



Authority Members

Mark Allen
Ian Coats
Lexie Newhouse
Nimesh Patel
Mary Jo Groeneveld
David Lyons
Leslie Patton

**Kennesaw Downtown Development Authority
Meeting Agenda
March 8, 2024 7:30 AM
Council Chambers
(2529 J.O. Stephenson Avenue, Kennesaw, GA 30144)**

- 1. Call to Order / Roll Call**
- 2. Approval of the Meeting Minutes**
 - A. Draft meeting minutes 2.9.24
- 3. Financial Report**
 - A. Review of Financial Report as of 2.29.24
 - B. Review of open invoices (legal)
- 4. Old Business**
- 5. New Business**
 - A. CBD Project Application: 2573 Summers Street
 - B. Review of outparcel assignment at TUG site development (South Main Street)
- 6. Public Comment**
- 7. Board & Staff Comment**
- 8. Executive Session**
 - 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).
- 9. Adjourn**
 - 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.

MINUTES OF KENNESAW DOWNTOWN DEVELOPMENT AUTHORITY MEETING
CITY OF KENNESAW
Council Chambers
(2529 J.O. Stephenson Avenue, Kennesaw, GA 30144)
February 9, 2024
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
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1. Call to Order / Roll Call

The meeting was called to order at 7:30 am by Chair, Mark Allen.
Staff present: Luke Howe, Miranda Taylor, Fred Bentley, Jr.

2. Approval of the Meeting Minutes

A. Draft meeting minutes - 01.12.24 meeting

The board reviewed draft minutes from the January 12 meeting. David Lyons made a motion to approve. Motion was seconded by Lexie Newhouse. Motion passed unanimously.

B. Draft Executive Session minutes 01.12.24

The board reviewed draft executive session minutes from the January 12 meeting. David Lyons made a motion to approve. Motion seconded by Ian Coats. Motion passed unanimously.

3. Financial Report

A. Financial report as of 01.31.24

Leslie Patton presented the financial report as of January 31, 2024, with an ending cash balance of \$74,403.49. David Lyons made a motion to approve the financial report as presented; motion seconded by Lexie Newhouse. Motion passed unanimously.

4. Old Business

A. Beer Festival/Drinks at the Depot Update

Mark Allen lead a discussion on the beer festival event, updating the board that the preferred date of 9/28 was accepted by the Events Committee. We are hopeful that we will be able to hold the event at the amphitheater, but it will depend on material delays and construction timing. Mark has secured 2 food trucks for the event. Mark mentioned

to the board that we needed to come up with a creative name than Drinks at the Depot that would lend itself to effective marketing. The board requested that we move away from the train/locomotive imagery in any logo development and try to lean more heavily on the city's branding colors. The board discussed using the downtown logo as inspiration for a logo for this event. The board settled on the name "Party in the Park", which would allow us to bring in all elements (food, beer/wine/cocktails, music) of the event and market a fun atmosphere. Luke & Miranda will work on a draft logo for consideration. No action required on this item today.

B. 2024 Main Street Projects Followup

As a follow-up to last month's discussion on Main Street projects and additional ways that KDDA can support downtown development, the board discussed the idea of funding a historic properties assessment project. Lexie Newhouse shared a list of properties that have the potential to be developed/redeveloped. The board would consider this an extension of the flex grant program that was started last year. The board agreed that they would like to pursue a program where they would provide funding for a feasibility study for the reuse of historic properties, and they would like to invite the consultant that the city has worked with in the past to the next meeting to discuss the assessment process. KDDA asked staff to draft program guidelines and an application that can be considered for adoption at the next meeting, and for staff to run the guidelines/ application through legal for review. The board would also like to pursue creating a marketing sheet for the properties that apply to the program. Staff will create a template for adoption with the program guidelines. No action required at this meeting.

5. New Business

A. 2024 Kennesaw Farmers Market Season

The board discussed the 2024 Farmers Market season. Mary Jo stated that she was willing to help out as the onsite coordinator again, but she will need assistance from other board members on a few weeks when she will be traveling. Mary Jo voiced concerns about the plaza location used last year; many patrons had issues with parking and crossing the busy intersection at Revival caused safety concerns. The board discussed using the city parking lot at the corner of Moon Station and Main Street, and decided this would be a good compromise for this season (until we are able to move back to Depot Park). Mark and Miranda will work with Public Works to determine if there is power available in that lot (or whether it is possible to get access to power in the lot).

The board discussed season dates. Last year (as with previous years) we saw customer attendance drop off sharply in August after school started. In addition, Miranda reported that there has been very little produce available in April, which has lead to complaints in the past. With these facts in mind, the board discussed setting the 2024 season dates as the first Monday in May through the last week of August (skipping the Memorial Day holiday).

Last season, vendor fees were set at \$10 weekly for farmers/growers (with a full season rate of \$170) and \$20 weekly for makers (with a full season rate of \$340). Mid-season, we changed the farmer rate and allowed them to come for free (and refunded the remaining fees for any pre-paid farmer who attended on the free weeks. The board

was willing to invite farmers to attend for free in 2024 and felt the rate for makers should stay at \$20 weekly. For the vendors who are willing to commit for the full season, the board proposed offering a pre-pay rate that would offer 2 weeks free.

David Lyons made a motion as follows: approve the 2024 season dates (1st Monday of May through last Monday of August, closed on Memorial Day - 16 weeks total), set the weekly fees for makers at \$20, with a full-season prepaid fee equal to the number of weeks in the full season with 2 free weeks (14 weeks), and to invite farmers to attend the market at no charge. Nimesh Patel seconded the motion. Motion passed unanimously, 7-0.

B. 2024 Kennesaw Holiday Market

Miranda Taylor discussed the 2024 Holiday Market. Event dates and venue have been secured; November 8 (VIP night) and Nov 9 (open market) at the Ben Robertson Community Center. This year we will utilize both the banquet hall and the large meeting room to allow us room to expand our vendor footprint. Miranda asked the board to consider offering an early-bird vendor rate for vendors who commit and pay before May 1; this would allow us to build our vendor list early and start promoting the market over the summer. Last year the vendor fee was \$50 for the weekend, and the board did not feel that the general vendor fee should change. Nimesh Patel inquired about how we could incentivize the vendors to commit early (besides offering a discounted fee) and suggested we allow them to choose their spot if they commit early. The board liked this idea and wanted to offer a \$10 discount to the vendor fee for early bird applications. David Lyons made a motion to set the early bird vendor fee at \$40, and allow early bird vendors to choose their booth space (first come first served) when paid by May 1. Nimesh Patel seconded the motion. The motion passed unanimously.

6. Public Comment

No public comment

7. Board & Staff Comment

1. (This item was taken out of order, following the Call to Order, in consideration of the time of our guests and legal representation.)

Fred Bentley, Jr. presented information about the development project at the former Tug site, being developed by Highpoint (TPA). Highpoint is working on a plan to sell the commercial outparcel and as part of that sale the board will need to consider approval of a consent resolution and an assignment agreement. The proposed project will develop in excess of the required 10,000 SF of commercial space on the 1.7 acre outparcel fronting Main Street. Robert Trim (RTG) and his client Raj Sagoo gave a brief overview of the plans. Fred indicated to the board that there is a legal requirement for the KDDA to review financial and proposed uses of the developers/project when considering the assignment agreement; these items will be forwarded to the board in advance of the March meeting. There is no action required today, but the consent resolution and assignment agreement will be brought forward at the March KDDA meeting.

Subsequent discussion items were heard during Board & Staff Comments in the order shown on the agenda.

2. Mark Allen reminded the board that there is a special election coming up in the city on May 21, with qualifying dates of March 4-6. If board members are aware of anyone interested in serving on City Council, please share the special election information with them.

3. David Lyons discussed the benches on Main Street by Memorial Park and noted that they are in bad shape. He would like to request that these benches be moved up in the replacement schedule to keep Main Street looking presentable. If the city is not able to replace them soon, he would like to see them cleaned (if possible) or removed (if they are in disrepair and not able to be cleaned/repared). The board would also like to have information on the cost of the new benches to see if they would be able to help fund the replacement of benches.

4. Luke Howe shared an update on the following projects: By-Gone Treasures block, Kennesaw Square, and the Core Phase 2 commercial site.

A. Main Street Standards Update

Miranda Taylor reviewed Standard 2: Inclusive Leadership and Organizational Capacity from the Main Street self assessment with the board. Nimesh Patel requested that in the cases where two options were chosen ("Room for Improvement" and "Meeting") that one or the other be chosen. The board indicated that they understand there is always room for growth but would rather see the assessment reflect whether we are meeting a standard or not. No action required on this item.

Mark Allen asked the board if there were ideas for any other Main Street projects that KDDA could support in 2024 (outside the flex grant extension). The board discussed a potential beautification project by placing planters downtown. We would need to come up with a plan to maintain/water them, but this would be a good way to involve more volunteers. The board discussed identifying sponsors (Home Depot, Lowes, etc) and volunteer groups (boy scouts, etc). Nimesh Patel indicated he has a contact at Home Depot, and he would reach out to see if he could secure sponsorship for the planters. Lexie Newhouse volunteered to coordinate with Smith-Gilbert Gardens on expertise for planting and maintaining the planters.

8. Executive Session

- 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).

9. Adjourn

With no further business, David Lyons made a motion to adjourn; seconded by Ian Coats. Meeting adjourned at 8:53 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.



Item Report

TO: The Kennesaw Downtown Development Authority
FROM:
DATE: March 8, 2024
TITLE: CBD Project Application: 2573 Summers Street

Summary:

Applicant proposes redevelopment of the parcel at 2573 Summers Street for a Sherwin Williams store. The applicant has submitted a completed CBD project application and business plan for review.

Recommendation:

Fiscal Impact:

Attachments:

1. CBD2024-01_2573SummersSt_ApplicationPacket



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

**CENTRAL BUSINESS DISTRICT
REZONING CHECKLIST**
Required Fee \$0

Darryl Simmons
Planning & Zoning Administrator

Chanelle Campbell
Assistant Zoning Administrator/Planner

For questions, please feel free to contact the Planning and Zoning Department at (770) 590-8268 or zoningdept@kennesaw-ga.gov.

CHECKLIST ITEMS

☒ Application completed, signed and notarized

☒ A copy of the deed for said property with full legal description.

Please note: Copy of the deed is needed to verify the name of the property owner

☐ Total Rezoning Fee – \$0

☐ The above items can be submitted in one of the following ways:

1. Scan and email to zoningdept@kennesaw-ga.gov in PDF format.
2. Submit in person at 2529 J O Stephenson Avenue, Kennesaw, GA 30144
3. Mail to ATTN: Zoning, 2529 J O Stephenson Avenue, Kennesaw, GA 30144
 - a. For your convenience, a pre-paid postage envelope has been enclosed



CENTRAL BUSINESS DISTRICT PROJECT APPROVAL

Date Received 2/21/24
Staff's Initials NF

Is this property located within the Kennesaw Historic District (yes) _____ (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 1/11/24

Staff's Initials NF

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 2573 Summers ST NW

Land Lot 167 Tax Parcel 20016700410 Lot Size 1.107 Acres Present Zoning LI

Proposed Project for Property
Sherwin Williams Paint Store

Add additional sheet if necessary

APPLICANT Jackson Webb Tom Webb

APPLICANT EMAIL Jackson@heirloomdevelopment.com

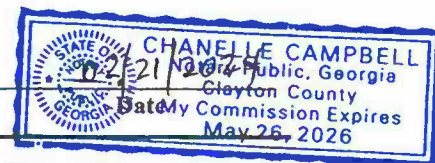
Applicant address 3544 Jefferson Township Parkway, Marietta, GA 30066

(Fax #) _____ (Work #) _____ (Cell #) 770-313-2885

Applicant Signature [Signature]

Signed, sealed and delivered in presence of: _____

Notary



TITLEHOLDER: 2573 Summers St LLC

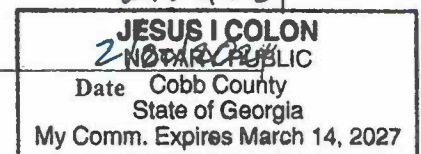
Telephone: 770-401-2490

Address: 300 BELL PARK DR Woodstock GA 30188

Signature [Signature]

Signed, sealed and delivered in presence of: _____

Notary



CBD Project Administratively approved by:

Date: _____

- ☐ APPROVED
- ☐ REQUIRES KDDA APPROVAL
- ☐ REQUIRES HPC APPROVAL
- ☐ MAYOR AND COUNCIL

Hearing Date: _____

Recommendation: see attached minutes

Signature Kennesaw Downtown Development Authority:

Hearing Date: _____

Recommendation: see attached minutes

Signature Historic Preservation Commission

Hearing Date: _____ see attached minutes



CAMPAIGN DISCLOSURE REPORT¹ BY APPLICANT²

A separate form must be completed by each applicant

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

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

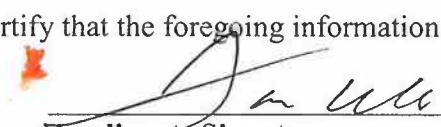
Please supply the following information that will be considered as the required disclosure:

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

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

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

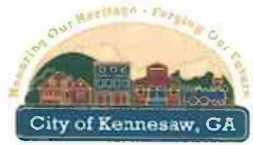
I certify that the foregoing information is true and correct, this 21 day of Feb, 2021



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

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

Sherwin Williams

2573 Summers St NW

Kennesaw, GA 30144

Business Plan:

Business Plan: Sherwin Williams Paint Store

1. Type of Business: The proposed business is a Sherwin Williams paint store, specializing in retail sales of paints, coatings, and related products. Sherwin Williams is a Fortune 200 Company with a renewal rate among the strongest in the nation. The store will offer a comprehensive range of high-quality paints, stains, primers, and painting supplies for both residential and commercial customers although this location will focus more of its attention to commercial contractors. Additionally, the store will provide expert advice, color matching services, and customized solutions to meet the diverse needs of its clientele.

2. Projected Market Targeted: The primary target market for the Sherwin Williams paint store will be large paint contractors and commercial painting firms operating in Kennesaw and the surrounding area. The store's layout and offerings will be specifically tailored to meet the unique needs of professional contractors, providing them with convenient access to bulk quantities of paints, coatings, and supplies essential for their projects.

3. Projected Customer Generation: Customer generation will be driven by strategic marketing efforts, including digital advertising, local promotions, and partnerships with contractors and interior designers. The store will leverage Sherwin Williams' brand recognition and reputation for quality to attract customers. Moreover, exceptional customer service and personalized recommendations will foster repeat business and positive word-of-mouth referrals.

4. Plan on Traffic Control for Ingress/Egress of Property: To manage traffic flow around the store property, the store will have designated parking spaces with clear signage to direct customers. It is also important to note that similar stores focusing on servicing larger contractors typically see reduced customer volume and peak at 3-4 customers at any given time. This would mean that with employees included the store will see an expected max average of 9-11 vehicles on the premises.

5. Study on Similar Uses in Area: A thorough study of similar paint stores and home improvement retailers in the Kennesaw area reveals a growing demand for paint products and services. However, there are currently limited options for paint contractors to streamline the procurement of product and we feel like this store fills a large void for that client base.

6. Projected Economic Impact to City of Kennesaw: The establishment of a Sherwin Williams paint store in Kennesaw is expected to have several positive economic impacts on the city:

- **Job Creation:** The store will generate employment opportunities for local residents.

- **Increased Revenue:** The store will contribute to the city's tax base through sales tax revenues generated from retail transactions.
- **Property Value Enhancement:** By providing a convenient shopping option for homeowners and contractors, the presence of the store may positively impact property values in the surrounding area.
- **Community Development:** This store will add instant curb appeal to Summers St as a whole.

In conclusion, the proposed Sherwin Williams paint store represents a promising business opportunity that aligns with the growing demand for paint products and services in the Kennesaw area. Through strategic positioning and exceptional customer service the store aims to become a valued contributor to the local economy and a trusted partner for customers seeking quality paint solutions.

AFTER RECORDING RETURN TO:
Geiger Legal Group, LLC
157 Reinhardt College Parkway, Suite 400
Canton, GA 30114

FILE NO. 2111471

Parcel ID: 20016700410

QUIT CLAIM DEED

STATE OF GEORGIA.

FULTON/DEKALB COUNTY:

THIS INDENTURE, made this 21ST day of March, in the year of our Lord Two Thousand and Twenty Two between

DW RBJ, LLC, LIMA AIRS, LLC and RANDALL M. LIPSHUTZ, as

Executor of the ESTATE OF ROBERT J. LIPSHUTZ

party or parties of the first part, hereinafter referred to as "Grantor", and

2573 SUMMERS STREET LLC

party or parties of the second part, hereinafter referred to as "Grantee", the words "Grantor" and "Grantee" to include the neuter, masculine and feminine genders, the singular and the plural.

WITNESSETH for and in consideration of the sum of One (\$1.00) Dollar and other good and valuable considerations delivered to Grantor by Grantee at and before the execution, sealing and delivery hereof, the receipt and sufficiency of which is hereby acknowledged, the Grantor has and hereby does remise, release, convey and forever quitclaim unto Grantee, and the heirs, legal representative, successors, and assigns of Grantee, all the right, title, interest, claim or demand Grantor has or may have had in and to

All that tract or parcel of land lying and being in Land Lot 167 of the 20th District, 2nd Section, Cobb County, Georgia Records and being more particularly described on Exhibit "A" attached hereto and made a part hereof.

The above described property is subject to the Permitted Exceptions shown on Exhibit B" attached hereto and made a part hereof.

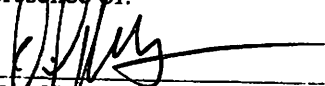
TO HAVE AND HOLD said tract or parcel of land in order that neither the Grantor nor any person claiming under Grantor shall at any time, by any means or ways, have claim or demand any right or title to said land or any of the rights, members and appurtenances thereof.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and

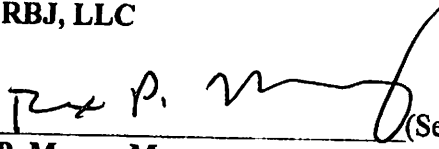
year first above written.

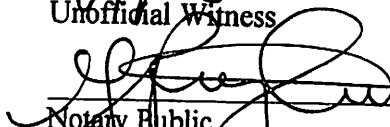
Signed, sealed and delivered in the presence of:

DW RBJ, LLC


Unofficial Witness

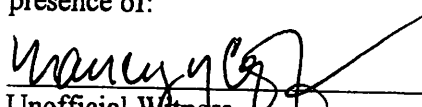


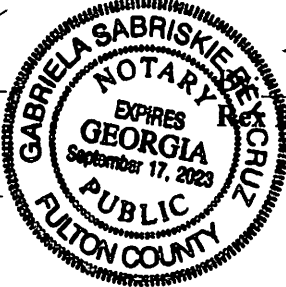
By:  (Seal)
Rex P. Macey, Manager

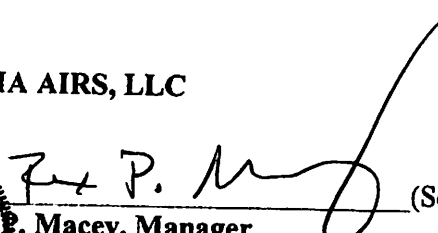

Notary Public
My Commission Expires:

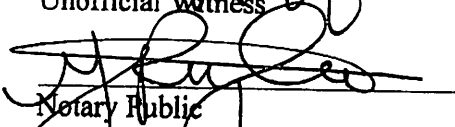
Signed, sealed and delivered in the presence of:

LIMA AIRS, LLC


Unofficial Witness



 (Seal)
Rex P. Macey, Manager


Notary Public
My Commission Expires:

Signatures continued on the next page

Signed, sealed and delivered in the presence of:

Christina Hazelte
Unofficial Witness

LIMA AIRS, LLC

By: Randall M. Lipshutz (Seal)
Randall M. Lipshutz, Manager

Steven Luper
Notary Public
My Commission Expires: December 22, 2024

Signed, sealed and delivered in the presence of:

Christina Hazelte
Unofficial Witness

ESTATE OF ROBERT J. LIPSHUTZ
a/k/a ROBERT JEROME LIPSHUTZ

By: Randall M. Lipshutz (Seal)
Randall M. Lipshutz, Executor

Steven Luper
Notary Public
My Commission Expires: December 22, 2024

EXHIBIT "A"

All of 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 **Point of Beginning**, commence at the intersection formed by the northeasterly right-of-way line of North Cobb Parkway a/k/a U.S. Highway #41(variable r/w) with the northwesterly right-of-way line of Summers Street, (variable r/w) (f/k/a Kennesaw Due West Road & Power Springs Road) and proceed in a northeasterly direction along said right-of-way line of Summers Street for a distance of 329.16 feet to a PK nail set and the **Point of Beginning**.

From the **Point of Beginning** thus established, depart said right-of-way line of Summers Street and proceed North 59°25'04" West for a distance of 75.29 feet to a point; thence North 59°34'30" West for a distance of 35.02 feet to a point; thence North 44°08'06" West for a distance of 66.38 feet to a PK nail set; thence North 31°31'39" East for a distance of 8.88 feet to a point; thence North 56°03'51" West for a distance of 50.00 feet to PK nail set; thence North 31°32'06" East for a distance of 232.58 feet to an iron pin found (#5 rebar); thence South 40°38'15" East for a distance of 235.00 feet to a PK nail set on the northwesterly right-of-way line of Summers Street (variable r/w); thence South 31°16'18" West along said right-of-way line of Summers Street for a distance of 186.12 feet to the **Point of Beginning**.

Said tract or parcel containing 1.107acres +/- or 48,241square feet +/-.

EXHIBIT "B" **Permitted Exceptions**

1. All taxes and special assessments, including water, sanitary and other utility bills for the year 2022 and subsequent years, which are not yet due and payable, together with any and all taxes and special assessments, which may become due and payable for the current or previous year, due to, but not limited to, reassessments, rebillings, or errors by tax officials or their agents.
2. Property is subject to any protective covenants and easements of record.
3. Those matters disclosed on plat of survey prepared for Sean Jergusson by Centerline Surveying and Land Planning on January 4, 2022 and revised February 23, 2022, including but not limited to:
 - a. 50 foot front building set back line.
 - b. 20 foot side building set back lines.
 - c. 40 foot rear building set back line.
 - d. One story brick and block building encroaches into the rear building line and into the side building line along the Southwest side of said building.
 - e. Over head power pole with connecting service line show at the West side of said property.
 - f. Chain link fence runs along the West and Northwest lines of said property and is located within the boundaries of said property along the Northeast line.
 - g. A sign is located within the right of way Summers Street along the Southeast line of said property.
 - h. A lamp post base is located with the right of way Summers Street along the Southeast line of said property.



Item Report

TO: The Kennesaw Downtown Development Authority

FROM:

DATE: March 8, 2024

TITLE: Review of outparcel assignment at TUG site development (South Main Street)

Summary:

Recommendation:

Fiscal Impact:

Attachments:

None