed to be abandoned should the City of Kennesaw look favorably upon this project. The Project totals 12.3 acres, and is located along the northeast side of Cobb Parkway at Keene Street, and is bounded on the north and west by School Drive and the City Cemetery. The Project is planned as a mixed-use development incorporating multi-family residential, commercial retail and a park/plaza area. It is intended to serve not only the proposed residents, but the entire Kennesaw community, while also having a regional draw by taking advantage of the Cobb Parkway transportation corridor.

The Project is proposed to include a total of 410 multi-family residential units encompassing 367,250 gross square feet of building area, spread among four mixed use building. In addition, the project will include a total of 130,600 gross square feet of commercial retail space spread across the four multi-use buildings as well as four solely commercial buildings.[1] The commercial retail buildings proposed closest to Cobb Parkway are single story surrounded by surface parking in keeping with the commercial corridor of the parkway. North of the single-story retail buildings, and closer to downtown, a series of four multi-use buildings, each either five or six-stories in height, will include multi-family residential units over ground-floor retail. In partnership with the KDDA, the Project is proposing a six-story parking structure of 1,110 parking spaces so as to minimize the footprint of the development and allowing for the construction of a park/plaza area rather than additional surface parking. The garage facades internal to the Project will be lined with multifamily residential and ground-floor retail, which will also front upon the park/plaza space. An additional 288 surface parking spaces are included within the Project, resulting in total proposed parking of 1,398 spaces, which is sufficient to accommodate not only the residents of the project, but also customers and visitors from the Kennesaw community and surrounding region.

It is envisioned that the central park plaza space will offer ample seating and broad walkways, landscaped focal points, shading through raised planters and ornamental trees, open lawn space, an outdoor stage/performance area, a water fountain, and patterned pavement surfaces. This central park/plaza will serve as a flexible space for open air events, including farmers markets and festivals, thus encouraging the active outdoor community which will be a central theme of the project.

Type of Business

The Project will include a mix of residential and commercial retail uses surrounding a public square. A total of 410 multi-family residential units are proposed, which will include both for sale condominiums and apartments for rent. The Project is proposing 130,600 square feet of commercial retail space. While

[1] This Project is below the threshold of a Development of Regional Impact (DRI), and is therefore not subject to the Atlanta Regional Commission (ARC) DRI review process. The Project is below the threshold of 500,000 square feet of mixed-use development - which is the ARC threshold for multi-use developments in established and developing suburbs. The Project is also below the threshold of 500 new housing units and 400,000 square feet of commercial square footage which would alternatively trigger a DRI review.

specific business brands won't be determined until after initial planning and zoning approvals are obtained, it is envisioned that the following types of businesses will occupy the proposed commercial retail space:

- Grocery store
- Theater
- Sandwich shop
- Restaurants/Taverns
- Coffee Shop
- Brewery
- Multi-purpose center

In addition, the project is proposing a public square central to the development that is envisioned to offer the following types of activities:

- Outdoor stage/performance area
- Open lawn for multi-use activities and gathering spaces
- Shaded seating and walkways for gathering and expanding the adjacent commercial businesses and dining into the public space
- Water fountain for ambiance and to be utilized as a gathering area
- Kiosk structures for retail and food vendor opportunities
- Paved flex space adjacent to the public square for Farmer's Market and/or community gatherings and festivals

Target Market and Customer

The Project is geared to provide a mix of housing targeted for young professionals, small families, empty nesters and active seniors. The commercial customer base is envisioned to include not only the residents of the proposed community, but also the surrounding neighborhoods and communities in and around the City of Kennesaw. It is expected that special events will draw from a larger regional area.

Traffic Control

The Project's main entry will front Cobb Parkway, with secondary access also from Keene Street and School Drive. An entry boulevard featuring a divided median will welcome visitors to the project from Cobb Parkway. This entry boulevard will provide connections to the parking garage as well as surface parking designed for residents of the multi-use buildings on the southeastern portion of the project. This boulevard will then narrow through the park/plaza area of the project, but will ultimately connect through the northern end of the project, where there will be a secondary vehicular connection to the north and Downtown. Side streets and surface parking will be located on the sides and rear of the proposed buildings fronting along Cobb Parkway and the project boulevard, and will offer pedestrian connections throughout the project and further connecting to Cobb Parkway and to the adjacent properties and Downtown. Bicycle access is also planned along the Project's boulevard connecting this project to the surrounding roadways and nearby trail network. In addition to traffic control and directional signage, the

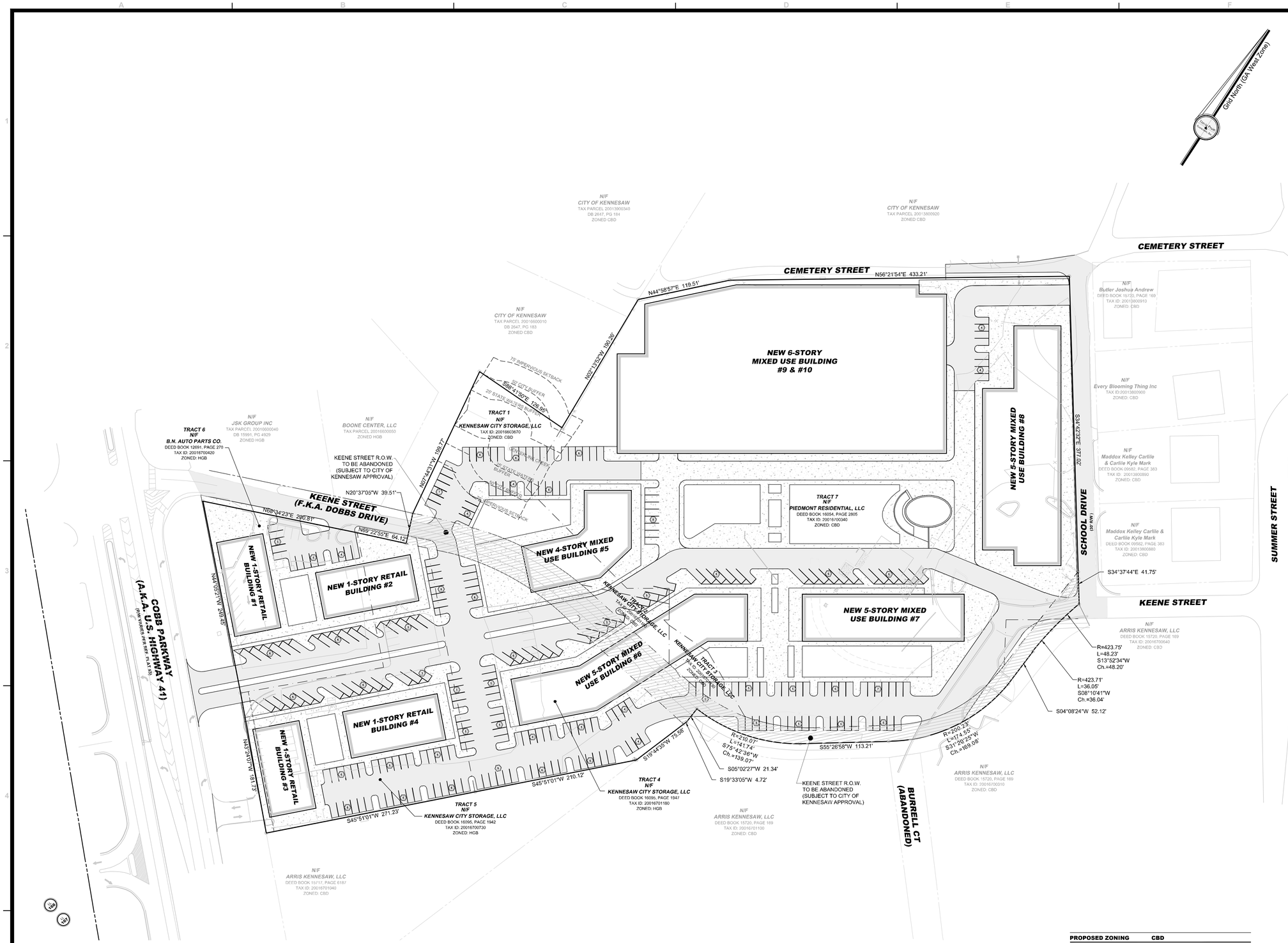
Project is proposing a mix of pavement patterns and surfaces, landscape and hardscape elements to identify and separate the multi-modes of traffic for safety purposes.

Economic Impact

The total cost to construct the Project is estimated slightly in excess of $150,000,000. During the anticipated two-year construction period, it is estimated that approximately 855 construction jobs will be created. The project expenditures would generate a short term increase in demand for engineering and technical services, as well as construction-related labor and materials.

Following completion of construction, the Project will provide housing for new residents of the City of Kennesaw who will support local businesses and increase the local tax base. In addition, the retail and other commercial uses will provide between 125 and 175 full-time and part-time jobs, as well as additional employment for persons included in the management and maintenance of the residential and public square spaces.

The commercial and retail businesses will provide tax revenue through local sales taxes generated by both residents and regional visitors to the development. Beyond expenditures as retail establishments within the Project, it is anticipated that the residents of the Project will also support other local Kennesaw business in the surrounding area.



BUILDING SUMMARY				
BUILDING #	USE	RETAIL GSF	RESI GSF	UNITS
1	RETAIL	7,300		
2	RETAIL	7,400		
3	RETAIL	6,800		
4	RETAIL	7,400		
5	MIXED	10,000	30,000	34
6	MIXED	19,400	77,600	87
7	MIXED	12,000	48,000	54
8	MIXED	21,800	82,800	93
9	MIXED	23,500	129,650	142
10	RETAIL	15,000		
TOTAL		130,600	367,250	410

PROPOSED ZONING	**CBD**
SITE AREA:	**12.3 AC**
PERCENT IMPERVIOUS	**87.1%**
PROPOSED FAR	**0.93**
BUILDING COVERAGE	**34%**

TRACT #	PARCEL #	EX. ZONING
TRACT 1	20016603670	CBD
TRACT 2	20016701180	CBD
TRACT 3	20016701130	CBD
TRACT 4	20016701180	HGB
TRACT 5	20016700730	HGB
TRACT 6	20016700420	HGB
TRACT 7	20016700340	CBD

PARKING SUMMARY	
DESCRIPTION	PROVIDED
OUTSIDE PARKING	288
GARAGE PARKING	1,110
TOTAL PARKING SPACES:	1,398

ACCESS AISLES FOR ADA PARKING ARE INCLUDED IN PROVIDED PARKING TOTAL.

GRAPHIC SCALE - IN FEET
25 0 50 100 150 200

NOTE: ALL DIMENSIONS ARE TO FACE OF CURB, FACE OF BUILDING, OR CENTER OF STRUCTURE, UNLESS OTHERWISE NOTED.

GEORGIA811 Utilities Protection Center, Inc. 1-800-282-7411 Know what's below. Call before you dig.

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REVISIONS			
NO	DATE	DESCRIPTION	BY
1			
2			
3			
4			
5			
6			
7			

4517 Park Drive, Suite 400
Norcross, GA 30093
Phone: (770) 416-2341
Fax: (770) 416-6759
www.travispruitt.com
CONTACT PERSON: BRENT THOMAS P.E.
e-mail: bthomas@travispruitt.com

ZONING SITE PLAN

KENNESAW SQUARE

KEENE STREET & COBB PARKWAY, LAND LOTS 138 AND 167, 20TH DISTRICT, CITY OF KENNESAW, COBB COUNTY, GEORGIA

For The Firm
Travis Pruitt & Associates, Inc.

DATE:	10-20-2023
SCALE:	1" = 50'
CN:	230489ZSP
JN:	1-23-0489
FN:	218-E-017
SHEET NO:	1 of 1

W:\2023\230489\Engineering\CAD\Drawings\230489ZSP.dwg, Concept Plan, jwinston, Oct. 20, 23-9:59:43 AM, 1:1

Deed Book 12691 Pg 270
Filed and Recorded Jul-13-1999 05:43pm
1999-0116070
Real Estate Transfer Tax $84.20

Jay C. Stephenson
Clerk of Superior Court Cobb Cty. Ga.

2/12 RR

92R291.5
RETURN TO:
Moore Ingram Johnson & Steele, LLP
192 Anderson Street
Marietta, GA 30060

QUITCLAIM DEED

STATE OF GEORGIA
COUNTY OF COBB

THIS INDENTURE made the 1 day of May in the year of one thousand nine hundred and ninety-nine, between

DAN W. NORTHCUTT and LINDA C. NORTHCUTT

of the County of Cobb and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and

B. N. AUTO PARTS CO.
a Georgia corporation

of the County of Cobb and State of Georgia, 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 one dollar ($1.00) and other valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, by these presents does hereby remise, convey, and forever QUITCLAIM unto the said Grantee

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 166 OF THE 20TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE.

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.

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:

(Unofficial Witness)

DAN W. NORTHCUTT (Seal)

(Notary Public)

LINDA C. NORTHCUTT (Seal)

My Commission Expires:

(Notarial Seal)

NANCY M. HARRIS NOTARY PUBLIC GEORGIA EXPIRES JULY 16 2003 COBB COUNTY

4/95

Jay C. Stephenson
Clerk of Superior Court Cobb Cty. Ga.

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 166 of the 20th District, 2nd Section, Cobb County, Georgia, as per plat of survey by Raoul N. Arroyo, Surveyor, dated July 30, 1971, and being more particularly described as follows:

BEGINNING at an iron pin at the corner formed by the intersection of the northeast side of U. S. Highway 41 and the southeast side of Dobbs Drive; running thence south 45 degrees 20 minutes east along the right-of-way of U. S. Highway 41 a distance of 250 feet to an iron pin; running thence north 45 degrees 27 minutes east a distance of 185 feet to an iron pin; running thence north 45 degrees 28 minutes west a distance of 175 feet to an iron pin on the southeast side of Dobbs Drive; running thence south 67 degrees 29 minutes 33 seconds west as measured along the southeast side of Dobbs Drive a distance of 200 feet to an iron pin and the point of beginning, said property being the same as that conveyed in that certain Warranty Deed from Curtis M. Wigley to Northcutt & Northcutt, a Partnership comprised of Floyd W. Northcutt and Dan W. Northcutt, dated October 27, 1983, filed for record October 27, 1983, in **Deed Book 2924, Page 182**, Records of Cobb County, Georgia.

Deed Book 16054 Page 2805
Filed and Recorded 5/9/2022 5:24:00 PM
2022-0053901
Real Estate Transfer Tax $4,900.00
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 5959440500

The Abram Law Group, LLC
1200 Ashwood Parkway, Suite 560
Atlanta, GA 30338
770/349-0120
File #22-0090

LIMITED WARRANTY DEED

STATE OF FLORIDA
COUNTY OF ORANGE

THIS INDENTURE made as of the 9th day of May, in the year two thousand and twenty-two, between

ETERNAL HOLDINGS LLC
a Nevada limited liability company

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

PIEDMONT RESIDENTIAL, 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 TEN DOLLARS ($10.00) AND OTHER 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 and conveyed, and by these presents, does grant, bargain, sell and convey unto the said Grantee, the following described real property to-wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 138 and 167 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia, and being more particularly described on **Exhibit "A"** attached hereto and incorporated herein by reference for a complete legal description.

This conveyance is made subject to those matters shown on **Exhibit "B"** attached hereto.

TO HAVE AND TO HOLD the said bargained property, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever IN FEE SIMPLE.

And the said Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the lawful claims of all persons, claiming by, through, or under said Grantor.

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:

M. Marie Storey
Witness

Notary Public
My commission expires: February 12, 2024
[Notary Seal]

Eternal Holdings LLC
a Nevada limited liability company

BY: Shahriar Ekbatani (SEAL)
Name: Shahriar Ekbatani
Title: Manager

MAYA D. VALDIVIA
MY COMMISSION # GG 953043
EXPIRES: February 12, 2024
Bonded Thru Notary Public Underwriters

P\EDMONTRES\KEENESTS\SALEDOCS\LWD

EXHIBIT "A"
LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 138 & 167 OF THE 20TH DISTRICT, 2ND SECTION, CITY OF KENNESAW, COBB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" REBAR ON THE SOUTHERLY RIGHT-OF-WAY OF CEMETERY STREET (30' R/W) AT THE COMMON CORNER OF LAND LOT 138, 139, 166 & 167;
SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY, NORTH 45 DEGREES 05 MINUTES 57 SECONDS EAST, 119.51 FEET TO A FENCE CORNER;
THENCE, NORTH 56 DEGREES 26 MINUTES 58 SECONDS EAST, 433.02 FEET TO A 1/2" REBAR ON THE WESTERLY RIGHT-OF-WAY OF SCHOOL DRIVE (30' R/W);
THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY, ALONG SAID WESTERLY RIGHT-OF-WAY, SOUTH 34 DEGREES 35 MINUTES 23 SECONDS EAST, 377.45 FEET TO A 1/2" REBAR ON THE NORTHERLY RIGHT-OF-WAY OF KEENE STREET (40' R/W);
THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY, ALONG SAID NORTHERLY RIGHT-OF-WAY, SOUTH 05 DEGREES 44 MINUTES 52 SECONDS WEST, 26.88 FEET TO A 1/2" REBAR;
THENCE, SOUTH 05 DEGREES 44 MINUTES 52 SECONDS WEST, 51.10 FEET TO A 1/2" REBAR;
THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY, SOUTH 57 DEGREES 02 MINUTES 34 SECONDS WEST, 42.91 FEET TO A 1/2" REBAR;
THENCE, SOUTH 30 DEGREES 17 MINUTES 07 SECONDS EAST, 58.60 FEET TO A 1/2" REBAR ON SAID NORTHERLY RIGHT-OF-WAY;
THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY, SOUTH 05 DEGREES 44 MINUTES 52 SECONDS WEST, 13.48 FEET TO A POINT;
THENCE ALONG A CURVE TO THE RIGHT, AN ARC DISTANCE OF 151.48 FEET, SAID CURVE HAVING A RADIUS OF 175.72 FEET AND BEING SUBTENDED BY A CHORD OF 146.83 FEET, AT SOUTH 30 DEGREES 26 MINUTES 32 SECONDS WEST, TO A POINT;
THENCE, SOUTH 55 DEGREES 08 MINUTES 12 SECONDS WEST, 103.52 FEET TO A POINT;
THENCE ALONG A CURVE TO THE RIGHT, AN ARC DISTANCE OF 89.53 FEET, SAID CURVE HAVING A RADIUS OF 224.38 FEET AND BEING SUBTENDED BY A CHORD OF 88.94 FEET, AT SOUTH 66 DEGREES 36 MINUTES 14 SECONDS WEST, TO A POINT;
THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY, NORTH 62 DEGREES 30 MINUTES 41 SECONDS WEST, 95.28 FEET TO A POINT;
THENCE, NORTH 88 DEGREES 33 MINUTES 44 SECONDS WEST, 59.94 FEET TO A POINT;
THENCE, NORTH 77 DEGREES 23 MINUTES 22 SECONDS WEST, 9.42 FEET TO A POINT;
THENCE, NORTH 57 DEGREES 02 MINUTES 34 SECONDS EAST, 6.60 FEET TO A POINT;
THENCE, NORTH 32 DEGREES 57 MINUTES 26 SECONDS WEST, 20.00 FEET TO A 1/2" REBAR;
THENCE, NORTH 33 DEGREES 06 MINUTES 00 SECONDS WEST, 19.88 FEET TO A 1/2" REBAR;
THENCE, SOUTH 57 DEGREES 01 MINUTES 02 SECONDS WEST, 53.83 FEET TO A 1/2" REBAR;
THENCE, NORTH 77 DEGREES 52 MINUTES 06 SECONDS WEST, 181.88 FEET TO A 1/2" REBAR;
THENCE, NORTH 02 DEGREES 14 MINUTES 06 SECONDS WEST, 89.32 FEET TO A 1/2" REBAR;
THENCE, NORTH 02 DEGREES 04 MINUTES 49 SECONDS WEST, 190.43 FEET TO THE POINT OF BEGINNING;

EXHIBIT "B"

1. Taxes and assessments for the year 2022 and subsequent years, which are liens not yet due and payable.

2. Easement from Kennesaw Consolidated School to Georgia Power Company, dated March 22, 1939, filed April 25, 1939, recorded in Deed Book 132, page 448, Cobb County, Georgia records.

3. Easement from Cobb County Board of Education to City of Kennesaw, dated September 29, 1960, filed October 7, 1960, recorded in Deed Book 566, page 66, aforesaid records.

4. Easements and Infrastructure Development Agreement by and between Keene Street JV LLC and Arris Kennesaw, LLC dated 02/20/2020, recorded in Deed Book 15714, Page 3087, aforesaid records

FOR AGREE SEE
DE Book 16098 Page 196

Deed Book 16095 Page 1942
Filed and Recorded 10/19/2022 10:42:00 PM
2022-0120667
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 4417205703

NOTE TO CLERK: Pursuant to O.C.G.A. 48-6-2(a)(3), this deed is exempt from the real estate transfer tax imposed by the State of Georgia.

After recording, return to:
Schreeder, Wheeler & Flint, LLP
1100 Peachtree Street NE, Suite 800
Atlanta, Georgia 30309
Attn: Leo Rose III, Esq.

Cobb County Tax Parcel No. 20016700730

STATE OF GEORGIA
COUNTY OF COBB

LIMITED WARRANTY DEED

THIS LIMITED WARRANTY DEED, made as of the 18th day of October, 2022, between **KENNESAW DOWNTOWN DEVELOPMENT AUTHORITY**, a public corporation created and existing under the laws of the State of Georgia (hereinafter referred to as "**Grantor**"), and **KENNESAW CITY STORAGE, LLC**, a Georgia limited liability company (hereinafter referred to as "**Grantee**") (the words "**Grantor**" and "**Grantee**" to include their respective heirs, legal representatives, successors, and assigns where the context requires or permits);

W I T N E S S E T H: THAT

Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and confirmed, and by these presents does grant, bargain, sell, alien, convey, and confirm unto Grantee, all those tracts or parcels of land lying and being in Cobb County, Georgia, being more particularly described in **Exhibit "A"**, attached hereto and incorporated herein by this reference (hereinafter referred to as the "**Land**");

TOGETHER WITH all buildings, structures, and improvements thereon and all rights, members, easements, hereditaments, tenements and appurtenances appertaining to the Land (the Land, together with the foregoing, is hereinafter referred to as the "**Property**");

This conveyance and the limited warranty of title set forth herein are made subject to the matters set forth on **Exhibit "B"** attached hereto and incorporated herein by reference for all purposes (collectively, the "**Permitted Exceptions**").

TO HAVE AND TO HOLD the Property unto Grantee and unto its successors and assigns, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of Grantee

and its successors and assigns, forever, **IN FEE SIMPLE.**

Grantor covenants with Grantee that it will forever warrant and defend said title to the Property against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

IN WITNESS WHEREOF, Grantor has executed this Limited Warranty Deed, to be effective as of the date set forth above.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

[SIGNATURE PAGE TO LIMITED WARRANTY DEED]

Signed, sealed, and delivered
in the presence of:

Unofficial Witness

Notary Public

Commission Expiration Date:
10-20-24

(NOTARY SEAL)

GRANTOR:

KENNESAW DOWNTOWN DEVELOPMENT AUTHORITY,
a public corporation created and existing under the laws of the State of Georgia

By: _____ (SEAL)
Mark Allen, Chair

By: _____ (SEAL)
Mary Jo Groeneveld, Secretary

(CORPORATE SEAL)

EXHIBIT "A"

Legal Description

All that tract or parcel of land lying and being in land lots 166 and 167, District 20, Section 2, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

Beginning at an iron pin found (1/2" rebar) located at the intersection of the southeasterly right of way of Dobbs Drive (40' R/W) with its intersection of the northeasterly right of way of North Cobb Parkway (A.K.A. Highway 41) (115' from the centerline of highway 41), thence along the southeasterly right of way of Dobbs Drive N 66° 40'51" E a distance of 201.32 feet to a point, said point being the TRUE POINT OF BEGINNING;

Thence continuing along the southeasterly right of way of Dobbs Drive N 67°33'30" E a distance of 120.40 feet to a point.
Thence 177.71 feet along the arc of a curve in a clockwise direction (said curve having a radius of 335.59' and a chord of N 84°38'30" E – 175.64') to a point;
Thence S 82° 40" 45" E a distance of 196.98 feet to an iron pin found (5/8" rebar);
Thence leaving said right of way S 17°53"51" W a distance of 75.54 feet to a point;
Thence S 44°01"15" W a distance of 481.39 feet to a point on the northeasterly right of way of North Cobb Parkway;
Thence along the northeasterly right of way of North Cobb Parkway N 45°20'00" W a distance of 181.48 feet to a point;
Thence leaving said right of way N 44°55'46" E a distance of 185.32 feet to an iron pin found (5/8" rebar);
Thence N 45°49'53" W a distance of 175.12 feet to a point on the southeasterly right of way of Dobbs Drive and the POINT OF BEGINNING.

Said tract containing 2.67 acres as shown hereon.

EXHIBIT "B"
Permitted Exceptions

1. Taxes for year 2023, a lien not yet due and payable.

2. Drainage rights as contained in that certain Right of Way Deed from W. M. Eller to State Highway Department of Georgia dated June 22, 1948, and recorded at Deed Book 202, Page 93, records of the Clerk of Cobb County, Georgia, Superior Court.

3. Drainage rights as contained in that certain Right of Way Deed from O.E. Jones to State Highway Department of Georgia dated June 23, 1948, and recorded at Deed Book 202, Page 96, aforesaid records, as affected by Quitclaim Deed from L.C. Chalker, O.E. Jones and the Board of Education of Cobb County, Georgia, to State Highway Department of Georgia, dated November 12, 1948, and recorded at Deed Book 192, Page 544, aforesaid records.

4. Easement from Pacemaker Inns of America to Georgia Power Company dated April 5, 1972, and recorded in Deed Book 1315, Page 725, aforesaid records.

5. All matters shown on ALTA/NSPS Land Title Survey prepared by Travis Pruitt & Associates, Inc., Travis N. Pruitt, Jr., Georgia Registered Land Surveyor No. 2809, prepared for Kennesaw City Storage, LLC, Signature Bank of Georgia, First American Title Insurance Company, and Candler Abstract Company last revised October 14, 2022, identified as Job No. 1-21-0242.600.

Deed Book 16148 Page 4177
Filed and Recorded 07/24/23 11:46:00 AM
2023-0057320
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 4417205703

Prepared for recording by:
Schreeder, Wheeler & Flint, LLP
1100 Peachtree Street NE, Suite 800
Atlanta, Georgia 30309
Attn: Leo Rose III, Esq.

Clerk please cross reference:
Deed Book 16146, Page 3619
Cobb County Records

This deed is being rerecorded to include the effective date of July 12, 2023.

Cobb County Tax Parcel No.
20016701130 (partial)

STATE OF GEORGIA
COUNTY OF COBB

LIMITED WARRANTY DEED

THIS LIMITED WARRANTY DEED, made as of the 12th day of July, 2023, between **KEENE STREET JV, LLC**, a Georgia limited liability company (hereinafter referred to as "**Grantor**"), and **REDWOOD DEVELOPMENT, LLC**, a Georgia limited liability company (hereinafter referred to as "**Grantee**") (the words "**Grantor**" and "**Grantee**" to include their respective heirs, legal representatives, successors, and assigns where the context requires or permits);

WITNESSETH: THAT

Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and confirmed, and by these presents does grant, bargain, sell, alien, convey, and confirm unto Grantee, all those tracts or parcels of land lying and being in Cobb County, Georgia, being more particularly described in **Exhibit "A"**, attached hereto and incorporated herein by this reference (hereinafter referred to as the "**Land**");

TOGETHER WITH all buildings, structures, and improvements thereon and all rights, members, easements, hereditaments, tenements and appurtenances appertaining to the Land (the Land, together with the foregoing, is hereinafter referred to as the "**Property**");

This conveyance and the limited warranty of title set forth herein are made subject to the matters set forth on **Exhibit "B"** attached hereto and incorporated herein by reference for all purposes (collectively, the "**Permitted Exceptions**").

TO HAVE AND TO HOLD the Property unto Grantee and unto its successors and assigns, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of Grantee and its successors and assigns, forever, **IN FEE SIMPLE.**

Grantor covenants with Grantee that it will forever warrant and defend said title to the Property against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

IN WITNESS WHEREOF, Grantor has executed this Limited Warranty Deed, to be effective as of the date set forth above.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

[SIGNATURE PAGE TO LIMITED WARRANTY DEED]

Signed, sealed, and delivered
in the presence of:

Unofficial Witness

Notary Public

Commission Expiration Date:

4/30/26

(NOTARY SEAL)

K GIBSON
NOTARY PUBLIC
COBB COUNTY
STATE OF GEORGIA
My Comm. Expires April 30, 2026

GRANTOR:

KEENE STREET JV, LLC,
a Georgia limited liability company

By: _____(SEAL)
Chad L. Howie, Manager

EXHIBIT "A"
Legal Description

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

COMMENCING at a point found at the intersection of northeasterly right of way line of Cobb Parkway Variable R/W (AKA HWY 41) and the north right of way line of Keene Street (40' R/W) thence proceeding along the north right of way line of Keene Street 40' R/W (FKA Dobbs) a distance of 280.00 feet to 1/2" rebar found. THENCE following said right of way along a curve to the right with a radius of 757.98 feet and an arc length of 111.83 feet, said curve having a chord bearing of North 71 degrees 55 minutes 32 seconds East and a chord distance of 111.73 feet to a point; THENCE continuing said right of way along a curve to the right with a radius of 368.31 feet and an arc length of 124.36 feet, said curve having a chord bearing of South 87 degrees 11 minutes 24 seconds West and a chord distance of 123.77 feet to a point. THENCE continuing said right of way along a curve to the right with a radius of 368.31 feet and an arc length of 18.32 feet, said curve having a chord bearing of South 81 degrees 34 minutes 52 seconds East and a chord distance of 18.32 feet to a point; South 80 degrees 45 minutes 09 seconds East a distance of 132.78 feet to a point; said point being the TRUE POINT OF BEGINNING.

THENCE from said TRUE POINT OF BEGINNING leaving said right of way North 33 degrees 01 minutes 25 seconds West a distance of 49.46 feet to a 1/2" rebar found w/cap; THENCE South 88 degrees 39 minutes 52 seconds East a distance of 59.94 feet to a point; THENCE South 62 degrees 36 minutes 48 seconds East a distance of 95.28 feet to a point at the northern right of way of Keene St 40' R/W (FKA Dobbs); THENCE following said right of way along a curve to the right with a radius of 224.38 feet and an arc length of 85.72 feet, said curve having a chord bearing of South 88 degrees 58 minutes 47 seconds West and a chord distance of 85.20 feet to a point; THENCE continuing along northern right of way line North 80 degrees 45 minutes 08 seconds West a distance of 32.81 feet to a point; said point being the TRUE POINT OF BEGINNING.

Said tract contains 4,123 square feet or 0.09 acres.

TOGETHER WITH (i) all fixtures, structures and improvements thereon, (ii) all right, title and interest, if any, in and to all rights-of-way, open or proposed streets, alleys, strips or gores of land adjacent thereto and (iii) all and singular the tenements, hereditament, rights, easements and appurtenances now or hereafter belonging thereto.

EXHIBIT "B"
Permitted Exceptions

1. Taxes for year 2023, a lien not yet due and payable.

2. Easement(s) granted in favor of Georgia Power Company as filed in Book 132, Page 448, records of the Clerk of Cobb County, Georgia, Superior Court.

3. All matters shown on Boundary Survey prepared by Travis Pruitt & Associates, Inc., Jacob M. Kaloki., Georgia Registered Land Surveyor No. 3422, prepared for Kennesaw City Storage, LLC, dated May 24, 2023, identified as Job No. 1-23-0231.600.

Deed Book 16146 Page 3633
Filed and Recorded 07/13/23 5:22:00 PM
2023-0054593
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 4417205703

Prepared for recording by:
Schreeder, Wheeler & Flint, LLP
1100 Peachtree Street NE, Suite 800
Atlanta, Georgia 30309
Attn: Leo Rose III, Esq.

Cobb County Tax Parcel Nos.
20016701130 (partial)

STATE OF GEORGIA
COUNTY OF COBB

QUITCLAIM DEED

THIS INDENTURE, made this 12th day of July, 2023 between **KEENE STREET JV LLC**, a Georgia limited liability company (herein referred to as "**Grantor**"), and **REDWOOD DEVELOPMENT, LLC**, a Georgia limited liability company (herein referred to as "**Grantee**").

W I T N E S S E T H T H A T:

The Grantor, for and in consideration of Ten and 00/100 Dollars ($10.00) in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has bargained, sold and does by these presents bargain, sell, release, convey and forever quit-claim to the said Grantee, his its heirs, successors and assigns, all right, title, interest, claim or demand which the said Grantor has or may have in and to:

> **ALL THAT TRACT** or parcel of land lying and being in Land Lots 166 and 167 of the 20th District, 2nd Section of Cobb County, Georgia, being that certain land identified as Tract 1 and Tract 2 which are more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof.

TOGETHER WITH all fixtures, structures and improvements on said property, all right, title and interest, if any, in and to all rights-of-way, open or proposed streets, alleys, strips or gores of land adjacent thereto, and all and singular the tenements, hereditament, rights, easements and appurtenances in anywise appertaining.

TO HAVE AND TO HOLD the said described premises unto the said Grantee, its heirs, successors and assigns, so that neither the said Grantor, nor its heirs or successors, nor any other person or persons claiming under it shall at any time claim or demand any right, title or interest to the aforesaid described premises.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Grantor has signed, sealed and delivered this deed on the date above written.

[SIGNATURE PAGE TO QUITCLAIM DEED]

Signed, sealed, and delivered
in the presence of:

Unofficial Witness

Notary Public

Commission Expiration Date:

4/30/2026

(NOTARY SEAL)
K GIBSON
NOTARY PUBLIC
COBB COUNTY
STATE OF GEORGIA
My Comm. Expires April 30, 2026

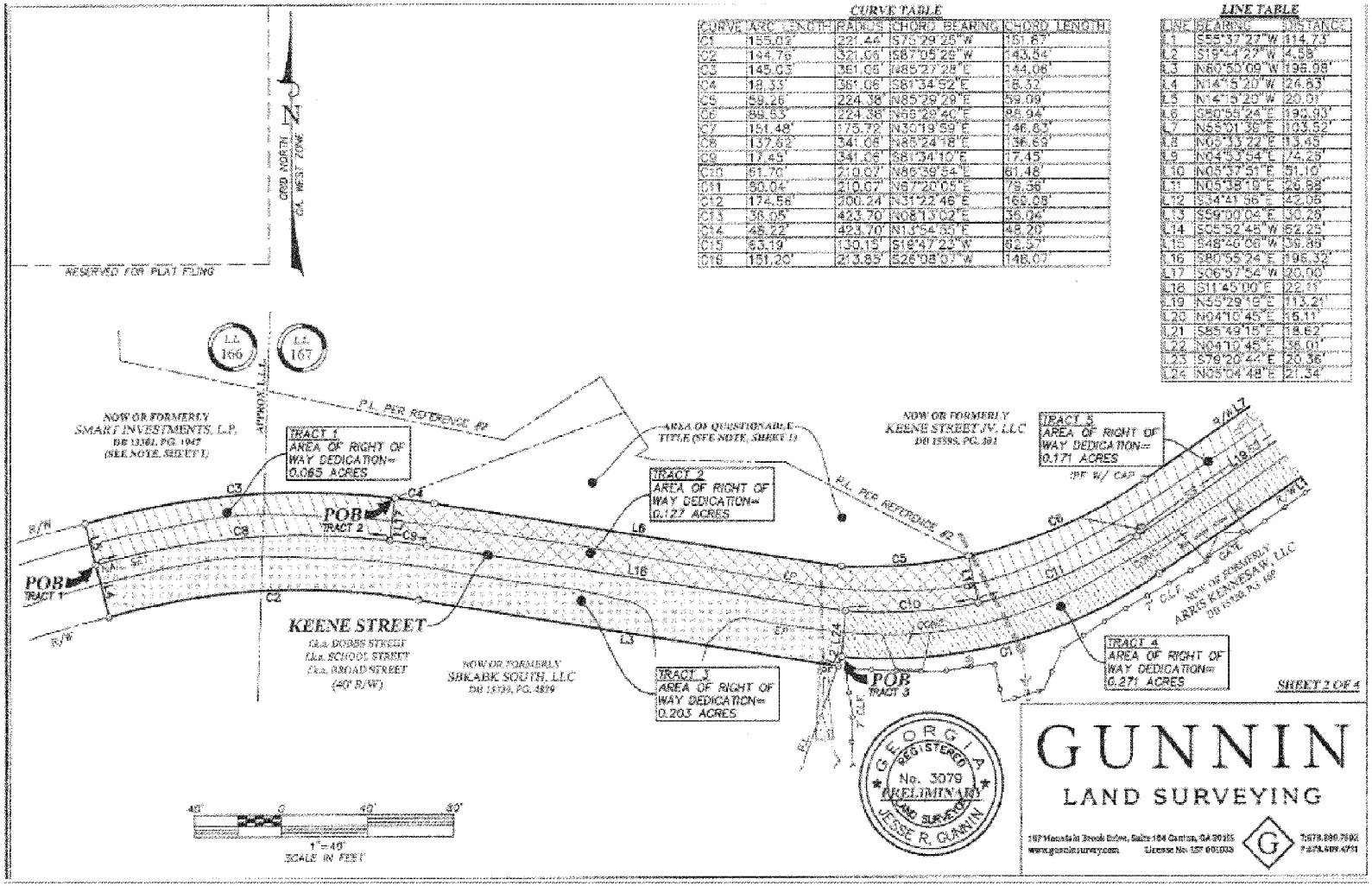
GRANTOR:

KEENE STREET JV LLC,
a Georgia limited liability company

By: _____(SEAL)
Chad L. Howie, Manager

EXHIBIT "A"

Description of proposed abandonment of Keene Street



Legal Description

Summers St Project- Right of Way Abandonment, Tract 1

All that tract or parcel of land lying and being in Land Lots 166 and 167 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at the intersection of the westerly right of way of Burrell Court (40' right of way) and the southerly right of way of Keene Street (40' right of way); thence leaving said westerly right of way and along said southerly right of way the following courses and distances: S55°37'27"W for a distance of 114.73 feet to a point; 155.02 feet along the arc of a curve to the right, said curve having a radius of 221.44 feet and being subtended by a chord of S75°29'25"W, 151.87 feet to a point; S19°44'27"W for a distance of 4.58 feet to a 1/2" rebar found; N80°50'09"W for a distance of 196.98 feet to a point; 144.76 feet along the arc of a curve to the left, said curve having a radius of 321.06 feet and being subtended by a chord of S87°05'29"W, 143.54 feet to a point; thence leaving said southerly right of way N14°15'20"W for a distance of 24.83 feet to a nail set, said point being the **TRUE POINT OF BEGINNING.**

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;
thence N14°15'20"W for a distance of 20.01 feet to a point at the northerly right of way of Keene Street (40' right of way); thence along said northerly right of way 145.03 feet along the arc of a curve to the right, said curve having a radius of 361.06 feet and being subtended by a chord of N85°27'28"E, 144.06 feet to a point; thence leaving said northerly right of way S06°57'54"W for a distance of 20.00 feet to a point; thence 137.62 feet along the arc of a curve to the left, said curve having a radius of 341.06 feet and being subtended by a chord of S85°24'18"W, 136.69 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

Said tract of parcel of land contains 0.065 acres.

Summers St Project- Right of Way Abandonment, Tract 2

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

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at the intersection of the westerly right of way of Burrell Court (40' right of way) and the southerly right of way of Keene Street (40' right of way); thence leaving said westerly right of way and along said southerly right of way the following courses and distances: S55°37'27"W for a distance of 114.73 feet to a point; 155.02 feet along the arc of a curve to the right, said curve having a radius of 221.44 feet and being subtended by a chord of S75°29'25"W, 151.87 feet to a point; S19°44'27"W for a distance of 4.58 feet to a 1/2" rebar found; N80°50'09"W for a distance of 196.98 feet to a point; 144.76 feet along the arc of a curve to the left, said curve having a radius of 321.06 feet and being subtended by a chord of S87°05'29"W, 143.54 feet to a point; thence traversing said right of way N14°15'20"W for a distance of 44.84 feet to a point at the northerly right of way of Keene Street (40' right of way); thence along said northerly right of way 145.03 feet along the arc of a curve to the right, said curve having a radius of 361.06 feet and being subtended by a chord of N85°27'28"E, 144.06 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;
thence continue along said northerly right of way the following courses and distances: 18.33 feet along the arc of a curve to the right, said curve having a radius of 361.06 feet and being subtended by a chord of S81°34'52"E, 18.32 feet to a point; thence S80°55'24"E for a distance of 190.93 feet to a point; thence 59.26 feet along the arc of a curve to the left, said curve having a radius of 224.38 feet and being subtended by a chord of N85°29'29"E, 59.09 feet to a point; thence leaving said northerly right of way S11°45'00"E for a distance of 22.11 feet to a point; thence 61.70 feet along the arc of a curve to the right, said curve having a radius of 210.07 feet and being subtended by a chord of S86°39'54"W, 61.48 feet to a point; thence N80°55'24"W for a distance of 196.32 feet to a point; thence 17.45 feet along the arc of a curve to the left, said curve having a radius of 341.06 feet and being subtended by a chord of N81°34'10"W, 17.45 feet to a point; thence N06°57'54"E for a distance of 20.00 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

Said tract of parcel of land contains 0.127 acres.

Deed Book 16148 Page 4182
Filed and Recorded 07/24/23 11:47:00 AM
2023-0057325
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 4417205703

Prepared for recording by:
Schreeder, Wheeler & Flint, LLP
1100 Peachtree Street NE, Suite 800
Atlanta, Georgia 30309
Attn: Leo Rose III, Esq.

Clerk please cross reference:
Deed Book 16146, Page 3614,
Cobb County Records

This deed is being rerecorded to include the effective date of July 12, 2023.

Cobb County Tax Parcel Nos.
20016603670 and
20016701130 (partial)

STATE OF GEORGIA
COUNTY OF COBB

LIMITED WARRANTY DEED

THIS LIMITED WARRANTY DEED, made as of the 12th day of July, 2023, between **KENNESAW REDEVELOPMENT, LLC**, a Georgia limited liability company (hereinafter referred to as "**Grantor**"), and **KENNESAW CITY STORAGE, LLC**, a Georgia limited liability company (hereinafter referred to as "**Grantee**") (the words "**Grantor**" and "**Grantee**" to include their respective heirs, legal representatives, successors, and assigns where the context requires or permits);

WITNESSETH: THAT

Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and confirmed, and by these presents does grant, bargain, sell, alien, convey, and confirm unto Grantee, all those tracts or parcels of land lying and being in Cobb County, Georgia, being more particularly described in **Exhibit "A"**, attached hereto and incorporated herein by this reference (hereinafter referred to as the "**Land**");

TOGETHER WITH all buildings, structures, and improvements thereon and all rights, members, easements, hereditaments, tenements and appurtenances appertaining to the Land (the Land, together with the foregoing, is hereinafter referred to as the "**Property**");

This conveyance and the limited warranty of title set forth herein are made subject to the matters set forth on **Exhibit "B"** attached hereto and incorporated herein by reference for all purposes (collectively, the "**Permitted Exceptions**").

TO HAVE AND TO HOLD the Property unto Grantee and unto its successors and assigns, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of Grantee and its successors and assigns, forever, **IN FEE SIMPLE.**

Grantor covenants with Grantee that it will forever warrant and defend said title to the Property against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

[SIGNATURE PAGE TO LIMITED WARRANTY DEED]

IN WITNESS WHEREOF, Grantor has executed this Limited Warranty Deed, to be effective as of the date set forth above.

Signed, sealed, and delivered
in the presence of:

Unofficial Witness

Notary Public

Commission Expiration Date:
4/30/26

NOTARY SEAL
R GIBSON
NOTARY PUBLIC
COBB COUNTY
STATE OF GEORGIA
My Comm. Expires April 30, 2026

GRANTOR:

KENNESAW REDEVELOPMENT, LLC, a Georgia limited liability company

By: _____ (SEAL)
Chad L. Howie, Manager

EXHIBIT "A"
Legal Description

All that tract or parcel of land lying and being in Land Lots 166 and 167 of the 20th District, 2nd Section, Cobb County, Georgia as shown on plat of survey prepared by Robert T. Weaver, Surveyor, dated March, 1973, a copy of which is recorded in Plat Book _____, Page _____, Cobb County Records and being more particularly described as follows:

BEGINNING at an iron pin on the northerly side of Dobbs Street (sometimes known as School Street) 280 feet northeast of intersection of the northeast side of the right of way of U.S. Highway 41 and the northwesterly side of Dobbs Street (sometimes known as School Street); running thence north 7 degrees 37 minutes west for a distance of 200 feet to an iron pin; running thence south 88 degrees 13 minutes east for a distance of 127 feet to an iron pin located on the east line of said Land Lot 166; running thence south 2 degrees 01 minutes east for a distance of 89.2 feet to an iron pin; running thence south 77 degrees 55 minutes east for a distance of 182 feet to a point; running thence north 56 degrees 57 minutes east for a distance of 54 feet to an iron pin; running south 32 degrees 48 minutes east for a distance of 20 feet to an iron pin; running thence south 69 degrees 56 minutes west for a distance of 115.1 feet to an iron pin located on the northerly side of Dobbs Street (sometimes known as School Street); running thence southwesterly along the northerly and northwesterly side of Dobbs Street (sometimes known as School Street) for a distance of 236.2 feet to an iron pin and the point of beginning.

Said tract contains 0.673 acres.

TOGETHER WITH:

All that tract or parcel of land lying and being in Land Lot 167 of the 20th District, 2nd Section, Cobb County, Georgia, and being a portion of the property as shown on plat of survey prepared by Robert T. Weaver, Surveyor, for Curtis M. Wigley, dated March, 1973, a copy of which is recorded in Plat Book _____, Page _____, Cobb County Records and being more particularly described as follows:

BEGINNING at a point on the north side of Dobbs Street (sometimes known as School Street) at a point 380 feet east of the intersection of the north side of the right of way of Dobbs Street (sometimes known as School Street) and the east side of the right of way of Cemetery Street; running thence southeasterly along the northeasterly side of the right of way of Dobbs Street (sometimes known as School Street) for a distance of 143.8 feet to the southwest line of the property of the Cobb County Board of Education; running thence north 32 degrees 48 minutes west for a distance of 70 feet to an iron pin; running thence south 69 degrees 56 minutes west for a distance of 115.1 feet to an iron pin and the point of beginning.

EXHIBIT "B"
Permitted Exceptions

1. Taxes for year 2023, a lien not yet due and payable.

2. Easement(s) granted in favor of Georgia Power Company as filed in Book 132, Page 448, records of the Clerk of Cobb County, Georgia, Superior Court.

3. Sanitary Sewer Easement in favor of City of Kennesaw as recorded in Book 566, Page 66, records aforesaid.

4. All matters shown on plat of survey recorded in Plat Book 280, Page 437, records aforesaid.

5. All matters shown on Boundary Survey prepared by Travis Pruitt & Associates, Inc., Jacob M. Kaloki., Georgia Registered Land Surveyor No. 3422, prepared for Kennesaw City Storage, LLC, dated May 24, 2023, identified as Job No. 1-23-0231.600.

Deed Book 16146 Page 3624
Filed and Recorded 7/13/2023 5:17:00 PM
2023-0054591
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 4417205703

Prepared for recording by:
Schreeder, Wheeler & Flint, LLP
1100 Peachtree Street NE, Suite 800
Atlanta, Georgia 30309
Attn: Leo Rose III, Esq.

Cobb County Tax Parcel Nos.
20016603670 and
20016701130 (partial)

STATE OF GEORGIA
COUNTY OF COBB

QUITCLAIM DEED

THIS INDENTURE, made this 12th day of July, 2023 between **KENNESAW REDEVELOPMENT, LLC**, a Georgia limited liability company (herein referred to as "**Grantor**"), and **KENNESAW CITY STORAGE, LLC**, a Georgia limited liability company (herein referred to as "**Grantee**").

W I T N E S S E T H T H A T:

The Grantor, for and in consideration of Ten and 00/100 Dollars ($10.00) in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has bargained, sold and does by these presents bargain, sell, release, convey and forever quit-claim to the said Grantee, his its heirs, successors and assigns, all right, title, interest, claim or demand which the said Grantor has or may have in and to:

> **ALL THAT TRACT** or parcel of land lying and being in Land Lots 166 and 167 of the 20th District, 2nd Section of Cobb County, Georgia being more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof.

TOGETHER WITH all fixtures, structures and improvements on said property and all and singular the rights, members and appurtenances to the said premises in anywise appertaining.

TO HAVE AND TO HOLD the said described premises unto the said Grantee, its heirs, successors and assigns, so that neither the said Grantor, nor its heirs or successors, nor any other person or persons claiming under it shall at any time claim or demand any right, title or interest to the aforesaid described premises.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Grantor has signed, sealed and delivered this deed on the date above written.

[SIGNATURE PAGE TO QUITCLAIM DEED]

Signed, sealed, and delivered
in the presence of:

Unofficial Witness

Notary Public

Commission Expiration Date:

4/30/26

(NOTARY SEAL)

K GIBSON
NOTARY PUBLIC
COBB COUNTY
STATE OF GEORGIA
My Comm. Expires April 30, 2026

GRANTOR:

KENNESAW REDEVELOPMENT, LLC, a Georgia limited liability company

By: _____(SEAL)
Chad L. Howie, Manager

EXHIBIT "A"
Legal Description

Any and all other tract or parcel of land lying and being in Land Lots 166, and 167 of the 20th District, Cobb County, Georgia and being now vested in the name of KENNESAW REDEVELOPMENT, LLC, including, without limitation, that certain land identified as Tract 1 and Tract 2 which are more particularly described on Exhibit "B" attached hereto and incorporated herein by reference.

TOGETHER WITH

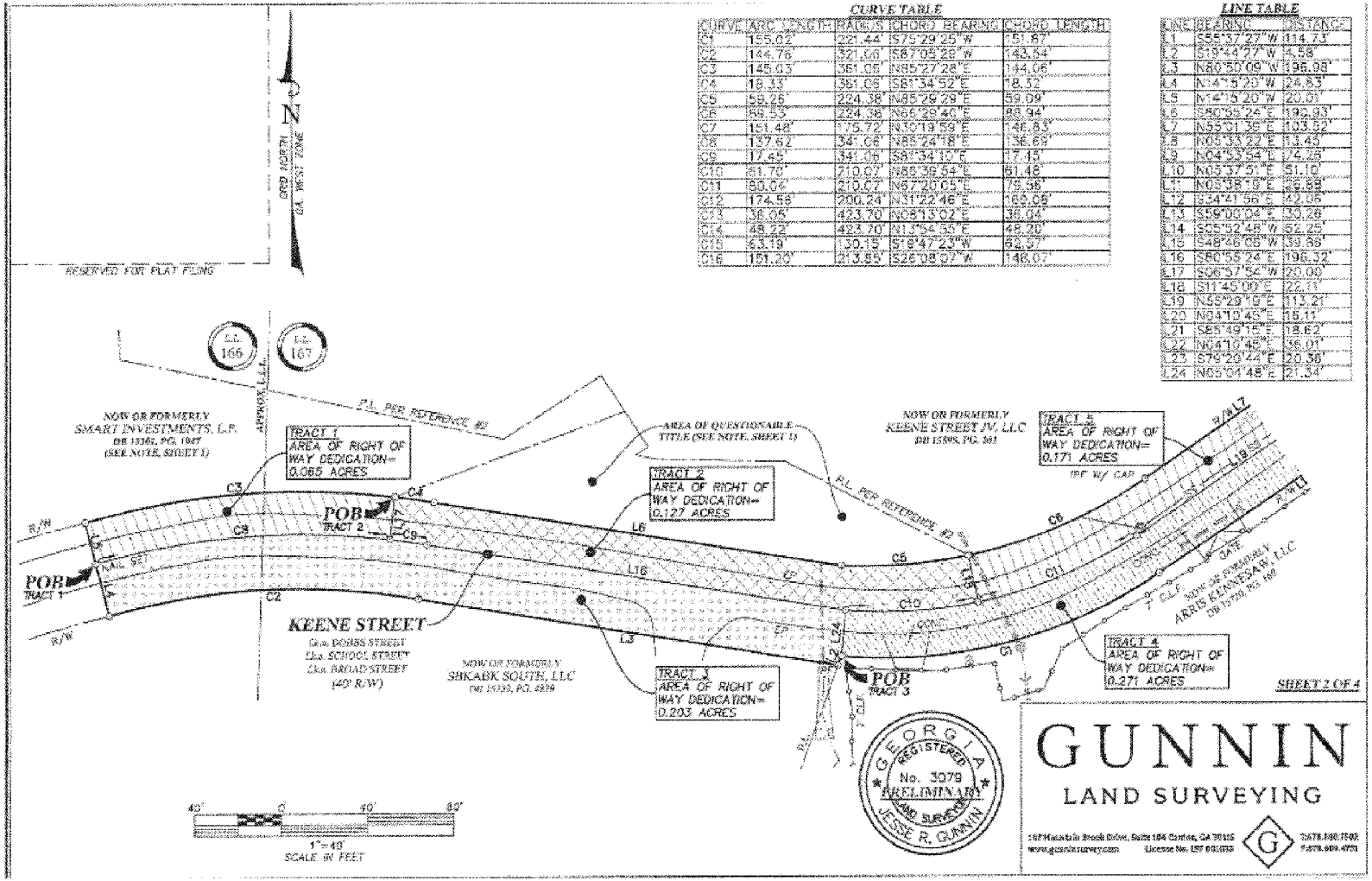
(i) all fixtures, structures and improvements thereon,

(ii) all right, title and interest, if any, in and to all rights-of-way, open or proposed streets, alleys, strips or gores of land adjacent thereto, and.

(iii)all and singular the tenements, hereditament, rights, easements and appurtenances now or hereafter belonging thereto.

EXHIBIT "B"

Description of proposed abandonment of Keene Street



Legal Description

Summers St Project- Right of Way Abandonment, Tract 1

All that tract or parcel of land lying and being in Land Lots 166 and 167 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at the intersection of the westerly right of way of Burrell Court (40' right of way) and the southerly right of way of Keene Street (40' right of way); thence leaving said westerly right of way and along said southerly right of way the following courses and distances: S55°37'27"W for a distance of 114.73 feet to a point; 155.02 feet along the arc of a curve to the right, said curve having a radius of 221.44 feet and being subtended by a chord of S75°29'25"W, 151.87 feet to a point; S19°44'27"W for a distance of 4.58 feet to a 1/2" rebar found; N80°50'09"W for a distance of 196.98 feet to a point; 144.76 feet along the arc of a curve to the left, said curve having a radius of 321.06 feet and being subtended by a chord of S87°05'29"W, 143.54 feet to a point; thence leaving said southerly right of way N14°15'20"W for a distance of 24.83 feet to a nail set, said point being the **TRUE POINT OF BEGINNING.**

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;
thence N14°15'20"W for a distance of 20.01 feet to a point at the northerly right of way of Keene Street (40' right of way); thence along said northerly right of way 145.03 feet along the arc of a curve to the right, said curve having a radius of 361.06 feet and being subtended by a chord of N85°27'28"E, 144.06 feet to a point; thence leaving said northerly right of way S06°57'54"W for a distance of 20.00 feet to a point; thence 137.62 feet along the arc of a curve to the left, said curve having a radius of 341.06 feet and being subtended by a chord of S85°24'18"W, 136.69 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

Said tract of parcel of land contains 0.065 acres.

Summers St Project- Right of Way Abandonment, Tract 2

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

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at the intersection of the westerly right of way of Burrell Court (40' right of way) and the southerly right of way of Keene Street (40' right of way); thence leaving said westerly right of way and along said southerly right of way the following courses and distances: S55°37'27"W for a distance of 114.73 feet to a point; 155.02 feet along the arc of a curve to the right, said curve having a radius of 221.44 feet and being subtended by a chord of S75°29'25"W, 151.87 feet to a point; S19°44'27"W for a distance of 4.58 feet to a 1/2" rebar found; N80°50'09"W for a distance of 196.98 feet to a point; 144.76 feet along the arc of a curve to the left, said curve having a radius of 321.06 feet and being subtended by a chord of S87°05'29"W, 143.54 feet to a point; thence traversing said right of way N14°15'20"W for a distance of 44.84 feet to a point at the northerly right of way of Keene Street (40' right of way); thence along said northerly right of way 145.03 feet along the arc of a curve to the right, said curve having a radius of 361.06 feet and being subtended by a chord of N85°27'28"E, 144.06 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;
thence continue along said northerly right of way the following courses and distances: 18.33 feet along the arc of a curve to the right, said curve having a radius of 361.06 feet and being subtended by a chord of S81°34'52"E, 18.32 feet to a point; thence S80°55'24"E for a distance of 190.93 feet to a point; thence 59.26 feet along the arc of a curve to the left, said curve having a radius of 224.38 feet and being subtended by a chord of N85°29'29"E, 59.09 feet to a point; thence leaving said northerly right of way S11°45'00"E for a distance of 22.11 feet to a point; thence 61.70 feet along the arc of a curve to the right, said curve having a radius of 210.07 feet and being subtended by a chord of S86°39'54"W, 61.48 feet to a point; thence N80°55'24"W for a distance of 196.32 feet to a point; thence 17.45 feet along the arc of a curve to the left, said curve having a radius of 341.06 feet and being subtended by a chord of N81°34'10"W, 17.45 feet to a point; thence N06°57'54"E for a distance of 20.00 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

Said tract of parcel of land contains 0.127 acres.

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

REZONING APPLICATION

Required Fee $375.00

Darryl Simmons
Planning & Zoning Administrator

Rashida Williamson
Zoning Clerk

<u>*Note:</u> 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.**

For questions, please feel free to contact the Planning and Zoning Department at 770-590-8268. When the application and all checklist items have been properly completed and filed with the Planning and Zoning Department, the applicant will be notified of the date of hearing(s).

- ☑ **Original application completed, signed and notarized.**
- ☑ **A copy of the warranty deed for said property that includes the full legal description/ in word format.**
- ☑ **A copy of the current taxes paid in full for said property from the Cobb County Tax & City Tax Departments**
- ☑ **Rezoning Fee – *<u>$375.00</u>***
- ☑ **Completed application and supporting documents listed on one Flash Drive or email to <u>dsimmons@kennesaw-ga.gov</u> in PDF format**

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

City of Kennesaw, GA

REZONING APPLICATION RZ2023-05

Required Fee $375.00

Date Received 10/20/23

Staff's Initials NF

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 10/19/23 Staff's Initials _____

REZONING PROPERTY ADDRESS 2590 Keene Street & 2570 N Cobb Parkway

Land Lot 166 & 167 Tax Parcel 20016700420 & 20016700730 & 20016701160 Lot Size ~~0.92 & 2.67 acres~~ 3.58 acres

Resident Population 0 Housing Units 0 Other Buildings 1

Zoning Request from:

Present Zoning Highway General Business (HGB) To: Central Business District (CBD)

For the purpose of: Mixed Use Development - Multifamily Residential, Commercial Retail, Park/Plaza

APPLICANT EMAIL nsirang@concordwilshire.com

Applicant Address Kennesaw Square Development, LLC
2160 Kingston Court SE, Suite B, Marietta, GA 30067

(Phone #) _____

Applicant Signature _____ Date _____

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

REPRESENTIVE _____

(Fax #)_____ (Work#) _____ (Cell#) _____

Representative Signature _____ Date _____

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

TITLEHOLDER: B N Auto Parts Company **(Phone #)** _____

Signature: _____ **Address** 2864 Wood Park Terrace; Kennesaw, GA 30152

Signed, sealed and delivered in presence of: _____ 10-17-23
Notary **Date**

RACHEL WORTHAN NOTARY PUBLIC COBB COUNTY, GEORGIA MY COMMISSION EXPIRES MAY 25, 2025

Z\P&Z FORMS\Applications 2020

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 16th day of October, 2023

_____

Applicants Signature

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

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

CAMPAIGN DISCLOSURE REPORT[1] BY APPLICANT[2]

Each applicant must complete a separate form

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

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

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

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

_____

_____

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

_____

_____

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

I certify that the foregoing information is true and correct, this 17th day of October, 2023

_____

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.

CALIFORNIA ACKNOWLEDGMENT CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of LOS ANGELES }

On OCTOBER 16, 2023 before me, THERESA CURA, NOTARY PUBLIC,
Date *Here Insert Name and Title of the Officer*

personally appeared NATE SIKANG
Name(s) of Signer(s)

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.

THERESA CURA
Notary Public - California
Los Angeles County
Commission # 2367220
My Comm. Expires Jul 22, 2025

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 _____
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: REZONING APPLICATION - 2590 KEENE ST & 2570 N. COBB PARKWAY

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____	Signer's Name: _____
☐ Corporate Officer – Title(s): _____	☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General	☐ Partner – ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	☐ Trustee ☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer is Representing: APPLICANT	Signer is Representing: _____

©2019 National Notary Association

CALIFORNIA ACKNOWLEDGMENT CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of LOS ANGELES

On OCTOBER 16, 2023 (Date) before me, THERESA CURA, NOTARY PUBLIC (Here Insert Name and Title of the Officer),

personally appeared NATE SIRANG (Name(s) of Signer(s)),

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.

THERESA CURA
Notary Public - California
Los Angeles County
Commission # 2367220
My Comm. Expires Jul 22, 2025

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 _____ (Signature of Notary Public)

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: REZONING APPLICATION - 3590 KEENE CT & 3570 N COBB PARKWAY

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____	Signer's Name: _____
☐ Corporate Officer – Title(s): _____	☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General	☐ Partner – ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	☐ Trustee ☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer is Representing: TITLE HOLDER	Signer is Representing: _____

©2019 National Notary Association

KENNESAW SQUARE

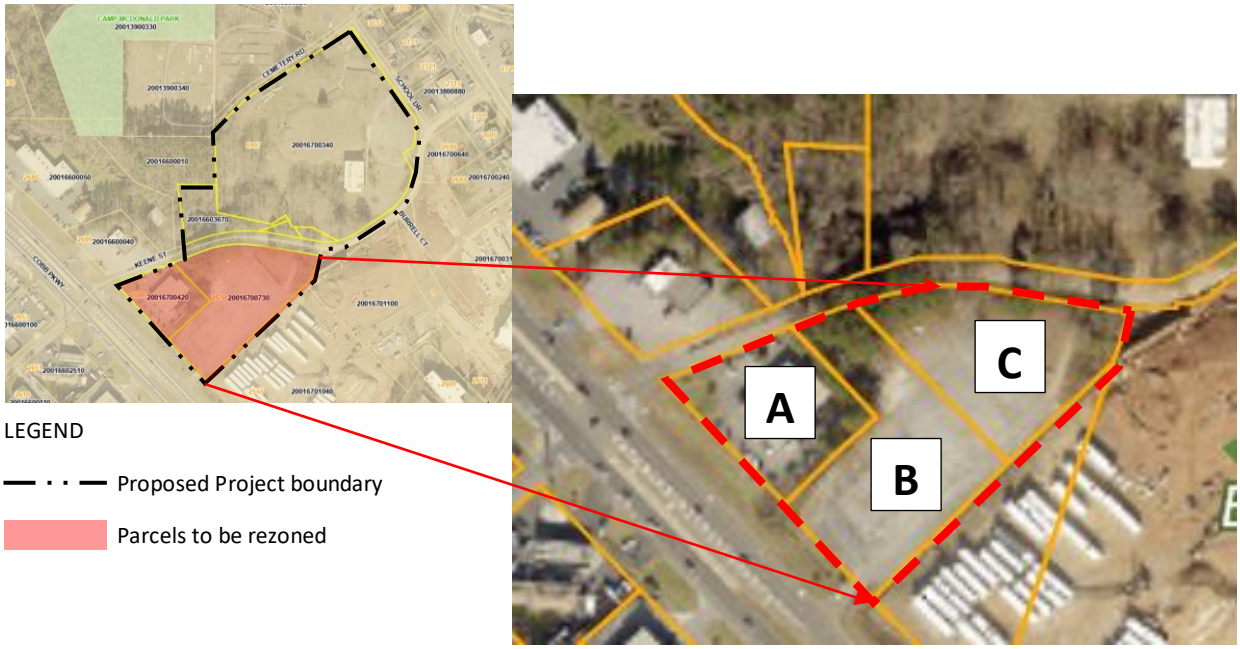
LETTER OF INTENT

Rezoning Application Request

Project Summary

The proposed Kennesaw Square mixed-use development project (the "Project") is comprised of several adjacent tax parcels and contemplates the inclusion of certain portions of the existing Keene Street Right-of-Way (ROW), which is to be abandoned should the City of Kennesaw look favorably upon this project. The overall Project totals 12.3 acres, and is located along the northeast side of Cobb Parkway at Keene Street, and is bounded on the north and west by School Drive and the City Cemetery. The Project is planned as a mixed-use development incorporating multi-family residential, commercial retail and a park/plaza area. It is intended to serve not only the proposed residents, but the entire Kennesaw community, while also having a regional draw by taking advantage of the Cobb Parkway transportation corridor.

The portion of the Project that is southeast of the existing Keene Street ROW is currently zoned Highway General Business (HGB), while that portion of the Project that is northwest of the existing Keene Street ROW is zoned Community Business District (CBD). The applicant is requesting to rezone the three tax parcels southeast of Keene Street (specifically Parcels 20016700420 and 20016700730 and 20016701160), to the CBD district to provide zoning consistency across the entire project. Each tax parcel subject to this rezoning request is further outlined in the graphics and table below:



Parcels proposed to be rezoned within proposed Kennesaw Square project.

Existing Parcel	Parcel Number	Location Address	Owner	FLU	Existing Zoning	Proposed Zoning	Within KDDA	Within Historic District
A	20016700420	2590 Keene Street	B N Auto Parts Company 2864 Wood Park Terrace Kennesaw, GA 30152	CAC	HGB	CBD	Yes	No
B	20016700730	2570 N Cobb Pkwy	Kennesaw City Storage LLC 2160 Kingston CT SE, Suite B Marietta, GA 30067	CAC	HGB	CBD	Yes	No
C	20016701160	2570 N Cobb Pkwy	Kennesaw City Storage LLC 2160 Kingston CT SE, Suite B Marietta, GA 30067	CAC	HGB	CBD	Yes	No

The three tax parcels proposed for rezoning total 3.58 acres of the overall 12.3 acre Project. They are within the Kennesaw Downtown Development Authority (KDDA), however, none are within the Historic District. All three tax parcels have a Future Land Use designation of Community Activity Center (CAC), which is consistent with the proposed rezoning to CBD.

Proposed Development

The Project is planned as a mixed-use development incorporating multi-family residential, commercial retail and a park/plaza area. The commercial aspects of the Project are intended to serve not only the proposed residents of the Project, but also the surrounding neighborhoods, the entire Kennesaw community, as well as the broader regional area by taking advantage of the Cobb Parkway transportation corridor. The Project is intended to provide ample parking for both residents and visitors, and will also provide pedestrian and alternative transportation connections to Main Street and downtown Kennesaw.

The Project is proposed to include a total of 410 multi-family residential units encompassing 367,250 gross square feet of building area, spread among four mixed use building. In addition, the project will include a total of 130,600 gross square feet of commercial retail space spread across the four multi-use buildings as well as four solely commercial buildings.[1] The commercial retail buildings proposed closest to Cobb Parkway are single story surrounded by surface parking in keeping with the commercial corridor of the parkway. North of the single-story retail buildings, and closer to downtown, a series of four multi-use buildings, each either five or six-stories in height, will include multi-family residential units over ground-floor retail. In partnership with the KDDA, the Project is proposing a six-story parking structure of 1,110 parking spaces so as to minimize the footprint of the development and allowing for the construction of a park/plaza area rather than additional surface parking. The garage facades internal to the Project will be lined with multifamily residential and ground-floor retail, which will also front upon the park/plaza space. An additional 288 surface parking spaces are included within the Project, resulting in total proposed parking of 1,398 spaces, which is sufficient to accommodate not only the residents of the project, but also customers and visitors from the Kennesaw community and surrounding region.

It is envisioned that the central park plaza space will offer ample seating and broad walkways, landscaped focal points, shading through raised planters and ornamental trees, open lawn space, an outdoor stage/performance area, a water fountain, and patterned pavement surfaces. This central park/plaza will

[1] This Project is below the threshold of a Development of Regional Impact (DRI), and is therefore not subject to the Atlanta Regional Commission (ARC) DRI review process. The Project is below the threshold of 500,000 square feet of mixed-use development - which is the ARC threshold for multi-use developments in established and developing suburbs. The Project is also below the threshold of 500 new housing units and 400,000 square feet of commercial square footage which would alternatively trigger a DRI review.

serve as a flexible space for open air events, including farmers markets and festivals, thus encouraging the active outdoor community which will be a central theme of the project.

Consistency with Future Land Use (FLU)

The Project falls within the Downtown Activity Center (DAC) and Community Activity Center (CAC) FLU designations. The parcels northwest of Keene Street have a DAC designation, while the parcels southeast of Keene Street have a CAC designation. In accordance with the City's Comprehensive Plan, the DAC purpose is to reinforce the unique role and character of the downtown area. New development and redevelopment are encouraged to be compatible in use, scale and appearance with Kennesaw's downtown activity center uses. The proposed Project is consistent with the DAC by offering a mix of residential and commercial uses coupled with a park/plaza space that serves the proposed residents of the Project as well as the overall Kennesaw community. The Project furthers the initiatives of the DAC by adding entertainment, commercial and retail opportunities, coupled with residential housing opportunities, while providing multi-modal transportation links from the Project to the downtown area and the Cobb Parkway transportation corridor. The Project's multi-story buildings are of a scale and architectural treatment which complement the downtown area, while providing a significant upgrade to the Cobb Parkway corridor. The Project is designed to provide a multi-use transition from Cobb Parkway to the downtown area, and to provide a link between these two areas which does not presently exist.

The CAC future land use designation aims to meet the immediate needs of several neighborhoods and communities. The Project is in compliance with its partial CAC designation by including a mix of uses, including shopping, entertainment and gathering spaces for the immediate needs of not only the proposed Project, but also the surrounding neighborhoods and communities. In addition, the Project provides a link between the Cobb Parkway corridor and downtown which does not exist today.

Consistency with Zoning District

The portion of the Project that is northwest of the existing Keene Street ROW is currently zoned Community Business District (CBD), while that portion of the Project that is southeast of Keene Street (specifically Parcels 20016700420 and 20016700730 and 20016701160), is currently zoned Highway General Business (HGB). This application is submitted to rezone such property to the CBD district to provide zoning consistency across the entire project. While there are no existing buildings located on the property that are needed to be protected, the CBD zoning district provides for the stimulation and enhancement of the vitality and economic growth of this area. The proposed Project is consistent with the CBD zoning district guidelines as it is a development intended to create an environment where

residents and visitors can live, work, meet and play amongst a balance of mixed uses designed around a central public square, and encourages and facilitates pedestrian movement and convenient access to the Historic Downtown Kennesaw and a link to the Cobb Parkway corridor which does not presently exist. The approval of this rezoning application will provide consistent zoning across the entirety of the Project, and will provide the greatest flexibility to allow for a consistent development that will be a benefit to the Kennesaw community.

Consistency with Rezoning Standards

The proposed Project is consistent with the Rezoning Standards of the City's Unified Development Code (UDC) outlined in Chapter 10, Section 10.01.02.G, as follows:

1. **Would the proposed amendment be consistent and compatible with the city's land use and development plans, goals and objectives?**
   The proposed rezoning from HGB to CBD is consistent and compatible with the city's land use and development plans, goals and objectives. As noted above, the Project falls within the Downtown Activity Center (DAC) and Community Activity Center (CAC) FLU designations, and the southern portion of the Project is within the Cobb Parkway Commercial Corridor. A substantial portion of the overall Project is currently zoned CBD, while that portion that is southeast of Keene Street (specifically Parcels 20016700420 and 20016700730 and 20016701160), is currently zoned HGB. The amendment to rezone such property to the CBD district would provide zoning consistency across the entire project. The Project is designed to provide a multi-use transition from Cobb Parkway to the downtown area, and to provide a link between these two areas which does not presently exist, and furthers the initiatives of the city's land use and development plans, goals and objectives.

2. **Would the proposed amendment tend to increase, decrease, or have no impact on traffic safety and congestion in the streets?**
   The HGB district generally permits more commercial types of use than the CBD, but the CBD permits office and residential uses otherwise not found in the HGB. Assuming the mix of uses permitted within the CBD, internally capturing vehicular trips, it is generalized that vehicular traffic generated by uses within the CBD zoning district would be relatively similar to, or possibly even less than, the vehicular trips generated by commercial uses within the HGB zoning district. The proposed amendment to rezone from HGB to CBD, therefore would not have an impact on traffic safety and congestion in the streets that would otherwise be permitted.

3. **Would the proposed amendment tend to increase, decrease, or have no relationship to safety from fire and other dangers?**
   The proposed amendment to rezone from HGB to CBD would have no relationship to safety from fire and other dangers that wouldn't already exist in the HGB district. By allowing consistent development standards across the entirety of the Project, fire safety may actually be increased due to consistency of development methodologies.

4. **Would the proposed amendment tend to promote, diminish, or have no influence on the public health and general welfare of the city?**
   The amendment to the CBD district would promote the public health and general welfare of the city. It is envisioned that the central park plaza space proposed in the Project will offer ample seating and broad walkways, landscaped focal points, shading through raised planters and ornamental trees, open lawn space, an outdoor stage/performance area, a water fountain, and patterned pavement surfaces.

This central park/plaza will serve as a flexible space for open air events, including farmers markets and festivals, thus encouraging the active outdoor community which will be a central theme of the project. If the rezoning is not granted, the ability of the Project to include the expansive public plaza would be limited due to design constraints.

5. **Would the proposed amendment tend to increase, decrease, or have no influence on the adequate [provision] of light and air?**
   The proposed amendment would have no influence on the adequate provision of light and air.

6. **Would the proposed amendment tend to cause, prevent, or have no influence on the overcrowding of land?**
   The amendment from HGB to the CBD district would encourage the development of multiple adjacent parcels in a cohesive design of a mix of uses that would tend to prevent overcrowding of land, while maintaining open spaces and connections between Cobb Parkway and the Kennesaw downtown. The rezoning will increase the ability of the developer to provide a large park/plaza in the center of the development due to increased flexibility in the layout of buildings within the project.

7. **Would the proposed amendment tend to cause, prevent, or have no relationship on the population distribution within the city, thus creating any area so dense in population as to adversely affect the health, safety, and general welfare of the city?**
   While granting the requested rezoning will allow for the construction of residential units within the rezoned area, the net number of units within the overall Project are not affected. Rather, the rezoning will allow for the large park/plaza to be included within the area currently zoned CBD, rather than being used for more dense development thereon, and as such the rezoning does not have an effect on the overall residential density of the Project. Further, the overall density of the Project does not create an area so dense in population as to adversely affect the health, safety, and general welfare of 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 amendment to the CBD district would not impede upon the adequate provision of transportation, water, sewerage, other public services, utilities or 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 amendment to CBD from HGB would be compatible with environmental conditions, and the amendment would not diminish the value, use or enjoyment of surrounding properties. The rezoning will allow for the inclusion of the proposed park/plaza in the development, thereby creating beneficial environmental conditions for residents of the Project.

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 not require the expenditure of any public funds to serve the Project. The developer will construct all necessary road improvements and utilities connections necessary to serve the Project. In addition, while the Project contemplates the abandonment of a portion of the existing right of way of Keene Street, the developer intends to either donate back to the City alternative right of way, or to compensate the City in full for such abandoned right of way.

11. **Would the proposed amendment tend to promote, diminish, or have no influence upon the aesthetic effect of existing and future uses of the property and the surrounding area?**
    The proposed rezoning from HGB to CBD for consistent zoning of the proposed Project would promote the aesthetic of the existing and future uses of the property and surrounding area. The Project is a mix of residential and commercial uses coupled with a park/plaza space that serves the proposed residents of the Project as well as the overall Kennesaw community. The Project's multi-story buildings are of a scale and architectural treatment which complement the downtown area, while providing a significant upgrade to the Cobb Parkway corridor, and create a sense of place. The Project is designed to provide a multi-use transition from Cobb Parkway to the downtown area, and to provide a link between these two areas which does not presently exist. In addition, the Project contemplates providing appropriate screening from, and accommodation for, the adjoining City cemetery.

12. **Would the proposed amendment have measurable adverse economic effect on the value of surrounding or adjacent property?**
    The proposed rezoning from HGB to CBD should increase the value of adjoining properties by kickstarting the redevelopment of properties along with Cobb Parkway corridor within the City. It is anticipated that the residents and patrons of the Project will also support other local Kennesaw business in the surrounding area.

13. **Would the proposed amendment create an isolated district unrelated to adjacent and nearby districts?**
    The proposed rezoning from HGB to CBD would not create an isolated district unrelated to adjacent and nearby districts. The properties adjoining the parcels sought to be rezoned to the north and west are generally all zoned CBD.

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

Darryl Simmons
Planning & Zoning Administrator

VARIANCE APPLICATION

If property identified is located within the Kennesaw Historic District and there are 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.

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

Commission meetings are held on the 1st Wednesday of each month at 7:00 P.M.
The Mayor and Council meetings are held the first and third Monday of the month at 6:30 P.M.
Both meetings are held in the City Hall Council Chambers, 2529 J.O. Stephenson Avenue.

When the application and all checklist items have been properly completed and filed with the Planning and Zoning Department, the applicant will be notified of the date of hearing(s).

- ☑ **Application completed, signed and notarized**
- ☑ **Variance fees paid** ***Required Fee $375.00***
- ☑ **Provide directions from City Hall to Subject Property**
- ☑ **A copy of the warranty deed for said property that includes the full legal description/ in word format.**
- ☑ **A copy of the current taxes paid in full for said property from the Cobb County Tax and City of Kennesaw Tax Departments**
- ☑ **Current copy of boundary survey and plot plan, to scale, prepared by a registered surveyor or registered engineer. Such plans shall also include such other information thereon as may be required by the zoning department, including preliminary plans for development, building locations, parking areas, access points, adjacent streets, land lot lines, buffer areas, future right of way, wetlands, floodplains, utilities and retention. Copy sized 81/2 x 11 inches.**
- ☑ **Applicant or agent must be present at all public hearings**
- ☑ **Documentation authorizing petitioner to submit application by property owners if petitioner is not owner**
- ☑ **Completed application and supporting documents listed on one Flash Drive or email to dsimmons@kennesaw-ga.gov in PDF format**

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

CONSISTENT WITH THE UNITED STATES CONSTITUTION AND THE RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT OF 2000, THE CITY OF KENNESAW DOES NOT DISCRIMINATE ON THE BASIS OF RELIGION IN THE APPLICATION OF ITS LAWS, POLICIES, OR PROCEDURES, INCLUDING THE APPLICATION OF ITS LAND USE REGULATIONS AND ZONING LAWS.

Under the Religious Land Use and Institutionalized Persons Act of 2000 ("RLUIPA"), no government, including the City of Kennesaw, may apply its zoning or land use laws in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution. RLUIPA also provides that no government, including the City of Kennesaw, may apply a land use regulation in a manner that treats a religious assembly or institution (a church, for example) on less than equal terms than a nonreligious institution or assembly (a day care center or movie theater, for example). Finally, RLUIPA provides that no government, including the City of Kennesaw, may impose or implement a land use regulation in a manner that discriminates against a religious assembly or institution.

If you believe that the City of Kennesaw, or any other local government or municipality, has discriminated against you in the implementation of its zoning or land use laws, please contact the United States Department of Justice at:

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

ZV2023-04

Date Received 10/20/23

Staff's Initials NF

VARIANCE APPLICATION

Required Fee $375.00

Is this property located within the Kennesaw Historic District (yes) X portion NW of Keene St (no) X portion SE of Keene St

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 10/19/23 Staff's Initials _____

PURPOSE OF VARIANCE REQUEST The purpose of the variances requested are to allow for a mixed-use development centered around a large public square See attached LOI for details of eachvariance request.

LAND USE PROPERTY ADDRESS 667 Keene Street; Keene Street; 2570 N Cobb Parkway; and 2590 Keene Street

Land Lot 166 & 167 Tax Parcel 20016700340; 20016603670; 20016701180*. 20016700730; 20016700420 (*Tax Parcel identified on Cobb County, GA qPublic.net) Lot Size 12.3 Current Zoning CBD & HGB (CBD rezone requested)

APPLICANT Kennesaw Square Development, LLC

APPLICANT EMAIL nsirang@concordwilshire.com

Applicant address 2160 Kingston Court SE, Suite B; Marietta, GA 30067

(Home#)_____(Work#) 305-428-2528 (Cell#) _____

Applicant Signature _____

Signed, sealed and delivered in presence of: _____

Notary **Date**

REPRESENTATIVE_____

(Fax #)_____(Work#)_____(Cell#) _____

Representative Signature _____

Signed, sealed and delivered in presence of: _____

Notary **Date**

TITLEHOLDER: Piedmont Residential, LLC **Telephone:** _____

Address: 285 Parkway 575; Woodstock, GA 30188

Signature _____

Signed, sealed and delivered in presence of: Christy P. Houchins 10/16/23

Notary **Date**

CHRISTY P HOUCHINS NOTARY PUBLIC COBB COUNTY, GEORGIA MY COMMISSION EXPIRES APRIL 03, 2026

City of Kennesaw, GA

CENTRAL BUSINESS DISTRICT
PROJECT APPROVAL

Date Received 10/20/23
Staff's Initials NF

Is this property located within the Kennesaw Historic District (yes) x lots north of Keene St. (no) x lots south of Keene Street ?

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

Date Received _____ Staff's Initials _____

Procedures for filing for CBD Approval:

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

CBD Approval Process:

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

PROPERTY ADDRESS 667 Keene Street; Keene Street; 2570 N Cobb Parkway; and 2590 Keene Street

Land Lot 166 & 167 Tax Parcel 20016700340; 20016701180* 20016603670; ~~20016701130~~; 20016700730 and 20016700420 Lot Size 12.3 Present Zoning CBD & HGB (CBD rezone requested)

Proposed Project for Property
Kennesaw Square - a Mixed-Use Development (multi-family residential, commercial retail, and park/plaza)

Add additional sheet if necessary

APPLICANT Kennesaw Square Development, LLC

APPLICANT EMAIL nsirang@concordwilshire.com

Applicant address 2160 Kingston Court SE, Suite B; Marietta, GA 30067

(Fax #)_____ (Work #) _____ (Cell #) _____

Applicant Signature _____

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

RACHEL WORTHAN NOTARY PUBLIC COBB COUNTY, GEORGIA MY COMMISSION EXPIRES MAY 25, 2025

TITLEHOLDER: B N Auto Parts Company **Telephone:** 678 860 2801

Address: 2864 Wood Park Terrace; Kennesaw, GA 30152

Signature _____

Signed, sealed and delivered in presence of: _____ 10-17-23
Notary **Date**

Z\P&Z FORMS\Applications 2020

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:

	COMMENTS
There is extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.	Please see attached statement.
The application of this chapter to this particular piece of property would create practical difficulty or unnecessary hardship.	Please see attached statement.
Such conditions are peculiar to the particular piece of property involved.	Please see attached statement.
Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this chapter.	Please see attached statement.

CAMPAIGN DISCLOSURE REPORT[1] BY APPLICANT[2]

A separate form must be completed by each applicant

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

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

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

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

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

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

I certify that the foregoing information is true and correct, this 16th day of October, 2023

Applicants Signature

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

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

CAMPAIGN DISCLOSURE REPORT[1] BY APPLICANT[2]

A separate form must be completed by each applicant

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

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

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

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

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

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

I certify that the foregoing information is true and correct, this 17th day of October, 2023

Applicants Signature

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

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

CAMPAIGN DISCLOSURE REPORT[1] BY APPLICANT[2]

A separate form must be completed by each applicant

Has the applicant made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating two hundred fifty dollars ($250.00) or more or made gifts having in the aggregate a value of two hundred fifty dollars ($250.00) or more to a member or members of the Mayor and Council or Planning Commission who will consider the application?

No

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

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

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

_____

_____

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

_____

_____

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

I certify that the foregoing information is true and correct, this 16 day of October, 2023

_____

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.

CALIFORNIA ACKNOWLEDGMENT CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of LOS ANGELES

On OCTOBER 16, 2023 (Date) before me, THERESA CURA, NOTARY PUBLIC (Here Insert Name and Title of the Officer),

personally appeared NATE SIRANG (Name(s) of Signer(s)),

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.

THERESA CURA
Notary Public - California
Los Angeles County
Commission # 2367220
My Comm. Expires Jul 22, 2025

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 _____ (Signature of Notary Public)

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: CENTRAL BUSINESS DISTRICT PROJECT APPROVAL

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____	Signer's Name: _____
☐ Corporate Officer – Title(s): _____	☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General	☐ Partner – ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	☐ Trustee ☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer is Representing: APPLICANT	Signer is Representing: _____

©2019 National Notary Association

CALIFORNIA ACKNOWLEDGMENT CIVIL CODE § 1189

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personally appeared NATE SIRANG (Name(s) of Signer(s))

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.

THERESA CURA
Notary Public - California
Los Angeles County
Commission # 2367220
My Comm. Expires Jul 22, 2025

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☐ Corporate Officer – Title(s): _____	☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General	☐ Partner – ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	☐ Trustee ☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer is Representing: TITLE HOLDER	Signer is Representing: _____

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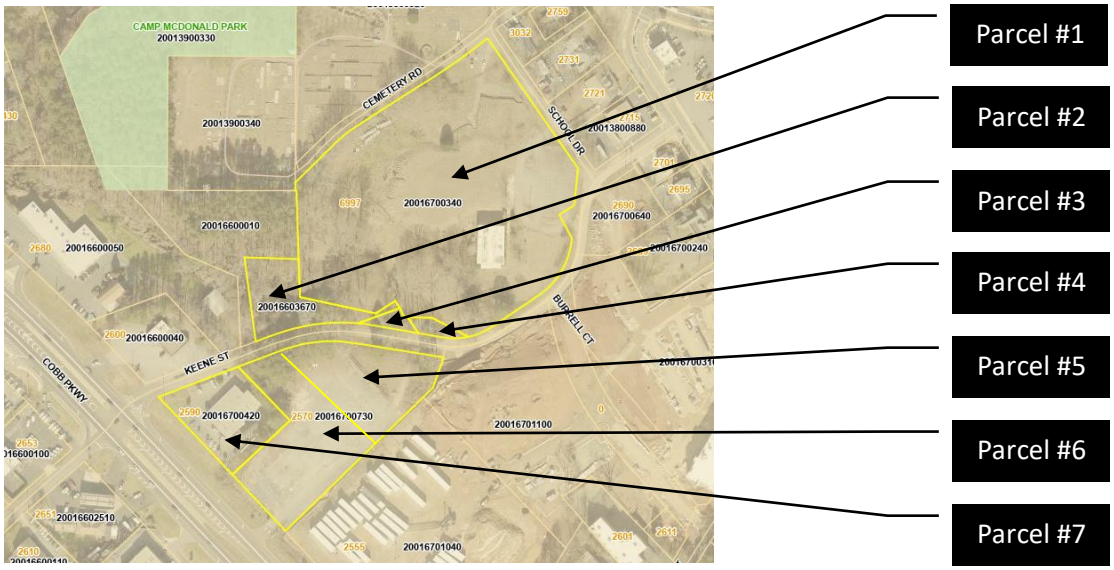
KENNESAW SQUARE

LETTER OF INTENT

Variance Application Request

Project Summary

The proposed Kennesaw Square mixed-use development project (the "Project") is comprised of several adjacent tax parcels along with certain portions of the existing Keene Street Right-of-Way (ROW) proposed to be abandoned subject to approval by the City of Kennesaw. The Project totals 12.3 acres and includes each of the tax parcels outlined in the graphic and table below:



Existing Parcel	Parcel Number	Location Address	Owner	FLU	Existing Zoning	Proposed Zoning	Within KDDA	Within Historic District
1	20016700340	6997 Keene Street	Piedmont Residential LLC 285 Parkway 575 Woodstock, GA 30188	DAC	CBD	CBD	Yes	Yes
2	20016603670	Keene Street	Kennesaw City Storage LLC 1450 Brickell Ave, Suite 2560 Miami, FL 33131	DAC	CBD	CBD	Yes	Yes
3	** (see note) 20016701130 (partial)	Keene Street	Kennesaw City Storage LLC 2160 Kingston CT SE, Suite B Marietta, GA 30067	DAC	CBD	CBD	Yes	Yes
4	20016701130 (partial)	Keene Street	Redwood Development LLC 2160 Kingston CT SE, Suite B Marietta, GA 30067	DAC	CBD	CBD	Yes	Yes
5	20016700730	2570 N Cobb Pkwy	Kennesaw City Storage LLC 2160 Kingston CT SE, Suite B Marietta, GA 30067	CAC	HGB	CBD	Yes	No
6	20016701160	2570 N Cobb Pkwy	Kennesaw City Storage LLC 2160 Kingston CT SE, Suite B Marietta, GA 30067	CAC	HGB	CBD	Yes	No
7	20016700420	2590 Keene Street	B N Auto Parts Company 2864 Wood Park Terrace Kennesaw, GA 30152	CAC	HGB	CBD	Yes	No

Note:
*Existing Keene Street ROW adjacent to subject parcels, to be abandoned (subject to approval by City of Kennesaw), and included in proposed Kennesaw Square project.
**Tax Parcel identified as 20016701180 on Cobb County, GA qPublic.net

The bulk of the acreage included in the Project is presently zoned Central Business District (CBD), while the three parcels located to the southeast of the remaining Keene Street right of way are presently zoned Highway General Business (HGB), but have been requested to be zoned CBD in order to have consistency across the entirety of the Project. Generally, all of the parcels included within the Project are within the Kennesaw Downtown Development Authority (KDDA), while the parcels northwest of Keene Street are also in included in the Historic District. The parcels southeast of Keene Street (which are subject to rezoning) are not located within the Historic District.

The parcels northwest of Keene Street have a Future Land Use designation of Downtown Activity Center (DAC), while the parcels southeast of Keene Street have a Community Activity Center (CAC) designation. The proposed development is consistent with each future land use designation.

Proposed Development

The Project is planned as a mixed-use development incorporating multi-family residential, commercial retail and a park/plaza area. The commercial aspects of the Project are intended to serve not only the proposed residents of the Project, but also the surrounding neighborhoods, the entire Kennesaw community, as well as the broader regional area by taking advantage of the Cobb Parkway transportation corridor. The Project is intended to provide ample parking for both residents and visitors, and will also provide pedestrian and alternative transportation connections to Main Street and downtown Kennesaw.

The Project is proposed to include a total of 410 multi-family residential units encompassing 367,250 gross square feet of building area, spread among four mixed use buildings. In addition, the project will include a total of 130,600 gross square feet of commercial retail space spread across the four multi-use buildings as well as four solely commercial buildings.[1] The commercial retail buildings proposed closest to Cobb Parkway are single story surrounded by surface parking in keeping with the commercial corridor of the parkway. North of the single-story retail buildings, and closer to downtown, a series of four multi-use buildings, each either five or six-stories in height, will include multi-family residential units over ground-floor retail. In partnership with the KDDA, the Project is proposing a six-story parking structure of 1,110 parking spaces so as to minimize the footprint of the development and allowing for the construction of a park/plaza area rather than additional surface parking. The garage facades internal to the Project will be lined with multifamily residential and ground floor retail, which will also front upon the park/plaza space. An additional 288 surface parking spaces are included within the Project, resulting in total proposed parking of 1,398 spaces, which is sufficient to accommodate not only the residents of the project, but also customers and visitors from the Kennesaw community and surrounding region.

It is envisioned that the central park plaza space will offer ample seating and broad walkways, landscaped focal points, shading through raised planters and ornamental trees, open lawn space, an outdoor stage/performance area, a water fountain, and patterned pavement surfaces. This central park/plaza will

[1] This Project is below the threshold of a Development of Regional Impact (DRI), and is therefore not subject to the Atlanta Regional Commission (ARC) DRI review process. The Project is below the threshold of 500,000 square feet of mixed-use development - which is the ARC threshold for multi-use developments in established and developing suburbs. The Project is also below the threshold of 500 new housing units and 400,000 square feet of commercial square footage which would alternatively trigger a DRI review.

serve as a flexible space for open air events, including farmers markets and festivals, thus encouraging the active outdoor community which will be a central theme of the project.

Consistency with Zoning District

The portion of the Project that is northwest of the existing Keene Street ROW is currently zoned Community Business District (CBD), while that portion of the Project that is southeast of Keene Street (specifically Parcels 20016700420 and 20016700730 and 20016701160), is currently zoned Highway General Business (HGB), although an application has been made to rezone such property to the CBD district to provide zoning consistency across the entire project. While there are no existing buildings located on the property that are needed to be protected, the CBD zoning district provides for the stimulation and enhancement of the vitality and economic growth of this area. The proposed Project is consistent with the CBD zoning district guidelines as it is a development intended to create an environment where residents and visitors can live, work, meet and play amongst a balance of mixed uses designed around a central public square, and encourages and facilitates pedestrian movement and convenient access to the Historic Downtown Kennesaw and a link to the Cobb Parkway corridor which does not presently exist.

While the Project is consistent with the intent and uses permitted in the CBD zoning district, there are certain applicable development requirements which the developer desires to vary from in order to develop the Project in a manner consistent with market conditions and which are consistent with other similar developments in the region. These variances are requested so as to allow for a successful project that will be both physically attractive and financially successful.

Variance Requests

Variance Request #1:
Section 4.02.03.B.3.a: Site Design Standards for Central Business District, Minimum Front Setback.

Required:

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

Proposed:

The existing structures located along the Cobb Parkway right-of-way are setback various distances, ranging from approximately 40 feet to 85 feet with an average of 58 feet. The proposed structures located along Cobb Parkway are setback approximately 6.5 feet. The applicant is seeking a variance from this development regulation so as to allow the placement of the buildings along Cobb Parkway as indicated on the Site Plan.

Variance Request #2:
Section 4.02.03.B.4: Site Design Standards for Central Business District, Maximum Building Height, and Section 5.2.03: Historic District Design Guidelines, Building Mass, Scale & Form.

Required:
4.02.03.B.4: Subject to Historic District Design Guidelines.
5.2.03: Mixed use, and nonresidential construction in nonresidential character areas shall not exceed three (3) stories in height; and mixed use and nonresidential construction in residential character areas shall not exceed two (2) stories in height.

Proposed:
While there is no specific building height requirement, the Kennesaw Historic District guidelines limit new construction to three stories. Variances are requested so as to allow the four and five story buildings proposed despite the Kennesaw Historic development regulations. It is noted that there are no proximate historical structures that need to be matched, and as such the proposed heights will not conflict with any adjacent developments. Because this Project is designed to be accessed from Cobb Parkway, and is a Cobb Parkway revitalization Project, the height limitations designed to be consistent with existing historic structures is not applicable.

Variance Request #3:
Section 4.02.03.G.1: Site Design Standards for Central Business District, Residential Development Standards, Condominiums, Minimum Floor Area:

Required:
G. Residential Development Standards
    1. Condominiums: Minimum floor area for all units - 1,000 square feet

Proposed:
The applicant is seeking a variance from the minimum floor area requirement of 1,000sf to allow Studio and One-bedroom units ranging in size from 560sf to 800sf. These minimum floor area sizes are consistent with current market trends for high-density mixed-use developments geared toward young professionals and active adults. These sizes are similar apartments located at The Avalon in Alpharetta.

Variance Request #4:
Section 4.02.03.G.2.b: Site Design Standards for Central Business District, Residential Development Standards, Mixed use retail/residential with residential on second floor, Gross Floor Area occupied by residential:

Required:
G. Residential Development Standards
    2. Mixed use retail/residential with residential on second floor:
        b. The gross floor area occupied by residential uses shall not exceed seventy-five (75) percent of the total gross floor area of the buildings or individual structures.

Proposed:

The applicant is seeking a variance from the standard limiting the gross floor area occupied by residential uses not exceeding 75% of the total gross floor area of the buildings or individual structures. While the applicant proposes non-residential uses on the ground floor, due to the increased number of stories above the non-residential uses, the floor area occupied by residential use exceeds the minimum standard. The overall square footage of the development provides for 130,600 gross square feet of commercial and retail space, and 367,250 gross square feet of residential space. This results in an overall allocation of approximately 74% residential area as against 26% commercial and retail area.

Variance Request #5:

Section 4.02.03.G.2.c: Site Design Standards for Central Business District, Residential Development Standards, Mixed use retail/residential with residential on second floor, Minimum Floor Area:

Required:

G. Residential Development Standards
    2. Mixed use retail/residential with residential on second floor:
        c. Minimum floor area for all residential units—1,000 square feet

Proposed:

As noted above, the applicant seeks a variance on the minimum size of all residential units. Applicant seeks a variance to allow for the minimum floor area for all residential units is 560 square feet and 800 square feet for Studio and One-bedroom units.

Variance Request #6:

Section 4.02.03.G.5.d: Site Design Standards for Central Business District, Residential Development Standards, For-Rent Residential Apartment Units, Minimum Floor Area:

Required:

For-Rent Residential Apartment units:

d. Units with a floor plan totaling the minimum of 850 square feet can be utilized for no more than 30 percent of the total apartment units for the project.

Proposed:

Based upon the proposed minimum square footage of each apartment, coupled with the anticipated mix of unit types, the applicant seeks a variance to allow for a minimum apartment size of 560 square feet, but agrees that such units shall not account for more than 15% of the total units of the Project. Further, applicant seeks to allow a total of 70% of the units in the Project to be less than 850 square feet in size.

Variance Request #7:
Article 6: Stream Buffer Ordinance. Section 46-440.1 and Section 46-440.2: Buffer and setback requirements:

Required:
Buffer and setback requirements.
All land development activity subject to this article shall meet the following requirements:

(1) An undisturbed natural vegetative buffer shall be maintained for 50 feet, measured horizontally, from both banks of the stream.
(2) An additional area setback shall be maintained for 25 feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling and earthmoving shall be minimized within the setback.
(3) No septic tanks or septic tank drain fields shall be permitted within the buffer or the setback area.

Proposed:
There is one section of exposed stream near the northwestern corner of the property which is approximately 150' in length. This stream is presently piped on both ends of this area. The Applicant seeks variances to allow this entire section of stream to be piped and to therefore eliminate all stream buffers associated therewith.

Variance Request #8
Kennesaw Historic District Design Standards, Section 5.4 *Exterior Walls*. This provision requires the use of architectural elements that are consistent with the downtown historic area, but are not consistent with this Project which is a revitalization of the Cobb Parkway corridor.

Proposed:
The Applicant seeks a variance from its need to comply with Section 5.4 of the Kennesaw Historic District Design Standards so as to allow for architectural treatments consistent with the architectural renderings submitted in conjunction with this application.

Variance Standards

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

Applicant shows that the standards from which it seeks variances are not consistent with a mixed-use development of this size and shape, which is located adjacent to Cobb Parkway and is designed as revitalization along the Cobb Parkway corridor. While the Historic District Standards are legally applicable to this property as it is located within the Historic District, there are no historical properties located on the site and as such the Project will not detract from, or be inconsistent with, any existing structures.

The application of this chapter to this particular piece of property would create practical difficulty or unnecessary hardship.

The application of the identified standards would prevent the development of this Property as proposed. The costs associated with creating a development of this magnitude which will include a parking deck and significant public plaza in the center require the efficient utilization of the property in a manner consistent with the desires of the market-place. The subject property does not have any buildings of historical

significance, and the design of the project to part of the Cobb Parkway corridor revitalization supports the requested variances.

Such conditions are peculiar to the particular piece of property involved.

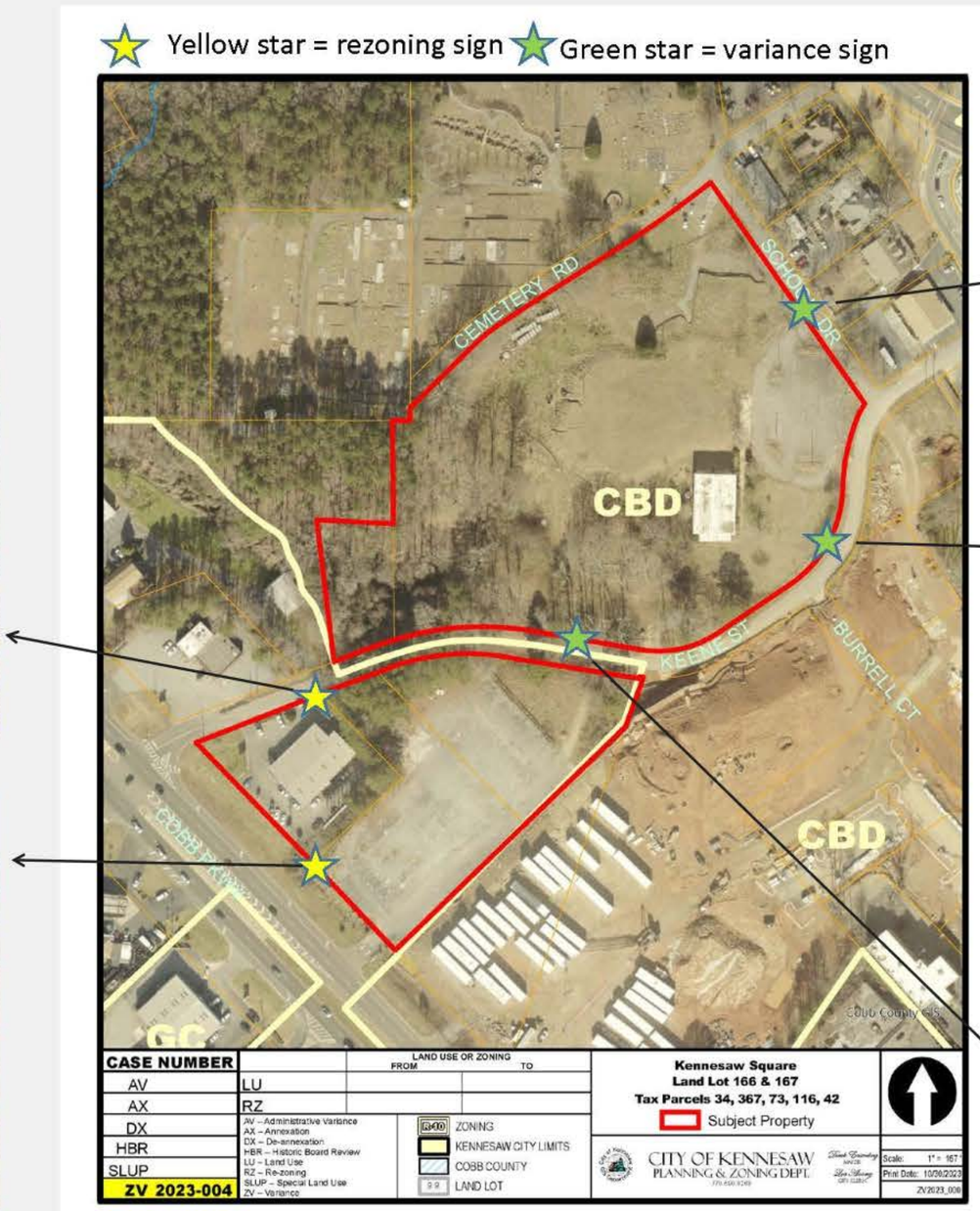
This property is uniquely located in that it is partially within the Historic District, but it fronts upon Cobb Parkway and does not include any structures of historic significance. As such, the grant of the requested variances are peculiar to this property.

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

Because this Project is uniquely situated, the grant of the requested variances will not impair the purposes or intent of the subject ordinances, nor will they be a detriment to the public good. The grant of the requested variances will further the intent and desire of the City of Kennesaw to begin the revitalization of the Cobb Parkway corridor and will provide a significant benefit to the community.

CITY OF KENNESAW
LAND USE NOTICE
11 21 2023 11:16

CITY OF KENNESAW
LAND USE NOTICE
11 21 2023 11:17


Yellow star = rezoning sign
Green star = variance sign
CEMETERY RD
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BURRELL CT
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CASE NUMBER
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LAND USE OR ZONING
FROM
TO
AV
LU
AX
RZ
DX
HBR
SLUP
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-30 ZONING
KENNESAW CITY LIMITS
COBB COUNTY
LAND LOT
Kennesaw Square
Land Lot 166 & 167
Tax Parcels 34, 367, 73, 116, 42
Subject Property
CITY OF KENNESAW
PLANNING & ZONING DEPT.
Scale: 1" = 167'
Print Date: 10/26/2023
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CITY OF KENNESAW
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LAND USE NOTICE
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CITY OF KENNESAW
LAND USE NOTICE

APPLICATION # RZ2023-05

PURPOSE Rezoning from Highway General Business (HGB) to Central Business District (CBD)

DATE OF PUBLIC MEETING: 12/6/2023 TIME: 6:30PM

DATE OF PUBLIC MEETING: 12/18/2023 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

11.21.2023 11:20

Let us take it from here.
Personal Injury Law
DEAN PHILLIPS LAW
OUTFRONT
CITY OF KENNESAW
LAND USE NOTICE
APPLICATION # RZ2023-05
PURPOSE Rezoning from Highway General Business (HGB) to Central Business District (CBD)
DATE OF PUBLIC MEETING: 12/6/2023 TIME: 6:30PM
DATE OF PUBLIC MEETING: 12/18/2023 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
11.21.2023 11:17

CITY OF KENNESAW
LAND USE NOTICE

APPLICATION # ZV2023-04

PURPOSE VARIANCES

DATE OF PUBLIC MEETING: 12/6/2023 TIME: 6:30PM

DATE OF PUBLIC MEETING: 12/18/2023 TIME: 6:30PM

PLACE: CITY HALL KENNESAW, GA

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FOR FURTHER INFORMATION PLEASE CALL:

PLANNING AND ZONING DEPARTMENT 770-590-8268

11.21.2023 11:13

CITY OF KENNESAW
LAND USE NOTICE

APPLICATION # ZV2023-04

PURPOSE VARIANCES

DATE OF PUBLIC MEETING: 12/6/2023 TIME: 6:30PM

DATE OF PUBLIC MEETING: 12/18/2023 TIME: 6:30PM

PLACE: CITY HALL KENNESAW, GA

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FOR FURTHER INFORMATION PLEASE CALL :

PLANNING AND ZONING DEPARTMENT 770-590-8268

11.21.2023 11:23

CITY OF KENNESAW
LAND USE NOTICE

APPLICATION # ZV2023-04

PURPOSE VARIANCES

DATE OF PUBLIC MEETING: 12/6/2023 TIME: 6:30PM

DATE OF PUBLIC MEETING 12/18/2023 TIME: 6:30PM

PLACE: CITY HALL KENNESAW, GA

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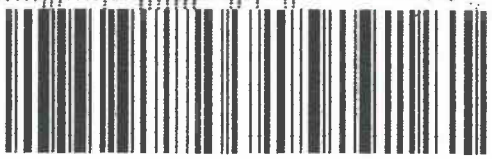

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KENNESAW GA 30144

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CITY OF KENNESAW

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Item Report

TO: The Honorable Mayor and City Council

FROM:

DATE: December 18, 2023

TITLE: Approval of the December 4, 2023, City Council regular meeting minutes.

Summary:

Recommendation:

Fiscal Impact:

Attachments:

1. 12-04-23 City Council Meeting Minutes - DRAFT

MINUTES OF CITY COUNCIL MEETING
CITY OF KENNESAW
Council Chambers
December 4, 2023
6:30 PM

Present	Mayor Derek Easterling Mayor Pro Tem Tracey Viars Councilmember Lynette Burnette Councilmember Pat Ferris Councilmember Antonio Jones Councilmember Trey Sinclair City Clerk Lea Alvarez City Manager Jeff Drobney City Attorney Randall Bentley, Sr.

1. Invocation

City Attorney Randall Bentley, Sr. led the Invocation.

2. Pledge of Allegiance

The North Cobb High School Lady Warriors volleyball team led the Pledge of Allegiance.

DRAFT

Mayor Easterling introduced the Class 7A State Champions in volleyball, the North Cobb High School Lady Warriors, as well as staff, including Principal Matthew Moody, Athletic Director Matt Williams, and Coach Stephen Sansing. The Lady Warriors brought the 7th state title to North Cobb High School. Mayor Easterling declared December 5, 2023, as North Cobb High School Warrior Volleyball Championship Day in Kennesaw. Congratulations!

3. Call to Order

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

4. Announcements

A. This public meeting is being conducted via the use of real-time telephonic technology allowing the public simultaneous access to the public meeting. You may also attend in person with limited seating available at both the Council Chambers and the Ben Robertson Community Center, if needed.
Mayor and Council will be conducting their meeting via real-time telephonic technology using Zoom Meeting and Facebook Live. You can access the meeting via the following link: https//www.facebook.com/CityofKennesaw/

B. If you are not able to attend a meeting in-person and would like to provide public comment on a specific agenda item, you can email

kennesawcouncil@kennesaw-ga.gov no later than 6:00 PM the night of the regular meeting. Your comments on a specific agenda item will be read aloud or grouped into categories for the record. **Facebook Live is not monitored for public comment.**

5. Presentations

6. Public Comment/Business from the Floor

6:34 p.m. Floor Open for Public Comments

No comments.

6:35 p.m. Floor Closed for Public Comments

7. Old Business

8. New Business

9. Committee and Board Reports

A. Summary and Findings: Kennesaw Enrichment and Enhancement Program.

DRAFT

Assistant to the City Manager James Friedrich introduced the item to the Mayor and City Council. Mr. Friedrich explained the Kennesaw Enrichment and Enhancement Program (KEEP) committee spent long hours reading through the city's codes, analyzing city policies, and exploring alternative procedures. Members made a genuine effort to see where we came from, where we are now, and where we are heading as a city. Mr. Friedrich expressed his appreciation for the dedication of the volunteers' time and talents, and for sharing what they had learned with other Kennesaw residents and business owners.

Kennesaw Enrichment and Enhancement Program Chair Mitch Philips shared that this committee was ratified at the January 3, 2023, City Council meeting. Assessing current issues, garnering feedback from individuals and businesses about living and working in Kennesaw, specifically in the Central Business District, and presenting their findings to the Mayor and City Council were the goals the committee established. Mr. Philips explained at their first meeting, the committee created a list of top items they liked and disliked about living and working in Kennesaw. The list of likes included safety, downtown events, the amphitheater, parks and green space, restaurants, and the entertainment district. Common dislikes included vacant and run-down looking buildings, traffic congestion, and a lack of parking.

Mr. Phillips stated the committee focused on the dislikes by becoming familiar with the Unified Development Code and Historic Preservation Standards. The Planning and Zoning Administrator Darryl Simmons met with members to answer questions and to address any concerns. The group looked at statutes for businesses and determined that staff are upholding building codes. The KEEP Committee understood that the city could not force a business out if they are following all the statutes, even if citizens do

not agree with that business. He mentioned that they reviewed Historic Preservation Standards, and while some seemed dated, the Historic Preservation Commission is undergoing an evaluation with a consultant to bring the standards up to date.

Next, the committee focused on what appeared to be abandoned and undeveloped buildings in the downtown area. Upon further investigation, it was discovered that they are all either in some state of development or are city-owned as part of a larger road project. Economic Development Director Luke Howe attended one of their meetings to discuss ways the city can incentivize business owners to begin their redevelopment process.

Mr. Phillips shared that the group also believed that parking downtown was an issue and with the upcoming amphitheater, it would only get worse. They had discussions with Cornerstone Parking Group about how to incorporate private business parking into a city-managed traffic safety plan. He said this would ensure the event is a cohesive, safe, and enjoyable experience for our guests. The KEEP committee explored an ordinance and application process to ask businesses to apply to have paid event parking like Cobb County. They held a public forum with downtown businesses to get their input and feedback. However, business were not receptive to the idea, and the number of spaces for events is somewhat limited. The KEEP committee recommends the use of a private parking management company to coordinate event parking, including private spaces, be tabled to a later time until the amphitheater traffic can be better quantified.

DRAFT

Finally, other items such as walkability and bike-friendly roads were discussed, but are being addressed in the city's comprehensive plan.

In conclusion, Mr. Philips stated the areas identified as needing improvement or attention are currently being addressed by the city through various means. As chair, he appreciated the citizens who volunteered to serve on the committee. They are great examples of public engagement with positive and supportive attitudes.

10. Public Hearing(s)

11. Consent Agenda

A. Approval of the November 13, 2023 City Council work session minutes.

B. Approval of the November 20, 2023 City Council regular meeting minutes.

Motion by Mayor Pro Tem Viars to approve the Consent Agenda engross. Seconded by Councilmember Burnette.

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

12. General and Administrative

A. Approval of RESOLUTION to authorize investment in Georgia Fund 1 Local

Government Investment Pool and authorize the Mayor to sign the e-Resolution required by the Office of the State Treasurer.

Assistant Finance Director Jennifer Gordy presented a resolution to authorize investment in the Georgia Fund 1 Local Government Investment Pool and to authorize the Mayor to sign the e-Resolution requirement by the Office of the State Treasurer. Ms. Gordy explained the City of Kennesaw meets the criteria as defined in O.C.G.A. § 36-83-3 to participate and deposit funds from time to time in the manner prescribed by law and in accordance with the applicable policies and procedures for the local government investment pool. The City of Kennesaw meets the criteria as defined in O.C.G.A. § 36-83-3 to participate and deposit funds from time to time in the manner prescribed by law and in accordance with the applicable policies and procedures fo

Motion by Councilmember Sinclair to approve **RESOLUTION NO. 2023-51, 2023** authorizing investment in the Georgia Fund 1 Local Government Investment Pool and authorizing the Mayor to sign the e-Resolution requirement by the Office of the State Treasurer, as presented. Seconded by Councilmember Jones.

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

13. Public Safety

14. Information Technology

15. Public Works

A. Approval of RESOLUTION to Acquire and Ratify the Acquisition of Right of Way and Property Interests from 3239 Cherokee Street needed for the Cherokee Street Improvement Project in exchange for City owned property at 1920 Twelve Oaks Circle.

Public Works Director Ricky Stewart presented a resolution to acquire and ratify the acquisition of right of way and property interests from 3239 Cherokee Street needed for the Cherokee Street Improvement Project in exchange for city-owned property at 1920 Twelve Oaks Circle. The city purchased 1920 Twelve Oaks Circle for the purpose of realigning Twelve Oaks to meet Ben King as part of the Ben King and Cherokee Street projects. The remnant that will be left over from the road realignment is adjacent to 3239 Cherokee Street. This exchange would be of the remnant that is left of city property for property at 3239 Cherokee Street that is needed for the Cherokee Street Improvement project.

Linda Brunt, with Bentley, Bentley, and Bentley, pointed out the city as part of the project will close the Anderson's driveway. The city will build a new driveway across the remnant and that will be the Anderson's way of accessing their home. The driveway will allow them to come up to Cherokee Street with a traffic signal.

Motion by Mayor Pro Tem Viars to approve **RESOLUTION NO. 2023-52, 2023** acquiring right of way and property interests from 3293 Cherokee Street needed

DRAFT

for the Cherokee Street Improvement Project in exchange for city-owned property at 1920 Twelve Oaks Circle, as presented. Seconded by Councilmember Sinclair.

Councilmember Ferris noted Mr. and Mrs. Anderson were in attendance and wanted to make sure they were in full agreement with the terms. The Andersons acknowledged they were in agreement.

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

B. Approval of RESOLUTION for the Real Estate Exchange Agreement between the City of Kennesaw and Harold R. Anderson, Sr. and Patricia M. Anderson. This agreement outlines the duties and obligations of the parties with respect to the exchange of City owned property at 1920 Twelve Oaks Circle for property interests from 3239 Cherokee Street needed for the Cherokee Street Improvement Project.

Public Works Director Ricky Stewart presented a resolution for the real estate exchange agreement between the City of Kennesaw and Harold R. Anderson, Sr. and Patricia M. Anderson. The agreement outlines what will take place after the property has been swapped as well as for what items each party will be responsible. Mr. Stewart explained that the city will remove the existing driveway at 3239 Cherokee Street and rebuild a new driveway through the remnant the city is exchanging. The Anderson's existing driveway will need to be removed for two reasons: 1) the Cherokee Street Improvement project, and 2) the driveway will be too close to the new intersection of Cherokee Street and Ben King Road. The new driveway will come out onto Twelve Oaks Circle farther away from the new intersection. Further, the city will remove all structures and trees that are still on the remnant. The Anderson's obligations include that they will deed the right of way and easements the city is needing for the Cherokee Street Improvement project.

DRAFT

Mr. and Mrs. Anderson acknowledged they were in agreement.

Motion by Councilmember Ferris to approve**RESOLUTION NO. 2023-53, 2023** for the real estate exchange agreement between the City of Kennesaw and Harold R. Anderson, Sr. and Patricia M. Anderson, as presented. Seconded by Councilmember Burnette.

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

16. Recreation and Culture

17. Community Development

18. Public Comment/Business from the Floor

6:48 p.m. Floor Open for Public Comments

JAMES FRIEDRICH [Assistant to the City Manager]: Mr. Friedrich read an email submitted by Patrick O'Krongly regarding downtown development (See **Exhibit A**).

LEWIS BRAMLETT [City Resident]: Mr. Bramlett shared some of the misfortunes of Mr. Joseph Lacy (See **Exhibit B)**.

6:51 p.m. Floor Closed for Public Comments

19. City Manager's Report

A. Reports, Discussions, and Updates

Assistant City Manager Marty Hughes had nothing to report.

20. Mayor's Report

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

Motion by Councilmember Jones to ratify the appointment of Jim Poole to the Cemetery Preservation Commission with a term ending December 2025. Seconded by Mayor Pro Tem Viars.

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

21. Council Reports & Discussions

DRAFT

Councilmember Burnette hoped everyone enjoyed their Thanksgiving holiday and is looking forward to the Christmas Tree lighting.

Councilmember Jones thanked Public Works for all their decorations at Depot Park.

Councilmember Ferris is looking forward to the Christmas Tree lighting this Wednesday. He also loves it when Depot Park gets lit up. It is a sight to see.

Councilmember Sinclair circled back to the KEEP committee. He thanked the Mayor and City Council for allowing it to happen. He expressed his appreciation to Mr. Friedrich, Mr. Philips, and all the volunteers for the hard work they put in.

Mayor Easterling asked everyone on the KEEP committee to come forward after Mayor Pro Tem Viars spoke to share a little bit about their experience.

Mayor Pro Tem Viars thanked the KEEP committee members for being invested in their community. She is looking forward to the tree lighting and reminded everyone that there are a lot of business owners in Kennesaw, so while everyone is shopping, she encouraged everyone to keep it in Kennesaw.

Dennis Bradish is a KEEP Committee member and Kennesaw State University student studying Construction Management. Mr. Bradish thanked everyone for allowing him to be a part of the committee. He shared this next generation of students and leaders

need opportunities like these to learn more about their communities.

Dwayne Phelps is a KEEP Committee member and owns a retirement planning firm in Kennesaw. Mr. Phelps is not a resident, but has been working in the city for the last eight years. He wanted to do his part in making Kennesaw a great destination. When he wants to hang out, he usually goes to Marietta Square. Since joining the committee, he has been finding himself spending more time in Kennesaw.

Sharon Blandford is a KEEP Committee member and liaison for the Historic Preservation Commission. Ms. Blandford was very happy to be part of the committee and learned a lot. She shared that through this process, they had an opportunity to get ahead of the challenges that had been identified. She is a resident of Kennesaw and is grateful to have more information she can share with her neighbors about the city and its future.

22. Executive Session

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

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

DRAFT

After receiving visual and verbal confirmation from the Council, the motion was approved unanimously, 5-0. Motion carried.

7:01 p.m. Recess to Executive Session

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

7:10 p.m. Reconvene to Open Session

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

After receiving visual and verbal confirmation from the Council, the motion was approved unanimously, 5-0. Motion carried.

23. Adjourn

Mayor Easterling adjourned the meeting at 7:10 p.m. The next regularly scheduled meeting will be held on Monday, December 11, 2023, at 6:30 p.m. in the Council Chambers. The public is encouraged to attend or view via Facebook Live.

_____
Lea Alvarez, City Clerk

DRAFT

Lea Alvarez

From: Patrick OKrongly [redacted]
Sent: Thursday, November 30, 2023 11:14 PM
To: kennesawcouncil
Subject: Downtown Development

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I have been living in Kennesaw for 8 years relocating from the East Cobb area.

I was excited to see some of the new additions to the downtown area over the last few years including the new band shell. We always try to frequent local businesses to support them.

Recently, two restaurants have decided to close. Management of these businesses aside, it sends an on-going message that our downtown needs to be brought to a new level of attention. I see surrounding downtown's flourishing…Acworth, Woodstock, Marietta, etc.

We have old buildings that are vacant, buildings for sale that are critical to the development needs of the downtown area, and then the elephant in the room…the eyesore left behind by Dent Myers.

DRAFT

We have used so much land to build massive apartment and townhome complexes in the name of growth and it has only created more of an eyesore.

We need to pause and take a new look at the direction of the city. Why are we not acquiring these properties and then allowing developers to build best use complexes, family friendly, and yes, make an offer to Dent Myers heirs that cannot be refused. The building and the message sent by having a sign in front of the building indicating it's White History month has no place here or anywhere and sends a message that seems to have been heard by looking at our downtown and that of our sister cities in Acworth and Marietta. That business is a destination point for those seeking this type of history so relocating it elsewhere and jump starting our downtown should be a top priority.

We did things right in building a parking deck before the businesses came…now let's fill the parking spaces. It's time to wake up.

Patrick O'Krongly
3628 Foxtrot Trail
Kennesaw GA 30144
[redacted]

Sent from my iPhone

KENNESAW HISTORY

Joseph Lacy

Top: July 7, 1881 *Marietta Journal*

Bottom: November 5, 1903 *Marietta Journal*

...Mr. Joseph Lacy, who was struck by lightning, will recover, and will not lose his eye sight.

Mr. Joseph Lacy, of this county, had his pocket picked of $38.00 in Atlanta last week.

DRAFT

Newspaper accounts indicate that Joseph Lacy, born on January 19, 1847, was very unlucky. There were rumors his family was connected to the Lacy Hotel, where the Great Locomotive Chase began, but there was actually no relation.

The oldest newspaper account of his life is from the July 7, 1881 *Marietta Journal*, which records that he was struck by lightning. Thankfully, he was not severely injured. Over the coming years, he would become a successful area lawyer. Bad luck struck again in 1903, when a pickpocket stole $38 from him. Adjusting for inflation, this is around $1000. When he passed away in 1907, the newspaper listed the wrong cemetery and had to issue a correction.

Not all in his life was unlucky. He was remembered as one of Kennesaw's best citizens, and had nine children. He was a very successful farmer, as in 1886 his five-year-old son was able to pick 58 pounds of cotton in one day.

Presented by Andrew J. Bramlett at the December 4, 2023, City of Kennesaw Mayor & Council Meeting

KENNESAW HISTORICAL SOCIETY

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

PLEASE MAKE SURE YOUR NAME IS LEGIBLE AND CLEAR

Mayor & Council Regular Meeting
12/4/2023
Public Comment Sign-in

	Name	Address	Topic
1	Lewis Bramlett	2990 Summerfield Ct	local history
2	Mitch Phillips	640 Tubby store St	KEEP
3	Dennis Bradish		KEEP.
4	Duain Phelps	4664	KEEP
5	SHARON G BLANDFOR	3626 FOXFIRE TRL	KEEP
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DRAFT

Item Report

TO: The Honorable Mayor and City Council

FROM:

DATE: December 18, 2023

TITLE: Approval of the December 4, 2023, City Council executive session minutes.

Summary:

Recommendation:

Fiscal Impact:

Attachments:
1. Executive Session Affidavit

State of Georgia
County of Cobb

AFFIDAVIT

1.

Mayor Derek Easterling was the presiding officer of a meeting of the Kennesaw City Council held on the 4th day of December, 2023.

2.

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

3.

The subject matter of the closed meeting or closed portion of the meeting held on the 4th day of December, 2023 which was closed for the purpose(s) of personnel & legal as allowed by O.C.G.A. Title 50, Chapter 14 was devoted to matters within those exceptions and as provided by law.

4.

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

This the 4th day of Dec., 2023.

Mayor/Presiding Officer

Councilmember

Councilmember

Councilmember

Councilmember

Councilmember 12/4/2023

Councilmember 12/4/2023

Sworn to and subscribed before me this the

4th day of December, 2023.

Notary Public

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

Item Report

TO: The Honorable Mayor and City Council

FROM: Bill Westenberger, Chief of Police

DATE: December 18, 2023

TITLE: Receipt of the November 2023 Crime Statistics.

Summary:

Recommendation:

Fiscal Impact:

Attachments:

1. 2023 November Crime Statistics (M+C)

November 2023 Crime Statistics

Summary

November 2023 Group A Offenses (98) increased by 1% compared to November 2022 (97). A vast majority of the crimes reported in November 2023 were Assault Offenses (26). This trend is also present in the data collected for crimes reported in November 2022. Assault Offenses account for approximately 27% (26) of the crimes that have occurred within our jurisdiction in November 2023. Out of the 798 traffic stops in November 2023, (1,021) resulted in Citations and 40% (409) Warnings. There were a total of 73 Adult Arrests that took place during the month, which is a 1% increase from November 2022 (72).

There were 1,508 traffic accidents YTD, 162 of which were classified as Hit and Run. Of the 1,508 accidents 131 had injuries, and 14 involved a pedestrian. YTD 2022 total accidents (1,530) are up compared to 1,508 YTD 2023.

Crimes	November 2023	November 2022	YTD (01/01/2023) –(11/30/2023)	YTD (01/01/2022) – (11/30/2022)
Assault Offenses	26	23	347	291
Motor Vehicle Theft	1	2	14	24
Burglary	3	4	29	26
Homicide	0	0	0	0
Larceny	18	14	242	256
Sex Offenses	1	4	18	25
Robbery	0	0	9	4
Total	49	47	649	626

	November 2023	November 2022	YTD (01/01/2023) – (11/30/2023)	YTD (01/01/2022) – (11/30/2022)
Dispatched Calls for Service	434 (-340)	774	6,234 (-2,896)	9,130
Self-Initiated Activity	981 (-139)	1,120	11,046 (+505)	10,541
Traffic Citations	1,021 (-145)	1,166	11,283 (+1,408)	9,875
Traffic Warnings*	409 (-109)	518	2,999 (-1,670)	4,669
Arrests*	73 (+1)	72	984 (+109)	875

*Warnings do not include verbal warnings
*Arrest statistics does not include juveniles

Bill Westenberger
Chief of Police

Kennesaw Police Department
2539 J. O. Stephenson Ave., Kennesaw, GA, 30144
911 Call Center: (770) 422-2505
Criminal Investigations Division: (770) 429-4533

Bayleigh Brown
Crime/ Intelligence Analyst

Item Report

TO: The Honorable Mayor and City Council

FROM: Darryl Simmons, Zoning Administrator

DATE: December 18, 2023

TITLE: Consideration to review a CBD project application request for a mixed-use development on seven parcels located at 6997 Keene Street (20016700340), Keene Street (20016603670, 20016701130), 2570 N Cobb Parkway (20016700730, 20016701160), and 2590 Keene Street (20016700420). Case #CBD2023-02.

Summary:
Consideration to review a CBD project application request located on 12.8+/- acres for a mixed-use development consisting of multi-family residential units, for sale condos, open plaza areas and commercial retail space across four multi-use buildings and four commercial buildings on five parcels located at 6997 Keene Street (20016700340), 2570 N Cobb Parkway (20016700730, 200167001180), 2590 Keene Street (20016700420), and Keene Street (20016603670).

The Kennesaw Downtown Development Authority recommended approval of the business plan for this development at their scheduled meeting on November 10, 2023.

The CBD application was recommended for approval by the Historic Preservation Commission on December 6, 2023, at a special meeting called by the Historic Preservation Commission with the following conditions specific to the variances from the Historic District Design Standards:

- Design may vary from Kennesaw Historic District Design Standard 5.2.03 regarding building height.
- Design updates must be submitted to the Historic Preservation Commission at 25, 50, 90, and 100 percent completion until the approval of the final project.
- Design updates must include landscaping plans to be submitted to the Historic Preservation Commission for review.
- The applicant will maintain consistency with HPC guidelines with the variance approval for section 5.4 of the Kennesaw Historic District Design Standards regarding exterior features.
- The mass and scale of the buildings that face the cemetery as well as designing and installing a mutually agreed upon buffer will be considered in the plan review process.

- A commemorative plaque or monument approved by the HPC should be prominently placed within the development to recognize the historic area of Camp McDonald.

Recommendation:

The Zoning Administrator recommends approval of the CBD project application with the conditions outlined by the Historic Preservation Commission.

Fiscal Impact:

Attachments:
1. CBD_Application_Packet_KennesawSquare_Redacted
2. 23-12-08 Kennesaw Square Letter of Intent CBD R1
3. KDDA-Draft-Minutes-11-10-23
4. 12-06-2023 HPC Draft Minutes

CENTRAL BUSINESS DISTRICT PROJECT APPROVAL

CBD2023-02

Date Received 10/20/23
Staff's Initials NF

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

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

Date Received _____ Staff's Initials _____

Procedures for filing for CBD Approval:

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

CBD Approval Process:

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

PROPERTY ADDRESS 6997 Keene Street; Keene Street; 2570 N Cobb Parkway; and 2590 Keene Street

Land Lot 166 & 167 Tax Parcel 20016700340; 20016603670; 20016701180*; 20016701130; 20016700730; 20016701160; 20016700420 (Tax Parcel identified on Cobb Co. GA qPublic.net) Lot Size 12.3 Present Zoning CBD & HGB (CBD rezone requested)

Proposed Project for Property

Kennesaw Square - a Mixed-use Development (multi-family residential, commercial retail and park/plaza)

Add additional sheet if necessary

APPLICANT See attached.

APPLICANT EMAIL_____

Applicant address_____

(Fax #)_____ (Work #) _____ (Cell #) _____

Applicant Signature _____

Signed, sealed and delivered in presence of: _____

Notary **Date**

TITLEHOLDER: See attached. **Telephone:**_____

Address:_____

Signature_____

Signed, sealed and delivered in presence of: _____

Notary **Date**

CBD2023-02

CENTRAL BUSINESS DISTRICT PROJECT

CBD Project Administratively approved by:

_____

Darryl Simmons, Planning & Zoning Administrator

Date: _____

APPROVED

REQUIRES KDDA APPROVAL

REQUIRES HPC APPROVAL

MAYOR AND COUNCIL

KENNESAW DOWNTOWN DEVELOPMENT AUTHORITY:

Hearing Date: 11/10/2023

Recommendation: see attached minutes

_____

Signature Kennesaw Downtown Development Authority:

HISTORIC PRESERVATION COMMISSION:

Hearing Date: 11/17/2023

Recommendation: see attached minutes

_____

Signature Historic Preservation Commission

KENNESAW MAYOR AND COUNCIL:

Hearing Date: 12/18/2023 see attached minutes

CENTRAL BUSINESS DISTRICT PROJECT

CONSISTENT WITH THE UNITED STATES CONSTITUTION AND THE RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT OF 2000, THE CITY OF KENNESAW DOES NOT DISCRIMINATE ON THE BASIS OF RELIGION IN THE APPLICATION OF ITS LAWS, POLICIES, OR PROCEDURES, INCLUDING THE APPLICATION OF ITS LAND USE REGULATIONS AND ZONING LAWS.

Under the Religious Land Use and Institutionalized Persons Act of 2000 ("RLUIPA"), no government, including the City of Kennesaw, may apply its zoning or land use laws in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution. RLUIPA also provides that no government, including the City of Kennesaw, may apply a land use regulation in a manner that treats a religious assembly or institution (a church, for example) on less than equal terms than a nonreligious institution or assembly (a day care center or movie theater, for example). Finally, RLUIPA provides that no government, including the City of Kennesaw, may impose or implement a land use regulation in a manner that discriminates against a religious assembly or institution.

If you believe that the City of Kennesaw, or any other local government or municipality, has discriminated against you in the implementation of its zoning or land use laws, please contact the United States Department of Justice.

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

CENTRAL BUSINESS DISTRICT
PROJECT APPROVAL

Date Received 10/20/23
Staff's Initials NF

Is this property located within the Kennesaw Historic District (yes) X lots north of Keene St. (no) X lots south of Keene Street ?

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

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3. **Review/ Approval by Mayor and Council**

PROPERTY ADDRESS 667 Keene Street; Keene Street; 2570 N Cobb Parkway; and 2590 Keene Street

Land Lot 166 & 167 Tax Parcel 20016700340; 20016701180*; 20016701160; 20016603670; 20016701130; 20016700730 and 20016700420 Lot Size 12.3 Present Zoning CBD & HGB (CBD rezone requested)

Proposed Project for Property
Kennesaw Square - a Mixed-Use Development (multi-family residential, commercial retail, and park/plaza)

Add additional sheet if necessary

APPLICANT Kennesaw Square Development, LLC

APPLICANT EMAIL [redacted]

Applicant address 2160 Kingston Court SE, Suite B; Marietta, GA 30067

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

Applicant Signature _____

Signed, sealed and delivered in presence of: _____ 10/16/23 (see attached)
Notary **Date**

TITLEHOLDER: Kennesaw City Storage, LLC **Telephone:** [redacted]

Address: 2160 Kingston Court SE, Suite B; Marietta, GA 30067

Signature _____

Signed, sealed and delivered in presence of: _____ 10/16/23 (see attached)
Notary **Date**

Z\P&Z FORMS\Applications 2020

CENTRAL BUSINESS DISTRICT
PROJECT APPROVAL

Date Received 10/20/23
Staff's Initials NF

Is this property located within the Kennesaw Historic District (yes) X lots north of Keene St. (no) X lots south of Keene Street ?

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Proposed Project for Property
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Add additional sheet if necessary

APPLICANT Kennesaw Square Development, LLC

APPLICANT EMAIL [redacted]

Applicant address 2160 Kingston Court SE, Suite B; Marietta, GA 30067

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

Applicant Signature _____

Signed, sealed and delivered in presence of: _____ 10/16/23 (see attached)
Notary **Date**

TITLEHOLDER: Redwood Development, LLC **Telephone:** [redacted]

Address: 2160 Kingston Court SE, Suite B; Marietta, GA 30067

Signature _____

Signed, sealed and delivered in presence of: _____ 10/16/23 (see attached)
Notary **Date**

Z\P&Z FORMS\Applications 2020

CALIFORNIA ACKNOWLEDGMENT CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of LOS ANGELES }

On OCTOBER 16, 2023 before me, THERESA CURA, NOTARY PUBLIC,
Date *Here Insert Name and Title of the Officer*

personally appeared NATE SIRANG
Name(s) of Signer(s)

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.

THERESA CURA
Notary Public - California
Los Angeles County
Commission # 2367220
My Comm. Expires Jul 22, 2025

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 _____
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: CENTRAL BUSINESS DISTRICT PROJECT APPROVAL

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____	Signer's Name: _____
☐ Corporate Officer – Title(s): _____	☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General	☐ Partner – ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	☐ Trustee ☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer is Representing: APPLICANT	Signer is Representing: _____

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CALIFORNIA ACKNOWLEDGMENT CIVIL CODE § 1189

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☐ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	☐ Trustee ☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer is Representing: TITLE HOLDER	Signer is Representing: _____

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CAMPAIGN DISCLOSURE REPORT[1] BY APPLICANT[2]

A separate form must be completed by each applicant

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

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

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

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

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

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

I certify that the foregoing information is true and correct, this 16th day of October, 2023

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.

City of Kennesaw, GA

CENTRAL BUSINESS DISTRICT
PROJECT APPROVAL

Date Received 10/20/23
Staff's Initials NF

Is this property located within the Kennesaw Historic District (yes) x lots north of Keene St. (no) x lots south of Keene Street ?

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

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Proposed Project for Property
Kennesaw Square - a Mixed-Use Development (multi-family residential, commercial retail, and park/plaza)

Add additional sheet if necessary

APPLICANT Kennesaw Square Development, LLC

APPLICANT EMAIL [redacted]

Applicant address 2160 Kingston Court SE, Suite B; Marietta, GA 30067

(Fax #)_____ (Work #) _____ (Cell #) _____

Applicant Signature _____

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

TITLEHOLDER: B N Auto Parts Company **Telephone:** [redacted]

Address: 2864 Wood Park Terrace; Kennesaw, GA 30152

Signature _____

Signed, sealed and delivered in presence of: _____ 10-17-23
Notary Date

RACHEL WORTHAN NOTARY PUBLIC COBB COUNTY, GEORGIA MY COMMISSION EXPIRES MAY 25, 2025

Z\P&Z FORMS\Applications 2020

CAMPAIGN DISCLOSURE REPORT[1] BY APPLICANT[2]

A separate form must be completed by each applicant

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

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

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

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

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

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

I certify that the foregoing information is true and correct, this 17th day of October, 2023

Applicants Signature

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

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

CENTRAL BUSINESS DISTRICT
PROJECT APPROVAL

Date Received 10/20/23
Staff's Initials NF

Is this property located within the Kennesaw Historic District (yes) x lots north of Keene St. (no) x lots south of Keene Street ?

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

Date Received _____ Staff's Initials _____

Procedures for filing for CBD Approval:

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

CBD Approval Process:

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

PROPERTY ADDRESS 667 Keene Street; Keene Street; 2570 N Cobb Parkway; and 2590 Keene Street

Land Lot 166 & 167 Tax Parcel 20016700340; 20016701180*; 20016701160; 20016603670; 20016701130; 20016700730 and 20016700420 Lot Size 12.3 Present Zoning CBD & HGB (CBD rezone requested)

Proposed Project for Property
Kennesaw Square - a Mixed-Use Development (multi-family residential, commercial retail, and park/plaza)

Add additional sheet if necessary

APPLICANT Kennesaw Square Development, LLC

APPLICANT EMAIL [redacted]

Applicant address 2160 Kingston Court SE, Suite B; Marietta, GA 30067

(Fax #)_____ (Work #) _____ (Cell #) _____

Applicant Signature _____

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

TITLEHOLDER: Piedmont Residential, LLC **Telephon** [redacted]

Address: 285 Parkway 575; Woodstock, GA 30188

Signature _____

Signed, sealed and delivered in presence of: Christy P. Houchins 10/16/23
Notary **Date**

CHRISTY P HOUCHINS NOTARY PUBLIC COBB COUNTY, GEORGIA MY COMMISSION EXPIRES APRIL 03, 2026

Z\P&Z FORMS\Applications 2020

CAMPAIGN DISCLOSURE REPORT[1] BY APPLICANT[2]

A separate form must be completed by each applicant

Has the applicant made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating two hundred fifty dollars ($250.00) or more or made gifts having in the aggregate a value of two hundred fifty dollars ($250.00) or more to a member or members of the Mayor and Council or Planning Commission who will consider the application?

No

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

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

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

_____

_____

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

_____

_____

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

I certify that the foregoing information is true and correct, this 16 day of October, 2023

_____

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.

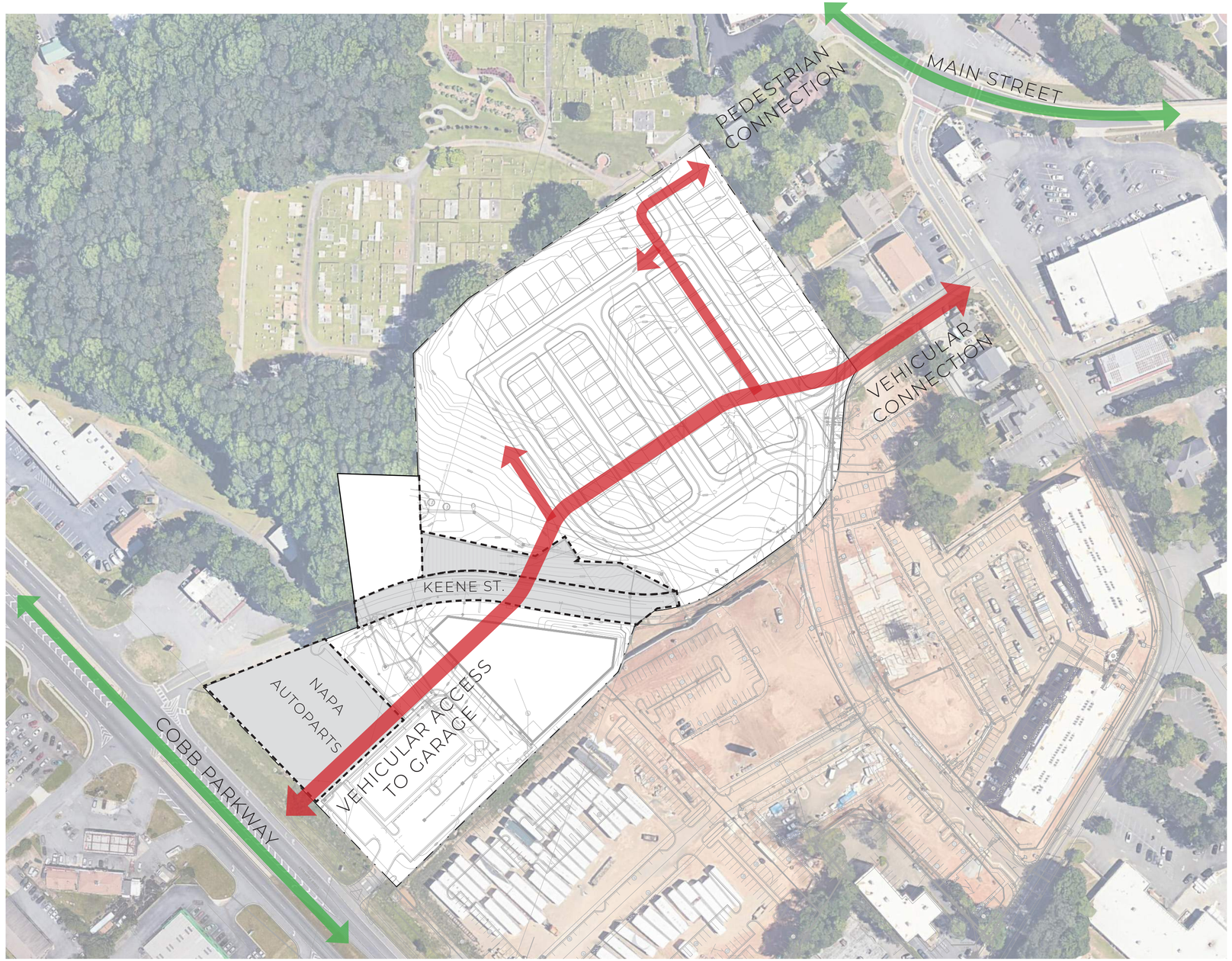
OCTOBER 19, 2023

KENNESAW SQUARE

MASTERPLAN

RSP ARCHITECTS

MASTER PLAN - EXISTING SITE



FENTON
PARAGON TH
BURGER
COLLETTA

PARAGON T
COFFEE BAR
BURGER
COLLETTA
FENTON

GROVE
LEGION

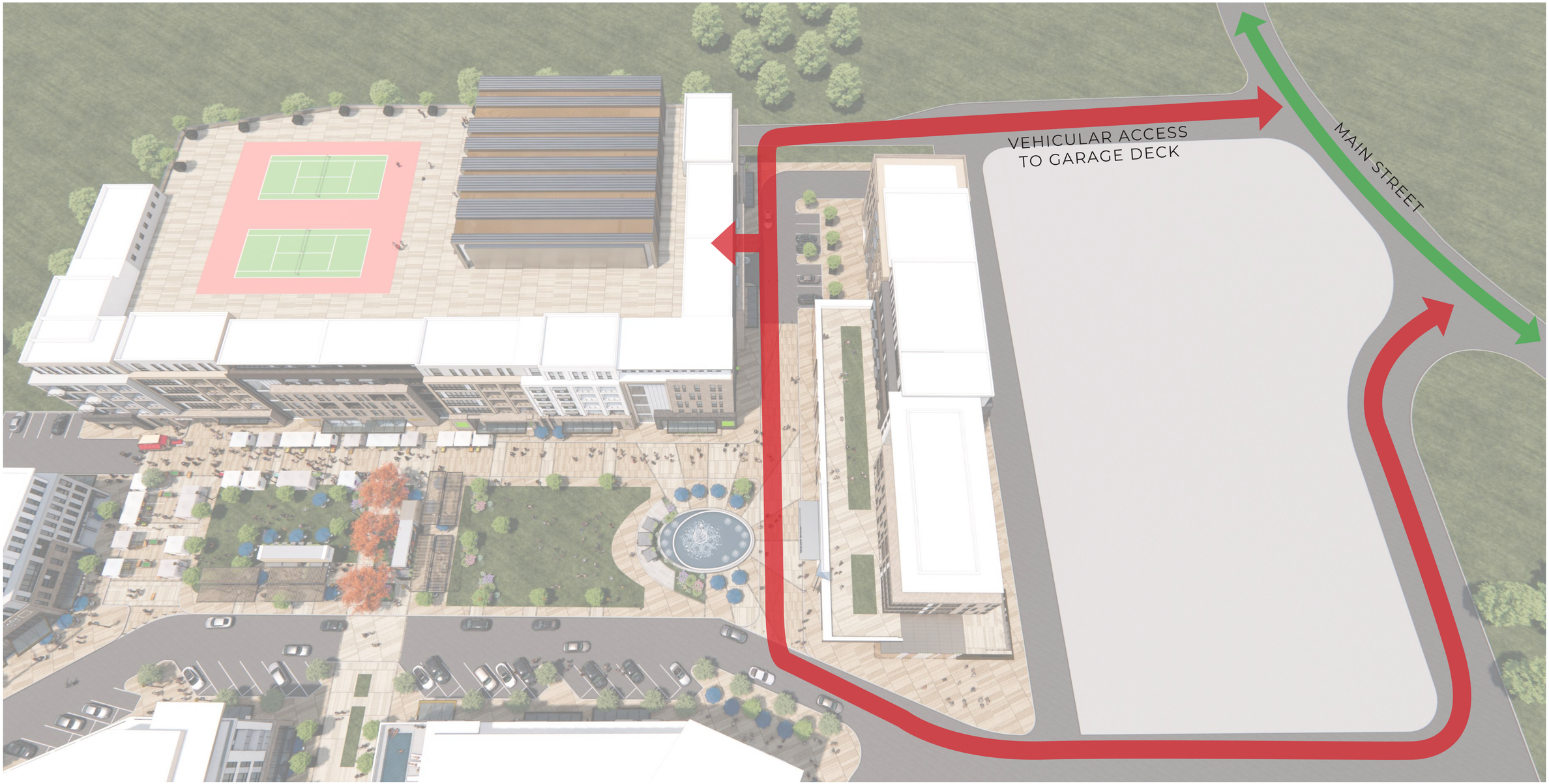
DOUBLE R
RR

FENTON
BAILEY'S

FENTON
SPORTS Bar
Bar

VIEW - GARAGE DECK ACCESS FROM COBB PARKWAY

VIEW - GARAGE DECK ACCESS FROM MAIN STREET



VIEW - BIRDS EYE

VIEW - PARK VIEW

VIEW - PARK VIEW

VIEW - SOUTHERN ENTRY

VIEW - SOUTHERN ENTRY

VIEW - MAIN PARK

VIEW - PARK STAGE

VIEW - FOUNTAIN VIEW

VIEW - FARMERS MARKET

VIEW - PARK CENTER

VIEW - ROOFTOP POOL

VIEW - SPORTS CENTER

VIEW - SPORTS CENTER

DEVELOPMENT COLLAGE - VIEW FROM MAIN STREET

DEVELOPMENT COLLAGE - VIEW FROM CEMETERY STREET

DEVELOPMENT COLLAGE - VIEW FROM SUMMER STREET

DEVELOPMENT COLLAGE - VIEW FROM COBB PKWY

THANK YOU

KENNESAW SQUARE

BUSINESS PLAN

Proposed Development

The proposed Kennesaw Square mixed-use development project (the "Project") is a Cobb Parkway corridor improvement project. It is comprised of several adjacent tax parcels and contemplates the inclusion of certain portions of the existing Keene Street Right-of-Way (ROW), which is proposed to be abandoned should the City of Kennesaw look favorably upon this project. The Project totals 12.3 acres, and is located along the northeast side of Cobb Parkway at Keene Street, and is bounded on the north and west by School Drive and the City Cemetery. The Project is planned as a mixed-use development incorporating multi-family residential, commercial retail and a park/plaza area. It is intended to serve not only the proposed residents, but the entire Kennesaw community, while also having a regional draw by taking advantage of the Cobb Parkway transportation corridor.

The Project is proposed to include a total of 410 multi-family residential units encompassing 367,250 gross square feet of building area, spread among four mixed use building. In addition, the project will include a total of 130,600 gross square feet of commercial retail space spread across the four multi-use buildings as well as four solely commercial buildings.[1] The commercial retail buildings proposed closest to Cobb Parkway are single story surrounded by surface parking in keeping with the commercial corridor of the parkway. North of the single-story retail buildings, and closer to downtown, a series of four multi-use buildings, each either five or six-stories in height, will include multi-family residential units over ground-floor retail. In partnership with the KDDA, the Project is proposing a six-story parking structure of 1,110 parking spaces so as to minimize the footprint of the development and allowing for the construction of a park/plaza area rather than additional surface parking. The garage facades internal to the Project will be lined with multifamily residential and ground-floor retail, which will also front upon the park/plaza space. An additional 288 surface parking spaces are included within the Project, resulting in total proposed parking of 1,398 spaces, which is sufficient to accommodate not only the residents of the project, but also customers and visitors from the Kennesaw community and surrounding region.

It is envisioned that the central park plaza space will offer ample seating and broad walkways, landscaped focal points, shading through raised planters and ornamental trees, open lawn space, an outdoor stage/performance area, a water fountain, and patterned pavement surfaces. This central park/plaza will serve as a flexible space for open air events, including farmers markets and festivals, thus encouraging the active outdoor community which will be a central theme of the project.

Type of Business

The Project will include a mix of residential and commercial retail uses surrounding a public square. A total of 410 multi-family residential units are proposed, which will include both for sale condominiums and apartments for rent. The Project is proposing 130,600 square feet of commercial retail space. While

[1] This Project is below the threshold of a Development of Regional Impact (DRI), and is therefore not subject to the Atlanta Regional Commission (ARC) DRI review process. The Project is below the threshold of 500,000 square feet of mixed-use development - which is the ARC threshold for multi-use developments in established and developing suburbs. The Project is also below the threshold of 500 new housing units and 400,000 square feet of commercial square footage which would alternatively trigger a DRI review.

specific business brands won't be determined until after initial planning and zoning approvals are obtained, it is envisioned that the following types of businesses will occupy the proposed commercial retail space:

- Grocery store
- Theater
- Sandwich shop
- Restaurants/Taverns
- Coffee Shop
- Brewery
- Multi-purpose center

In addition, the project is proposing a public square central to the development that is envisioned to offer the following types of activities:

- Outdoor stage/performance area
- Open lawn for multi-use activities and gathering spaces
- Shaded seating and walkways for gathering and expanding the adjacent commercial businesses and dining into the public space
- Water fountain for ambiance and to be utilized as a gathering area
- Kiosk structures for retail and food vendor opportunities
- Paved flex space adjacent to the public square for Farmer's Market and/or community gatherings and festivals

Target Market and Customer

The Project is geared to provide a mix of housing targeted for young professionals, small families, empty nesters and active seniors. The commercial customer base is envisioned to include not only the residents of the proposed community, but also the surrounding neighborhoods and communities in and around the City of Kennesaw. It is expected that special events will draw from a larger regional area.

Traffic Control

The Project's main entry will front Cobb Parkway, with secondary access also from Keene Street and School Drive. An entry boulevard featuring a divided median will welcome visitors to the project from Cobb Parkway. This entry boulevard will provide connections to the parking garage as well as surface parking designed for residents of the multi-use buildings on the southeastern portion of the project. This boulevard will then narrow through the park/plaza area of the project, but will ultimately connect through the northern end of the project, where there will be a secondary vehicular connection to the north and Downtown. Side streets and surface parking will be located on the sides and rear of the proposed buildings fronting along Cobb Parkway and the project boulevard, and will offer pedestrian connections throughout the project and further connecting to Cobb Parkway and to the adjacent properties and Downtown. Bicycle access is also planned along the Project's boulevard connecting this project to the surrounding roadways and nearby trail network. In addition to traffic control and directional signage, the

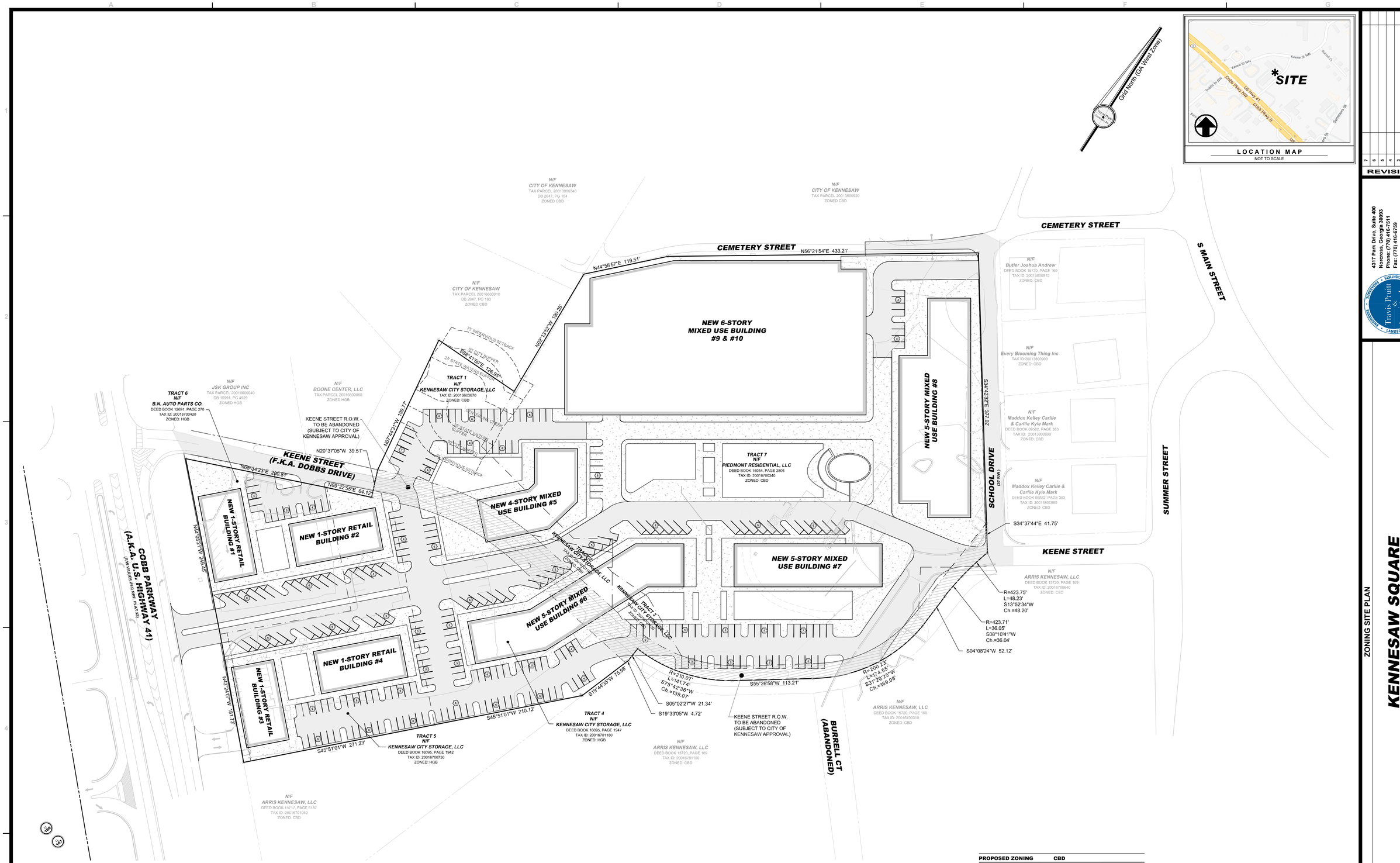
Project is proposing a mix of pavement patterns and surfaces, landscape and hardscape elements to identify and separate the multi-modes of traffic for safety purposes.

Economic Impact

The total cost to construct the Project is estimated slightly in excess of $150,000,000. During the anticipated two-year construction period, it is estimated that approximately 855 construction jobs will be created. The project expenditures would generate a short term increase in demand for engineering and technical services, as well as construction-related labor and materials.

Following completion of construction, the Project will provide housing for new residents of the City of Kennesaw who will support local businesses and increase the local tax base. In addition, the retail and other commercial uses will provide between 125 and 175 full-time and part-time jobs, as well as additional employment for persons included in the management and maintenance of the residential and public square spaces.

The commercial and retail businesses will provide tax revenue through local sales taxes generated by both residents and regional visitors to the development. Beyond expenditures as retail establishments within the Project, it is anticipated that the residents of the Project will also support other local Kennesaw business in the surrounding area.



BUILDING SUMMARY				
BUILDING #	USE	RETAIL GSF	RESI GSF	UNITS
1	RETAIL	7,300		
2	RETAIL	7,400		
3	RETAIL	6,800		
4	RETAIL	7,400		
5	MIXED	10,000	30,000	34
6	MIXED	19,400	77,600	87
7	MIXED	12,000	48,000	54
8	MIXED	21,800	82,800	93
9	MIXED	23,500	129,650	142
10	RETAIL	15,000		
TOTAL		130,600	367,250	410

PROPOSED ZONING	**CBD**
SITE AREA:	**12.3 AC**
PERCENT IMPERVIOUS	**87.1%**
PROPOSED FAR	**0.93**
BUILDING COVERAGE	**34%**

TRACT #	PARCEL #	EX. ZONING
TRACT 1	20016603670	CBD
TRACT 2	20016701180	CBD
TRACT 3	20016701130	CBD
TRACT 4	20016701180	HGB
TRACT 5	20016700730	HGB
TRACT 6	20016700420	HGB
TRACT 7	20016700340	CBD

PARKING SUMMARY	
DESCRIPTION	PROVIDED
OUTSIDE PARKING	288
GARAGE PARKING	1,110
TOTAL PARKING SPACES:	1,398

ACCESS AISLES FOR ADA PARKING ARE INCLUDED IN PROVIDED PARKING TOTAL.

GRAPHIC SCALE - IN FEET
25 0 50 100 150 200

NOTE: ALL DIMENSIONS ARE TO FACE OF CURB, FACE OF BUILDING, OR CENTER OF STRUCTURE, UNLESS OTHERWISE NOTED.

GEORGIA811 Utilities Protection Center, Inc. 1-800-282-7411 Know what's below. Call before you dig.

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REVISIONS			
NO	DATE	DESCRIPTION	BY
1			
2			
3			
4			
5			
6			
7			

4517 Park Drive, Suite 400
Norcross, GA 30093
Phone: (770) 417-2411
Fax: (770) 416-6759
www.travispruitt.com
CONTACT PERSON: BRENT THOMAS P.E.
e-mail: bthomas@travispruitt.com

Travis Pruitt & Associates, Inc. — Surveyors · Planners · Engineers · Landscape Architects

ZONING SITE PLAN

KENNESAW SQUARE

KEENE STREET & COBB PARKWAY, LAND LOTS 138 AND 167, 20TH DISTRICT, CITY OF KENNESAW, COBB COUNTY, GEORGIA

For The Firm
Travis Pruitt & Associates, Inc.

DATE:	10-20-2023
SCALE:	1" = 50'
CN:	230489ZSP
JN:	1-23-0489
FN:	218-E-017
SHEET NO:	1 of 1

W:\2023\230489\Engineering\CAD\Drawings\230489ZSP.dwg, Concept Plan, jwinston, Oct. 20, 23-9:59:43 AM, 1:1

Deed Book 12691 Pg 270
Filed and Recorded Jul-13-1999 05:43pm
1999-0116070
Real Estate Transfer Tax $84.20

Jay C. Stephenson
Clerk of Superior Court Cobb Cty. Ga.

2/12 RR

92R291.5
RETURN TO:
Moore Ingram Johnson & Steele, LLP
192 Anderson Street
Marietta, GA 30060

QUITCLAIM DEED

STATE OF GEORGIA
COUNTY OF COBB

THIS INDENTURE made the 1 day of May in the year of one thousand nine hundred and ninety-nine, between

DAN W. NORTHCUTT and LINDA C. NORTHCUTT

of the County of Cobb and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and

B. N. AUTO PARTS CO.
a Georgia corporation

of the County of Cobb and State of Georgia, 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 one dollar ($1.00) and other valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, by these presents does hereby remise, convey, and forever QUITCLAIM unto the said Grantee

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 166 OF THE 20TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE.

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.

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:

(Unofficial Witness)

DAN W. NORTHCUTT (Seal)

(Notary Public)

LINDA C. NORTHCUTT (Seal)

My Commission Expires:

(Notarial Seal)

NANCY M. HARRIS NOTARY PUBLIC GEORGIA EXPIRES JULY 16, 2003 COBB COUNTY

4/95

Jay C. Stephenson
Clerk of Superior Court Cobb Cty. Ga.

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 166 of the 20th District, 2nd Section, Cobb County, Georgia, as per plat of survey by Raoul N. Arroyo, Surveyor, dated July 30, 1971, and being more particularly described as follows:

BEGINNING at an iron pin at the corner formed by the intersection of the northeast side of U. S. Highway 41 and the southeast side of Dobbs Drive; running thence south 45 degrees 20 minutes east along the right-of-way of U. S. Highway 41 a distance of 250 feet to an iron pin; running thence north 45 degrees 27 minutes east a distance of 185 feet to an iron pin; running thence north 45 degrees 28 minutes west a distance of 175 feet to an iron pin on the southeast side of Dobbs Drive; running thence south 67 degrees 29 minutes 33 seconds west as measured along the southeast side of Dobbs Drive a distance of 200 feet to an iron pin and the point of beginning, said property being the same as that conveyed in that certain Warranty Deed from Curtis M. Wigley to Northcutt & Northcutt, a Partnership comprised of Floyd W. Northcutt and Dan W. Northcutt, dated October 27, 1983, filed for record October 27, 1983, in **Deed Book 2924, Page 182**, Records of Cobb County, Georgia.

Deed Book 16054 Page 2805
Filed and Recorded 5/9/2022 5:24:00 PM
2022-0053901
Real Estate Transfer Tax $4,900.00
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 5959440500

The Abram Law Group, LLC
1200 Ashwood Parkway, Suite 560
Atlanta, GA 30338
770/349-0120
File #22-0090

LIMITED WARRANTY DEED

STATE OF FLORIDA
COUNTY OF ORANGE

THIS INDENTURE made as of the 9th day of May, in the year two thousand and twenty-two, between

ETERNAL HOLDINGS LLC
a Nevada limited liability company

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

PIEDMONT RESIDENTIAL, 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 TEN DOLLARS ($10.00) AND OTHER 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 and conveyed, and by these presents, does grant, bargain, sell and convey unto the said Grantee, the following described real property to-wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 138 and 167 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia, and being more particularly described on **Exhibit "A"** attached hereto and incorporated herein by reference for a complete legal description.

This conveyance is made subject to those matters shown on **Exhibit "B"** attached hereto.

TO HAVE AND TO HOLD the said bargained property, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever IN FEE SIMPLE.

And the said Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the lawful claims of all persons, claiming by, through, or under said Grantor.

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:

M. Marie Storey
Witness

Notary Public
My commission expires: February 12, 2024
[Notary Seal]

Eternal Holdings LLC
a Nevada limited liability company

BY: Shahriar Ekbatani (SEAL)
Name: Shahriar Ekbatani
Title: Manager

MAYA D. VALDIVIA
MY COMMISSION # GG 953043
EXPIRES: February 12, 2024
Bonded Thru Notary Public Underwriters

P\EDMONTRES\KEENESTS\SALEDOCS\LWD

EXHIBIT "A"
LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 138 & 167 OF THE 20TH DISTRICT, 2ND SECTION, CITY OF KENNESAW, COBB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" REBAR ON THE SOUTHERLY RIGHT-OF-WAY OF CEMETERY STREET (30' R/W) AT THE COMMON CORNER OF LAND LOT 138, 139, 166 & 167;
SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY, NORTH 45 DEGREES 05 MINUTES 57 SECONDS EAST, 119.51 FEET TO A FENCE CORNER;
THENCE, NORTH 56 DEGREES 26 MINUTES 58 SECONDS EAST, 433.02 FEET TO A 1/2" REBAR ON THE WESTERLY RIGHT-OF-WAY OF SCHOOL DRIVE (30' R/W);
THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY, ALONG SAID WESTERLY RIGHT-OF-WAY, SOUTH 34 DEGREES 35 MINUTES 23 SECONDS EAST, 377.45 FEET TO A 1/2" REBAR ON THE NORTHERLY RIGHT-OF-WAY OF KEENE STREET (40' R/W);
THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY, ALONG SAID NORTHERLY RIGHT-OF-WAY, SOUTH 05 DEGREES 44 MINUTES 52 SECONDS WEST, 26.88 FEET TO A 1/2" REBAR;
THENCE, SOUTH 05 DEGREES 44 MINUTES 52 SECONDS WEST, 51.10 FEET TO A 1/2" REBAR;
THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY, SOUTH 57 DEGREES 02 MINUTES 34 SECONDS WEST, 42.91 FEET TO A 1/2" REBAR;
THENCE, SOUTH 30 DEGREES 17 MINUTES 07 SECONDS EAST, 58.60 FEET TO A 1/2" REBAR ON SAID NORTHERLY RIGHT-OF-WAY;
THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY, SOUTH 05 DEGREES 44 MINUTES 52 SECONDS WEST, 13.48 FEET TO A POINT;
THENCE ALONG A CURVE TO THE RIGHT, AN ARC DISTANCE OF 151.48 FEET, SAID CURVE HAVING A RADIUS OF 175.72 FEET AND BEING SUBTENDED BY A CHORD OF 146.83 FEET, AT SOUTH 30 DEGREES 26 MINUTES 32 SECONDS WEST, TO A POINT;
THENCE, SOUTH 55 DEGREES 08 MINUTES 12 SECONDS WEST, 103.52 FEET TO A POINT;
THENCE ALONG A CURVE TO THE RIGHT, AN ARC DISTANCE OF 89.53 FEET, SAID CURVE HAVING A RADIUS OF 224.38 FEET AND BEING SUBTENDED BY A CHORD OF 88.94 FEET, AT SOUTH 66 DEGREES 36 MINUTES 14 SECONDS WEST, TO A POINT;
THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY, NORTH 62 DEGREES 30 MINUTES 41 SECONDS WEST, 95.28 FEET TO A POINT;
THENCE, NORTH 88 DEGREES 33 MINUTES 44 SECONDS WEST, 59.94 FEET TO A POINT;
THENCE, NORTH 77 DEGREES 23 MINUTES 22 SECONDS WEST, 9.42 FEET TO A POINT;
THENCE, NORTH 57 DEGREES 02 MINUTES 34 SECONDS EAST, 6.60 FEET TO A POINT;
THENCE, NORTH 32 DEGREES 57 MINUTES 26 SECONDS WEST, 20.00 FEET TO A 1/2" REBAR;
THENCE, NORTH 33 DEGREES 06 MINUTES 00 SECONDS WEST, 19.88 FEET TO A 1/2" REBAR;
THENCE, SOUTH 57 DEGREES 01 MINUTES 02 SECONDS WEST, 53.83 FEET TO A 1/2" REBAR;
THENCE, NORTH 77 DEGREES 52 MINUTES 06 SECONDS WEST, 181.88 FEET TO A 1/2" REBAR;
THENCE, NORTH 02 DEGREES 14 MINUTES 06 SECONDS WEST, 89.32 FEET TO A 1/2" REBAR;
THENCE, NORTH 02 DEGREES 04 MINUTES 49 SECONDS WEST, 190.43 FEET TO THE POINT OF BEGINNING;

EXHIBIT "B"

1. Taxes and assessments for the year 2022 and subsequent years, which are liens not yet due and payable.

2. Easement from Kennesaw Consolidated School to Georgia Power Company, dated March 22, 1939, filed April 25, 1939, recorded in Deed Book 132, page 448, Cobb County, Georgia records.

3. Easement from Cobb County Board of Education to City of Kennesaw, dated September 29, 1960, filed October 7, 1960, recorded in Deed Book 566, page 66, aforesaid records.

4. Easements and Infrastructure Development Agreement by and between Keene Street JV LLC and Arris Kennesaw, LLC dated 02/20/2020, recorded in Deed Book 15714, Page 3087, aforesaid records

FOR AGREE SEE
DE Book 16098 Page 196

Deed Book 16095 Page 1942
Filed and Recorded 10/19/2022 10:42:00 PM
2022-0120667
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 4417205703

NOTE TO CLERK: Pursuant to O.C.G.A. 48-6-2(a)(3), this deed is exempt from the real estate transfer tax imposed by the State of Georgia.

After recording, return to:
Schreeder, Wheeler & Flint, LLP
1100 Peachtree Street NE, Suite 800
Atlanta, Georgia 30309
Attn: Leo Rose III, Esq.

Cobb County Tax Parcel No. 20016700730

STATE OF GEORGIA
COUNTY OF COBB

LIMITED WARRANTY DEED

THIS LIMITED WARRANTY DEED, made as of the 18th day of October, 2022, between **KENNESAW DOWNTOWN DEVELOPMENT AUTHORITY**, a public corporation created and existing under the laws of the State of Georgia (hereinafter referred to as "**Grantor**"), and **KENNESAW CITY STORAGE, LLC**, a Georgia limited liability company (hereinafter referred to as "**Grantee**") (the words "**Grantor**" and "**Grantee**" to include their respective heirs, legal representatives, successors, and assigns where the context requires or permits);

W I T N E S S E T H: THAT

Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and confirmed, and by these presents does grant, bargain, sell, alien, convey, and confirm unto Grantee, all those tracts or parcels of land lying and being in Cobb County, Georgia, being more particularly described in **Exhibit "A"**, attached hereto and incorporated herein by this reference (hereinafter referred to as the "**Land**");

TOGETHER WITH all buildings, structures, and improvements thereon and all rights, members, easements, hereditaments, tenements and appurtenances appertaining to the Land (the Land, together with the foregoing, is hereinafter referred to as the "**Property**");

This conveyance and the limited warranty of title set forth herein are made subject to the matters set forth on **Exhibit "B"** attached hereto and incorporated herein by reference for all purposes (collectively, the "**Permitted Exceptions**").

TO HAVE AND TO HOLD the Property unto Grantee and unto its successors and assigns, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of Grantee

and its successors and assigns, forever, **IN FEE SIMPLE.**

Grantor covenants with Grantee that it will forever warrant and defend said title to the Property against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

IN WITNESS WHEREOF, Grantor has executed this Limited Warranty Deed, to be effective as of the date set forth above.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

[SIGNATURE PAGE TO LIMITED WARRANTY DEED]

Signed, sealed, and delivered
in the presence of:

Unofficial Witness

Notary Public

Commission Expiration Date:
10-20-24

(NOTARY SEAL)

GRANTOR:

KENNESAW DOWNTOWN DEVELOPMENT AUTHORITY,
a public corporation created and existing under the laws of the State of Georgia

By: _____ (SEAL)
Mark Allen, Chair

By: _____ (SEAL)
Mary Jo Groeneveld, Secretary

(CORPORATE SEAL)

EXHIBIT "A"

Legal Description

All that tract or parcel of land lying and being in land lots 166 and 167, District 20, Section 2, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

Beginning at an iron pin found (1/2" rebar) located at the intersection of the southeasterly right of way of Dobbs Drive (40' R/W) with its intersection of the northeasterly right of way of North Cobb Parkway (A.K.A. Highway 41) (115' from the centerline of highway 41), thence along the southeasterly right of way of Dobbs Drive N 66° 40'51" E a distance of 201.32 feet to a point, said point being the TRUE POINT OF BEGINNING;

Thence continuing along the southeasterly right of way of Dobbs Drive N 67°33'30" E a distance of 120.40 feet to a point.
Thence 177.71 feet along the arc of a curve in a clockwise direction (said curve having a radius of 335.59' and a chord of N 84°38'30" E – 175.64') to a point;
Thence S 82° 40" 45" E a distance of 196.98 feet to an iron pin found (5/8" rebar);
Thence leaving said right of way S 17°53"51" W a distance of 75.54 feet to a point;
Thence S 44°01"15" W a distance of 481.39 feet to a point on the northeasterly right of way of North Cobb Parkway;
Thence along the northeasterly right of way of North Cobb Parkway N 45°20'00" W a distance of 181.48 feet to a point;
Thence leaving said right of way N 44°55'46" E a distance of 185.32 feet to an iron pin found (5/8" rebar);
Thence N 45°49'53" W a distance of 175.12 feet to a point on the southeasterly right of way of Dobbs Drive and the POINT OF BEGINNING.

Said tract containing 2.67 acres as shown hereon.

EXHIBIT "B"
Permitted Exceptions

1. Taxes for year 2023, a lien not yet due and payable.

2. Drainage rights as contained in that certain Right of Way Deed from W. M. Eller to State Highway Department of Georgia dated June 22, 1948, and recorded at Deed Book 202, Page 93, records of the Clerk of Cobb County, Georgia, Superior Court.

3. Drainage rights as contained in that certain Right of Way Deed from O.E. Jones to State Highway Department of Georgia dated June 23, 1948, and recorded at Deed Book 202, Page 96, aforesaid records, as affected by Quitclaim Deed from L.C. Chalker, O.E. Jones and the Board of Education of Cobb County, Georgia, to State Highway Department of Georgia, dated November 12, 1948, and recorded at Deed Book 192, Page 544, aforesaid records.

4. Easement from Pacemaker Inns of America to Georgia Power Company dated April 5, 1972, and recorded in Deed Book 1315, Page 725, aforesaid records.

5. All matters shown on ALTA/NSPS Land Title Survey prepared by Travis Pruitt & Associates, Inc., Travis N. Pruitt, Jr., Georgia Registered Land Surveyor No. 2809, prepared for Kennesaw City Storage, LLC, Signature Bank of Georgia, First American Title Insurance Company, and Candler Abstract Company last revised October 14, 2022, identified as Job No. 1-21-0242.600.

Deed Book 16148 Page 4177
Filed and Recorded 07/24/23 11:46:00 AM
2023-0057320
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 4417205703

Prepared for recording by:
Schreeder, Wheeler & Flint, LLP
1100 Peachtree Street NE, Suite 800
Atlanta, Georgia 30309
Attn: Leo Rose III, Esq.

Clerk please cross reference:
Deed Book 16146, Page 3619
Cobb County Records

This deed is being rerecorded to include the effective date of July 12, 2023.

Cobb County Tax Parcel No.
20016701130 (partial)

STATE OF GEORGIA
COUNTY OF COBB

LIMITED WARRANTY DEED

THIS LIMITED WARRANTY DEED, made as of the 12th day of July, 2023, between **KEENE STREET JV, LLC**, a Georgia limited liability company (hereinafter referred to as "**Grantor**"), and **REDWOOD DEVELOPMENT, LLC**, a Georgia limited liability company (hereinafter referred to as "**Grantee**") (the words "**Grantor**" and "**Grantee**" to include their respective heirs, legal representatives, successors, and assigns where the context requires or permits);

WITNESSETH: THAT

Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and confirmed, and by these presents does grant, bargain, sell, alien, convey, and confirm unto Grantee, all those tracts or parcels of land lying and being in Cobb County, Georgia, being more particularly described in **Exhibit "A"**, attached hereto and incorporated herein by this reference (hereinafter referred to as the "**Land**");

TOGETHER WITH all buildings, structures, and improvements thereon and all rights, members, easements, hereditaments, tenements and appurtenances appertaining to the Land (the Land, together with the foregoing, is hereinafter referred to as the "**Property**");

This conveyance and the limited warranty of title set forth herein are made subject to the matters set forth on **Exhibit "B"** attached hereto and incorporated herein by reference for all purposes (collectively, the "**Permitted Exceptions**").

TO HAVE AND TO HOLD the Property unto Grantee and unto its successors and assigns, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of Grantee and its successors and assigns, forever, **IN FEE SIMPLE.**

Grantor covenants with Grantee that it will forever warrant and defend said title to the Property against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

IN WITNESS WHEREOF, Grantor has executed this Limited Warranty Deed, to be effective as of the date set forth above.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

[SIGNATURE PAGE TO LIMITED WARRANTY DEED]

Signed, sealed, and delivered
in the presence of:

Unofficial Witness

Notary Public

Commission Expiration Date:

4/30/26

(NOTARY SEAL)

K GIBSON
NOTARY PUBLIC
COBB COUNTY
STATE OF GEORGIA
My Comm. Expires April 30, 2026

GRANTOR:

KEENE STREET JV, LLC,
a Georgia limited liability company

By: _____(SEAL)
Chad L. Howie, Manager

EXHIBIT "A"
Legal Description

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

COMMENCING at a point found at the intersection of northeasterly right of way line of Cobb Parkway Variable R/W (AKA HWY 41) and the north right of way line of Keene Street (40' R/W) thence proceeding along the north right of way line of Keene Street 40' R/W (FKA Dobbs) a distance of 280.00 feet to 1/2" rebar found. THENCE following said right of way along a curve to the right with a radius of 757.98 feet and an arc length of 111.83 feet, said curve having a chord bearing of North 71 degrees 55 minutes 32 seconds East and a chord distance of 111.73 feet to a point; THENCE continuing said right of way along a curve to the right with a radius of 368.31 feet and an arc length of 124.36 feet, said curve having a chord bearing of South 87 degrees 11 minutes 24 seconds West and a chord distance of 123.77 feet to a point. THENCE continuing said right of way along a curve to the right with a radius of 368.31 feet and an arc length of 18.32 feet, said curve having a chord bearing of South 81 degrees 34 minutes 52 seconds East and a chord distance of 18.32 feet to a point; South 80 degrees 45 minutes 09 seconds East a distance of 132.78 feet to a point; said point being the TRUE POINT OF BEGINNING.

THENCE from said TRUE POINT OF BEGINNING leaving said right of way North 33 degrees 01 minutes 25 seconds West a distance of 49.46 feet to a 1/2" rebar found w/cap; THENCE South 88 degrees 39 minutes 52 seconds East a distance of 59.94 feet to a point; THENCE South 62 degrees 36 minutes 48 seconds East a distance of 95.28 feet to a point at the northern right of way of Keene St 40' R/W (FKA Dobbs); THENCE following said right of way along a curve to the right with a radius of 224.38 feet and an arc length of 85.72 feet, said curve having a chord bearing of South 88 degrees 58 minutes 47 seconds West and a chord distance of 85.20 feet to a point; THENCE continuing along northern right of way line North 80 degrees 45 minutes 08 seconds West a distance of 32.81 feet to a point; said point being the TRUE POINT OF BEGINNING.

Said tract contains 4,123 square feet or 0.09 acres.

TOGETHER WITH (i) all fixtures, structures and improvements thereon, (ii) all right, title and interest, if any, in and to all rights-of-way, open or proposed streets, alleys, strips or gores of land adjacent thereto and (iii) all and singular the tenements, hereditament, rights, easements and appurtenances now or hereafter belonging thereto.

EXHIBIT "B"
Permitted Exceptions

1. Taxes for year 2023, a lien not yet due and payable.

2. Easement(s) granted in favor of Georgia Power Company as filed in Book 132, Page 448, records of the Clerk of Cobb County, Georgia, Superior Court.

3. All matters shown on Boundary Survey prepared by Travis Pruitt & Associates, Inc., Jacob M. Kaloki., Georgia Registered Land Surveyor No. 3422, prepared for Kennesaw City Storage, LLC, dated May 24, 2023, identified as Job No. 1-23-0231.600.

Deed Book 16146 Page 3633
Filed and Recorded 07/13/23 5:22:00 PM
2023-0054593
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 4417205703

Prepared for recording by:
Schreeder, Wheeler & Flint, LLP
1100 Peachtree Street NE, Suite 800
Atlanta, Georgia 30309
Attn: Leo Rose III, Esq.

Cobb County Tax Parcel Nos.
20016701130 (partial)

STATE OF GEORGIA
COUNTY OF COBB

QUITCLAIM DEED

THIS INDENTURE, made this 12th day of July, 2023 between **KEENE STREET JV LLC**, a Georgia limited liability company (herein referred to as "**Grantor**"), and **REDWOOD DEVELOPMENT, LLC**, a Georgia limited liability company (herein referred to as "**Grantee**").

W I T N E S S E T H T H A T:

The Grantor, for and in consideration of Ten and 00/100 Dollars ($10.00) in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has bargained, sold and does by these presents bargain, sell, release, convey and forever quit-claim to the said Grantee, his its heirs, successors and assigns, all right, title, interest, claim or demand which the said Grantor has or may have in and to:

> **ALL THAT TRACT** or parcel of land lying and being in Land Lots 166 and 167 of the 20th District, 2nd Section of Cobb County, Georgia, being that certain land identified as Tract 1 and Tract 2 which are more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof.

TOGETHER WITH all fixtures, structures and improvements on said property, all right, title and interest, if any, in and to all rights-of-way, open or proposed streets, alleys, strips or gores of land adjacent thereto, and all and singular the tenements, hereditament, rights, easements and appurtenances in anywise appertaining.

TO HAVE AND TO HOLD the said described premises unto the said Grantee, its heirs, successors and assigns, so that neither the said Grantor, nor its heirs or successors, nor any other person or persons claiming under it shall at any time claim or demand any right, title or interest to the aforesaid described premises.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Grantor has signed, sealed and delivered this deed on the date above written.

[SIGNATURE PAGE TO QUITCLAIM DEED]

Signed, sealed, and delivered
in the presence of:

Unofficial Witness

Notary Public

Commission Expiration Date:

4/30/2026

(NOTARY SEAL)
K GIBSON
NOTARY PUBLIC
COBB COUNTY
STATE OF GEORGIA
My Comm. Expires April 30, 2026

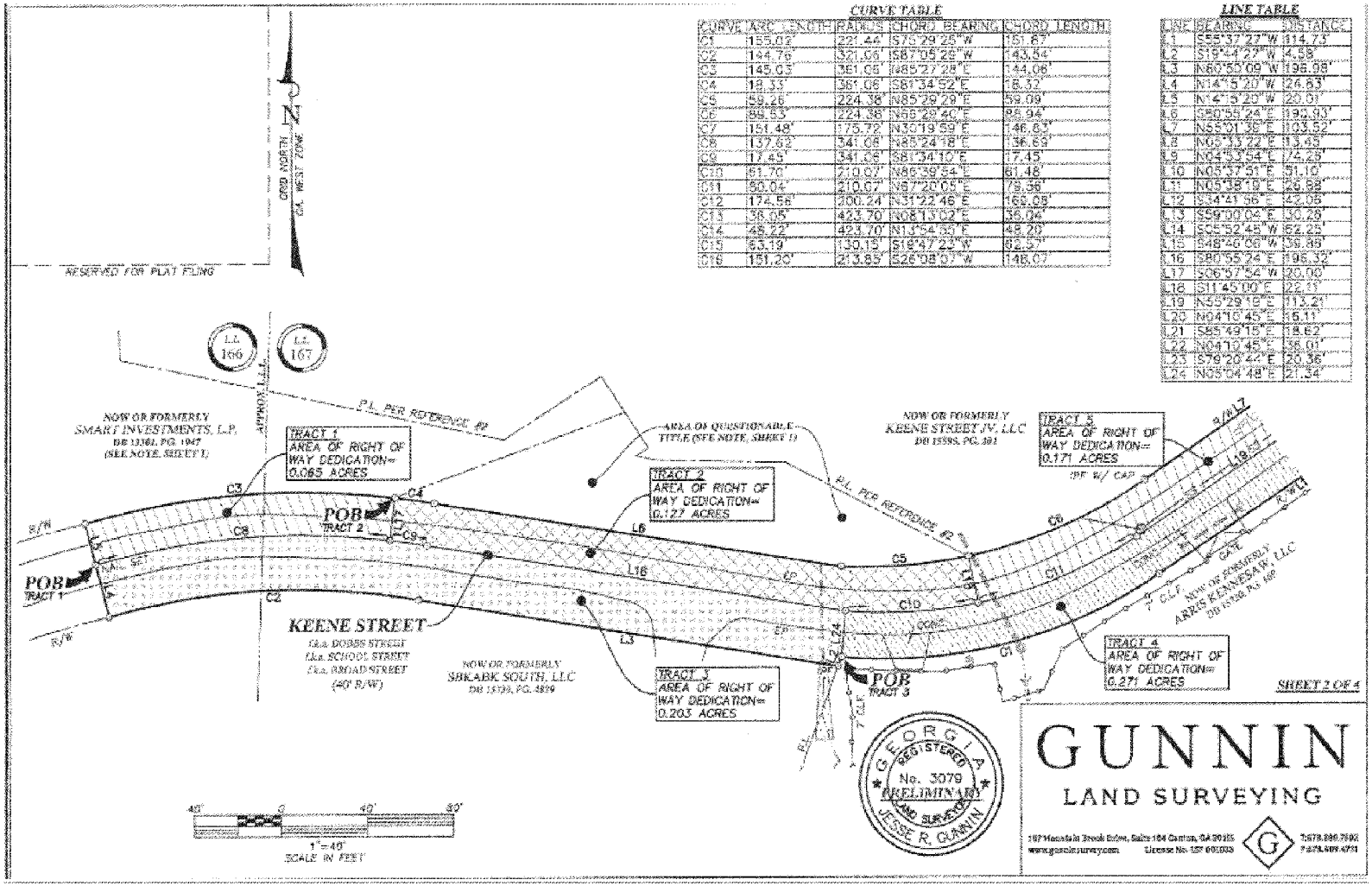
GRANTOR:

KEENE STREET JV LLC,
a Georgia limited liability company

By: _____(SEAL)
Chad L. Howie, Manager

EXHIBIT "A"

Description of proposed abandonment of Keene Street



CURVE	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1	155.02'	221.44'	S70°29'25"W	151.87'
C2	144.76'	321.06'	S87°05'28"W	143.54'
C3	145.63'	361.06'	N85°27'29"E	144.66'
C4	18.33'	361.06'	S81°34'52"E	18.32'
C5	59.46'	224.38'	N85°29'29"E	59.09'
C6	84.53'	224.38'	N68°28'40"E	84.04'
C7	151.48'	175.72'	N30°19'59"E	146.83'
C8	137.62'	341.06'	N85°24'18"E	136.69'
C9	17.45'	341.06'	S81°34'12"E	17.45'
C10	61.70'	210.07'	N85°39'54"E	61.48'
C11	80.04'	210.07'	N67°20'05"E	79.56'
C12	174.58'	200.24'	N31°22'46"E	169.08'
C13	36.05'	423.70'	N08°13'02"E	36.04'
C14	48.22'	423.70'	N13°54'35"E	48.20'
C15	63.19'	130.13'	S18°47'23"W	62.57'
C16	151.20'	213.85'	S26°08'07"W	148.07'

LINE	BEARING	DISTANCE
L1	S55°37'27"W	114.73'
L2	S19°41'27"W	4.58'
L3	N80°55'09"W	196.98'
L4	N14°15'20"W	26.83'
L5	N14°15'20"W	20.01'
L6	S80°55'24"E	190.93'
L7	N55°51'36"E	103.52'
L8	N05°33'22"E	13.45'
L9	N04°53'54"E	74.26'
L10	N05°37'31"E	51.10'
L11	N05°38'10"E	28.58'
L12	S34°41'56"E	42.06'
L13	S59°00'04"E	30.29'
L14	S55°52'45"W	62.25'
L15	S48°46'08"W	136.89'
L16	S80°55'24"E	196.32'
L17	S06°57'54"W	20.06'
L18	S11°45'00"E	22.11'
L19	N55°29'19"E	113.21'
L20	N04°10'45"E	15.11'
L21	S85°49'15"E	19.62'
L22	N04°10'45"E	36.01'
L23	S79°20'24"E	20.36'
L24	N05°04'48"E	21.34'

Legal Description

Summers St Project- Right of Way Abandonment, Tract 1

All that tract or parcel of land lying and being in Land Lots 166 and 167 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at the intersection of the westerly right of way of Burrell Court (40' right of way) and the southerly right of way of Keene Street (40' right of way); thence leaving said westerly right of way and along said southerly right of way the following courses and distances: S55°37'27"W for a distance of 114.73 feet to a point; 155.02 feet along the arc of a curve to the right, said curve having a radius of 221.44 feet and being subtended by a chord of S75°29'25"W, 151.87 feet to a point; S19°44'27"W for a distance of 4.58 feet to a 1/2" rebar found; N80°50'09"W for a distance of 196.98 feet to a point; 144.76 feet along the arc of a curve to the left, said curve having a radius of 321.06 feet and being subtended by a chord of S87°05'29"W, 143.54 feet to a point; thence leaving said southerly right of way N14°15'20"W for a distance of 24.83 feet to a nail set, said point being the **TRUE POINT OF BEGINNING.**

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;
thence N14°15'20"W for a distance of 20.01 feet to a point at the northerly right of way of Keene Street (40' right of way); thence along said northerly right of way 145.03 feet along the arc of a curve to the right, said curve having a radius of 361.06 feet and being subtended by a chord of N85°27'28"E, 144.06 feet to a point; thence leaving said northerly right of way S06°57'54"W for a distance of 20.00 feet to a point; thence 137.62 feet along the arc of a curve to the left, said curve having a radius of 341.06 feet and being subtended by a chord of S85°24'18"W, 136.69 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

Said tract of parcel of land contains 0.065 acres.

Summers St Project- Right of Way Abandonment, Tract 2

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

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at the intersection of the westerly right of way of Burrell Court (40' right of way) and the southerly right of way of Keene Street (40' right of way); thence leaving said westerly right of way and along said southerly right of way the following courses and distances: S55°37'27"W for a distance of 114.73 feet to a point; 155.02 feet along the arc of a curve to the right, said curve having a radius of 221.44 feet and being subtended by a chord of S75°29'25"W, 151.87 feet to a point; S19°44'27"W for a distance of 4.58 feet to a 1/2" rebar found; N80°50'09"W for a distance of 196.98 feet to a point; 144.76 feet along the arc of a curve to the left, said curve having a radius of 321.06 feet and being subtended by a chord of S87°05'29"W, 143.54 feet to a point; thence traversing said right of way N14°15'20"W for a distance of 44.84 feet to a point at the northerly right of way of Keene Street (40' right of way); thence along said northerly right of way 145.03 feet along the arc of a curve to the right, said curve having a radius of 361.06 feet and being subtended by a chord of N85°27'28"E, 144.06 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;
thence continue along said northerly right of way the following courses and distances: 18.33 feet along the arc of a curve to the right, said curve having a radius of 361.06 feet and being subtended by a chord of S81°34'52"E, 18.32 feet to a point; thence S80°55'24"E for a distance of 190.93 feet to a point; thence 59.26 feet along the arc of a curve to the left, said curve having a radius of 224.38 feet and being subtended by a chord of N85°29'29"E, 59.09 feet to a point; thence leaving said northerly right of way S11°45'00"E for a distance of 22.11 feet to a point; thence 61.70 feet along the arc of a curve to the right, said curve having a radius of 210.07 feet and being subtended by a chord of S86°39'54"W, 61.48 feet to a point; thence N80°55'24"W for a distance of 196.32 feet to a point; thence 17.45 feet along the arc of a curve to the left, said curve having a radius of 341.06 feet and being subtended by a chord of N81°34'10"W, 17.45 feet to a point; thence N06°57'54"E for a distance of 20.00 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

Said tract of parcel of land contains 0.127 acres.

Deed Book 16148 Page 4182
Filed and Recorded 07/24/23 11:47:00 AM
2023-0057325
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 4417205703

Prepared for recording by:
Schreeder, Wheeler & Flint, LLP
1100 Peachtree Street NE, Suite 800
Atlanta, Georgia 30309
Attn: Leo Rose III, Esq.

Clerk please cross reference:
Deed Book 16146, Page 3614,
Cobb County Records

This deed is being rerecorded to include the effective date of July 12, 2023.

Cobb County Tax Parcel Nos.
20016603670 and
20016701130 (partial)

STATE OF GEORGIA
COUNTY OF COBB

LIMITED WARRANTY DEED

THIS LIMITED WARRANTY DEED, made as of the 12th day of July, 2023, between **KENNESAW REDEVELOPMENT, LLC**, a Georgia limited liability company (hereinafter referred to as "**Grantor**"), and **KENNESAW CITY STORAGE, LLC**, a Georgia limited liability company (hereinafter referred to as "**Grantee**") (the words "**Grantor**" and "**Grantee**" to include their respective heirs, legal representatives, successors, and assigns where the context requires or permits);

WITNESSETH: THAT

Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and confirmed, and by these presents does grant, bargain, sell, alien, convey, and confirm unto Grantee, all those tracts or parcels of land lying and being in Cobb County, Georgia, being more particularly described in **Exhibit "A"**, attached hereto and incorporated herein by this reference (hereinafter referred to as the "**Land**");

TOGETHER WITH all buildings, structures, and improvements thereon and all rights, members, easements, hereditaments, tenements and appurtenances appertaining to the Land (the Land, together with the foregoing, is hereinafter referred to as the "**Property**");

This conveyance and the limited warranty of title set forth herein are made subject to the matters set forth on **Exhibit "B"** attached hereto and incorporated herein by reference for all purposes (collectively, the "**Permitted Exceptions**").

TO HAVE AND TO HOLD the Property unto Grantee and unto its successors and assigns, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of Grantee and its successors and assigns, forever, **IN FEE SIMPLE.**

Grantor covenants with Grantee that it will forever warrant and defend said title to the Property against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

[SIGNATURE PAGE TO LIMITED WARRANTY DEED]

IN WITNESS WHEREOF, Grantor has executed this Limited Warranty Deed, to be effective as of the date set forth above.

Signed, sealed, and delivered
in the presence of:

Unofficial Witness

Notary Public

Commission Expiration Date:
4/30/26

NOTARY SEAL
R GIBSON
NOTARY PUBLIC
COBB COUNTY
STATE OF GEORGIA
My Comm. Expires April 30, 2026

GRANTOR:

KENNESAW REDEVELOPMENT, LLC, a Georgia limited liability company

By: _____ (SEAL)
Chad L. Howie, Manager

EXHIBIT "A"
Legal Description

All that tract or parcel of land lying and being in Land Lots 166 and 167 of the 20th District, 2nd Section, Cobb County, Georgia as shown on plat of survey prepared by Robert T. Weaver, Surveyor, dated March, 1973, a copy of which is recorded in Plat Book _____, Page _____, Cobb County Records and being more particularly described as follows:

BEGINNING at an iron pin on the northerly side of Dobbs Street (sometimes known as School Street) 280 feet northeast of intersection of the northeast side of the right of way of U.S. Highway 41 and the northwesterly side of Dobbs Street (sometimes known as School Street); running thence north 7 degrees 37 minutes west for a distance of 200 feet to an iron pin; running thence south 88 degrees 13 minutes east for a distance of 127 feet to an iron pin located on the east line of said Land Lot 166; running thence south 2 degrees 01 minutes east for a distance of 89.2 feet to an iron pin; running thence south 77 degrees 55 minutes east for a distance of 182 feet to a point; running thence north 56 degrees 57 minutes east for a distance of 54 feet to an iron pin; running south 32 degrees 48 minutes east for a distance of 20 feet to an iron pin; running thence south 69 degrees 56 minutes west for a distance of 115.1 feet to an iron pin located on the northerly side of Dobbs Street (sometimes known as School Street); running thence southwesterly along the northerly and northwesterly side of Dobbs Street (sometimes known as School Street) for a distance of 236.2 feet to an iron pin and the point of beginning.

Said tract contains 0.673 acres.

TOGETHER WITH:

All that tract or parcel of land lying and being in Land Lot 167 of the 20th District, 2nd Section, Cobb County, Georgia, and being a portion of the property as shown on plat of survey prepared by Robert T. Weaver, Surveyor, for Curtis M. Wigley, dated March, 1973, a copy of which is recorded in Plat Book _____, Page _____, Cobb County Records and being more particularly described as follows:

BEGINNING at a point on the north side of Dobbs Street (sometimes known as School Street) at a point 380 feet east of the intersection of the north side of the right of way of Dobbs Street (sometimes known as School Street) and the east side of the right of way of Cemetery Street; running thence southeasterly along the northeasterly side of the right of way of Dobbs Street (sometimes known as School Street) for a distance of 143.8 feet to the southwest line of the property of the Cobb County Board of Education; running thence north 32 degrees 48 minutes west for a distance of 70 feet to an iron pin; running thence south 69 degrees 56 minutes west for a distance of 115.1 feet to an iron pin and the point of beginning.

EXHIBIT "B"
Permitted Exceptions

1. Taxes for year 2023, a lien not yet due and payable.

2. Easement(s) granted in favor of Georgia Power Company as filed in Book 132, Page 448, records of the Clerk of Cobb County, Georgia, Superior Court.

3. Sanitary Sewer Easement in favor of City of Kennesaw as recorded in Book 566, Page 66, records aforesaid.

4. All matters shown on plat of survey recorded in Plat Book 280, Page 437, records aforesaid.

5. All matters shown on Boundary Survey prepared by Travis Pruitt & Associates, Inc., Jacob M. Kaloki., Georgia Registered Land Surveyor No. 3422, prepared for Kennesaw City Storage, LLC, dated May 24, 2023, identified as Job No. 1-23-0231.600.

Deed Book 16146 Page 3624
Filed and Recorded 7/13/2023 5:17:00 PM
2023-0054591
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 4417205703

Prepared for recording by:
Schreeder, Wheeler & Flint, LLP
1100 Peachtree Street NE, Suite 800
Atlanta, Georgia 30309
Attn: Leo Rose III, Esq.

Cobb County Tax Parcel Nos.
20016603670 and
20016701130 (partial)

STATE OF GEORGIA
COUNTY OF COBB

QUITCLAIM DEED

THIS INDENTURE, made this 12th day of July, 2023 between **KENNESAW REDEVELOPMENT, LLC**, a Georgia limited liability company (herein referred to as "**Grantor**"), and **KENNESAW CITY STORAGE, LLC**, a Georgia limited liability company (herein referred to as "**Grantee**").

W I T N E S S E T H T H A T:

The Grantor, for and in consideration of Ten and 00/100 Dollars ($10.00) in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has bargained, sold and does by these presents bargain, sell, release, convey and forever quit-claim to the said Grantee, his its heirs, successors and assigns, all right, title, interest, claim or demand which the said Grantor has or may have in and to:

> **ALL THAT TRACT** or parcel of land lying and being in Land Lots 166 and 167 of the 20th District, 2nd Section of Cobb County, Georgia being more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof.

TOGETHER WITH all fixtures, structures and improvements on said property and all and singular the rights, members and appurtenances to the said premises in anywise appertaining.

TO HAVE AND TO HOLD the said described premises unto the said Grantee, its heirs, successors and assigns, so that neither the said Grantor, nor its heirs or successors, nor any other person or persons claiming under it shall at any time claim or demand any right, title or interest to the aforesaid described premises.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Grantor has signed, sealed and delivered this deed on the date above written.

[SIGNATURE PAGE TO QUITCLAIM DEED]

Signed, sealed, and delivered
in the presence of:

Unofficial Witness

Notary Public

Commission Expiration Date:

4/30/26

(NOTARY SEAL)

K GIBSON
NOTARY PUBLIC
COBB COUNTY
STATE OF GEORGIA
My Comm. Expires April 30, 2026

GRANTOR:

KENNESAW REDEVELOPMENT, LLC, a Georgia limited liability company

By: _____(SEAL)
Chad L. Howie, Manager

EXHIBIT "A"
Legal Description

Any and all other tract or parcel of land lying and being in Land Lots 166, and 167 of the 20th District, Cobb County, Georgia and being now vested in the name of KENNESAW REDEVELOPMENT, LLC, including, without limitation, that certain land identified as Tract 1 and Tract 2 which are more particularly described on Exhibit "B" attached hereto and incorporated herein by reference.

TOGETHER WITH

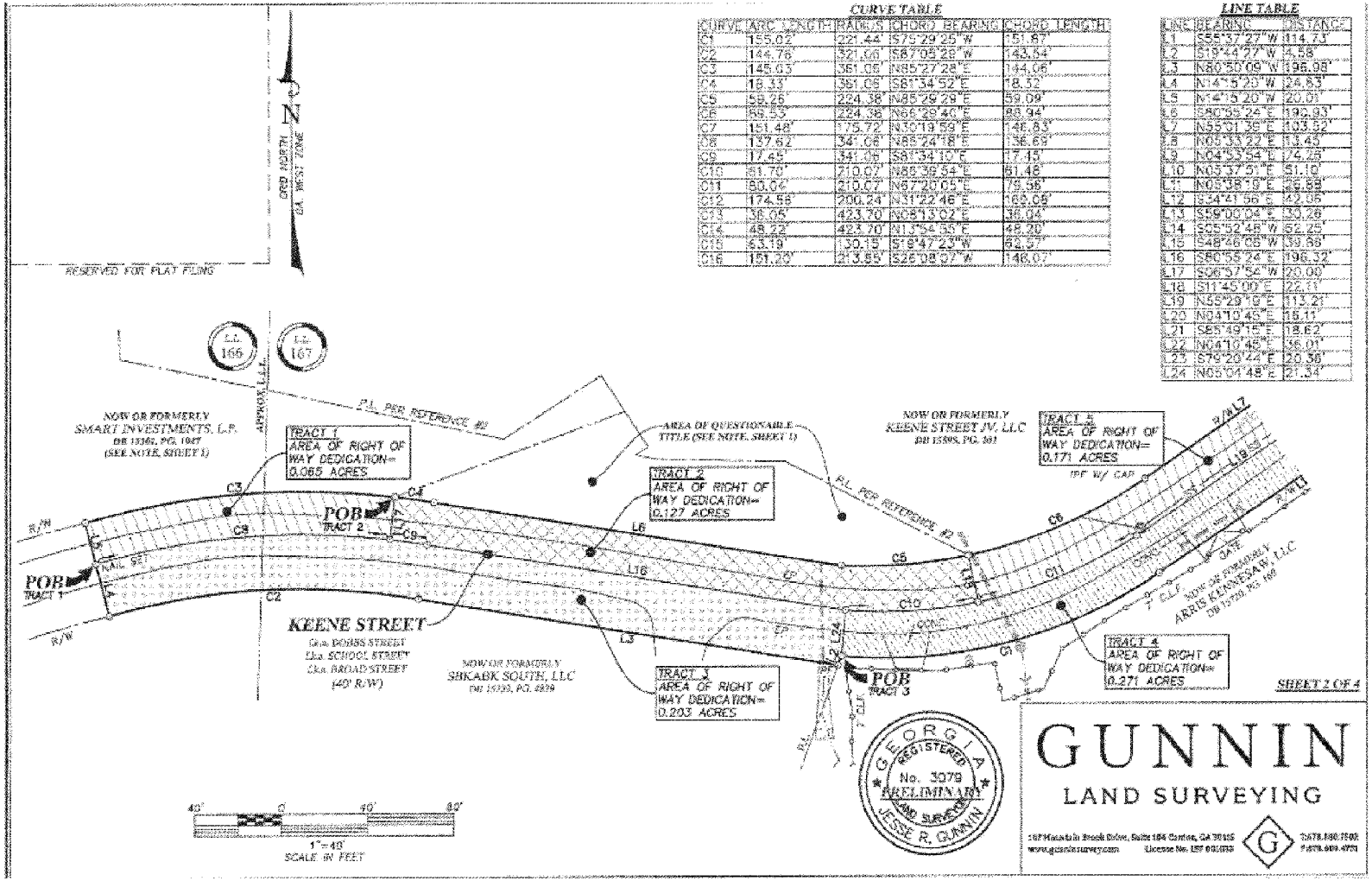
(i) all fixtures, structures and improvements thereon,

(ii) all right, title and interest, if any, in and to all rights-of-way, open or proposed streets, alleys, strips or gores of land adjacent thereto, and.

(iii)all and singular the tenements, hereditament, rights, easements and appurtenances now or hereafter belonging thereto.

EXHIBIT "B"

Description of proposed abandonment of Keene Street



Legal Description

Summers St Project- Right of Way Abandonment, Tract 1

All that tract or parcel of land lying and being in Land Lots 166 and 167 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at the intersection of the westerly right of way of Burrell Court (40' right of way) and the southerly right of way of Keene Street (40' right of way); thence leaving said westerly right of way and along said southerly right of way the following courses and distances: S55°37'27"W for a distance of 114.73 feet to a point; 155.02 feet along the arc of a curve to the right, said curve having a radius of 221.44 feet and being subtended by a chord of S75°29'25"W, 151.87 feet to a point; S19°44'27"W for a distance of 4.58 feet to a 1/2" rebar found; N80°50'09"W for a distance of 196.98 feet to a point; 144.76 feet along the arc of a curve to the left, said curve having a radius of 321.06 feet and being subtended by a chord of S87°05'29"W, 143.54 feet to a point; thence leaving said southerly right of way N14°15'20"W for a distance of 24.83 feet to a nail set, said point being the **TRUE POINT OF BEGINNING.**

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;
thence N14°15'20"W for a distance of 20.01 feet to a point at the northerly right of way of Keene Street (40' right of way); thence along said northerly right of way 145.03 feet along the arc of a curve to the right, said curve having a radius of 361.06 feet and being subtended by a chord of N85°27'28"E, 144.06 feet to a point; thence leaving said northerly right of way S06°57'54"W for a distance of 20.00 feet to a point; thence 137.62 feet along the arc of a curve to the left, said curve having a radius of 341.06 feet and being subtended by a chord of S85°24'18"W, 136.69 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

Said tract of parcel of land contains 0.065 acres.

Summers St Project- Right of Way Abandonment, Tract 2

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

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at the intersection of the westerly right of way of Burrell Court (40' right of way) and the southerly right of way of Keene Street (40' right of way); thence leaving said westerly right of way and along said southerly right of way the following courses and distances: S55°37'27"W for a distance of 114.73 feet to a point; 155.02 feet along the arc of a curve to the right, said curve having a radius of 221.44 feet and being subtended by a chord of S75°29'25"W, 151.87 feet to a point; S19°44'27"W for a distance of 4.58 feet to a 1/2" rebar found; N80°50'09"W for a distance of 196.98 feet to a point; 144.76 feet along the arc of a curve to the left, said curve having a radius of 321.06 feet and being subtended by a chord of S87°05'29"W, 143.54 feet to a point; thence traversing said right of way N14°15'20"W for a distance of 44.84 feet to a point at the northerly right of way of Keene Street (40' right of way); thence along said northerly right of way 145.03 feet along the arc of a curve to the right, said curve having a radius of 361.06 feet and being subtended by a chord of N85°27'28"E, 144.06 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;
thence continue along said northerly right of way the following courses and distances: 18.33 feet along the arc of a curve to the right, said curve having a radius of 361.06 feet and being subtended by a chord of S81°34'52"E, 18.32 feet to a point; thence S80°55'24"E for a distance of 190.93 feet to a point; thence 59.26 feet along the arc of a curve to the left, said curve having a radius of 224.38 feet and being subtended by a chord of N85°29'29"E, 59.09 feet to a point; thence leaving said northerly right of way S11°45'00"E for a distance of 22.11 feet to a point; thence 61.70 feet along the arc of a curve to the right, said curve having a radius of 210.07 feet and being subtended by a chord of S86°39'54"W, 61.48 feet to a point; thence N80°55'24"W for a distance of 196.32 feet to a point; thence 17.45 feet along the arc of a curve to the left, said curve having a radius of 341.06 feet and being subtended by a chord of N81°34'10"W, 17.45 feet to a point; thence N06°57'54"E for a distance of 20.00 feet to a point, said point being the **TRUE POINT OF BEGINNING.**

Said tract of parcel of land contains 0.127 acres.

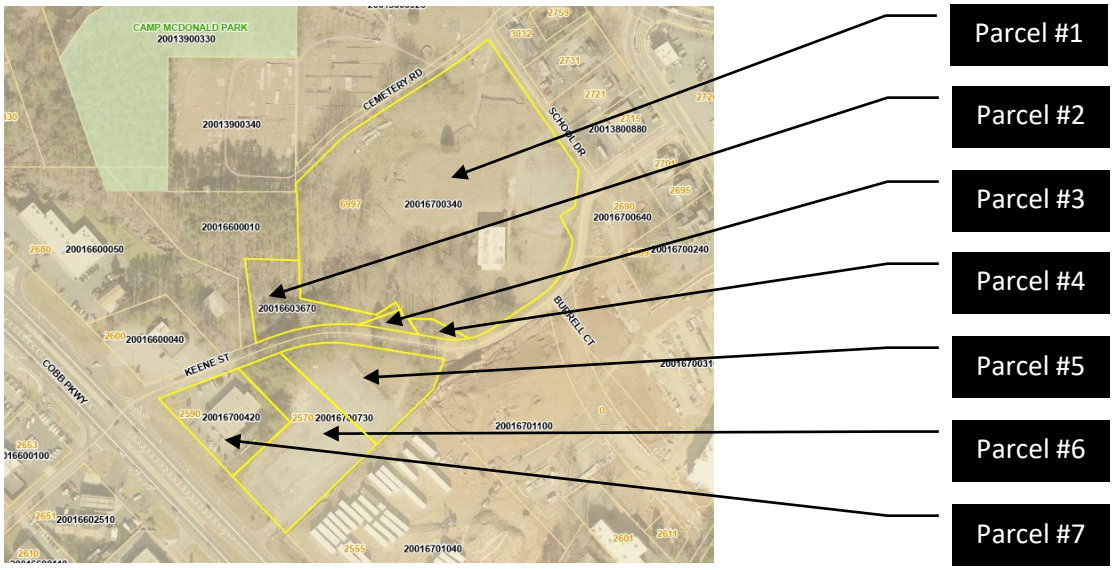
KENNESAW SQUARE

LETTER OF INTENT

Central Business District (CBD) Application Request

Project Summary

The proposed Kennesaw Square mixed-use development project (the "Project") is comprised of several adjacent tax parcels along with certain portions of the existing Keene Street Right-of-Way (ROW) proposed to be abandoned subject to approval by the City of Kennesaw. The Project totals 12.3 acres and includes each of the tax parcels outlined in the graphic and table below:



Existing Parcel	Parcel Number	Location Address	Owner	FLU	Existing Zoning	Proposed Zoning	Within KDDA	Within Historic District
1	20016700340	6997 Keene Street	Piedmont Residential LLC 285 Parkway 575 Woodstock, GA 30188	DAC	CBD	CBD	Yes	Yes
2	20016603670	Keene Street	Kennesaw City Storage LLC 1450 Brickell Ave, Suite 2560 Miami, FL 33131	DAC	CBD	CBD	Yes	Yes
3	20016701190 **(previously 20016701130)	Keene Street	Kennesaw City Storage LLC 2160 Kingston CT SE, Suite B Marietta, GA 30067	DAC	CBD	CBD	Yes	Yes
4	20016701130	Keene Street	Redwood Development LLC 2160 Kingston CT SE, Suite B Marietta, GA 30067	DAC	CBD	CBD	Yes	Yes
5	20016701180 **(previously 20016700730)	2570 N Cobb Pkwy	Kennesaw City Storage LLC 2160 Kingston CT SE, Suite B Marietta, GA 30067	CAC	HGB	CBD	Yes	No
6	20016700730 **(previously 20016701160)	2570 N Cobb Pkwy	Kennesaw City Storage LLC 2160 Kingston CT SE, Suite B Marietta, GA 30067	CAC	HGB	CBD	Yes	No
7	20016700420	2590 Keene Street	B N Auto Parts Company 2864 Wood Park Terrace Kennesaw, GA 30152	CAC	HGB	CBD	Yes	No

Note:
*Existing Keene Street ROW adjacent to subject parcels, to be abandoned (subject to approval by City of Kennesaw), and included in proposed Kennesaw Square project.
**Tax Assessor records updated PINs following the initial 10/20/23 application submission. New PINs include 20016701180 and 20016701190, and no longer reference PIN 20016701160.

The bulk of the acreage included in the Project is presently zoned Central Business District (CBD), while the three parcels located to the southeast of the remaining Keene Street right of way are presently zoned Highway General Business (HGB), but have been requested to be zoned CBD in order to have consistency across the entirety of the Project. Generally, all of the parcels included within the Project are within the Kennesaw Downtown Development Authority (KDDA), while the parcels northwest of Keene Street are also in included in the Historic District. The parcels southeast of Keene Street (which are subject to rezoning) are not located within the Historic District.

The parcels northwest of Keene Street have a Future Land Use designation of Downtown Activity Center (DAC), while the parcels southeast of Keene Street have a Community Activity Center (CAC) designation. The proposed development is consistent with each future land use designation.

Proposed Development

The Project is planned as a mixed-use development incorporating multi-family residential, commercial retail and a park/plaza area. The commercial aspects of the Project are intended to serve not only the proposed residents of the Project, but also the surrounding neighborhoods, the entire Kennesaw community, as well as the broader regional area by taking advantage of the Cobb Parkway transportation corridor. The Project is intended to provide ample parking for both residents and visitors, and will also provide pedestrian and alternative transportation connections to Main Street and downtown Kennesaw.

The Project is proposed to include a total of 371 multi-family residential units encompassing 387,850 gross square feet of building area, spread among five mixed use buildings. In addition, the project will include a total of 110,000 gross square feet of commercial retail space spread across the five multi-use buildings as well as four solely commercial buildings.[1] The commercial retail buildings proposed closest to Cobb Parkway are single story surrounded by surface parking in keeping with the commercial corridor of the parkway. North of the single-story retail buildings, and closer to downtown, a series of five multi-use buildings, each either four, five or six-stories in height, will include multi-family residential units over ground-floor retail. In partnership with the KDDA, the Project is proposing a six-story parking structure of 1,110 parking spaces so as to minimize the footprint of the development and allowing for the construction of a park/plaza area rather than additional surface parking. The garage facades internal to the Project will be lined with multifamily residential and ground floor retail, which will also front upon the park/plaza space. An additional 275 surface parking spaces are included within the Project, resulting in total proposed parking of 1,385 spaces, which is sufficient to accommodate not only the residents of the project, but also customers and visitors from the Kennesaw community and surrounding region.

It is envisioned that the central park plaza space will offer ample seating and broad walkways, landscaped focal points, shading through raised planters and ornamental trees, open lawn space, an outdoor stage/performance area, a water fountain, and patterned pavement surfaces. This central park/plaza will

[1] This Project is below the threshold of a Development of Regional Impact (DRI), and is therefore not subject to the Atlanta Regional Commission (ARC) DRI review process. The Project is below the threshold of 500,000 square feet of mixed-use development - which is the ARC threshold for multi-use developments in established and developing suburbs. The Project is also below the threshold of 500 new housing units and 400,000 square feet of commercial square footage which would alternatively trigger a DRI review.

serve as a flexible space for open air events, including farmers markets and festivals, thus encouraging the active outdoor community which will be a central theme of the project.

Consistency with Future Land Use (FLU)

As noted above, the Project falls within the Downtown Activity Center (DAC) and Community Activity Center (CAC) FLU designations. The parcels northwest of Keene Street have a DAC designation, while the parcels southeast of Keene Street have a CAC designation. In accordance with the City's Comprehensive Plan, the DAC purpose is to reinforce the unique role and character of the downtown area. New development and redevelopment are encouraged to be compatible in use, scale and appearance with Kennesaw's downtown activity center uses. The proposed Project is consistent with the DAC by offering a mix of residential and commercial uses coupled with a park/plaza space that serves the proposed residents of the Project as well as the overall Kennesaw community. The Project furthers the initiatives of the DAC by adding entertainment, commercial and retail opportunities, coupled with residential housing opportunities, while providing multi-modal transportation links from the Project to the downtown area and the Cobb Parkway transportation corridor. The Project's multi-story buildings are of a scale and architectural treatment which complement the downtown area, while providing a significant upgrade to the Cobb Parkway corridor. The Project is designed to provide a multi-use transition from Cobb Parkway to the downtown area, and to provide a link between these two areas which does not presently exist.

The CAC future land use designation aims to meet the immediate needs of several neighborhoods and communities. The Project is in compliance with its partial CAC designation by including a mix of uses, including shopping, entertainment and gathering spaces for the immediate needs of not only the proposed Project, but also the surrounding neighborhoods and communities. In addition, the Project provides a link between the Cobb Parkway corridor and downtown which does not exist today.

Consistency with Zoning District

The portion of the Project that is northwest of the existing Keene Street ROW is currently zoned Community Business District (CBD), while that portion of the Project that is southeast of Keene Street (specifically Parcels 20016700420 and 20016700730 and 20016701180), is currently zoned Highway General Business (HGB), although an application has been made to rezone such property to the CBD district to provide zoning consistency across the entire project. While there are no existing buildings located on the property that are needed to be protected, the CBD zoning district provides for the stimulation and enhancement of the vitality and economic growth of this area. The proposed Project is consistent with the CBD zoning district guidelines as it is a development intended to create an

environment where residents and visitors can live, work, meet and play amongst a balance of mixed uses designed around a central public square, and encourages and facilitates pedestrian movement and convenient access to the Historic Downtown Kennesaw and a link to the Cobb Parkway corridor which does not presently exist.

Consistency with Development Regulations

The proposed Project is consistent with the development regulations of the City's Code of Ordinances outlined in Section 4.02.03 Site Design Standards for Central Business District, as follows:

1) Minimum lot size, widths, and depths: None. It is the intent that each enterprise or use be located on a site commensurate with its use and sufficient to meet the requirements of off-street parking, loading and unloading, and setback requirements, where applicable.
   - ✓ The subject site proposed for the multi-use Project is sufficient in size, width and depth to meet the requirements of off-street parking, loading and setbacks, where applicable.

2) Maximum Lot Coverage: Not more that eighty-seven (87) percent of the area of any lot may be covered by buildings, structures, or stormwater facilities.
   - ✓ The proposed lot coverage is 34%, and does not exceed the maximum lot coverage allowance of 87%.

3) Minimum Setbacks
   a. Front – Established to "build-to-line" which equals the averaged distance from the property lines measured from the existing structures along right-of-way adjoining properties as measured from existing structures.
      - ✓ The existing structures located along the Cobb Parkway right-of-way are setback various distances, ranging from approximately 40 feet to 85 feet with an average of 58 feet. The proposed structures located along Cobb Parkway are setback approximately 6.5 feet. The applicant is seeking a variance from this development regulation.

   b. Side – None, except when abutting a residential zoning district where there is no intervening right-of-way, the setbacks requirement is ten feet. Where alleys exist between districts, the setbacks shall be five feet from the property line/alley right-of-way.
      - ✓ The subject property is surrounded by properties within the CBD zoning district, with two properties northwest of the Cobb Parkway and Keene Street intersection falling within the HGB zoning district. In addition, the School Drive right-of-way abuts the property on the northeast side. Since the property does not abut a residential district, no setback is required. While the City cemetery is located adjacent to the northwest portion of the property, the developer intends to work with the City to provide for an adequate setback, screening and facing architectural treatments to ensure appropriate consideration of the location of the cemetery and the needs thereof.

   c. Rear – None, except when abutting a residential district where there is no intervening right-of-way the setback requirement is 25 feet.
      - ✓ The subject property abuts the School Drive right-of-way to the rear, which in turn abuts properties in the CBD zoning district, thus it is not abutting a residential district and no setback is required. Despite the lack of any required setback, it is proposed that a minimum 6.5 foot setback around the entirety of the project.

d. Alleys – Where any alley exists between districts, the setback shall be five feet from the property line/ alley right-of-way.
   ✓ No alleys abut the subject property so this is not applicable.

4) Maximum building height: While there is no specific building height requirement, it is noted that variances are requested so as to allow the four, five and six story buildings proposed despite the Kennesaw Historic development regulations. It is noted that there are no proximate historical structures that need to be matched, and as such the proposed heights will not conflict with any adjacent developments.

5) Maximum floor area ratio (FAR) – 1.1 (FAR = Floor Area/ Lot Area)
   - The maximum FAR proposed is 0.93, which is below the maximum permissible FAR of 1.1.

6) Residential Development Standards:

   Condominiums: Minimum floor area for all units - 1,000 square feet
   ✓ The applicant is seeking a variance from the minimum floor area requirement of 1,000sf for the proposed condominium units to allow one-bedroom condominium units at a minimum size of 725sf. These minimum floor area sizes are consistent with current market trends for high-density mixed-use developments geared toward young professionals and active adults.

   Mixed use retail/residential with residential on second floor:
   a. The non-residential portion of the development shall obtain a certificate of completion before the issuance of the certificates of occupancy for the last 20 percent of residential units for the residential portion.
      ✓ The Project will adhere to this regulation.
   b. The gross floor area occupied by residential uses shall not exceed seventy-five (75) percent of the total gross floor area of the buildings or individual structures.
      ✓ The applicant is seeking a variance from the gross floor area (GFA) occupied by residential uses in the mixed-use retail/residential buildings not exceeding more than 75 percent of the total GFA. While the applicant proposes non-residential uses on the ground floor, due to the increased number of stories above the non-residential uses, the floor area occupied by residential use exceeds the minimum standard in several of the individual buildings and the overall development. The overall square footage of the development provides for 110,000 gross square feet of commercial and retail space, and 387,850 gross square feet of residential space. This results in an overall allocation of approximately 78% residential area as against 22% commercial and retail area. The applicant agrees that the overall project shall not exceed 78% residential uses.
   c. Minimum floor area for all residential units—1,000 square feet
      ✓ The applicant is seeking a variance from the minimum floor area requirement of 1,000sf to allow Studio and One-bedroom units ranging in size from 600sf to 725sf. These minimum floor area sizes are consistent with current market trends for high-density mixed-use developments geared toward young professionals and active adults. These sizes are similar apartments located at The Avalon in Alpharetta.

   For-Rent Residential Apartment units:
   a. To be allowed only in mixed use residential/commercial projects.
      ✓ The Project proposed is a mixed-use residential/commercial development.

b. Rental apartment units will be allowed subject to specific development agreement conditions as part of the Central Business District project approval process as per UDC Section 4.02.03(H).
   - ✓ The Project is being reviewed through the CBD approval process.

c. Minimum floor area for all residential units in mixed use residential project to average 1,000 square feet.
   - ✓ The minimum floor area for all residential units is anticipated to average less than 1,000 square feet. The applicant is seeking a variance from the minimum floor area for all residential units to allow for studio units at a minimum size of 600 square feet and one-bedroom units at a minimum size of 725 square feet.

d. Units with a floor plan totaling the minimum of 850 square feet can be utilized for no more than 30 percent of the total apartment units for the project.
   - ✓ Based upon the proposed minimum square footage of each apartment, coupled with the anticipated mix of unit types, the applicant seeks a variance to allow for a minimum apartment size of 600 square feet, provided that such units shall account for a maximum of 10% of the total For-Rent apartment units of the Project. Further, applicant seeks to allow a total of not more than 55% of the For-Rent apartment units in the Project to be less than 850 square feet in size.

7) Parking, Road and Access Requirements:
   - Angled on-street parking on both sides shall be permitted dependent upon site plan review and approval.
     - ✓ Angled on-street parking is proposed on both sides along a portion of the main boulevard proposed as part of the Project, although in some areas only one side of the street will include angled parking.
   - Rear access shall be provided to townhouse and multifamily garages, single-family dwelling garages, and commercial loading and service areas, where such access is feasible.
     - ✓ Commercial loading and services areas are proposed within the rear of the relevant buildings. Surface parking and access to the garage deck is proposed in the rear or sides of the multifamily mixed-use buildings. Is this still an accurate statement?
   - Bicycle or moped parking spaces are required as follows: All new non-residential uses shall provide one (1) such space for every twenty (20) automobile spaces but not less than one (1) space and new residential uses shall provide one (1) such space for every five (5) units. Such spaces shall be located a maximum distance of 100 feet from the primary pedestrian entrance.
     - ✓ Bicycle parking is provided and will be located within 100 feet from each of the primary residential building entrances. Based on the total 1,385 parking spaces proposed for the project, a minimum of 69 bicycle spaces are required; however with 371 residential units proposed, the minimum bicycle spaces required increases to a total of 74 bicycle spaces.

Compliance to Downtown Redevelopment Plan Vision

The Downtown Kennesaw Livable Communities Initiative (LCI) purpose is to create an economically viable and active Downtown that serves Kennesaw's multi-generational community with a mix of uses and community amenities, while preserving its small town charm. The proposed Project is in compliance with the LCI based on the following elements proposed within and as a part of the Project development:

- Multifamily development with a mix of unit sizes to provide housing opportunities for a mix of incomes and generations
- Structured parking encouraged in developments over 2 acres, to be screened by buildings fronting the primary streets and landscaping along secondary streets
    - Structured parking designed to supplement surface parking, especially at peak hours and during events
- Active public spaces – proposed public square labeled as the park/plaza envisioned to include:
    - Outdoor stage/performance area
    - Open lawn
    - Shaded seating and walkways
    - Water fountain
    - Raised landscape planters
    - Landscape materials to provide shade, focal points and ornamentation
    - Patterned pavement vehicular drives adjacent to public square to enlarge public space separate from vehicular traffic for special events and festivals for vendors to further activate the space and connect the surrounding ground-floor commercial retail to the public square
- Activate public spaces with healthy design features
    - Water features (relaxation element and mitigate depression)
    - Natural elements (improve cognitive function, attentiveness and concentration, also reduce depression)
    - Shade [trees] (block harmful UV rays)
    - Bio swales (collect and filter harmful runoff)
    - Small gathering spaces (social interaction and meditation)
    - Accessibility (provide inclusion and universal access)
    - Bike lanes (multi-modal transit and exercise)
- Wayfinding and beautification for major gateway nodes into Downtown (Keene Street and Cobb Pkwy identified)
- Sidewalk connectivity and infill, in addition to Keene Street being identified for pedestrian connections to downtown
- Cobb Parkway offers opportunities for regional mixed-use job centers and future transit oriented development
- Cobb Parkway corridor should encourage higher densities and building heights to further promote transit oriented development and future rapid transit stops and serve a regional audience

MINUTES OF KENNESAW DOWNTOWN DEVELOPMENT AUTHORITY MEETING
CITY OF KENNESAW
Council Chambers
November 10, 2023
7:30 AM

Present	Chair Mark Allen Vice Chair David Lyons Treasurer Leslie Patton Secretary Mary Jo Groeneveld Lexie Newhouse Ian Coats Nimesh Patel Leslie Patton

1. Call to Order / Roll Call

Chair Mark Allen called the meeting to order at 7:32 am.
Members present: Mark Allen, Nimesh Patel, David Lyons, Lexie Newhouse, Leslie Patton, Ian Coats, Mary Jo Groeneveld.
Staff present: Luke Howe, Miranda Taylor, Councilmember Pat Ferris

2. Approval of the Meeting Minutes

A. Approval of 10.13.23 draft meeting minutes

The board reviewed the draft minutes from the October 13, 2023 meeting. Mark Allen noted that the Executive Session section of the draft minutes should reflect a motion in open session regarding Property A, as discussed in Executive Session. David Lyons made a motion to approve the draft minutes as amended. Nimesh Patel seconded the motion. Motion passed unanimously.

B. Approval of 10.13.23 draft executive session minutes

The board reviewed draft Executive Session minutes from the October 13, 2023 meeting. Nimesh Patel made a motion to approve the Executive Session minutes as presented. David Lyons seconded the motion. Motion passed unanimously.

3. Financial Report

A. Financial report as of 10.31.23

Leslie Patton presented the financial report as of 10.31.23, with an ending cash balance of $82,695.04. David Lyons pointed out that we are currently collecting more rent than we pay on the 2844 S. Main property, and asked if we should reflect these funds as a liability in our financial reports. Staff will follow-up with the Finance department on this question. David Lyons made a motion to approve the financial report as presented. Leslie Patton seconded the motion. The motion passed unanimously.

B. Review of current/open invoices

DRAFT

The board reviewed legal invoices submitted for the month of October. Nimesh Patel made a motion to approve the invoices as presented. Ian Coats seconded the motion. The motion passed unanimously.

4. Old Business

A. Discussion of 2024 Beer Festival rebranding

As we've discussed in previous meetings, the Beer Festival in its current state is not performing as expected, and attendance has been declining. There was a proposal to try a mimosa festival concept, but the board was not fully supportive of such a narrowly focused event. Mark Allen discussed the 2024 event with Mike DiLonardo at Atlanta Beer Festivals and shared feedback from the board. Mike indicated that he would be amenable to presenting the event again as the Kennesaw Beer & Wine Festival, but would need to do it in a different venue, preferably at the new amphitheater. Mark asked staff if there was a no-nonsense date that the amphitheater is expected to open. Staff shared that at this time, there is not a published date for opening, because we still don't know what impact winter weather may have on the upcoming construction phases. The board discussed moving the event to the fall to ensure amphitheater availability, but recognized that they'll need to be careful not to schedule our event too close to the Acworth Beer Festival, which is also in the fall. No action necessary today, but Mark will continue to discuss details with Mike and report back.

5. New Business

A. CBD Project Review: Kennesaw Square

Nate Sirang (attending via zoom) introduced his company, Concord Wilshire, and gave a brief overview of their portfolio. Concord Wilshire is partnering with Piedmont Residential on the Kennesaw Square project. This project will be a destination mixed-use project, constructed as part of the Cobb Parkway Corridor redevelopment and an enhancement to the city's walkable downtown goals/amenities. Michael Miller with Piedmont Residential shared the site plan concept and project overview, including a presentation of the master plan and a breakdown of the uses proposed for the site, as shown in the CBD project application. He indicated the residential uses would be a mix of for-sale and rental products, but they are still working out the percentage mix for these two uses. The site plan provides pedestrian and vehicular connectivity to downtown, but the majority of the vehicular access is designed to come from Cobb Parkway, as this is a corridor that is built to handle larger traffic loads.

Nate Sirang presented a summary of the business plan. The total project value is estimated at $150 Million and will be built in one phase. The economic impact anticipates providing 855 construction jobs and once built will add 125 FT and 175 PT retail/ commercial jobs. Nimesh Patel asked if there was any estimate on the starting price of the for-sale residential product; at this time there is not an estimated price point as this would be driven by supply costs and market conditions when the units are built. Mr. Sirang also presented the project budget and noted this is a preliminary budget (because the project has not been formally bid out yet). This project will be developed in one phase over the next 4-5 years, allowing approximately 1 year for construction

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drawings/plans/plan review, 1 year for site work and 2-3 years for complete vertical construction. He also reviewed the cost summary for the elements that would potentially be included in future bond-for-title discussions at an estimated value of $60 Million.

The board had the following questions for the applicant:

- Ian Coats: Is interested to see the entrance/access to the project from Main Street; how easy is it to access and will it be an attractive entrance or look like a "back entrance"? Mr. Miller shared a concept drawing outlining the view from Main Street, and shared that it would be an attractive entryway to the project. Darryl Simmons addressed the Cobb Parkway revitalization efforts vs Main Street revitalization. This project will not isolate Main Street, but will focus vehicular traffic on Cobb Parkway.
- David Lyons: Is the average square footage for residential units in the whole development 800 SF? This seems small and doesn't meet the city's minimum of 1000 SF. Darryl Simmons provided an update to the board on how recent developments in the city (Revival on Main, The Ellison, the development at the former Tug site) have varied their unit sizes to meet market demand. This is something that is handled through the zoning process when projects like this are approved. Darryl also reminded the board that our CBD ordinance is over 10 years old and the market has changed in that time to support smaller units such as the ones outlined in this project. The unit sizes proposed are not out of line based on other developments in the city.
- Lexie Newhouse: Would a sidewalk be added on Cemetery Street to encourage pedestrian connectivity? Mr. Miller indicated that they are willing to work with the city to outline appropriate connectivity improvements on Cemetery Street and Keene Street to ensure pedestrian access.
- Leslie Patton: Is there a commitment that this is what we will actually see built in 5 years? How do we know this is what will be built? Luke Howe shared that our legal team has advised us to do an assignment of the existing development agreement on this site (as that is allowed due to the transfer of ownership) which will outline many of the requirements discussed today. In addition, the requirements of any incentive agreements would be tied to construction of the elements outlined in the business plan; if those elements are not built, the incentives are not given (similar to the Tug site incentives approved last year). We would come back to consider a bond for title deal after the CBD project application is approved at the Mayor & Council level, so any requirements identified during the CBD process can be incorporated into those agreements. Scott Peters, legal counsel for the applicant, addressed his client's understanding of the requirements and commitments as they relate to the development agreement and any future incentive agreements; they understand that incentives don't exist until the project is fully built to the expectations outlined in the agreements. Fred Bentley, Jr. (attending via zoom) echoed these comments and advised the board that he has been working with the applicant and staff to outline the development agreement.

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- David Lyons: Shared that this project appears to be a great fit for Kennesaw and he is supportive of the project.
- Mark Allen: discussed the traffic concerns mentioned earlier and noted that Cobb Parkway is exactly the focus that is needed for this project as it can handle the increased traffic.
- David Lyons: What is the ask today? Staff advised that the board's consideration is to approve the CBD Project application submitted by the applicant. Following our meeting today, the CBD application will go to the Historic Preservation Commission and then Mayor & Council

David Lyons made a motion to approve the CBD project application and concepts as presented. Ian Coats seconded the motion. Motion passed unanimously.

6. Public Comment

There was no public comment at this meeting.

8. Executive Session

Executive Session was taken out of order, following Item 6 - Public Comment. Let the record reflect that KDDA Member Nimesh Patel left the meeting at 8:24 am due to a scheduling conflict.

Lexie Newhouse made the following motion: That this Authority now enter into closed session as allowed by O.C.G.A. §50-14-3 and pursuant to advice by the City Attorney, for the purpose of discussing Legal & Land. Seconded by Ian Coats. Those voting in favor: Mark Allen, Ian Coats, David Lyons, Mary Jo Groeneveld, Lexie Newhouse, and Leslie Patton. Those opposed none. The motion passed unanimously. The KDDA entered closed session at 8:26 am.

Lexie Newhouse made the following motion: That this body, in open session, adopt a resolution authorizing and directing the presiding officer to execute an affidavit in compliance with O.C.G.A. §50-14-4, and that this body ratifies the actions of the KDDA taken in closed session and confirm that the subject matter(s) of the closed session were within the exceptions permitted by the open meetings law. Seconded by David Lyons. Those voting in favor: Mark Allen, Ian Coats, David Lyons, Mary Jo Groeneveld, Lexie Newhouse, and Leslie Patton. Those opposed none. The motion passed unanimously. The KDDA exited closed session at 8:36 am

A. Pursuant to the provisions of O.C.G.A. 50-14-3, the KDDA 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 (4) and/or real estate matters as provided under O.C.G.A 50-14-3(6).

7. Board & Staff Comment

A. Business Recruitment & Retention Presentation - Tanyel Aviles

Tanyel Aviles provided a business recruitment/retention overview and reviewed the BRE survey she uses with local businesses. Common themes she has identified with local businesses include workforce issues (attraction/retention), marketing/visibility, and

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infrastructure. She's planning the following programs for 2024: Job Fair, quarterly SBDC classes, and quarterly business roundtables.
David Lyons asked Tanyel how business owners find her to use her services? Tanyel's information is included in the business license packets and is on our website, and she visits all new businesses. David noted that this role is something that the board has talked about for a while and he is glad to see it meeting needs for business owners.
Ian Coats asked Tanyel how the KDDA can help support her? Tanyel said they can refer potential business owners or current owners to her if they need assistance with any issues.
David Lyons requested for Tanyel to attend KDDA quarterly and share updates on trends and observations, which Tanyel agreed to do.
No action required on this item.

B. Main Street Standards (Miranda Taylor)

Miranda Taylor reviewed Main Street Standard 3: Diversified Funding and Sustainable Program Operations. David Lyons requested a copy of the annotated version of the handout so that the board has a copy of the items discussed under each indicator for this standard.
Mark Allen stated that he would like to see us outline one Main Street project that can be completed in the next 12 months that can be highlighted as a completed project. He asked the board to brainstorm ideas and decide on a project in January.
Ian Coats asked if we should consider putting together an annual report for Main Street/KDDA; staff agreed to put together a sample of what this could look like.
No action required on this item.

C. 2023 Holiday Market Recap Report

Miranda Taylor provided an update on the 2023 Holiday Market. The Saturday event was well attended and we likely got a lot of cross-attendance from Taste of Kennesaw. The Friday night VIP night went well, although attendance was a little low. We have made notes for improvement for next year! The vendors were all happy with their sales for the weekend and overwhelmingly approved the move to an indoor venue. Miranda will work on securing a date for next year immediately so that we can start vendor recruitment earlier in the year. No action required.

9. Adjourn

With no further discussion, David Lyons made a motion to adjourn, seconded by Leslie Patton. Motion passed unanimously. Meeting adjourned at 9:23 am.

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

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MINUTES OF HISTORIC PRESERVATION COMMISSION MEETING
CITY OF KENNESAW
Council Chambers
December 6, 2023
8:00 AM

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1. Call to Order / Roll Call

The meeting was called to order by Chairman Whipple at 8:05 a.m.
Roll Call: Commissioner Ferguson, Commissioner Butler, Commissioner Gallagher, Commissioner Buffington
Absent: Commissioner Blandford
Staff Present: Darryl Simmons (Planning and Zoning Administrator) and Natalie Faustine (Community Development Administrative Assistant)
Speakers Present: Michael Miller (Applicant, Piedmont Residential), Nate Sirang (Applicant, Concord Wilshire), and Scott Peters (Applicant's Attorney).

2. Approval of the Meeting Minutes

A. Meeting Minutes from October 20, 2023

Chairman Whipple calls for a motion to approve meeting minutes from the meeting on October 20, 2023.
Motion by Commissioner Butler to approve.
Seconded by Commissioner Gallagher.
Chairman Whipple proceeds with a roll call for approval.
Vote taken, motion unanimously approved 3-0. Motion carried. Commissioner Buffington abstains.

3. Financial Report

Mr. Darryl Simmons reports that since the last meeting there have been no new expenditures by the HPC or by staff on their behalf. All the current amounts of training dollars and donated dollars remain unchanged. There is a $1,000 budget item under Planning and Zoning, as well as $3,000 for related training for use by the HPC. $23,179 has been put in a special account for donated dollars per year.

Chairman Whipple calls for a motion to approve the financial report as submitted.
Motion by Commissioner Gallagher to approve.
Seconded by Commissioner Butler.
Vote taken, motion unanimously approved 4-0. Motion carried.

4. Old Business

5. New Business

A. Consideration for approval of a variance application submitted by Kennesaw

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Square Development, LLC for the properties located at 6997 Keene Street (20016700340), Keene Street (20016603670, 20016701130, 20016701190), 2570 N Cobb Parkway (20016700730, 20016701180), and 2590 Keene Street (20016700420). Case #ZV2023-04.

Mr. Simmons states both agenda items pertain to the same project, the development of Kennesaw Square. Since part of the project is near downtown and within the Camp McDonald Historic District, the project must be approved by the Kennesaw Downtown Development Authority, the Historic Preservation Commission, the Planning Commission, and the Mayor & Council. He explains that the applicant will do their presentation, then the items will be addressed separately. One item deals with two variances in the proposal, and the other item is the overall Central Business District project approval. He yields the floor to the applicant.

Mr. Nate Sirang (Applicant) introduces his real estate development company, Concord Wilshire, and tells the Commissioners about previous and current developments. He describes the proposed project as a Cobb Parkway corridor improvement project that is intended to create a destination mixed-use development located along the northeast side of Cobb Parkway.

Mr. Michael Miller (Applicant) explains that the proposed site of this development consists of several parcels of land. Their vision is to build a mixed-use development containing commercial and residential space. They wish to incorporate a central plaza to be used as common space for the community to host seasonal events, farmers markets, and so forth. Four buildings are proposed to be strictly commercial retail, three are to be residential over commercial, and one is to be residential over an entertainment facility such as a theater. There will also be a parking garage to provide parking not only for the residents, but 500 additional spaces for the public.

Mr. Miller reviews the entrances to the proposed development and highlights its pedestrian-friendly connectivity to Main Street and vehicular traffic connectivity to Cobb Parkway. Various architectural renderings are presented to portray what the development is expected to look like from different points in the city, as well as to convey the proposed architectural style. He points out that they are aware the development will be next to the city's cemetery. During a survey of the property, they identified certain elements that are part of the cemetery that encroach on the property they acquired. He states that it is not a problem, and they are willing to work with the city to deal with those encroachments.

Mr. Scott Peters (Applicant's Attorney) goes to the podium to introduce the two variances they are seeking from the HPC. He briefly reviews the current zoning of the area and explains they have also submitted a rezoning application, so all parcels included in this project will be in the Central Business District. According to the Unified Development Code Section 4.02.03.B.4, site design standards for the Central Business District are subject to Historic District Design guidelines.

The first variance request is to vary from the Historic District Design Standard Section 5.2.03, non-

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residential buildings shall not exceed 3 stories in height. This project proposes buildings that are four, five, or six stories in height. He mentions that apartments are being built next door that are four stories in height and are on a higher topography, so the development they are proposing will be consistent with that. He continues to explain that the purpose of the code is to ensure that buildings in the historic district match the existing downtown area, but this project is located in the Camp McDonald Historic District, which does not have any buildings to match. Given it is a Cobb Parkway redevelopment project, Mr. Peters states he believes that the proposed development is consistent with the city's vision, and they are asking for a variance for the height of the buildings.

The second variance request is to vary from section 5.4 of the Historic District Design Standard regarding exterior walls. Again, the purpose of the Historic District Design Standard is to ensure that new developments are designed to match the character of the existing buildings, but there are no existing buildings in this historic district. He mentions that they are conscious of the fact that the cemetery is right next door and, as a result, they are looking at using materials that are consistent with the cemetery from an appearance standpoint, such as stack stone and brick. He reiterates that this project is geared towards Cobb Parkway, not downtown, and the architectural standards for downtown are not consistent with those of Cobb Parkway.

Mr. Simmons presents a map of the five historic districts in Kennesaw. He points out Camp McDonald's location along Cobb Parkway and its closeness in proximity to modern buildings such as a car wash, pawn shop, bank, and dental offices. There is very little as far as historic assets to reference, so staff recommends this is looked at as a non-contributing district. He proposes that a monument or plaque should be built into the project to identify the history of the site.

Chairman Whipple asks about an ongoing survey of the historical districts and what their stance is on the Camp McDonald district. Mr. Simmons responds that they recommended the land area for the Camp McDonald district to be reduced to solely include land that still has historical significance, or that the district may be eliminated altogether. The Commission will ultimately determine what course of action is appropriate.

Commissioner Gallagher asks whether the external building materials will match the Historic District Design Standards or if they are seeking a variance for that as well. Mr. Peters responds that they are not seeking a variance for the materials, they are seeking variance for the style. He states they are comfortable with the permitted materials.

Chairman Whipple briefly reviews the variance requests and highlights some factors of consideration that are important to the HPC. He asks if there are architectural renderings of the view of the project from the cemetery or if the builders have ideas on how they plan to soften the look. Mr. Peters responds that they are still working on the design, and they are willing to have the design and materials go through HPC approval. Mr. Simmons adds that they also discussed the buffering of the cemetery for the project, so that it will be included in a resubmittal to the HPC once they determine what is suitable.

Commissioner Ferguson asks if the Cemetery Preservation Commission has been apprised of this project. Mr. Simmons responds that the project was presented to Mayor

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& Council, and the council liaison to the Cemetery Preservation Commission is well aware of the project. However, the final submittal of the project will not be required to go before the CPC.

Commissioner Buffington asks if the buffer for the cemetery will go past the developed portion of the property onto the undeveloped portion that stretches to Keene Street. Mr. Simmons responds that the final landscaping plan will determine that, but for now they are focusing on the cemetery. He states that this project would be developed in one phase, so there will not be too much back and forth as far as revisions go.

Commissioner Gallagher asks where they are in the design phase of the structure and finishes. Mr. Sirang responds that they are still in the preliminary phase, which is why they do not have details regarding the materials to share at this time.

Commissioner Butler brings up her concern about building a five-story structure right behind our historic site on Summers Street and the six-story structure behind the cemetery. She expresses that she does not want the historic sites to be overshadowed by bigger buildings, as has been done in the city before.

Chairman Whipple comments that previously with large developments, the HPC has requested that developers present progress updates for review and approval and suggests the same is done with this project. He asks Mr. Simmons if there have been any similar motions made by other Commissions, so they could align what those progress updates will look like. Mr. Simmons responds that there have not. He explains the CBD project approval goes before the KDDA for the business plan, then it goes before the HPC and Planning Commission before going to the Mayor and Council. He reminds the commissioners that with some of the previous mixed-use developments, updates were requested for key milestones in the project, such as at twenty-five percent completion, fifty percent, seventy-five percent, and one hundred percent. He asks the Commissioners to keep in mind that at this point this project is entirely conceptual. As the design process progresses, other agencies outside the city will be required to weigh in, such as Cobb Water and Sewer as well as the Cobb County Fire Marshall. He states that conceptually it will be appropriate to ask for a timeline or milestone-based status report.

Chairman Whipple returns to the topic of a commemoration to the Camp McDonald historical site. He suggests the applicant works with Mr. Andrew Bramlett in developing the verbiage for a commemoration of Camp McDonald for review and approval by the HPC.

Mr. Miller says they would be happy to do that and mentions that Piedmont Residential previously built a commemoration to Mayor Pritchard in the Pritchard Park development here in Kennesaw.

Chairman Whipple thanks Mr. Miller and goes over the conditions that must be mentioned in the motion.

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Chairman Whipple calls for a motion.
Motion by Commissioner Gallagher to approve under the following conditions:

- Design may vary from Kennesaw Historic District Design Standard 5.2.03 regarding building height.
- Design updates must be submitted at 25, 50, 90, and 100 percent completion until the approval of the final project.
- Design updates must include landscaping plans.
- Applicant will maintain consistency with HPC guidelines with the variance approval for section 5.4 of the Kennesaw Historic District Design Standards regarding exterior features.
- The mass and scale of the buildings that face the cemetery should be considered in the plan review process.
- A commemorative plaque or monument approved by the HPC should be prominently placed within the development to recognize the historical area of Camp McDonald.

Seconded by Commissioner Ferguson.
Chairman Whipple proceeds with a roll call for approval.
Vote taken, motion unanimously approved 4-0. Motion carried.

B. Consideration to review a CBD project application request for a mixed-use development on five parcels located at 6997 Keene Street (20016700340), Keene Street (20016603670, 20016701130, 20016701190), 2570 N Cobb Parkway (20016700730,030016701180), and 2590 Keene Street (20016700420). Case #CBD2023-02.

Mr. Simmons briefly introduces the next item, which is the CBD project approval.

Chairman Whipple calls for a motion to approve the application with conditions outlined in item A.
Motion by Commissioner Gallagher to approve.
Seconded by Commissioner Buffington.
Chairman Whipple proceeded with a roll call for approval.
Vote taken, motion unanimously approved 4-0. Motion carried.

6. COAA Approval by City Staff and HPC Chair

A. COAA2023-19 - 2910 Cherokee Street NW, Suite 101

This Certificate of Appropriateness application was submitted by Katie Matthews on behalf of High Stakes Creative to change the face of a sign at 2910 Cherokee Street NW to reflect a business name change. There were no structural changes to be made. It was administratively reviewed and approved on October 26, 2023.

B. COAA2023-20 - 2243 Lewis Street

This Certificate of Appropriateness Application was submitted by Kim Wakefield on behalf of Denyse Companies Inc to install two non-illuminated wall signs on the front

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elevation of the building at 2243 Lewis Street. It was administratively reviewed and approved on November 9, 2023.

C. COAA2023-21 - 3001 N Main Street

This Certificate of Appropriateness Application was submitted by Fred Moore to re-roof his home at 3001 N Main Street with shingles matching the existing roof. It was administratively reviewed and approved on November 9, 2023.

D. COAA2023-22 - 2237 Whitfield Place NW

This Certificate of Appropriateness Application was submitted by Katie Matthews of High Stakes Creative to install a stand-alone sign at 2237 Whitfield Place NW. It was determined that the height and type of sign is appropriate, as it does not cause any motorist or pedestrian visibility issues. It was administratively approved on November 10, 2023.

7. Discussion

Mr. Simmons introduces the newest member, Commissioner Buffington, and mentions that there is still an opening on the Commission that needs to be filled.

8. Public Comment

Chairman Whipple calls for public comment, to which he receives no response.

9. Staff Comment

Chairman Whipple opens the floor for staff comment.

Mr. Simmons explains that this is Commissioner Ferguson's last meeting as a member of the HPC and thanks him for his consistent participation and thoughtful questions.

Chairman Whipple mentions that the next meeting is scheduled for Friday, December 15th but will be canceled if no new applications are recieved.

10. Adjourn

Chairman Whipple adjourned the meeting at 8:57 a.m.

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Item Report

TO: The Honorable Mayor and City Council

FROM: Darryl Simmons, Zoning Administrator

DATE: December 18, 2023

TITLE: Consideration for approval of an amended final plat application submitted by Traton Homes for 1630 Stanley Road. Case #FP2023-07.

Summary:

This final plat is for phase 2 of a townhome development at 1630 Stanley Road. The plat depicts 35 single-family townhomes. The overall area of the site is 4.07 acres. The property is zoned as Fee Simple Townhomes and lies in land lot 213. The Plan Review Committee including Cobb Fire and Cobb Water have all reviewed said plat for compliance and recommend approval. This plat revision addresses Cobb County Fire Marshal comments regarding relocation of a fire hydrant and valve across from Unit 23 and correction of the street name formerly Pardee Drive, to the new street name Turnbridge Lane in front of building eight.

Recommendation:

The Planning and Zoning Administrator and the Plan Review Committee recommend approval of the amended final plat application.

Fiscal Impact:

Attachments:
1. Stanley Rd Plat Application_Redacted
2. 11-08-23 haven at stanley rd ph2-final plat revision 2

FP2023-07

Date Received 11/14/2023
Staff's Initials NF

PRELIMINARY, FINAL AND REVISE PLAT APPLICATION

Required Fee $250.00

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

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

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

Date of Consultation _____ **Staff Initials** _____

DEVELOPMENT NAME Number of Units
HAVEN AT STANLEY ROAD PHASE 2 revision 2

PURPOSE OF DEVELOPMENT SINGLE FAMILY TOWNHOMES

WHAT IS THE REVISION BEING MADE _____

ADDRESS OF PROPERTY STANLEY ROAD

Parcel ID 20021300000150 Lot Size 1400 Present Zoning FST

Current Use SINGLE FAMILY TOWNHOMES Proposed Use SINGLE FAMILY TOWNHOMES

APPLICANT TRATON HOMES

Applicant address 720 KENNESAW AVE, MARIETTA, GA 30060

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

Applicant Signature _____

Signed, sealed and delivered in presence of: _____ 11/10/23
Notary **Date**

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

REPRESENTATIVE GASKINS-SALLY JORDAN (Phone #) [redacted] Email Address [redacted]

Representative Signature _____

Signed, sealed and delivered in presence of: _____ 11/10/23
Notary **Date**

JENNIFER ELLIS NOTARY PUBLIC COWETA COUNTY, GEORGIA MY COMMISSION EXPIRES May 19, 2026

TITLEHOLDER Stanley Road Development (Phone #) [redacted]

Titleholder Signature _____ Address 720 Kennesaw Ave NW Marietta, GA 30060

Signed, sealed and delivered in presence of Notary _____ Date 11/10/23

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

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 10th day of November, 2023

_____

Applicants Signature

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

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

Deed Book 15854 Page 2814
Filed and Recorded 01/19/21 2:49:00 PM
2021-0007923
Real Estate Transfer Tax $3,265.00
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 1983094574
7067927936

NCS 963331

After recording, please return to:
First American Title Insurance Company
National Commercial Services
3455 Peachtree Road NE, Ste. 675
Atlanta, GA 30326
Attention: Ashley Armstrong

Cobb County Tax Parcel: # 20021300150

STATE OF GEORGIA

COUNTY OF COBB

LIMITED WARRANTY DEED

THIS LIMITED WARRANTY DEED is made this 15th day of January, 2021, by and between WILLIAM RONALD QUARLES, AS EXECUTOR OF THE ESTATE OF MADGE TURNER QUARLES, DECEASED ("**GRANTOR**"), having an address of 555 Ash Ridge Rd., Waleska, Georgia 30183, and STANLEY ROAD DEVELOPMENT, LLC, a Georgia limited liability company ("**GRANTEE**"), having an address of 720 Kennesaw Avenue, Marietta, Georgia 30060; the terms "GRANTOR" and "GRANTEE" to include their respective successors, successors-in-title, heirs, executors, administrators, legal representatives, and assigns where the context requires or permits).

WITNESETH:

GRANTOR, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and for other good and valuable consideration in hand paid by GRANTEE to GRANTOR at and before the sealing and delivery hereof, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and does hereby grant, bargain, sell, alien, convey and confirm unto the said GRANTEE, subject to the Permitted Exceptions (as defined below) all that tract or parcel of land located in Land Lot 123, 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia, as more particularly described on **Exhibit "A"** (the "**Land**"), TOGETHER WITH all right, title and interest of the Grantor in and to (i) those certain buildings, structures and fixtures presently situated on such real property; (ii) all streets, roads, alleys, easements, rights of way, licenses, rights of ingress and egress, vehicle parking rights and public places, existing or proposed, abutting, adjacent, used in connection with or pertaining to the Land and improvements thereon; (iii) any strips or gores of real property between such real property and abutting or adjacent properties; (iv) all minerals, royalties, gas

rights, water, water rights, timber and crops pertaining to such real property (if any); and (v) all appurtenances and all reversions and remainders in or to such real property (the Land and the foregoing rights, easements and appurtenances being collectively referred to as the "**Property**").

TO HAVE AND TO HOLD the Property, together with all and singular the rights, easements, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of GRANTEE forever in FEE SIMPLE; subject only to the matters set forth in **Exhibit "B"** (the "**Permitted Exceptions**").

AND GRANTOR covenants and warrants unto GRANTEE that GRANTOR is lawfully seized and possessed of the fee simple estate in and to the Property; and that GRANTOR will warrant and forever defend the right and title to the Property unto GRANTEE against the claims of all persons whomsoever, claiming by, through or under GRANTOR, but not otherwise, subject only to claims arising under or by virtue of the Permitted Exceptions.

[Signature page follows.]

IN WITNESS WHEREOF, GRANTOR has caused this deed to be signed, sealed and delivered by its duly authorized representative as of the day and year first above written.

GRANTOR:

Signed, sealed and delivered in the presence of:

By: _____
William Ronald Quarles, as Executor of the Estate of Madge Turner Quarles, Deceased

_____
Witness

(CORPORATE SEAL)

_____
Notary Public

Commission Expiration Date:

_____

OFFICIAL SEAL
BRUCE W BAGGARLY
Notary Public, Georgia
COBB COUNTY
My Commission Expires
November 20, 2023

(NOTARY SEAL)

Exhibit A

Legal Description

All that tract or parcel of land lying and being in Land Lot 213 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia, said tract or parcel of land being more fully shown and designated on a plat of survey prepared by Valentino & Associates, Inc. (Job #19-046; Drawing/File #19-046), bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described, with bearings relative to Grid North, Georgia West Zone, as follows:

To find the POINT OF BEGINNING, COMMENCE at a 1-1/4" iron bar found at the common corner of Land Lots 205, 206, 213 and 214;

THENCE southerly along the Land Lot line common to Land Lots 213 and 214, South 00 degrees 45 minutes 09 seconds West for a distance of 1417.80 feet to a 1/2" rebar found;

THENCE departing said Land Lot line, North 76 degrees 56 minutes 24 seconds East for a distance of 672.96 feet to a bent 2" open top pipe found, said bent 2" open top pipe found being the POINT OF BEGINNING.

THENCE North 76 degrees 56 minutes 24 seconds East for a distance of 65.03 feet to a 1/2" iron pin set;

THENCE along a curve to the left having a radius of 200.50 feet for an arc distance of 76.78 feet (said arc being subtended by a chord of North 65 degrees 58 minutes 11 seconds East for a distance of 76.31 feet) to a 1/2" iron pin set;

THENCE North 54 degrees 59 minutes 58 seconds East for a distance of 201.35 feet to a 1/2" iron pin set;

THENCE North 00 degrees 40 minutes 53 seconds East for a distance of 103.22 feet to a 1/2" iron pin set;

THENCE North 44 degrees 07 minutes 41 seconds East for a distance of 508.15 feet to a 1/2" rebar found;

THENCE South 28 degrees 46 minutes 42 seconds East for a distance of 546.70 feet to a 1/2" rebar found on the northwesterly right-of-way line of Stanley Road (variable width public r/w);

THENCE proceeding southwesterly along said right-of-way line of Stanley Road South 53 degrees 35 minutes 20 seconds West for a distance of 3.41 feet to a 1/2" iron pin set;

THENCE along a curve to the left having a radius of 374.23 feet for an arc distance of 204.18 feet (said arc being subtended by a chord of South 37 degrees 55 minutes 09 seconds West for a distance of 201.65 feet) to a 1/2" iron pin set;

THENCE South 22 degrees 17 minutes 21 seconds West for a distance of 136.41 feet to a 1/2" iron pin set;

THENCE South 31 degrees 45 minutes 06 seconds West for a distance of 80.98 feet to a 1/2" iron pin set;

THENCE South 29 degrees 29 minutes 56 seconds West for a distance of 28.03 feet to a 1/2" iron pin set;

THENCE along a curve to the right having a radius of 41.00 feet for an arc distance of 37.04 feet (said arc being subtended by a chord of South 55 degrees 22 minutes 55 seconds West for a distance of 35.80 feet) to a 1/2" rebar found;

THENCE along a curve to the left having a radius of 66.50 feet for an arc distance of 74.69 feet (said arc being subtended by a chord of South 49 degrees 05 minutes 24 seconds West for a distance of 70.82 feet) to a 1/2" iron pin set;

THENCE along a curve to the right having a radius of 46.00 feet for an arc distance of

35.13 feet (said arc being subtended by a chord of South 38 degrees 47 minutes 40 seconds West for a distance of 34.28 feet) to a 1/2" iron pin set;

THENCE South 60 degrees 40 minutes 26 seconds West for a distance of 35.06 feet to a 1/2" iron pin set;

THENCE South 57 degrees 16 minutes 49 seconds West for a distance of 105.87 feet to a 1/2" iron pin set;

THENCE South 63 degrees 18 minutes 16 seconds West for a distance of 103.97 feet to a 1/2" iron pin set;

THENCE along a curve to the left having a radius of 400.00 feet for an arc distance of 117.14 feet (said arc being subtended by a chord of South 54 degrees 54 minutes 54 seconds West for a distance of 116.72 feet) to a 1/2" iron pin set;

THENCE departing said right-of-way line of Stanley Road North 27 degrees 42 minutes 01 second West for a distance of 578.46 feet to a bent 2" open top pipe found, said bent 2" open top pipe found being the POINT OF BEGINNING.

Said tract or parcel of land contains 11.671 acres or 508,397 square feet.

Exhibit B

Permitted Exceptions

1. Taxes and assessments for the year 2021 and subsequent years, not yet due and payable, and taxes for prior years arising from reassessments or digest disputes.

2. No insurance is afforded as to the amount of acreage or square footage contained in the Land.

3. Rights of upper and lower riparian owners in and to the waters of any creek or stream that bounds or traverses the Land, free from increase, decrease or pollution.

4. Easements as conveyed in Right-of-Way Deed from Madge Turner Quarles to City of Kennesaw, Georgia, dated January 28, 2015, filed for record January 28, 2015 and recorded in Deed Book 15214, Page 4703, Cobb County, Georgia records.

5. Matters as shown on that certain plat recorded in Plat Book 6, Page 8, aforesaid records.

6. Terms and Provisions of that certain Amended and Restated Sewer Easement Agreement by and between Bell Fund VI Kennesaw, LLC, a Delaware limited liability company, William Ronald Quarles, as executor of the Estate of Madge Turner Quarles, Deceased, and Cobb County, a political subdivision of the State of Georgia, dated January 6, 2021 and recorded January 19, 2021 in Deed Book 15853, Page 5990, aforesaid records.

7. Matters as shown on that certain plat recorded in Plat Book 279, Page 690, aforesaid records.

CITY OF KENNESAW PROPERTY TAX DIVISION
2529 J.O. Stephenson Avenue
Kennesaw, GA 30144-2780

DATE : 11/8/2021 12:51 PM
OPER : 14
TKBY : HANNAH WATSON
TERM : 1
REC# : R00041708

100 Tax Collections 12401.63
Parcel: 20021300150 Full Payment
Owner: STANLEY ROAD DEVELOPMENT LLC
230583 - 2021 Tax 1,958.15
230582 - 2021 Tax 10,443.48

Paid By:STANLEY ROAD DEVELOPMENT LLC
2-Check 12401.63 REF:010557

APPLIED	12401.63
TENDERED	12401.63
CHANGE	0.00

Printed: 11/4/2021

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:
TRATON

STANLEY ROAD DEVELOPMENT LLC

Payment Date: 10/14/2021

Tax Year	Parcel ID	Due Date		Appeal Amount		Taxes Due
2021	20021300150	10/15/2021	**Pay:**	N/A	or	$0.00

Interest	Penalty	Fees	Total Due	Amount Paid	Balance
$0.00	$0.00	$0.00	$0.00	$39,619.99	**$0.00**

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

COBB COUNTY PROPERTY TAX BILL 2021

Pay online at www.cobbtax.org or 1-866-729-2622
See the back of this bill for important information

PAID OCT 13 2021

Stan. 2021 10294

CARLA JACKSON
TAX COMMISSIONER

HEATHER WALKER
CHIEF DEPUTY

Phone: 770-528-8600
Fax: 770-528-8679

Pay Online

STANLEY ROAD DEVELOPMENT LLC

1630 STANLEY RD

dhs-14100 dhs00/0014 0000/9500 RB

PAYMENT DUE DATE: OCTOBER 15, 2021
Payment must be received or **USPS Postmarked** by the due date. Metered or kiosk postmarks are not proof of timely mailing.

Parcel ID	Fair Market Value	Assessed Value	Acreage	Tax District	Homestead Exemption
20021300150	$3,263,590	$1,305,436	11.67	City of Kennesaw	None

Taxing Authority	Assessed Value	-	Exemption	=	Net Assessment	x	Millage Rate	=	Taxes Due
School	$1,305,436	-	$0	=	$1,305,436	x	0.018900	=	$24,672.74
Levied by the **Cobb County Board of Education** representing approximately **62.27%** of your taxes due.									
County General	$1,305,436	-	$0	=	$1,305,436	x	0.008460	=	$11,043.99
County Bond	$1,305,436	-	$0	=	$1,305,436	x	0.000130	=	$169.71
County Fire	$1,305,436	-	$0	=	$1,305,436	x	0.002860	=	$3,733.55
Levied by the **Board of Commissioners** representing approximately **37.73%** of your taxes due.									

ENTERED OCT 12 2021

Tax Year	Parcel ID	Due Date		Appeal Amount		Total Taxes Due
2021	**20021300150**	10/15/2021	**Pay:**	**N/A**	**or**	**$39,619.99**

Vendor: v0250 Cobb County Date: 10/13/2021 Check No: 00010294

Invoice	Date	Description	Gross Amt	Adjusts	Net Amount
stan.2021	10/12/21	20021300150:1630 Stanley	39619.99	0.00	39619.99

Check Subtotal	>	39619.99	0.00	39619.99

FOR YOU SECURITY THIS CHECK CONTAINS A WATERMARK - HOLD UP TO LIGHT OR TURN OVER AND HOLD AT ANGLE

TRATON, LLC
720 Kennesaw Ave.
Marietta, GA 30060
(770) 427-9064

Synovus Bank
Marietta, GA 30060

No. 010294

DATE
10/13/2021

CHECK AMOUNT
$******39,619.99

PAY THIRTY-NINE THOUSAND SIX HUNDRED NINETEEN DOLLARS AND 99 CENTS**********

To The Order Of
Cobb County
Tax Commissioner
736 Whitlock Ave Ste 100
Marietta, GA 30064-4663

TRATON, LLC
William C. Poston

⑈010294⑈ ⑆061100606⑆ 10145293988

AS REQUIRED BY SUBSECTION (d) of O.G.C.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

GEORGIA REGISTERED 2784 LAND SURVEYOR CHRISTOPHER A. EVANS

8/18/23
DATE

CLERK OF THE SUPERIOR COURT
RECORDING INFORMATION

C/L CURVE DATA

NO.	DATA
1	Δ = 132°21'44" R = 31.28' L = 72.26' T = 70.86'
2	Δ = 90°50'35" R = 37.00' L = 58.66' T = 37.55'
3	Δ = 11°18'23" R = 300.00' L = 59.20' T = 29.70'

TABLE OF PRIVATE A.E./U.E.

STREET NAME	LENGTH IN L.F.
CLOVERTON WAY	254'
PARDEE DR.	257'
TURNBRIDGE LANE	216'

LINE TABLE

LINE #	BEARING	DISTANCE
L1	N74°44'07"W	17.23'
L2	S26°05'54"W	9.75'

CURVE TABLE

CURVE #	BEARING	DISTANCE	RADIUS	ARC
C1	N13°38'50"W	52.62	72.00	53.87
C2	N9°57'32"E	21.23	15.00	23.58
C3	N5°01'45"E	21.26	15.00	23.63
C4	N49°20'35"W	4.82	15.00	4.84
C5	N43°54'19"E	26.54	46.00	26.93
C6	N54°54'54"E	116.72	400.00	117.14
C7	S65°58'11"W	76.31	200.50	76.78

ABBREVIATIONS LEGEND

ABBR.	DEFINITION
D.E.	DRAINAGE EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
A.E.	ACCESS EASEMENT
W.L.E.	WATER LINE EASEMENT
F.M.E.	FORCE MAIN EASEMENT

STRUCTURES LEGEND

▷	HEADWALL
▷	FLARED END SECTION (D.O.T.)
	SINGLE-WING CATCH BASIN
	DOUBLE-WING CATCH BASIN
	WEIR INLET
○	JUNCTION BOX
■	GRATE INLET
	FIRE HYDRANT
⋈	WATER VALVE
W/M	W.M.- WATER METER
---W---	WATER LINE
⊗	SANITARY SEWER MANHOLE
--SS---	WATER LINE
○ C.O.	SEWER CLEAN OUT

NOTE: ALL STORM DRAINS ARE BITUMINUS COATED OR TYPE II ALUMINIZED CORRUGATED METAL PIPE (CMP) UNLESS OTHERWISE NOTED.

PROPERTY CORNER LEGEND

⊙	RBS- REINFORCING BAR SET
⊙	RBF- REINFORCING BAR FOUND
⊙	CTF- CRIMP TOP PIPE FOUND
⊙	OTF- OPEN TOP PIPE FOUND
⊡	RWM- RIGHT-OF-WAY MONUMENT

NOTE:
#4 REBAR SET ON ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED.

OPEN SPACE SUMMARY

TOTAL FOR PHASE I AND II
ZONING = FST
TOTAL AREA = 11.64 ACRES
OPEN SPACE = 3.93 ACRES (33.7%)
OPEN SPACE A = 1.23 ACRES
OPEN SPACE B = 0.32 ACRES
OPEN SPACE C = 0.26 ACRES
OPEN SPACE D = 0.38 ACRES
OPEN SPACE E = 0.47 ACRES FUTURE
OPEN SPACE F = 0.99 ACRES FUTURE
OPEN SPACE PHASE I = 2.66 ACRES
OPEN SPACE PHASE II FUTURE = 1.27 ACRES

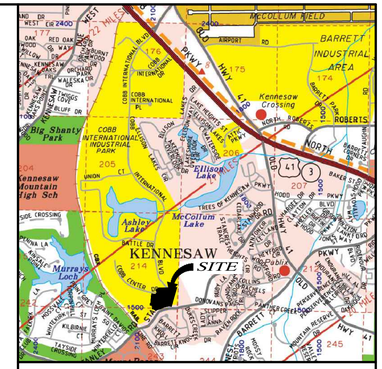
PARKING SUMMARY

TOTAL FOR PHASE I AND II REQUIRED
REQUIRED 2 PARKING SPACES PER DWELLING UNIT AND
AN ADDITIONAL 0.35 SPACES PER DWELLING UNIT FOR GUESTS
80 UNITS @ 2 SPACES PER UNIT = 80 SPACES REQUIRED
GUESS PARKING REQUIRED = 28 SPACES
TOTAL PARKING REQUIRED FOR BOTH PHASES = 108 SPACES
TOTAL FOR PHASE I SHOWN
PARKING SPACE SHOWN FOR PHASE I = 4 SPACES PER UNIT
(2 GARAGE SPACES/2 DRIVEWAY SPACES) = 180 SPACES
GUEST PARKING SPACES SHOWN = 60 SPACES
TOTAL FOR PHASE II FUTURE
PARKING SPACE SHOWN FOR PHASE II = 4 SPACES PER UNIT
(2 GARAGE SPACES/2 DRIVEWAY SPACES) = 140 SPACES
GUEST PARKING SPACES SHOWN = 10 SPACES
TOTAL FOR PHASE I AND II
PARKING SPACES FOR PHASE I AND II = 4 SPACES PER UNIT
(2 GARAGE SPACES/2 DRIVEWAY SPACES) = 320 SPACES
GUEST PARKING SPACES = 70 SPACES

NOTE: DRIVEWAYS MUST BE A MINIMUM OF 20 FEET, PER ZONING CONDITION #8, ORD 2020-08

DEVELOPMENT SUMMARY

TOTAL FOR PHASE I AND II
ZONING = FST
TOTAL AREA = 11.64 ACRES
OPEN SPACE = 3.93 ACRES (33.7%)
NUMBER OF UNITS = 80 UNITS
DENSITY = 6.9 UNITS/ACRE
AREA OF TOWNHOUSE (TYPICAL) = 2,070 S.F.
FRONT SETBACK = 35'
SIDE SETBACK = 25'
REAR SETBACK = 30'
LANDSCAPE BUFFER = 20'
MINIMUM DRIVEWAY LENGTH = 20'
MINIMUM HOUSE SIZE = 1,400 S.F.
MAXIMUM BUILDING HEIGHT = 35'
MAXIMUM COVERAGE = 35%
TOTAL FOR PHASE I
TOTAL AREA = 7.57 ACRES
OPEN SPACE = 2.66 ACRES
NUMBER OF UNITS = 45 UNITS
TOTAL FOR PHASE II
TOTAL AREA = 4.07 ACRES
OPEN SPACE = 1.27 ACRES
NUMBER OF UNITS = 35 UNITS



LOCATION MAP 1" = 2000'

COBB COUNTY WATER SYSTEM NOTES:

1. NO PERMANENT STRUCTURES SHALL BE CONSTRUCTED WITHIN TEN (10') FEET OF THE EDGE OF A PERMANENT COBB COUNTY WATER OR SANITARY EASEMENT ON FRONT OR REAR SETBACKS, OR WITHIN TWO (2') FEET ON SIDE SETBACKS, PER COUNTY CODE 122-123.
2. WATER AND SEWER UTILITIES WITHIN THE AE/UE WILL BE DEDICATED TO COBB COUNTY AFTER THE ONE-YEAR MAINTENANCE WARRANTY INSPECTION AND APPROVAL BY CCWS.
3. PAVEMENT CUTS BY CCWS FOR MAINTENANCE OF WATER AND/OR SEWER LINES WILL BE REPAIRED PER COBB COUNTY STANDARD DETAIL 02510-2.
4. WATER METERS SHALL NOT BE INSTALLED BEHIND ENCLOSED FENCES, IN PAVED DRIVEWAYS OR IN PAVED PARKING AREAS PER COUNTY COD SEC. 122-125.

FINAL PLAT NOTES:

1. STATE LAW PROHIBITS THE PRIVATE CONSTRUCTION, PLANTING, OR OTHERWISE MAKING IMPROVEMENTS ON THE DEDICATED RIGHT OF WAY. THE SOLE RESPONSIBILITY FOR REPAIRING OF ANY DAMAGE OF ANY SUCH IMPROVEMENT SHALL BE THE PROPERTY OWNERS.
2. THE OPEN CHANNEL DRAINAGE EASEMENTS (D.E.) SHOWN ARE NOT TO BE CONSTRUED AS EXACTING IN LOCATION. THESE EASEMENTS ARE INTENDED TO PROVIDE AN AREA FOR THE FREE CONVEYANCE OF STORMWATER RUNOFF BETWEEN DRAINAGE STRUCTURES ON THE PROPERTY OR BETWEEN DRAINAGE STRUCTURES AND THE EXTERIOR PROPERTY LINE. THE LOCATIONS SHOWN ARE INTENDED LOCATIONS BUT ARE CONTINGENT UPON FINAL GRADING AND LANDSCAPING OF THE INDIVIDUAL LOTS.
3. NO. 4 REBAR SET AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED.
4. NO CEMETERIES, WETLANDS, OR CULTURAL RESOURCES EXIST ON PROPERTY.
5. THE CITY OF KENNESAW WILL NOT ACCEPT THE RESPONSIBILITY FOR PERPETUAL MAINTENANCE OF ANY REQUIRED DETENTION FACILITIES OUTSIDE THE CITY RIGHT-OF-WAY.
6. ALL COMMON AREAS SHALL BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
7. THE DEVELOPMENT SHALL COMPLY WITH THE REQUIREMENTS OF THE CITY OF KENNESAW.
8. THE WATER LINES AND SANITARY SEWER ARE UNDER THE CONTROL OF COBB COUNTY WATER SYSTEM.
9. SEPARATION BETWEEN BUILDINGS SHALL BE 3 FEET UNLESS OTHERWISE NOTED.
10. NO TREES OR PLANTING ARE PERMITTED WITHIN PUBLIC R/W.
11. OPEN SPACE TO BE OWNED AND MAINTAINED BY H.O.A.

GPS 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 UTILIZING A TRIMBLE R800 GPS RECEIVER WITH A TRIMBLE TSC2 DATA COLLECTOR RECEIVING RTK CORRECTIONS VIA A CELL PHONE FROM THE EGPS SOLUTIONS REAL TIME NETWORK. THE TECHNIQUE USED WAS RTK CORRECTED MEASUREMENTS FROM THE TRIMBLE VRS REAL TIME NETWORK OPERATED BY EGPS SOLUTIONS, INC. THE RELATIVE POSITIONAL ACCURACY OBTAINED ON THE POINTS UTILIZED IN THIS SURVEY WERE 0.04 FT. HORIZONTAL AND 0.07 FT. VERTICAL AT THE 95% CONFIDENCE LEVEL.

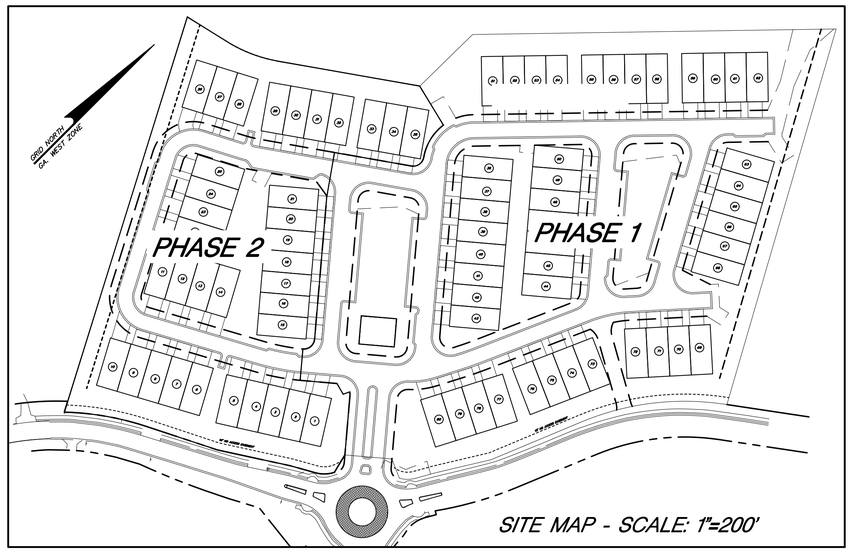
LOCATION OF UTILITIES EXISTING ON OR SERVING THE SUBJECT PROPERTY IS DETERMINED BY OBSERVABLE EVIDENCE ONLY. THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, CLAIMS, PRESCRIPTION AND SUBSURFACE CONDITIONS THAT ARE NOT VISIBLE OR RECORDED, THUS DEEMING THEM UNDETERMINED AND NOT SHOWN. THIS PLAT IS INTENDED FOR THE PARTIES STATED ON THE FACE OF SURVEY. USE OF THE SURVEY BY THIRD PARTIES IS AT THEIR OWN RISK.

THIS TRACT OF LAND DOES NOT LIE WITHIN THE 100 YEAR INTERMEDIATE FLOOD ZONE AS PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY AS SHOW ON COMMUNITY-PANEL NO. 13067C0101H, LAST REVISED 03-04-2013.

THIS PLAT IS PREPARED FROM A FIELD SURVEY USING A FIVE SECOND DIGITAL THEODOLITE AND ELECTRONIC DISTANCE METER ; LINEAR PRECISION OF TRAVERSE : 1/ 74,004 ; ANGULAR ERROR: 03" PER POINT. THE TRAVERSE WAS ADJUSTED USING THE COMPASS RULE. LINEAR PRECISION OF THIS PLAT: 1/ 213,962 . MATTERS OF TITLE ARE EXCEPTED.

NOTE:
THIS PLAT IS SUBJECT TO THE COVENANTS SET FORTH IN THE SEPARATE DOCUMENTS (S) ATTACHED HERETO, WHICH HEREBY BECOME (S) A PART OF THIS PLAT, RECORDED ON 6/03/21 AND SIGNED BY THE OWNER; RECORDED IN VOLUME 15921, PAGE 438 IN THE COBB COUNTY, GEORGIA

NO STREET PARKING HAS BEEN APPROVED FOR THIS DEVELOPMENT.



SITE MAP - SCALE: 1"=200'

ENGINEER AND SURVEYORS' ACKNOWLEDGEMENT

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE ON THE GROUND UNDER MY SUPERVISION, THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED AS "FUTURE," AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN, AND THAT ALL ENGINEERING REQUIREMENTS OF THE KENNESAW SUBDIVISION REGULATIONS HAVE BEEN FULLY COMPLIED WITH.

CHRISTOPHER A. EVANS, GA RLS #2784 — 8/18/23 DATE

OWNER'S ACKNOWLEDGMENT

THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED THERETO, AND IN PERSON OR THROUGH DULY AUTHORIZED AGENTS, ACKNOWLEDGES THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY AND DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS, PARKS DRAINS, EASEMENTS AND PUBLIC GROUNDS THEREON SHOWN, WHICH COMPRISES A TOTAL OF 3.06 ACRES, FOR THE USE ACRES, FOR THE PURPOSES THEREIN EXPRESSED.

OWNER FOR ORIGINAL SIGNATURE, SEE P.B. 280, PG. 757 DATE
PRINT NAME
FOR ORIGINAL SIGNATURE, SEE P.B. 280, PG. 757
SIGNATURE DATE
N/A FOR ORIGINAL SIGNATURE, SEE P.B. 280, PG. 757
SUBDIVIDER DATE

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

SLOPE EASEMENT STATEMENT:
THIS PLAT IS APPROVED WITH THE UNDERSTANDING THAT EASEMENT IS GRANTED TO THE CITY OF KENNESAW ALONG ALL ROAD FRONTAGE FOR THE PURPOSE OF SLOPING CUTS AND FILLS AS FOLLOWS:
0'-5' - NOT LESS THAN 3 TO 1 SLOPE
5'-10' - NOT LESS THAN 2 TO 1 SLOPE

CITY OF KENNESAW MAYOR DATE

KENNESAW DEVELOPMENT CERTIFICATIONS

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

FOR ORIGINAL SIGNATURE, SEE P.B. 280, PG. 757
MAYOR, KENNESAW, GEORGIA DATE
FOR ORIGINAL SIGNATURE, SEE P.B. 280, PG. 757
PLANNING AND ZONING DEPARTMENT DATE
FOR ORIGINAL SIGNATURE, SEE P.B. 280, PG. 757
BUILDING AND CONSTRUCTION DATE
FOR ORIGINAL SIGNATURE, SEE P.B. 280, PG. 757
KENNESAW PUBLIC WORKS DIVISION DATE
FOR ORIGINAL SIGNATURE, SEE P.B. 280, PG. 757
CITY ENGINEER DATE

THIS PLAT, HAVING BEEN SUBMITTED TO THE COBB COUNTY WATER SYSTEM AND HAVING BEEN FOUND TO COMPLY WITH COBB COUNTY DEVELOPMENT STANDARDS, IS APPROVED FOR RECORDING.
FOR ORIGINAL SIGNATURE, SEE P.B. 280, PG. 757
COBB COUNTY WATER SYSTEM DATE

REVISION NO.1 DATE: 1/27/22
THIS PLAT SUPERCEDES THE PLAT RECORDED IN PLAT BOOK 280, PAGE 757
THE PURPOSE OF THE REVISION IS TO:

1. CORRECT DISTRICT FROM 18TH TO 20TH.

REVISION NO.2 DATE: 8/18/23
THIS PLAT SUPERCEDES THE PLAT RECORDED IN PLAT BOOK 280, PAGE 783 THE PURPOSE OF THE REVISION IS TO:

1. CORRECT STREET NAME IN FRONT OF BUILDING 8 FROM PARDEE DRIVE TO TURNBRIDGE LANE
2. SHOW UPDATED LOCATION FOR FIRE HYDRANT AND VALVE ACROSS FROM UNIT 23.

OWNER\DEVELOPER:
TRATON HOMES
720 KENNESAW AVENUE
MARIETTA, GEORGIA 30060

ENGINEER:
RIDGE PLANNING & ENGINEERING
1290 KENNESTONE CIRCLE
BUILDING A, SUITE 200
MARIETTA, GA 30066

CONTRACTOR:
WATER CONTRACTOR:
TIPPINS CONTRACTING CO.
139 MIDWAY ROAD
MARIETTA, GA 30064
770-428-8530

STORM & SEWER CONTRACTOR:
BRENT SCARBROUGH & CO. INC.
45 ANSLEY DRIVE
NEWNAN, GA 30263
770-461-8603

DRAWN BY: INC
CHECKED BY: CAE
FILE: P:\T113
FIELD DATE: 8-27-21
OFFICE DATE: 12-13-21
SCALE: AS SHOWN
REVISIONS
1-27-22 REV. #1
8-18-23 REV. #2

Gaskins
ENGINEERING•SURVEYING•PLANNING/CONSULTING•CONSTRUCTION MGMT
www.gaskinsurvey.com LSF# 789

Marietta Office
1266 Powder Springs Rd
Marietta, GA 30064
Phone: (770) 424-7168

Canton Office
147 Reinhardt College Pkwy
Ste. 3 Canton, GA 30114
Phone: (770) 479-9698

Lawrenceville Office
558 Old Norcross Rd Ste. 204
Lawrenceville, GA 30046
Phone: (770) 299-1005

Newnan Office
4046 Ga. Hwy. 154, Ste. 109
Newnan, GA 30263
Phone: (770) 424-7168

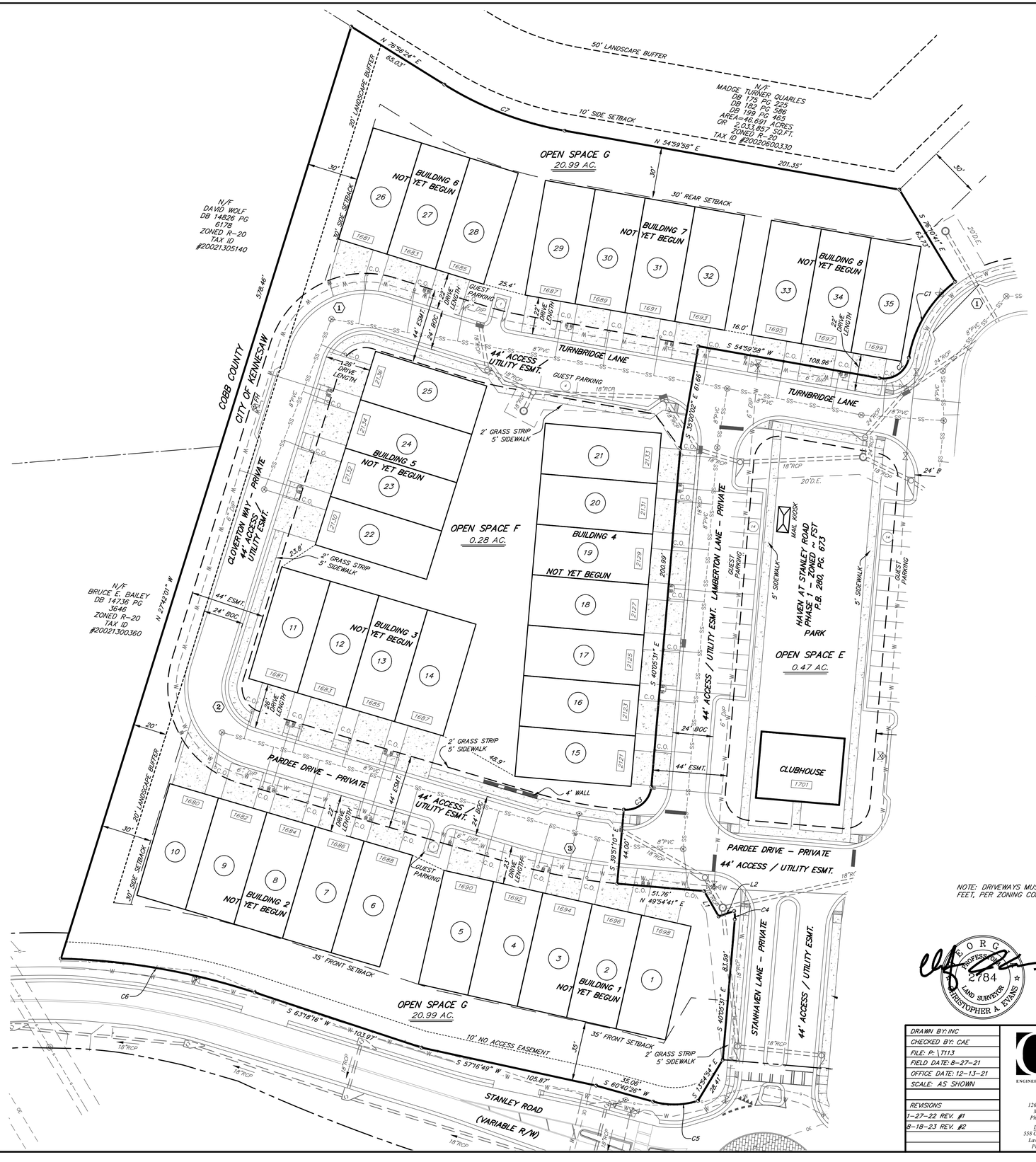
FINAL PLAT FOR:
HAVEN AT STANLEY ROAD
PHASE 2
SPR-2020-00373
SPR-2020-K004 (CCFMO)
LOCATED IN L.L. 213
20th DISTRICT, 2nd SECTION
CITY OF KENNESAW
COBB COUNTY, GA.

SHEET 1 OF 3

IMAGES: G:\Aero Maps\1-492.jpg
Plotted on: Nov 08, 2023 - 2:21pm
Plotted By: Sally Jordan
Drawing Name: P:\T113 (Trotter)\Stanley Rd\SHEWD\PHAL\phase 2\shown on stanley rd ph2-final.dwg

CLERK OF THE SUPERIOR COURT
RECORDING INFORMATION

LOT AREA CHART					
LOT NO.	SQ. FT.	LOT NO.	SQ. FT.	LOT NO.	SQ. FT.
1	2070	16	2070	31	2070
2	2070	17	2070	32	2070
3	2070	18	2070	33	2070
4	2070	19	2070	34	2070
5	2070	20	2070	35	2070
6	2070	21	2070		
7	2070	22	2070		
8	2070	23	2070		
9	2070	24	2070		
10	2070	25	2070		
11	2070	26	2070		
12	2070	27	2070		
13	2070	28	2070		
14	2070	29	2070		
15	2070	30	2070		



OWNER\DEVELOPER:
TRATON HOME'S
720 KENNESAW AVENUE
MARIETTA, GEORGIA 30060

ENGINEER:
RIDGE PLANNING & ENGINEERING
1290 KENNESTONE CIRCLE
BUILDING A, SUITE 200
MARIETTA, GA 30066

NO STREET PARKING HAS BEEN APPROVED FOR THIS DEVELOPMENT.

30 0 30 60
SCALE IN FEET

NOTE: DRIVEWAYS MUST BE A MINIMUM OF 20 FEET, PER ZONING CONDITION #8, ORD 2020-08

NOTE: BUILDING LINE OF TOWNHOMES IS THE PROPERTY LINE FOR EACH LOT.

GEORGIA PROFESSIONAL 2784 LAND SURVEYOR CHRISTOPHER A. EVANS

AS REQUIRED BY SUBSECTION (d) of O.G.C.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

DRAWN BY: INC
CHECKED BY: CAE
FILE: P:\T113
FIELD DATE: 8-27-21
OFFICE DATE: 12-13-21
SCALE: AS SHOWN
REVISIONS
1-27-22 REV. #1
8-18-23 REV. #2

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Marietta Office
1266 Powder Springs Rd
Marietta, GA 30064
Phone: (770) 424-7168

Canton Office
147 Reinhardt College Pkwy
Ste. 3 Canton, GA 30114
Phone: (770) 479-9698

Lawrenceville Office
558 Old Norcross Rd Ste. 204
Lawrenceville, GA 30046
Phone: (770) 299-1005

Newnan Office
4046 Ga. Hwy. 154, Ste. 109
Newnan, GA 30265
Phone: (770) 424-7168

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Plotted on: Nov 01, 2023 - 4:13pm
Drawing Name: P:\T113 (Trotter)\Stanley Rd\SURVEY\PLAT\PHASE 2\haven at stanley rd ph2-final.dwg
Plotted By: Sally Jordan

CLERK OF THE SUPERIOR COURT
RECORDING INFORMATION

CITY OF KENNESAW, GEORGIA

ORDINANCE NO. 2020-08, 2020

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF KENNESAW, GEORGIA SO AS TO CHANGE THE ZONING DISTRICT DESIGNATION FROM CITY R-20 TO CITY LIGHT INDUSTRIAL (LI) AND FEE SIMPLE TOWNHOMES (FST) PROPERTY LOCATED AT 1630 STANLEY ROAD (LAND LOT 213 TAX PARCEL 15)

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

WHEREAS, OAKMONT PACOLET ACQUISITIONS, LLC, made application to amend the Official Zoning Map of the City of Kennesaw, Georgia so as to change the zoning designation from **CITY R-20 TO CITY LIGHT INDUSTRIAL (LI) AND CITY FEE SIMPLE TOWNHOMES (FST)** on property located at 1630 Stanley Road, identified as Land Lot 213 Tax Parcel 15 (as more particularly described below); and

WHEREAS, notice was advertised in the Marietta Daily Journal on July17, 2020 and July 24, 2020 of a public hearing before the Kennesaw Planning Commission held on August 5, 2020 and the Mayor and Council on August 17, 2020.

WHEREAS, the Kennesaw Planning Commission held a public hearing on this proposal at a meeting held on August 5, 2020; and

WHEREAS, the Mayor and Council held a public hearing to consider this proposal at a meeting held on August 17, 2020; 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 R-20 TO CITY LIGHT INDUSTRIAL (LI) and FEE SIMPLE TOWNHOMES (FST)** for the following described property with conditions:

1. Stanley Road will not be used as a point of entry or exit for Industrial uses.
2. The Industrial tract will be assigned a Cobb International address by the City of Kennesaw Community Development Department.
3. Applicant to pursue all means and methodologies to increase buffer areas between development and adjoining proposed new fee simple townhomes to achieve a minimum of seventy foot wide buffer.
4. Industrial buildings will be subject to adopted architectural design standards in the Unified Development Code for Kennesaw.
5. Industrial zoning is subject to the adopted noise ordinance regulations.
6. Applicant to provide a noise buffering wall to reduce operation noise from Industrial tract.
7. Townhome development to provide open space of minimum of 2.3 acres.
8. All townhome units to provide 20 foot long driveways.
9. Townhome development to meet the parking requirements for residential development including guest parking as per adopted Unified Development Code
10. Minimum House size will be 1,400 SF.
11. There will be an established HOA for the Townhome development with covenants.
12. There will be a 20 foot minimum landscaping on townhome development areas that abut residentially zoned properties along Stanley Road.
13. Maximum number of rental units will be 10% of residential development.
14. Reversionary clause that requires grading and land disturbance permits be issued within 24 months of the date of the rezoning and variance approval. Failure to obtain such permits within the 24 month period will result in the reversion of the rezoning and variances and the property will revert back to the prior zoning of R-20. In the event of any circumstance which results in government imposed moratoria for the issuance of permits, availability of necessary utilities, health-related shutdown of governmental operations or the like, the deadline imposed by this condition shall be extended or tolled for an equal number of days as such condition exists. The reversionary clause shall apply to the LI tract and FST tract separately and independently of the other.

LEGAL DESCRIPTION
Light Industrial Tract
(TRACT 1 – 35.020 ACRES)

All that tract or parcel of land lying and being in Land Lot 213 of the 20th Land District, 2nd Section, City of Kennesaw, Cobb County, Georgia, said tract or parcel of land being more fully shown and designated on a plat of survey prepared by Valentino & Associates, Inc. (Job #19-046; Drawing/File #19-046), bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described, with bearings relative to Grid North, Georgia West Zone, as follows:

BEGINNING at a 1-1/4" iron bar found at the common corner of Land Lots 205, 206, 213 and 214;
THENCE easterly along the Land Lot line common to Land Lots 206 and 213 South 89 degrees 01 minute 37 seconds East for a distance of 1191.43 feet to a 1/2" rebar found;
THENCE departing said Land Lot line South 28 degrees 46 minutes 46 seconds East for a distance of 522.94 feet to a 1/2" rebar found;
THENCE South 44 degrees 07 minutes 41 seconds West for a distance of 219.85 feet to a 1/2" rebar found;
THENCE South 44 degrees 07 minutes 41 seconds West for a distance of 508.15 feet to a 1/2" iron pin set;
THENCE South 00 degrees 40 minutes 53 seconds West for a distance of 103.22 feet to a 1/2" iron pin set;
THENCE South 54 degrees 59 minutes 58 seconds West for a distance of 201.35 feet to a 1/2" iron pin set;
THENCE along a curve to the left having a radius of 200.50 feet for an arc distance of 76.78 feet (said arc being subtended by a chord of South 65 degrees 58 minutes 11 seconds West for a distance of 76.31 feet) to a 1/2" iron pin set;
THENCE South 76 degrees 56 minutes 24 seconds West for a distance of 65.03 feet to a bent 2" open top pipe found;
THENCE South 76 degrees 56 minutes 24 seconds West for a distance of 672.96 feet to a 1/2" rebar found on the Land Lot line common to Land Lots 213 and 214;
THENCE proceeding northerly along said Land Lot line North 00 degrees 45 minutes 09 seconds East for a distance of 1417.80 feet to a 1-1/4" iron bar found at the aforesaid Land Lot corner common to Land Lots 205, 206, 213 and 214, said 1-1/4" iron bar found being the POINT OF BEGINNING.

Said tract or parcel of land contains 35.020 acres or 1,525,460 square feet.

LEGAL DESCRIPTION
Fee Simple Townhome Tract
(TRACT 2 – 11.671 ACRES)

All that tract or parcel of land lying and being in Land Lot 213 of the 20th Land District, 2nd Section, City of Kennesaw, Cobb County, Georgia, said tract or parcel of land being more fully shown and designated on a plat of survey prepared by Valentino & Associates, Inc. (Job #19-046; Drawing/File #19-046), bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described, with bearings relative to Grid North, Georgia West Zone, as follows:

To find the POINT OF BEGINNING, COMMENCE at a 1-1/4" iron bar found at the common corner of Land Lots 205, 206, 213 and 214;
THENCE southerly along the Land Lot line common to Land Lots 213 and 214, South 00 degrees 45 minutes 09 seconds West for a distance of 1417.80 feet to a 1/2" rebar found;
THENCE departing said Land Lot line, North 76 degrees 56 minutes 24 seconds East for a distance of 672.96 feet to a bent 2" open top pipe found, said bent 2" open top pipe found being the POINT OF BEGINNING.

THENCE North 76 degrees 56 minutes 24 seconds East for a distance of 65.03 feet to a 1/2" iron pin set;
THENCE along a curve to the left having a radius of 200.50 feet for an arc distance of 76.78 feet (said arc being subtended by a chord of North 65 degrees 58 minutes 11 seconds East for a distance of 76.31 feet) to a 1/2" iron pin set;
THENCE North 54 degrees 59 minutes 58 seconds East for a distance of 201.35 feet to a 1/2" iron pin set;
THENCE North 00 degrees 40 minutes 53 seconds East for a distance of 103.22 feet to a 1/2" iron pin set;
THENCE North 44 degrees 07 minutes 41 seconds East for a distance of 508.15 feet to a 1/2" rebar found;
THENCE South 28 degrees 46 minutes 42 seconds East for a distance of 546.70 feet to a 1/2" rebar found on the northwesterly right-of-way line of Stanley Road (variable width public r/w);
THENCE proceeding southwesterly along said right-of-way line of Stanley Road South 53 degrees 35 minutes 20 seconds West for a distance of 3.41 feet to a 1/2" iron pin set;
THENCE along a curve to the left having a radius of 374.23 feet for an arc distance of 204.18 feet (said arc being subtended by a chord of South 37 degrees 55 minutes 09 seconds West for a distance of 201.65 feet) to a 1/2" iron pin set;
THENCE South 22 degrees 17 minutes 21 seconds West for a distance of 136.41 feet to a 1/2" iron pin set;
THENCE South 31 degrees 45 minutes 06 seconds West for a distance of 80.98 feet to a 1/2" iron pin set;
THENCE South 29 degrees 29 minutes 56 seconds West for a distance of 28.03 feet to a 1/2" iron pin set;
THENCE along a curve to the right having a radius of 41.00 feet for an arc distance of 37.04 feet (said arc being subtended by a chord of South 55 degrees 22 minutes 55 seconds West for a distance of 35.80 feet) to a 1/2" rebar found;
THENCE along a curve to the left having a radius of 66.50 feet for an arc distance of 74.69 feet (said arc being subtended by a chord of South 49 degrees 05 minutes 24 seconds West for a distance of 70.82 feet) to a 1/2" iron pin set;
THENCE along a curve to the right having a radius of 46.00 feet for an arc distance of 35.13 feet (said arc being subtended by a chord of South 38 degrees 47 minutes 40 seconds West for a distance of 34.28 feet) to a 1/2" iron pin set;
THENCE South 60 degrees 40 minutes 26 seconds West for a distance of 35.06 feet to a 1/2" iron pin set;
THENCE South 57 degrees 16 minutes 49 seconds West for a distance of 105.87 feet to a 1/2" iron pin set;
THENCE South 63 degrees 18 minutes 16 seconds West for a distance of 103.97 feet to a 1/2" iron pin set;
THENCE along a curve to the left having a radius of 400.00 feet for an arc distance of 117.14 feet (said arc being subtended by a chord of South 54 degrees 54 minutes 54 seconds West for a distance of 116.72 feet) to a 1/2" iron pin set;
THENCE departing said right-of-way line of Stanley Road North 27 degrees 42 minutes 01 second West for a distance of 578.46 feet to a bent 2" open top pipe found, said bent 2" open top pipe found being the POINT OF BEGINNING.

Said tract or parcel of land contains 11.671 acres or 508,397 square feet.

SECTION 2. BE IT FURTHER ORDAINED THAT the amendment to the Official Zoning Map outlined in Section 1 above is adopted to change the zoning district designation from **CITY R-20 TO CITY LIGHT INDUSTRIAL (LI) and FEE SIMPLE TOWNHOMES (FST)**

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 17th day of August, 2020.

ATTEST:

Lea Addington, City Clerk

CITY OF KENNESAW:

Derek Easterling, Mayor

CITY OF KENNESAW, GA SEAL

CITY OF KENNESAW
ORDINANCE NO. 2020-08, 2020

CITY OF KENNESAW
ORDINANCE NO. 2020-08, 2020

NO STREET PARKING HAS BEEN APPROVED FOR THIS DEVELOPMENT.

OWNER\DEVELOPER:
TRATON HOMES
720 KENNESAW AVENUE
MARIETTA, GEORGIA 30060

ENGINEER:
RIDGE PLANNING & ENGINEERING
1290 KENNESTONE CIRCLE
BUILDING A, SUITE 200
MARIETTA, GA 30066

CONTRACTOR:
WATER CONTRACTOR:
TIPPINS CONTRACTING CO.
139 MIDWAY ROAD
MARIETTA, GA 30064
770-428-8530

STORM & SEWER CONTRACTOR:
BRENT SCARBROUGH & CO. INC.
45 ANSLEY DRIVE
NEWNAN, GA 30263
770-461-8603

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GEORGIA PROFESSIONAL 2784 LAND SURVEYOR CHRISTOPHER A. EVANS

DRAWN BY: INC
CHECKED BY: CAE
FILE: P:\T113
FIELD DATE: 8-27-21
OFFICE DATE: 12-13-21
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Plotted on: Nov 01, 2023 - 4:14pm

Item Report

TO: The Honorable Mayor and City Council

FROM:

DATE: December 18, 2023

TITLE: Reports, Discussions, and Updates

Summary:

Recommendation:

Fiscal Impact:

Attachments:
None

Item Report

TO: The Honorable Mayor and City Council

FROM:

DATE: December 18, 2023

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

Summary:

Recommendation:

Fiscal Impact:

Attachments:
None