

Mayor

Derek Easterling

City Manager

Jeff Drobney, ICMA-CM

City Clerk

Lea Alvarez, CMC

**Council**

Mayor Pro Tem Antonio

Jones

Madelyn Orochena

Tracey Viars

Pat Ferris

City Council Work Session**Meeting Agenda**

March 11, 2024 6:30 PM

Council Chambers

(2529 J.O. Stephenson Avenue, Kennesaw, GA 30144)

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****A. Resolution: Master Fee Schedule Update**

Consideration for approval of a resolution to update various portions of the

Master Fee Schedule.

9. Committee and Board Reports

10. Public Hearing(s)

- A. **Ordinance: Charter Amendment to Section 3.04 "Oath of Office"**
FINAL PUBLIC HEARING
Consideration for approval of an ordinance to amend the City of Kennesaw Charter § 3.04, "Oath of Office."
- B. **Ordinance: Rezoning Request for 2573 Summers Street**
Consideration for approval of an ordinance authorizing a rezoning request submitted by Jackson Webb for the property located at 2573 Summers St (parcel number 20016700410). Case #RZ2024-01.

11. Consent Agenda

- A. **Minutes: February 26, 2024, City Council Work Session**
Approval of the February 26, 2024, City Council work session minutes.
- B. **Minutes: March 4, 2024, City Council Regular Meeting**
Approval of the March 4, 2024, City Council regular meeting minutes.

12. General and Administrative

- A. **URA Series 2014A and 2014B Revenue Bonds**
Consideration for approval to authorize the Refunding of the Urban Redevelopment Agency Series 2014A and 2014B Revenue Bonds

13. Public Safety

- A. **February 2024 Crime Statistics**
Receipt of the February 2024 Crime Statistics.

14. Information Technology

15. Public Works

16. Recreation and Culture

- A. **Proposed road closures for 2024 City events.**
Consideration of approval of the proposed road closures pertaining to the Kennesaw Grand Prix Series, Salute to America, and Day with Santa.

17. Community Development

- A. **Final Plat Application: 1740 & 1750 Old 41 Highway**
Consideration for approval of a final plat application submitted by Kennesaw RE Investors, LLC dab Gaines Park Senior Living for 1740 & 1750 Old 41 Hwy (parcel numbers 20021200310 and 20021200030); this plat intends to adjust

the property lines, as the building and parking lot currently occupy two parcels. Case #FP2024-01.

B. Central Business District Application: 2573 Summers Street

Consideration to review a Central Business District (CBD) project application to remodel the vacant property located at 2573 Summers St (parcel number 20016700410) for a proposed Sherwin-Williams paint store. Case #CBD2024-01.

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: Christie Burgner , Deputy City Clerk

DATE: March 11, 2024

TITLE: **Resolution: Master Fee Schedule Update**
Consideration for approval of a resolution to update various portions of the Master Fee Schedule.

Summary:

Updates to the Master Fee Schedule include the following: Events Committee amended Race Fees to remove Orion Racing; the Southern Museum made changes to School Tour fees, created fees for Guided Homeschool Group Tours, and removed table runners, caterer's/room drape, and round glass mirror centerpiece or glass table number from fee schedule; Parks and Recreation created yearly Student fees and Single Day Pass fees for Recreation Center Memberships, created Outdoor Pickleball Court Rental fees for residents and non-residents, amended the name of Depot Amphitheater to Outdoor Classroom at Depot Park, and amended Museum fees to include GA Foster Friendly; Smith-Gilbert Gardens created fees for School Groups (Guided Tours and Self-Guided Tours), and amended fees for Virtual Field Trips, Self-Guided Adult Groups, Outreach in-school visit, Self-Guided Adults Group, Group Education Workshops, Outdoor Garden Rentals and Full Garden Rentals; and Smith-Gilbert Gardens removed Carriage House, Little Theater in the Woods, Rose Lawn or Knowlton Meadow from the fee schedule.

Recommendation:

The City Clerk recommends approval.

Fiscal Impact:

Attachments:

1. RES 2024-- Master Fee Schedule Updates
2. March 2024 - Master Fee Schedule

**CITY OF KENNESAW
GEORGIA**

RESOLUTION NO. 2024-____, 2024

**RESOLUTION TO UPDATE PORTIONS OF THE KENNESAW MASTER FEE
SCHEDULE TO REFLECT CHANGES BY DEPARTMENTS**

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

WHEREAS, Events Committee amended Race Fees to remove Orion Racing; and

WHEREAS, the Southern Museum made changes to School Tour fees, created fees for Guided Homeschool Group Tours, and removed table runners, caterer's/room drape, and round glass mirror centerpiece or glass table number from fee schedule; and

WHEREAS, Parks and Recreation created yearly Student fees and Single Day Pass fees for Recreation Center Memberships, created Outdoor Pickleball Court Rental fees for residents and non-residents, amended the name of Depot Amphitheater to Outdoor Classroom at Depot Park, and amended Museum fees to include GA Foster Friendly; and

WHEREAS, Smith-Gilbert Gardens created fees for School Groups (Guided Tours and Self-Guided Tours), and amended fees for Virtual Field Trips, Self-Guided Adult Groups, Outreach in-school visit, Self-Guided Adults Group, Group Education Workshops, Outdoor Garden Rentals and Full Garden Rentals; and

WHEREAS, Smith-Gilbert Gardens removed Carriage House, Little Theater in the Woods, Rose Lawn or Knowlton Meadow from the fee schedule; and

WHEREAS, the Master Fee Schedule is hereby updated to reflect all changes as shown in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED the Kennesaw City Council hereby adopts the revised Master Fee Schedule as presented (Exhibit A).

PASSED AND ADOPTED by the Kennesaw City Council on this 18th day of March 2024.

ATTEST:

CITY OF KENNESAW:

Lea Alvarez, City Clerk

Derek Easterling, Mayor

RESOLUTION NO. 2024-__, 2024
Exhibit A
CITY OF KENNESAW
MASTER FEE SCHEDULE

DEPARTMENT	FEE TYPE	FEE	REFERENCE
911 Communications	Pre-paid Cellphones	\$1.50 per cellphone, one-time fee when purchased	Resolution No. 2018-35 HB 751 (2018)
911 Communications	Post-paid cellphones	\$1.50	Resolution No. 2018-36 HB 751 (2018)
911 Communications	Certify documents & CDs	\$5	
All Departments	CDs, DVDs	\$0.25; \$10 for bodycam or in-car videos (only)	OCGA 50-18-71(f); OCGA 50-18-96(g) [HB 976 - 2016]
All Departments	Copies (8 ½ X 11, Legal & 11 x 17)	\$0.10 per page, and administrative charges for search, retrieval, and other direct administrative costs, such administrative charges and supervising records research not to exceed the salary of the lowest paid full-time employee who, in the discretion of the custodian of the records, has the necessary skill and training to perform the request.	Per Open Records Law OCGA 50-18-70 (The requester is not charged for the first fifteen minutes of time.)
All Departments	Returned Check Charge	\$25	
Building	Building Permits Residential/Commercial New or Remodel & Additions Permits	Minimum Fee \$50 Non—refundable, non-transferrable	Reference fee schedule in Section 18-6 in Code of Ordinances. Ordinance No. 2006-06

DEPARTMENT	FEE TYPE	FEE	REFERENCE
Building	Construction Trailer Permit	\$50 Non—refundable, non-transferable	Ordinance No. 2008-22
Building	Electrical Permit: phone system, data system, security system, fire alarm system, CATV system	Minimum Fee \$50 Non—refundable, non-transferable	Ordinance No. 2006-06
Building	Conditional Foundation Only Permit	Minimum \$50 Non—refundable, non-transferable	Reference fee schedule in Section 18-6 in the Code of Ordinances. Ordinance No. 2006-06
Building	Grading Permit	\$50 Non—refundable, non-transferable	Issued only after Land Disturbance procedures are followed.
Building	House Moving Permit	\$75 Non—refundable, non-transferable	Ordinance No.2008-22.
Building	HVAC Permit	Minimum Fee \$50 Non—refundable, non-transferable	Ordinance No. 2006-06
Building	Impact Fee	\$699 (residential) Commercial fees – see Attachment A	Ordinance No. 2010-04.
Building	Land Disturbance Permit	\$50	Issued only with approval of the Plan Review Committee

DEPARTMENT	FEE TYPE	FEE	REFERENCE
		Non—refundable, non-transferable	
Building	Mobile Home Permit	\$75 Non—refundable, non-transferable	Ordinance No. 2008-22
Building	Move In C.O. Permit	\$50 Non-refundable, non-transferable	This is required before a new business can occupy a building & Business License is issued. Ordinance No. 2006-06
Building	Multi-Family Permit	Flat Fee: Plumbing - \$50 per Unit HVAC – \$50 per Unit Electrical- \$50 per Unit Non-refundable, non-transferable	
Building	Plumbing Permit	Minimum Fee \$50 Non—refundable, non-transferable	Ordinance No. 2006-06
Building	Re-activate expired permits	Same as the new permit fee	
Building	Re-inspection Fees	\$25 - 1 st \$50 - 2 nd \$75 - 3 rd \$100 - 4 th	Ordinance No.2006-06
Building	Replacement permit card	\$5 Non—refundable, non-transferable	

DEPARTMENT	FEE TYPE	FEE	REFERENCE
Building	After hours Inspection	After 5 PM Monday- Friday or on Weekends (any time before or after normal business hours) \$300 Fee Non-refundable, non- transferable	
Building	Swimming Pool Permit	The minimum Fee of \$50 is based on the cost of construction Non—refundable, non- transferable	
Building	Technology	1% of each permit issued, \$10.00 minimum fee per permit	
Building Services	Construction/Sales Office	\$50	
Building/Zoning	Demolition Permit	\$75 Non—refundable, non- transferable	If in the historic district, they must be approved by HPC. Application is filed w/ P&Z. Fee via Ordinance No. 2006- 06
Business License	Convenience Fee	4% fee for debit or credit card payment \$5 for E-check payment	Government Window
Business License	Alcoholic Beverage License	\$350 Application Fee	This fee type has many situational aspects that will depend on the type of applicant and where the alcohol will be sold. See Chapter 6 in the

DEPARTMENT	FEE TYPE	FEE	REFERENCE
			Code of Ordinances for specifics. See Code of Ordinances Section 6-52 for License Fee Schedule. The application fee will cover the cost of advertising 2 times, fingerprinting & background check.
Business License Fee	Based on Gross Receipts	Class 1 through Class 6	See attached Schedule A "City of Kennesaw Business Tax Schedule"
Business License Fee	Massage Work Permit New Application	\$25	See Code of Ordinances Chapter 22, Article IX. Section 22-231(b)
Business License Fee	Massage Work Permit Renewal	\$15	See Code of Ordinances Chapter 22, Article IX. Section 22-231(b)
Cemetery Fees	Residents	1,500	Lots are 5'x10' The remains must be in a vault Resolution No. 2014-21, 2014
	Non-Residents	2,000	
	Employees	\$500	Cremations up to 4 in one lot; includes the cost of a burial permit Monday through Friday (except holidays)
	Burial Permit	\$100	
	Cremation Internment in a lot	\$200	
	Cremation Garden Service + Engraved Bronze_Plaque	600	
	Memorial Garden - engraved bronze plaque only	\$300	
	Cremation Garden only – no bronze plaque	\$300	Contact Cemetery Foundation
	Business donation for zinc plaque	-----	

DEPARTMENT	FEE TYPE	FEE	REFERENCE
	Memorial Trees Includes marker + stake	\$250	Yoshino Cherry
	Active or retired City Employees - Cremation Garden Service + Engraved Plaque	\$250	Weekdays, except holidays
City Clerk	Certified Copies of Records, upon request	\$25	OCGA 50-18-71(c)(1)
City Clerk	Convenience Fee	4 % fee for online open record request payments	Government Window
City Manager	Permit Fees – television, video, filming	\$100 (non-refundable) \$500 per day, per street \$250 per day, per street See prices outlined by Off Duty Management web- based service https://www.kennesaw-ga.gov/hire-off-duty/ \$300 per day \$250 per day \$300 per day \$300 per day \$250 per day \$250 per day \$2,000 per day \$2,500 per day	Application Processing Fee Street Closures Intermittent Street Closures Police Officer (Security) Police Officer (Security for alcohol event) Police Officer (Traffic) City Parks City Cemetery Court/Council Chambers Community Center Historic Train Depot The Community House Southern Museum Smith-Gilbert Gardens
Court	Fines and Cash Bonds	--	See Chapter 38 of the Kennesaw Code of Ordinances
Court	Certified Records	\$5	

DEPARTMENT	FEE TYPE	FEE	REFERENCE
Court	Convenience Fee	7% fee for online citation payments and 6.5% for credit/debit card payments.	Government Window
Events Committee	Event Application Fee	\$50 nonrefundable application fee for all events	to be waived only when a City department or board is a primary or co-applicant
Events Committee	Police Officer Alcohol Beverage Concession Support	See prices outlined by Off Duty Management web-based service https://www.kennesaw-ga.gov/hire-off-duty/ .	2 hour minimum
Events Committee	Police Officer Support for City Sanctioned Events	See prices outlined by Off Duty Management web-based service https://www.kennesaw-ga.gov/hire-off-duty/ .	The number of required officers at an event is determined by the type of event
Events Committee	Police Officer Special Events at City Facilities for external rentals	See prices outlined by Off Duty Management web-based service https://www.kennesaw-ga.gov/hire-off-duty/ .	2 hour minimum
Events Committee	Public Works Street Closings	\$48 per hour, with a 4-hour minimum plus \$20 per sign required (based on special event application)	Based on the rate for a two-person crew
Events Committee	Barricade Replacement	\$275 each	Only charged if barricade is damaged or stolen
Events Committee	Maintenance Dept	\$50 per hour, per person with a 4-hour minimum for custodial support	Charge for non-city events
Events Committee	Maintenance Dept	\$50 per hour, per person, with a 2-hour minimum for other maintenance (such as electrical)	Charge for non-city events

DEPARTMENT	FEE TYPE	FEE	REFERENCE
Events Committee	Race Fee	\$2,000	In effect January 2013. The fee covers the City's costs; and does not include \$500 Orion Racing fees ; the City contract required
Events Committee	Recreation Staff	\$48 per hour, per employee if requested in Special Event Application	
G & A	Tent Permit (Temporary)	\$15	Fire Marshall
G & A	Bail Bonds Application	Regulatory fee \$100 Each employee \$50 Fingerprint fee \$45	See Code of Ordinances Section 22-71. Approval of M&C is required on new applications only. License based on gross receipts if located with the in city only.
G & A	Business License Fees	Based on gross receipts	See attached Schedule A "City of Kennesaw Business Tax Schedule". Also, See Code of Ordinances, Ch. 22
G & A	Business License Fees – Rush process fee	\$50 fee to process a business license same day after receiving a completed application or renewal form with all appropriate approvals	
G & A	Insurance or licensed agent: Annual license fee upon each insurer doing business within the City A licensed agent of an insurer for insurance said insurer shall pay an additional license fee per location	\$100 \$35 per location	O.C.G.A. § 33-8-8(b)(1); Ordinance No. 2011-27

DEPARTMENT	FEE TYPE	FEE	REFERENCE
G & A	Massage Therapist License	No application fee. License based on gross receipts - See Code of Ordinances 22-45. \$45 Fingerprint Fee	See Code of Ordinances Chapter 22, Article IX. Approval of M&C is required on new applications only. A state license is required before a business license is issued. See attached Schedule A "City of Kennesaw Business Tax Schedule".
G & A	Pawn Broker License	No application fee. License based on gross receipts - See Code of Ordinances 22-45. \$45 Fingerprint Fee	See Code of Ordinances Section 22-276. Approval of M&C is required on new applications only. See attached Schedule A "City of Kennesaw Business Tax Schedule"
G & A	Property Tax FIFA fee for placing a lien on property for delinquent taxes	\$12.00 for Recordings \$25 for Cancellation	Code Section 82-28
G & A	Property Tax "Tax Sale" fee for Pre-Sale Collection Cost	\$65	Code Section 82-27
G & A	Property Tax Title Search and Certified Mail Fee	\$175	Code Section 82-27
G & A	Sanitation Deposit	Residential & Commercial \$100	
G & A	Sanitation Service	Residential: \$32.50 per month for one can. (Receive one month free if annual bill is paid in advance) Commercial: \$32.50 per month for one can	
G & A	Sanitation Extra Carts	Garbage: \$18.56 per month per can Recycle: \$5.75 per month per can	

DEPARTMENT	FEE TYPE	FEE	REFERENCE
G & A	Sanitation Replacement Carts	\$100	Customer Damaged/ Customer Lost
G & A	Sanitation Call Back Service	Regular hours \$25 After hours \$55	
G & A	Sanitation Reinstatement Fee	\$50	
G & A	Sanitation Bulk Materials Collections	Cost is based on the type of material, weight, & time required for collection of the material. \$45 (up to 30 minutes) \$10 for each additional ten minutes over 30 minutes initial work	Additional fees will be charged for materials that incur added dumping fees (based on dumping fee)
G & A	Soliciting Permit Commercial Only-(Door to Door)	\$25 (30 day period)	Need I.D. badges to be issued by the Business License Department with photo and expiration date.
G & A	Fundraising Counsel or Professional Solicitor	\$200 plus \$25,000 bond	Permit valid one year, all expire on December 31 st ; Ordinance No. 2011-02
G & A	Yard Sale Permit	No Fee	No more than 3 days in succession; no more than 3 weekends per calendar year; Code Sec 22-302(2)
G & A/Public Works	Convenience Fee	\$5 fee to pay Sanitation, Streetlight or Stormwater over the phone with a city representative. If you choose to pay online with VISA, MC, AMEX, or Discover, a \$2 per transaction fee for online credit/debit card payments. \$2.50 fee per ECheck transaction paid online.	

DEPARTMENT	FEE TYPE	FEE	REFERENCE
G & A	Convenience Fee	3% fee for credit card payments at the property tax window. If you choose to pay online with VISA, MC, AMEX, or Discover, a 3% fee and \$3.50 per transaction fee for online credit/debit card payments. \$1.25 fee per ECheck transaction paid online.	
GIS	Map Costs	8.5"x11" – (Vector Map \$0.50, Aerial Photo \$1.00) 11"x17" – (Vector Map \$1.00, Aerial Photo \$2.00) 18"x24" – (Vector Map \$3.00, Aerial Photo \$5.00) 24"x36" – (Vector Map \$5.00, Aerial Photo \$7.50) 34"x44" – (Vector Map \$7.50, Aerial Photo \$10.00) Legal 8.5"x14" – (Vector Map \$0.75, Aerial Photo \$1.50) A \$5.00 setup fee is applied to any existing maps requested in different paper sizes; specialty maps will	

DEPARTMENT	FEE TYPE	FEE	REFERENCE
		be priced and billed at an hourly rate.	
KDDA	Scarecrow On Main Registration Fee	\$25	
KDDA	Farmers Market fees	\$10 weekly for farmers/growers \$20 weekly for crafters/makers/resellers \$170 – full-season grower/farmer \$340 – full-season crafter/maker/reseller	
KDDA	Holiday Market Fees(Seasonal)	\$50 for 10 x10 ft Tent	
Museum	Admission Fees	Adult regular \$10 Senior regular (65+) \$8; Active Military (w/ID), University Student (w/ID), Child/Youth (3-17) All \$5; Toddlers 2 and under – Free with Family; Adult AAA \$9; Senior AAA (65+) \$7; Child/Youth AAA (3-17) \$4	Library pass good for up to 4 people No Special Events (not eligible for special events or programs)
Museum	Admission Fees Group Rates – (Group Rates consist of 10 individuals or more). A minimum flat fee is charged if there are less than 10 individuals.	Student Guided Tour \$5.00 per student \$50 minimum flat fee \$50 Deposit for Guided Tour Adult Guided Tour \$8.00 per adult \$80.00 minimum flat fee	School Tours—Teachers and school employees enter free during the tour, any additional adult chaperones pay \$5 each. Guided School Tours – Teachers and school employees enter free during the tour, any additional adult chaperones pay \$5 each.

DEPARTMENT	FEE TYPE	FEE	REFERENCE
			Guided Homeschool Group Tours- One parent teacher may enter free for every 10 paid children, remaining adult chaperones pay \$5 each
Museum	Archival Documents Reproduction and Duplication Fees	\$0.10 per page, plus the staff research fee	The handling fee applies after the first 100 pages. Duplication fees do not include the cost of shipping.
Museum	Staff Research fee	\$20 fee per hour after the first 30 minutes and \$20 for each additional hour	
Museum	Archives Researcher Fee	\$10 per day per researcher or \$20 per week	
Museum	Digital Image Duplication Services	\$10 for the first image duplicated digitally (This may can include the Staff Researcher Fee depending on the time needed for the request) \$1 for each additional page after the first page	If the file is sent via physical media (CD, flash drive, etc.) cost of media used and shipping fees apply.
Museum	The Depot This option is available during and after normal operating hours. All events must be finished by 11 PM	\$75 per hour during normal operating hours with a 2-hour minimum (Tues – Sat, 9:30 AM – 5 PM) \$75 deposit	10% discount for City Employees, Non-Profits, or Museum Members (no combined discounts) Max capacity is 40 people in the depot – Restroom Access

DEPARTMENT	FEE TYPE	FEE	REFERENCE
		\$150 per hour after normal operating hours with a 2-hour minimum (Tues – Sat, 5 PM – 11 PM) \$150 deposit Damage deposit \$250 Returnable if the facility is left clean and not damaged. Payable only via check. Staff Fee- \$20 per hour with a 30-minute minimum Outside alcohol is permitted with a required City of Kennesaw police officer presence. See prices outlined by Off Duty Management web-based service https://www.kennesaw-ga.gov/hire-off-duty/. Optional \$125 staff room set-up/ breakdown-fee.	Rentals are not available on city holidays or the evening before a holiday after normal operating hours. Rentals are not available on Sunday or Monday.
Museum	Museum Classroom This option is available during and after normal operating hours. All events must be finished by 11 PM	\$75 per hour during operating hours with a 2-hour minimum for up to 25 guests; each additional guest is \$3 (Tues – Sat, 9:30 AM – 5 PM) \$75 deposit	Max capacity is 50 people in the classroom 10% discount for City Employees, non-profits, government agencies, or Museum Members (no combined discounts)

DEPARTMENT	FEE TYPE	FEE	REFERENCE
		\$150 per hour after normal operating hours with a 2-hour minimum (Tues – Sat, 5 PM – 11 PM) \$150 deposit Damage deposit \$250 Returnable if the facility is left clean and not damaged. Payable only via check. Optional \$125_staff room set-up/breakdown fee	Rentals are not available on city holidays or the evening before a holiday after normal operating hours. Rentals are not available on Sunday or Monday.
Museum	Full Museum Rental – Museum Exhibit Galleries/Cobb Energy Gallery (excludes Theater, Jolley Education Center, and other Museum areas) <i>*This option is only available after normal operating hours. All events must be finished by 11 PM.</i>	\$500 per hour after normal operating hours with a 2-hour minimum (Tues – Sat, 5 PM – 11PM) \$500 deposit Damage deposit \$500 Returnable if facility is left clean and not damaged. Payable only via check. Outside alcohol is permitted with a required City of Kennesaw police officer presence. See prices outlined by Off Duty Management web-based service https://www.kennesaw-ga.gov/hire-off-duty/.	10% discount for City Employees, non-profits, government agencies or Museum Members (no combined discounts) Max capacity for the museum is 1,646 total; see staff for individual room limits and structure. Rentals are not available on city holidays or the evening before a holiday after normal operating hours. Rentals are not available on Sunday or Monday. Custom Rental packages based on the fee schedule are available upon request.

DEPARTMENT	FEE TYPE	FEE	REFERENCE
		Optional \$250 staff room set-up fee.	
Museum	Cobb Energy Gallery (no access to museum exhibits or galleries) This option is available during and after normal operating hours. All events must be finished by 11 PM.	\$300 per hour during and after normal operating hours with a 2-hour minimum (Tues – Sat, 5 PM – 11 PM) \$300 deposit Damage deposit \$500 Returnable if the facility is left clean and not damaged. Payable only via check. Outside alcohol is permitted with a required City of Kennesaw police officer presence. See prices outlined by Off Duty Management web-based service https://www.kennesaw-ga.gov/hire-off-duty/. Optional \$350 staff room set-up/breakdown fee.	10% discount for City Employees, non-profits, government agencies, or Museum Members (no combined discounts) The maximum capacity is 250 people in the Annex Gallery. Rentals are not available on city holidays or the evening before a holiday after normal operating hours. Rentals are not available on Sunday or Monday.
Museum	Cobb Energy Gallery Annex (no access to museum exhibits or galleries) This option is available during and after normal operating hours. All events must be finished by 11 PM.	\$100 per hour during and after normal operating hours with a 2-hour minimum (Tues – Sat, 9:30 AM – 11 PM) \$100 deposit	10% discount for City Employees, non-profits, government agencies, or Museum Members (no combined discounts) Max capacity is 50 people (100 if ceremony only) in the Cobb Annex

DEPARTMENT	FEE TYPE	FEE	REFERENCE
		Damage deposit is \$250 returnable if the facility is left clean and not damaged. Payable only via check. Outside alcohol is permitted with a required City of Kennesaw police officer presence. See prices outlined by Off Duty Management web-based service https://www.kennesaw-ga.gov/hire-off-duty/. \$150 Set Up/ Break down fee	Rentals are not available on city holidays or the evening before a holiday after normal operating hours. Rentals are not available on Sunday or Monday.
Museum	Outreach Programs	Single class visits are \$75 (40 students max); each additional class is \$50. A standard mileage fee based on the current city rate will be charged for visits to schools outside of a 20-mile radius of the Museum.	
Museum	Theater only *This option is only available after normal operating hours. All events must be finished by 11 PM	\$150 per hour after normal operating hours with a 2-hour minimum (Tues – Sat, 5 PM – 11 PM) \$150 deposit Damage deposit \$250	10% discount for City Employees, non-profits, government agencies, or Museum Members (no combined discounts) The maximum capacity is 100 people in the theater.

DEPARTMENT	FEE TYPE	FEE	REFERENCE
		Returnable if the facility is left clean and not damaged. Payable only via check. Outside alcohol is permitted with a required City of Kennesaw police officer presence. See prices outlined by Off Duty Management web-based service https://www.kennesaw-ga.gov/hire-off-duty/. Optional \$200 staff room set-up/breakdown fee	Rentals are not available on city holidays or the evening before a holiday after normal operating hours. Rentals are not available on Sunday or Monday.
Museum	Travel Trunk	\$75 per week	Renters are responsible for picking up the Traveling Trunk from the Museum and returning it after seven days.
Museum	Venue Supply Rental	\$10 per table linen (white/black) \$5 per black table runner \$50 per caterer's/room drape (white/black) \$3 per round glass mirror centerpiece or glass table numbers	
Parks & Rec	Recreation Center Memberships	Student - \$5.00 Resident - \$10.00 Non-Resident - \$20.00	Memberships are active for 1 year from the registration date. Single Day Passes available for \$5.

DEPARTMENT	FEE TYPE	FEE	REFERENCE
Parks & Rec.	After Operating Hours Fees	Community Center Rooms \$40 per hour Banquet Hall \$50 per hour Recreation Center Rooms \$40 per hour Gymnasiums \$100 per hour	Rooms, Banquet Hall, and gymnasiums will have the added cost for overtime for employees.
Parks & Rec.	Cancellation Fees – With Notice	\$5 \$15 \$25 \$30 31+ Days Notice - 100% Refund 30-22 Days Notice - 75% Refund 15-20 Days Notice - 50% Refund 8-14 Days Notice - 25% Refund 7 or Less Days - 0% Refund	Programs/activities Pavilion rentals All other facility rentals Camps Code section 66-16(c)(18)
Parks & Rec.	Cancellation Fees Without Notice	Forfeit rental fees	Code section 66-16(c)(4): If facilities are not used during the reserved time

DEPARTMENT	FEE TYPE	FEE	REFERENCE
			for any reason and no prior cancellation was given
Parks & Rec.	Cleaning/Security Deposit Fee	May lose all or a portion of the cleaning deposit.	Code section 66-16(e); The decision of whether the deposit shall be refunded is solely up to the director of the Parks and Recreation department or his or her designee.
Parks & Rec.	Community Center Banquet Hall	RESIDENTS: \$150 per hour; NON-PROFITS: \$100 per hour; NON-RESIDENTS: \$250 per hour \$150 Security Deposit Portable dance floor including set up and take down available for \$150. Platform Setup available for \$50.00 Full stage set up Available for \$150 \$50 AV Equipment Add-On	2-hour minimum for all rentals The deposit is refunded once confirmed there are no problems. **The person who is renting the facility must be the person who uses the facility
Parks & Rec.	Community Center – Conference Room	RESIDENTS: \$20 per hour; NON-PROFIT: \$15 per hour; NON-RESIDENTS: \$30 per hour Security Deposit \$50	1-hour minimum for all rentals

DEPARTMENT	FEE TYPE	FEE	REFERENCE
Parks & Rec.	Community Center – Large Meeting Room	RESIDENTS: \$55 per hour; NON-PROFITS: \$45 per hour; NON-RESIDENTS: \$80 per hour \$50 Security Deposit \$50 AV Equipment Add-On	2-hour minimum for all rentals The deposit is refunded once confirmed there are no problems
Parks & Rec.	Administration Fee	All classes will have a \$5.00 Administration Fee to cover the cost of transaction fees and departmental cost of cleaning materials and staffing.	
Parks & Rec.	Community Center – Craft Lab	RESIDENTS: \$25 per hour; NON-PROFIT: \$20 per hour; NON-RESIDENT: \$40 per hour \$50 Security Deposit	2-hour minimum for all rentals The deposit is refunded once confirmed there are no problems
Parks & Rec.	Community Center - Painting Lab	RESIDENTS: \$25 per hour NON—PROFIT: \$20 per hour NON-RESIDENTS: \$40 per hour \$50 Security Deposit	2-hour minimum for all rentals The deposit is refunded once confirmed there are no problems
Parks & Rec.	Community Center –	RESIDENTS:	2-hour minimum for all rentals

DEPARTMENT	FEE TYPE	FEE	REFERENCE
	Fitness Room	\$40 per hour NON-PROFIT: \$30 per hour NON-RESIDENTS: \$55 per hour \$50 Security Deposit	The deposit is refunded once confirmed there are no problems
Parks & Rec.	Community Classes	NON-RESIDENT: (Monthly programs) \$15 NON-RESIDENT: (All other classes) \$20	These fees are over and above the standard registration fees for participation in sports and classes. 66-17(a)(2) age 65 years or older are exempt from paying any non-resident user fees but are required to pay all standard registration fees.
Parks & Rec.	Community House/Carrie House	RESIDENTS: \$100 per hour; NON-PROFIT: \$75 per hour; NON-RESIDENT: \$200 per hour \$50 Security Deposit	2-hour minimum for all rentals Available Monday through Sunday, 8:00 AM to 10:00 PM Maximum capacity is 13. Rentals are not available on city holidays or the evening before a holiday after normal operating hours.
Parks & Rec.	Dance Rooms	RESIDENTS: \$30 per hour; NON-PROFIT: \$25 per hour; NON-RESIDENT: \$45 per hour \$50 Security Deposit	2-hour minimum for all rentals The deposit is refunded once confirmed there are no problems

DEPARTMENT	FEE TYPE	FEE	REFERENCE
Parks & Rec.	Depot Amphitheatre Outdoor Classroom at Depot Park	RESIDENTS: \$30 per hour; NON-RESIDENTS: \$50 per hour \$50 Security Deposit	2-hour minimum for all rentals Rented Monday through Sunday from 9 AM to 8 PM. Maximum capacity is 60. Rentals are not available on city holidays, the evening before a holiday, or during a city special event.
Parks & Rec.	Outdoor Pickleball Court Rental	RESIDENTS: \$15/court, per hour NON-RESIDENTS: \$20/court, per hour	
Parks & Rec.	Electric charging station: (Revival Parking Deck and Adams Park)	\$.85 per hour for the first four (4) hours; After 4 hours, the fee increases to \$4.00 per hour; and A maximum of \$10.00 per day.	
Parks & Rec.	Park Pavilions	RESIDENTS: \$30 per hour; NON-RESIDENTS: \$50 per hour \$50 security Deposit	2-hour minimum for all rentals Resolution No. 2008-22 and in accordance with Municipal Code 66-16
Parks & Rec.	Park Use Permit (Swift-Cantrell Park)	Exterior Track: \$500 for 4 hours Field A (approx. 8.4acres): \$300 per hour	2-hour minimum for all rentals (excluding Exterior Track) Exterior Track can only be rented between 8 PM-Noon (not exclusive) *Includes Section 1 of Field A

DEPARTMENT	FEE TYPE	FEE	REFERENCE
		Field A-Section 1 (approx. 1.5 acres): \$100 per hour Field A-Section 3 (approx. 2.85 acres): \$150 per hour Field B (approx. 4.51 acres): \$250 per hour Field B-Section 4 (approx. 2.12 acres): \$125 per hour Field B-Section 5 (approx. 2.21 acres): \$125 per hour \$100 Security Deposit	Field A-Section 2 (approx. 3.8 acres): -Used for parking overflow -Not a standalone rental -Exclusive to Field A Rentals The deposit is refunded once confirmed there are no problems
Parks & Rec.	Recreation Center Fitness Rooms	RESIDENTS: \$30 per hour NON-PROFIT: \$25 per hour NON-RESIDENTS: \$45 per hour \$50 Security Deposit	2-hour minimum for all rentals The deposit is refunded once confirmed there are no problems
Parks & Rec.	Recreation Center Gymnasiums	\$75 per hour during operating hours - per gym (2-hour minimum) Max \$750 until 10 PM	2-hour minimum for all rentals The deposit is refunded once confirmed there are no problems

DEPARTMENT	FEE TYPE	FEE	REFERENCE
		\$75 deposit - per gym \$175 per hour after operating hours \$ 200 per gym fee to lay down carpet tiles for gym floors. Returnable if the facility is left clean and not damaged.	
Parks & Rec.	Skate Park	RESIDENTS: \$150 per hour NON-RESIDENTS: \$200 per hour	3-hour minimum
Parks & Rec.	Special Event Permits	\$15	
Parks & Rec.	Splash Pad Admission	\$3.00 per person	Children under the age of 14 years must be accompanied by an adult
Parks & Rec.	Splash Pad – Private Rental	\$40 per hour	2-hour minimum for all rentals Standard entry fees apply per person
Parks & Rec.	Sports Participants	Baseball Association Non-Resident fee \$35; Softball Association Non-Resident fee \$32; Soccer Association Non-Resident fee \$28; Football Association Non-Resident fee \$27	Resolution No. 2004-26
Parks & Rec.	Sports Association Facility - Per participant: (resident & non-resident)	Baseball Association -\$7 Softball Association - \$5 Soccer Association – \$5 Football Association - \$5	Resolution No. 2004-26 These fees are over and above the standard registration fees for participation in sports and classes.

DEPARTMENT	FEE TYPE	FEE	REFERENCE
Parks & Rec.	Field Rental	Ball Fields -\$50 (2hr minimum- 4 hr maximum) Lights- \$75 per hour Tournaments only-\$50 per game with lights an additional \$10 per game	
Parks & Rec.	Tennis Court Rental Fee – ALTA/USTA Leagues	<u>Adult Team</u> RESIDENTS: \$200 per season; NON-RESIDENT: \$300 per season <u>Senior Team</u> RESIDENTS: \$140 per season; NON-RESIDENTS: \$210 per season <u>Youth Team</u> RESIDENTS: \$170 per season; NON-RESIDENT: \$255 per season	When instructional programs offered through Parks & Recreation are not scheduled, court play is available on a first-come, first-served basis. Instructional programs offered through Parks & Recreation always take priority over public use. Leagues must book the courts with the Parks & Recreation Department to ensure court use.
Parks & Rec.	Tennis Court Rental Fee – Group Rate	Minimum 1 court and 1-hour rental; RESIDENTS: \$15 per court, per hour; NON-RESIDENTS: \$20 per court, per hour	When instructional programs offered through Parks & Recreation are not scheduled, court play is available on a first-come, first-served basis. Instructional programs offered through Parks & Recreation always take priority over public use. To ensure court space at the desired time, the court needs to be rented.

DEPARTMENT	FEE TYPE	FEE	REFERENCE
Planning & Zoning	Administrative Variance Application	\$100	Unified Development Code, Chapter 9
Planning & Zoning	Charitable Donation Bins	\$100 annually	Unified Development Code, Chapter 5
Planning & Zoning	Final Plat Review – 1 st time	\$350	Unified Development Code, Chapter 10
Planning & Zoning	Final Plat Review – Resubmittal	\$150 each	Unified Development Code, Chapter 10
Planning & Zoning	Final Plat Application	\$250	Unified Development Code, Chapter 10
Planning & Zoning	HPC Certificate of Appropriateness	\$50 fee to cover administrative time, research, and review + \$150 if demolition.	Unified Development Code, Chapter 4
Planning & Zoning	Rezoning Application	\$375	Unified Development Code, Chapter 10
Planning & Zoning	Preliminary Plat Application	\$250	Unified Development Code, Chapter 10
Planning & Zoning	Preliminary Plat Review – 1 st time	\$500 All plans to be approved by the Plan Review Committee before any scheduled public hearing (Separate application fee)	Unified Development Code, Chapter 10
Planning & Zoning	Preliminary Plat Review – Resubmittal	\$250 each	Unified Development Code, Chapter 10
Planning & Zoning	Public Art Exhibits	\$50	Unified Development Code, Chapter 2
Planning & Zoning	Special Called Meeting (Rezoning or Land Use)	\$250	Unified Development Code, Chapter 10
Planning & Zoning	Special Land Use Permit Application	\$250	Fees to cover advertisement and signs issued to post; Unified Development Code Chapter 10
Planning & Zoning	Variance Application Request	\$375	Unified Development Code, Chapter 10

DEPARTMENT	FEE TYPE	FEE	REFERENCE
Planning & Zoning	Zoning Verification Letter	\$50 per parcel	Unified Development Code, Chapter 10
Police	Accident Reports	\$5	
Police	DVD copy of bodycam or in-car videos	\$10.00	OCGA 50-18-96(g) [HB 976]
Police	Certified Records	\$5	
Police	Criminal History	\$20	
Police	Expungement of Arrest Records	\$25 each incident	O.C.G.A. 35-3-37
Police	Incident Reports	\$0.10 per page	
Police	Pouring License (Server Permit)	\$30 Initial License \$20 Additional Establish. \$5 Replacement Card	
Police	Precious Metals	\$25 Permit Fee \$10 Annual Permit Renewal Fee	See Section 22-141 Code of Ordinances and State Law 43-37-1
Police (Jail)	Fingerprints (Card Provided by KPD)	\$15	
Police (Jail)	Fingerprints (Card Provided by Requester)	\$15	
Public Work	Landscape/Tree Resubmittal	\$150 each	
Public Works			
Public Works	Driveway, Curb Cut Permits	\$25 Residential \$50 Commercial	Ordinance No. 2006-06.
Public Works	Sanitation – See G&A		
Public Works	Small Cell		Georgia HB 184 (2019)
	(1) Fee for each application for the collocation of each small wireless facility on an existing pole per small wireless facility	\$100 per small wireless facility	
	(2) Fee for each application for each replacement pole with an	\$250	

DEPARTMENT	FEE TYPE	FEE	REFERENCE
	associated small wireless facility		
	(3) Fee for each application for each new pole with an associated small wireless facility	\$1,000 per pole	
	(4) An annual right of way occupancy rate for nonexclusive occupancy of the right of way as follows:		
	(i) For each small wireless facility collocated on any existing or replacement pole, including an existing or replacement City pole; or	\$100 per year	
	(ii) For each new pole, other than a replacement pole, with an associated small wireless facility	\$200 per year	
	(5) Annual attachment rate for collocations on City poles;	\$40 per year per small wireless facility	
	(6) Fee to make ready any City pole to enable that pole to support a proposed small cell facility, including replacement of the pole if necessary;	Actual cost	
	(7) Penalty for failure to restore the right-of-way to the condition pre-installation O.C.G.A. §36-	\$500	

DEPARTMENT	FEE TYPE	FEE	REFERENCE
	66C-5 (where a vendor that is permitted seeks to remove with notice to the City (8) Penalty for failure to restore the right of way to the condition pre-installation O.C.G.A §36-66C-6(b) (unpermitted collocation or location of facilities - where vendor installs without a permit) (9) Penalty for failure to remove abandoned facility, support structure or pole under O.C.G.A §36-66C-7(p)(1)	\$1,000 \$500	
Public Works	Stormwater Utility	\$5 Residential \$1.13 per 1,000 sq. ft.; minimum fee \$5 Non-Residential	Ordinance No. 2014-16 Resolution No. 2014-45 "Stormwater Utility Credit Manual"
Public Works	Street Lighting	Single-family residential: \$2.15 per month Multi-family residential: \$2.15 per unit per month (using 90% of actual units) Commercial, industrial, and institutional: \$2.15 per unit per month at 0.95 units per acre	Ordinance No. 2018-07, 2018
Public Works	Tree Removal Permit and Inspection – Residential and Commercial Properties	\$25.00 \$50.00 if historical property	4" tree caliper

DEPARTMENT	FEE TYPE	FEE	REFERENCE
Public Works	Landscape/Tree Review	\$250	
Public Works	Borrow/Fill Permit	\$50 Non—refundable, non-transferable	Follow the same procedures as the Land Disturbance Permit.
Public Works	Construction Document Review	\$500 \$750 \$1,000	Under 5 acres (Type 1) 5-15 acre (Type 2) Over 15 acres (Type 3)
Public Works	Construction Document Resubmittal	\$250 \$375 \$500	Under 5 acres (Type 1) 5-15 acre (Type 2) Over 15 acres (Type 3)
Smith-Gilbert Gardens	Non-Commercial After-Hour Photography Session Available only Tuesday – Saturday 4:30 – 6:30 PM Capacity: 75 people	\$225 No alcohol permitted. Payment due at the time of reservation	All payments made with credit cards are subject to an online service fee. Commercial photo/video shoots must be scheduled through the Communications office. Casual photography for personal use is welcome during Garden hours – regular admission and parking limitations apply.
Smith-Gilbert Gardens	Admission	\$10 Adults; \$8 Seniors (ages 65 and up); \$5 Children (ages 3-17), Free - Children Under age 3 \$5 Military (with I.D.), University Student (with I.D.);	All transactions made with credit cards are subject to online service fees.

DEPARTMENT	FEE TYPE	FEE	REFERENCE
	Museums for All and <u>GA Foster Friendly</u> Blue Star	\$3 for Adults and free for children Active Duty Military Families free with ID	Must show proof of ID with SNAP/ EBT Card <u>& proof of GA FF program membership</u> Discounts available from Armed Forces Day until Labor Day only
Smith-Gilbert Gardens	<u>Guided Tours – School Groups (Public, Private, Homeschool)</u> <u>Self-Guided Tours – School Groups</u> Virtual Field Trips and Outreach <u>in-school</u> visit Guided Tours – Adult Groups Self-Guided Adults Group	<u>\$7 per child. 1 teacher per 10 students admitted free. Additional teachers/parent chaperones pay regular admission.</u> <u>\$5 per child. 1 teacher per 10 students admitted free. Additional teachers/parent chaperones pay regular admission.</u> \$175 for all grade levels up to 30 students \$90 for each additional class for the same topic \$13 per person with a minimum of 10 people Minimum of 10 people at <u>10% off regular adult admission</u>	By reservation only at least 2 weeks prior to date. All payments made with credit cards are subject to an online service fee.

DEPARTMENT	FEE TYPE	FEE	REFERENCE
Smith-Gilbert Gardens	<u>Homeschool, scout, birthday, and reserved group education workshops</u>	\$20 for each initial (non-member) parent and child pair \$10 for each additional child Members receive discounted registration	By reservation only All payments made with credit cards are subject to an online service fee.
Smith-Gilbert Gardens	Outdoor garden rentals are available with use as follows: Full Garden rental	<u>Fees as noted by operational and after hours</u> <u>All require:</u> <u>Cleaning Fee of \$150 is required.</u> <u>Damage deposit (\$500) - returnable if the facility is left not damaged.</u> <u>During Business hours Tuesday -Saturday 9am to 4pm - \$250 per hour with a two-hour minimum.</u> <u>After 4 PM- \$500 per hour with a two-hour minimum.</u> <u>Outside alcohol is permitted after business hours with a required City Permit plus City of Kennesaw police officer presence. See prices outlined by Off Duty Management web-based service</u> <u>https://www.kennesaw-ga.gov/hire-off-duty/.</u>	One hour is allotted for set up and another hour for tear down. Rental tear-down during business hours must be completed by 5 PM and rental tear-down after hours must be completed by 10 PM <u>Additional load-in/breakdown and clean-up time will be charged at \$250 per hour if done after Garden operational hours, and \$125 per hour if done during Garden operational hours.</u> <u>Wedding</u> rehearsal time is available the day before the event. Must be scheduled at the time of rental; time limit applies. Add-on options: Bridal Suite \$250 Note for all rentals during Garden Hours – normal Garden operations continue.

DEPARTMENT	FEE TYPE	FEE	REFERENCE
		<u>Normal Garden operating hours are Tues – Sat, 9 AM – 4 PM</u>	All payments made with credit cards are subject to an online service fee. <u>10% rental discount available for City of Kennesaw residents and businesses, non-profits as well as Garden members. This offer cannot be combined with other discounts. In order to qualify for the discount, the person/entity renting the Gardens must also be the Person/entity using the Gardens for said event.</u> No indoor option for rain Seating available – white resin padded folding chairs (75) 60" round tables (12) 8' tables (3) (If the ceremony plus reception requires additional chairs or tables, then all chairs and tables must be rented) The rental party is responsible for securing and paying any additional fees including Kennesaw Alcohol Permit, Off-duty police officer, tent, valet, Fire Marshall, caterer, décor, chair/tables beyond what is included, flowers, portable restrooms, music, dance floor, etc.

DEPARTMENT	FEE TYPE	FEE	REFERENCE
Smith-Gilbert Gardens	Carriage House	During business hours- \$500 for 4 hours between 9 AM until 4 PM with \$50 for each additional hour Afterhours- \$1000 for 4 hours from 4 PM until 10 PM with \$100 for every additional hour	
Smith-Gilbert Gardens	Little Theater in the Woods Capacity: 40 people Ceremony only	Tuesday — Saturday between 9 AM — 4 PM \$400 per hour with 2-hour minimum No alcohol permitted \$50 for each additional hour From 4 PM until 10 PM \$800 per hour with 2-hour minimum \$100 for each additional hour	
Smith-Gilbert Gardens	Rose Lawn or Knowlton Meadow Capacity: 100 people Ceremony only Ceremony plus reception Dinner Party Children's Birthday Party	Tuesday-Saturday 9 AM — 4 PM \$1500 for 4 hours with \$50 for each additional hour during the Business hours of 9 AM until 4 PM No alcohol between the hours of 9 AM and 4 PM \$3000 for 4 hours with \$50 for each additional hour	Rehearsal time is available the day before the event. Must be scheduled at the time of rental; time limit applies. Valet Parking service may be required for events exceeding 40-person capacity.

DEPARTMENT	FEE TYPE	FEE	REFERENCE
		during after hours from 4 PM until 10 PM	
Zoning	Sign Permits	Subject to the type of sign: Banners- \$25 per event Banners-New Businesses first 60 days free Semi-directional-\$50 (renewed annually) \$25 plus 1% of construction costs exceeding \$1,000 1% of each permit issued, \$10.00 minimum fee per permit (technology fee) Non—refundable, non- transferable	Unified Development Code Chapter 10
Zoning/Building	Cell Towers & Antennae (radio, television, and communication)	\$250	Unified Development Code, Chapter 5

SCHEDULE A – CITY OF KENNESAW BUSINESS TAX SCHEDULE

The Business License Tax is Determined by Gross Receipts and class of Business According to SIC

The \$55 administrative fee is included in the tax amounts below

	Gross Receipts	Class 1	Class 2	Class 3	Class 4	Class 5	Class 6
1	\$0 - \$50,000	\$86.33	\$103.24	\$113.18	\$122.84	\$132.49	\$142.43
2	\$50,001 - \$150,000	\$140.29	\$138.00	\$144.65	\$143.45	\$133.26	\$164.29
3	\$150,001 - \$250,000	\$221.05	\$218.19	\$263.66	\$261.90	\$234.22	\$256.10
4	\$250,001 - \$350,000	\$288.62	\$284.33	\$285.75	\$303.16	\$308.12	\$303.70
5	\$350,001 - \$450,000	\$290.78	\$287.21	\$299.13	\$307.50	\$313.17	\$309.48
6	\$450,001 - \$550,000	\$474.67	\$469.66	\$496.14	\$517.02	\$489.10	\$478.16
7	\$550,001 - \$650,000	\$488.92	\$483.20	\$508.94	\$521.35	\$526.63	\$514.95
8	\$650,001 - \$750,000	\$523.26	\$500.64	\$549.86	\$557.22	\$566.11	\$553.70
9	\$750,001 - \$850,000	\$622.49	\$654.62	\$691.05	\$706.79	\$659.31	\$696.34
10	\$850,001 - \$1,000,000	\$664.66	\$657.51	\$694.67	\$726.79	\$721.06	\$707.90
11	\$1,000,001 - \$1,250,000	\$1,449.56	\$1,433.83	\$1,359.91	\$1,394.41	\$1,437.31	\$1,406.86
12	\$1,250,001 - \$1,500,000	\$1,456.06	\$1,442.47	\$1,518.85	\$1,546.92	\$1,579.86	\$1,563.65
13	\$1,500,001 - \$1,750,000	\$1,462.56	\$1,451.12	\$1,529.70	\$1,559.92	\$1,595.00	\$1,581.00
14	\$1,750,001 - \$2,000,000	\$1,469.06	\$1,459.76	\$1,540.56	\$1,572.92	\$1,625.72	\$1,684.24
15	\$2,000,001 - \$4,000,000	\$2,878.05	\$2,834.31	\$3,039.85	\$2,813.84	\$2,893.30	\$2,874.88
16	\$4,000,001 - \$4,999,999	\$2,884.55	\$2,858.03	\$3,050.71	\$3,107.44	\$3,184.75	\$3,164.12
17	\$5,000,000 - \$9,999,999	\$5,036.88	\$5,016.86	\$5,197.71	\$5,265.29	\$5,342.60	\$5,321.98
18	\$10,000,000 - \$19,999,999	\$7,413.00	\$7,459.90	\$7,568.24	\$9,667.82	\$7,713.13	\$7,692.51
19	\$20,000,000 - \$39,000,000	\$9,621.22	\$9,601.21	\$9,816.61	\$10,823.12	\$9,961.51	\$9,940.88
20	\$40,000,000 - \$79,999,999	\$11,723.60	\$11,703.58	\$11,970.09	\$11,950.07	\$12,114.98	\$12,094.36
21	\$80,000,000 - \$99,999,999	\$14,366.17	\$14,346.15	\$14,532.36	\$14,512.34	\$14,677.25	\$14,471.70
22	\$100,000,000 and above	\$20,510.27	\$15,060.90	\$15,040.19	\$15,020.17	\$15,486.81	\$15,466.19

CITY OF KENNESAW IMPACT FEE SCHEDULE

Attachment "A" of Impact fee Ordinance

Land Use Category	Parks & Recreation	Police	Adminis- tration (3%)	TOTAL IMPACT FEE	Unit of Measure*	
<i>Residential</i>						
Single-Family Detached Housing	\$627.8500	\$50.1800	\$20.9700	\$699.000	per	dwelling
Apartment	\$627.8500	\$50.1800	\$20.9700	\$699.000	per	dwelling
Residential Condominium/Townhouse	\$627.8500	\$50.1800	\$20.9700	\$699.000	per	dwelling
<i>Port and Terminal</i>						
Truck Terminal	-	\$519.1625	\$15.5749	\$534.737	per	acre
<i>Industrial</i>						
General Light Industrial	-	\$0.1023	\$0.0031	\$0.105	per	square foot
General Heavy Industrial	-	\$0.0811	\$0.0024	\$0.083	per	square foot
Manufacturing	-	\$0.0806	\$0.0024	\$0.083	per	square foot
Warehousing	-	\$0.0565	\$0.0017	\$0.058	per	square foot
Mini-Warehouse	-	\$0.0020	\$0.0001	\$0.002	per	square foot
High-Cube Warehouse	-	\$0.0081	\$0.0002	\$0.008	per	square foot
<i>Lodging</i>						
Hotel	-	\$27.5621	\$0.8269	\$28.389	per	room
All Suites Hotel	-	\$31.4597	\$0.9438	\$32.404	per	room
Business Hotel	-	\$4.4328	\$0.1330	\$4.566	per	room
Motel	-	\$31.5113	\$0.9453	\$32.457	per	room
<i>Recreational</i>						
Campground/Recreational Vehicle Park	-	\$2.9687	\$0.0891	\$3.058	per	camp site
Golf Course	-	\$10.8830	\$0.3265	\$11.210	per	acre
Multipurpose Recreational Facility	-	\$22.1547	\$0.6646	\$22.819	per	acre
Movie Theater	-	\$0.0664	\$0.0020	\$0.068	per	square foot
Arena	-	\$147.6835	\$4.4305	\$152.114	per	acre
Amusement Park	-	\$402.9875	\$12.0896	\$415.077	per	acre
Tennis Courts	-	\$10.8065	\$0.3242	\$11.131	per	acre
Racquet Club	-	\$0.0162	\$0.0005	\$0.017	per	square foot
Bowling Alley	-	\$0.0443	\$0.0013	\$0.046	per	square foot
Recreational Community Center	-	\$0.0372	\$0.0011	\$0.038	per	square foot
<i>Institutional</i>						
Private School (K-12)	-	\$0.3584	\$0.0108	\$0.369	per	square foot
Church/Synagogue	-	\$0.0228	\$0.0007	\$0.024	per	square foot
Day Care Center	-	\$0.1126	\$0.0034	\$0.116	per	square foot
Cemetery	-	\$3.6079	\$0.1082	\$3.716	per	acre
Lodge/Fraternal Organization	-	\$44.3095	\$1.3293	\$45.639	per	employee

Medical

Hospital	-	\$0.1438	\$0.0043	\$0.148	per	square foot
Nursing Home	-	\$28.6967	\$0.8609	\$29.558	per	bed
Clinic	-	\$44.3095	\$1.3293	\$45.639	per	employee

Office

General Office Building	-	\$0.1469	\$0.0044	\$0.151	per	square foot
Corporate Headquarters Building	-	\$0.1507	\$0.0045	\$0.155	per	square foot
Single-Tenant Office Building	-	\$0.1416	\$0.0042	\$0.146	per	square foot
Medical-Dental Office Building	-	\$0.1797	\$0.0054	\$0.185	per	square foot
Research and Development Center	-	\$0.1297	\$0.0039	\$0.134	per	square foot

Retail

Building Materials and Lumber Store	-	\$0.0651	\$0.0020	\$0.067	per	square foot
Free-Standing Discount Superstore	-	\$0.0425	\$0.0013	\$0.044	per	square foot
Specialty Retail Center	-	\$0.0806	\$0.0024	\$0.083	per	square foot
Free-Standing Discount Store	-	\$0.0870	\$0.0026	\$0.090	per	square foot
Hardware/Paint Store	-	\$0.0427	\$0.0013	\$0.044	per	square foot
Nursery (Garden Center)	-	\$0.0722	\$0.0022	\$0.074	per	square foot
Nursery (Wholesale)	-	\$0.0738	\$0.0022	\$0.076	per	square foot
Shopping Center	-	\$0.0740	\$0.0022	\$0.076	per	square foot
Factory Outlet Center	-	\$0.0740	\$0.0022	\$0.076	per	square foot
Quality Restaurant	-	\$0.3305	\$0.0099	\$0.340	per	square foot
High-Turnover (Sit-Down) Restaurant	-	\$0.3305	\$0.0099	\$0.340	per	square foot
Fast-Food Restaurant	-	\$0.4830	\$0.0145	\$0.497	per	square foot
Quick Lubrication Vehicle Shop	-	\$93.0499	\$2.7915	\$95.841	per	service bay
Auto-Care Center	-	\$0.0634	\$0.0019	\$0.065	per	square foot
New Car Sales	-	\$0.0786	\$0.0024	\$0.081	per	square foot
Auto Parts Store	-	\$0.0425	\$0.0013	\$0.044	per	square foot
Self-Service Car Wash	-	\$8.8619	\$0.2659	\$9.128	per	stall
Tire Store	-	\$0.0567	\$0.0017	\$0.058	per	square foot
Wholesale Tire Store	-	\$0.0567	\$0.0017	\$0.058	per	square foot
Supermarket	-	\$0.0563	\$0.0017	\$0.058	per	square foot
Convenience Market (Open 24 Hours)	-	\$0.0798	\$0.0024	\$0.082	per	square foot
Convenience Market (Open 15-16 Hours)	-	\$0.0775	\$0.0023	\$0.080	per	square foot
Convenience Market with Gasoline Pumps	-	\$0.0798	\$0.0024	\$0.082	per	square foot
Wholesale Market	-	\$0.0363	\$0.0011	\$0.037	per	square foot
Discount Club	-	\$0.0575	\$0.0017	\$0.059	per	square foot
Home Improvement Superstore	-	\$0.0425	\$0.0013	\$0.044	per	square foot
Electronics Superstore	-	\$0.0425	\$0.0013	\$0.044	per	square foot
Apparel Store	-	\$0.0740	\$0.0022	\$0.076	per	square foot
Pharmacy/Drugstore	-	\$0.0740	\$0.0022	\$0.076	per	square foot
Furniture Store	-	\$0.0184	\$0.0006	\$0.019	per	square foot

Services

Drive-in Bank	-	\$0.1614	\$0.0048	\$0.166	per	square foot
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**"square feet" means square feet of gross building floor area.*

Impact Fees reflect credit given for forecasted SPLOST and general fund contributions.



Item Report

TO: The Honorable Mayor and City Council

FROM: Lea Alvarez, City Clerk

DATE: March 11, 2024

TITLE: **Ordinance: Charter Amendment to Section 3.04 "Oath of Office"**
FINAL PUBLIC HEARING
 Consideration for approval of an ordinance to amend the City of Kennesaw Charter § 3.04, "Oath of Office."

Summary:

The proposed amendments to the Charter include codifying the oaths and filing processes necessary before a person takes any elected office in the city government. Oaths shall be administered before an officer of the state authorized to administer oaths at an open public meeting of the Mayor and City Council. The oaths shall include the Oath of Office, the Loyalty Oath, and the Statutory Oath. Pursuant to O.C.G.A § 45-3-10.1, following the official oaths taken by our municipal officers, those oaths shall be filed in the office of the judge of the probate court. This public hearing was advertised in the Marietta Daily Journal on February 23, 2024, and March 1, 2024, March 8, 2024, and will be advertised again in the March 15, 2024, edition pursuant to O.C.G.A § 36-35-3(b)(1). Further, the amendment must be adopted at two regular consecutive meetings of the Mayor and City Council. The first public hearing was held on March 4, 2024, and the final public hearing will be held on March 18, 2024, where final action will take place.

Recommendation:

City Clerk recommends approval.

Fiscal Impact:

Attachments:

1. ORDINANCE - Oath Charter Amendment
2. 2024-02-23 Legal Ad
3. 2024-03-01 Legal Ad
4. 2024-03-08 Legal Ad

CITY OF KENNESAW, GEORGIA

ORDINANCE NO. 2024-____, 2024

AN ORDINANCE TO AMEND THE CITY OF KENNESAW CHARTER, SEC. 3.04. – OATH OF OFFICE.

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

WHEREAS, the Mayor and Council of the City of Kennesaw seek to amend the Charter, “Sec. 3.04. – Oath of office.”

Section 1: The Charter of the City of Kennesaw, Georgia is hereby amended by replacing section, 3.04, to read as follows:

Sec. 3.04. – Oaths.

(a) Oath of office. Before a person takes any elected office in the city government, he or she shall take, before an officer of the state authorized to administer oaths, and at an open public meeting of the Mayor and Council, the following such oath or affirmation:

"I, _____ (Name), swear that I will faithfully and impartially uphold the Constitution of this State and of the United States, and will conduct myself faithfully as _____ as mayor (or councilmember, as the case may be) during my continuance in office. I have not, in order to influence my election to this office, directly or indirectly promised my vote or support to any person or officer in the government of the City of Kennesaw, nor for any other office. I will not knowingly permit my vote in the election or appointment of any persons to a position in this government to be influenced by fear, favor, or the hope of reward, but in all things pertaining to my office I will be governed by what in my judgment is for the public good and for the best interest of the city, so help me God."

(b) Loyalty Oath. All persons who are employed by and are on the payroll of the city and are the recipients of wages, per diem, or salary, including elected and appointed officers, are required to take an oath that they will support the Constitution of the United States and the Constitution of Georgia. The oath shall be sworn before an officer of the state authorized to administer oaths, in the following form:

"I, _____ (Name) a citizen of _____ and being an employee of the City of Kennesaw and the recipient of public funds for services rendered as such employee, do hereby solemnly swear and affirm that I will support the Constitution of the United States and the Constitution of Georgia."

State law reference O.C.G.A. § 45-3-11, O.C.G.A. § 45-3-12, and O.C.G.A. § 45-3-13.

(c) Statutory oath. Before a person takes any elected office in the city government, he or she shall before entering upon the discharge of their respective duties, take and subscribe the following oath before an officer of the state authorized to administer oaths:

"I _____, do solemnly swear or affirm that I will properly perform the duties as an elected official in and for the city, to the best of my knowledge, skill, and ability; that I am not the holder of any unaccounted for public money due to the State of Georgia or any political subdivision or authority thereto; that I am not the holder of any office of trust under the government of the United States, any other state, or any foreign state, which I am by the laws of the State of Georgia prohibited from holding; that I am qualified to hold the position which I am about to enter according to the Constitution and laws of Georgia, that I will support the Constitution of the United States and the State of Georgia; that I have been a resident of the City of Kennesaw for the time required by the Constitution and laws of the State of Georgia and the Charter of the city, if any; so help me God."

State law reference O.C.G.A. § 45-3-1.

(d) Filing: When taken by municipal officers, official oaths shall be filed in the office of the judge of the probate court by the city clerk.

State law reference O.C.G.A. § 45-3-10.1.

Section 2:

PASSED AND ADOPTED by the Kennesaw City Council on this ____ day of _____, 2024.

ATTESTED BY:

CITY OF KENNESAW:

LEA ALVAREZ, City Clerk

DEREK EASTERLING, Mayor

2:23;3:1,8-2024

**MDJ-2062
GPN-16
PUBLIC NOTICE
NOTICE OF PROPOSED
AMENDMENT TO THE
CHARTER OF THE CITY OF
KENNESAW, GEORGIA**

Pursuant to O.C.G.A. § 36-35-3(b)(1) and O.C.G.A. § 36-35-5, notice is hereby given that an Ordinance has been introduced to amend the Charter of the City of Kennesaw (Ga. Laws, 2013, p. 4234, et seq.) approved May 6, 2013, as amended, said Ordinance being captioned as follows: AN ORDINANCE TO AMEND THE CITY OF KENNESAW CHARTER, SEC. 3.04, OATH OF OFFICE. A copy of the proposed Ordinance and Charter Amendment is on file in the Office of the City Clerk of the City of Kennesaw and the Clerk of the Superior Court of Cobb County for the purpose of examination and inspection by the public.

2:23;3:1,8-2024

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of the application for rezoning shall
file a disclosure at least five (5) calen-
dar days prior to the first hearing by
the local government or any of its
agencies on the rezoning application.”
2:23; 3:1-2024

MDJ-2062
GPN-16
PUBLIC NOTICE
NOTICE OF PROPOSED
AMENDMENT TO THE
CHARTER OF THE
CITY OF KENNESAW, GEORGIA
Pursuant to O.C.G.A. § 36-35-3(b)(1)
and O.C.G.A. § 36-35-5, notice is hereby
given that an Ordinance has been in-
troduced to amend the Charter of the
City of Kennesaw (Ga. Laws, 2013, p.
4234, et seq.) approved May 6, 2013, as
amended, said Ordinance being cap-
tioned as follows: AN ORDINANCE
TO AMEND THE CITY OF KENNE-
SAW CHARTER, SEC. 3.04, OATH OF
OFFICE. Public hearings will be con-
ducted on March 4, 2024, and March 18,
2024, at 6:30 p.m. in the Council Cham-
bers, Kennesaw City Hall, 2529 J.O.
Stephenson Avenue, Kennesaw, GA
30144. Final action is anticipated to oc-
cur at the March 18, 2024, Mayor and
Council meeting. A copy of the pro-
posed Ordinance and Charter Amend-
ment is on file in the Office of the City
Clerk of the City of Kennesaw and the
Clerk of the Superior Court of Cobb
County for the purpose of examination
and inspection by the public.
2:23;3:1,8,15-2024

MDJ-2063
GPN-16
NOTICE OF PUBLIC HEARING
CITY OF KENNESAW

otions is eaving fore in e Peti-	the Clerk of the Board of Commission- ers and the Clerk of the Superior Court for the purpose of examination and in- spection by the public. 2:23; 3:1,8-2024	Noti Spec tion, own low ed b age: 470.2 3006 item 5045 item 6032 item 7068 item 7050 1006 5054 1007 1018 The tise Purc only facil Extr bid until sion
id that re not le and th the n Peti- wer, or n sixty ter for	MDJ-2062 GPN-16 PUBLIC NOTICE NOTICE OF PROPOSED AMENDMENT TO THE CHARTER OF THE CITY OF KENNESAW, GEORGIA Pursuant to O.C.G.A. § 36-35-3(b)(1) and O.C.G.A. § 36-35-5, notice is hereby given that an Ordinance has been in- troduced to amend the Charter of the City of Kennesaw (Ga. Laws, 2013, p. 4234, et seq.) approved May 6, 2013, as amended, said Ordinance being cap- tioned as follows: AN ORDINANCE TO AMEND THE CITY OF KENNE- SAW CHARTER, SEC. 3.04, OATH OF OFFICE. Public hearings will be con- ducted on March 4, 2024, and March 18, 2024, at 6:30 p.m. in the Council Cham- bers, Kennesaw City Hall, 2529 J.O. Stephenson Avenue, Kennesaw, GA 30144. Final action is anticipated to oc- cur at the March 18, 2024, Mayor and Council meeting. A copy of the pro- posed Ordinance and Charter Amend- ment is on file in the Office of the City Clerk of the City of Kennesaw and the Clerk of the Superior Court of Cobb County for the purpose of examination and inspection by the public. 2:23;3:1,8,15-2024	
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OF A 1. 221;	MDJ-2224 GPN-16 City of Acworth Public Hearing	The fents good Cube as / Nw, on N --
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Item Report

TO: The Honorable Mayor and City Council

FROM: Darryl Simmons, Zoning Administrator

DATE: March 11, 2024

TITLE: **Ordinance: Rezoning Request for 2573 Summers Street**
 Consideration for approval of an ordinance authorizing a rezoning request submitted by Jackson Webb for the property located at 2573 Summers St (parcel number 20016700410). Case #RZ2024-01.

Summary:

Said request is to rezone the property located at 2573 Summers Street (Parcel 20016700410) from Light Industrial (LI) to Central Business District (CBD) for a Sherwin Williams store. This lot consists of 1.107 +/- acres, and lies in Land Lot 167 Tax Parcel 41. This public hearing was advertised in the Marietta Daily Journal on February 16, 2024 and a public notice sign has been posted on site.

Recommendation:

Zoning Administrator recommends approval with conditions.

Fiscal Impact:

Attachments:

1. ORDINANCE - 2573 Summers St Rezoning
2. RZ2024-01_2573SummersSt_ApplicationPacket_Redacted
3. RZ2024-01_Staff Analysis_2573 Summers St
4. 03-06-2024 PC Action Minutes

**CITY OF KENNESAW
GEORGIA**

ORDINANCE NO. 2024-, 2024

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE
CITY OF KENNESAW, GEORGIA SO AS TO CHANGE THE ZONING DISTRICT
DESIGNATION FROM CITY LIGHT INDUSTRIAL (LI) TO CITY CENTRAL BUSINESS
DISTRICT (CBD) FOR THE PROPERTY LOCATED AT 2573 SUMMERS ST**

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

WHEREAS, Jackson Webb made an application to amend the Official Zoning Map of the City of Kennesaw, Georgia so as to change the zoning designation from **CITY LIGHT INDUSTRIAL (LI)** to **CITY CENTRAL BUSINESS DISTRICT (CBD)**; for property located at 2573 Summers St (Parcel Number 20016700410), identified as 20th District, Land Lot 167 Tax Parcel 41 containing +/- 1.107 acres (as more particularly described below); and

WHEREAS, notice was advertised in the Marietta Daily Journal on February 16, 2024 of a public hearing before the Kennesaw Planning Commission held on March 6, 2024 and the Mayor and Council on March 18, 2024; and

WHEREAS, the Kennesaw Planning Commission held a public hearing on this proposal at a meeting held March 6, 2024; and

WHEREAS, the Mayor and Council held a public hearing to consider this proposal at a meeting held March 18, 2024; 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 LIGHT INDUSTRIAL (LI)** to **CITY CENTRAL BUSINESS DISTRICT (CBD)** for the following described property:

2573 SUMMERS ST
LEGAL DESCRIPTION
PARCEL NUMBER: 20016700410

EXHIBIT "A"

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

BEGINNING AT A POINT ON THE NORTHWESTERLY SIDE OF DUE WEST ROAD, 311.40 FEET NORTHEASTERLY (AS MEASURED ALONG THE NORTHWESTERLY SIDE OF DUE WEST ROAD) FROM THE INTERSECTION OF THE NORTHEASTERLY SIDE OF U.S. 41 HIGHWAY AND THE NORTHWESTERLY SIDE OF DUE WEST ROAD, RUNNING THENCE NORTH 45 DEGREES 16 MINUTES WEST 180 FEET TO A POINT; THENCE NORTH 57 DEGREES 14 MINUTES WEST 50 FEET TO A POINT; THENCE NORTH 30 DEGREES 20 MINUTES EAST 232.58 FEET TO A POINT; THENCE SOUTH 41 DEGREES 34 MINUTES 15 SECONDS EAST 235 FEET TO AN IRON PIN ON THE NORTHWESTERLY SIDE OF DUE WEST ROAD, THENCE SOUTH 30 DEGREES 08 MINUTES WEST ALONG THE NORTHWESTERLY LINE OF DUE WEST ROAD 206.6 FEET TO THE POINT OF BEGINNING.

SUCH PARCEL OF LAND BEING CONVEYED TO DORA R. MACEY FROM MORRIS W. MACEY BY THE DEED DATED MAY 21, 2001, AND RECORDED ON MAY 24, 2001, IN DEED BOOK/PAGE 13362/5102 OF THE COBB COUNTY, GA PUBLIC REGISTRY.

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 LIGHT INDUSTRIAL (LI)** to **CITY CENTRAL BUSINESS DISTRICT (CBD)** +/- 1.107 acres with stipulations below:

ZONING CONDITIONS

1. Renovation of the store front shall align with the architecture and site development of the Central Business District (CBD). Final exterior materials shall be approved by the Zoning Administrator or their designee during the plan review process.
2. There shall be directional signs at points of ingress/egress to ensure that vehicular traffic flows in the correct pattern. This signage shall be approved by the Zoning Administrator or their designee.
3. The development shall generally occur as depicted on the site plan, if the impervious area increases or changes significantly then a stormwater management system will be required as defined in Chapter 46 Stormwater Utility and Environment of the Development Code.

4. There shall be added landscape buffer along the frontage of Summers Street to match the landscaping design guidelines and site design standards for the Central Business District outlined in section 4.02.03.
5. All exterior lighting shall be down-cast in style. No over flow of light onto/into the adjacent residential properties. This shall be verified with a photometric plan during the plan review process.

SECTION 3. BE IT FURTHER ORDAINED THAT it is hereby declared to be the intention of this Ordinance that its sections, paragraphs, sentences, clauses, and phrases are severable, and if any section, paragraph, sentence, clause, and phrase is declared to be unconstitutional or invalid, it shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance.

SECTION 4. BE IT FURTHER ORDAINED THAT this Ordinance shall become effective from and after its adoption and execution by the Mayor, pursuant to Section 2.11 of the City Charter of the City of Kennesaw.

PASSED AND ADOPTED by the Kennesaw City Council on this ____ day of March, 2024.

ATTEST:

CITY OF KENNESAW:

Lea Alvarez, City Clerk

Derek Easterling, Mayor



**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**

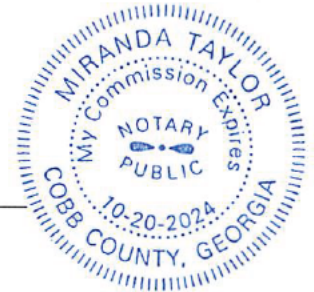
**REZONING APPLICATION**

Required Fee \$375.00

Date Received 1/17/24
Staff's Initials NFIs this property located within the Kennesaw Historic District (yes) _____ (no) X?**A MINIMUM OF ONE CONSULTATION WITH PLANNING AND ZONING ADMINISTRATOR AND STAFF PRIOR TO THE SUBMISSION OF THE REQUESTED APPLICATION IS MANDATORY.**Date of Consultation 1/11/24 Staff's Initials NF**REZONING PROPERTY ADDRESS** 2573 Summers St NWLand Lot 167 Tax Parcel 20016700410 Lot Size 1.1 Acres

Resident Population _____ Housing Units _____ Other Buildings _____

Zoning Request from:

Present Zoning LI To: CBDFor the purpose of: A Sherwin Williams Paint Store**APPLICANT EMAIL** [REDACTED]Applicant Address 3544 Jefferson Township Parkway(Phone #) [REDACTED]Applicant Signature J. Webb Date 1/16/24Signed, sealed and delivered in presence of: Miranda Taylor 1-16-24
Notary Date**REPRESENTATIVE** Jackson Webb(Fax #) _____ (Work#) _____ (Cell#) [REDACTED]

Representative Signature _____ Date _____

Signed, sealed and delivered in presence of: _____
Notary Date**TITLEHOLDER:** 2573 Summers Street, LLC (Phone #) [REDACTED]Signature: Sean Ferguson Address 300 Bell Park Drive Woodstock GA 30188Signed, sealed and delivered in presence of: Stephanie Riley 1/17/2024
Notary Date



CAMPAIGN DISCLOSURE REPORT¹ BY APPLICANT²

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 Feb, 2024

Applicants Signature

A. Well

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

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



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

PLEASE TAKE NOTICE

That the undersigned has applied to the Planning Commission and Mayor and Council of the City of KENNESAW for the following:

The property referred to is located at:

and is within a 200 foot radius of your property. It is described as Land Lot _____ 20th District, 2nd Section, Tax Parcel _____ in the City of Kennesaw.

The said application will come up for hearing before the Planning Commission on _____ at 7:00 p.m., and the Mayor and Council on _____, at 6:30 p.m. in the City Hall Council Chambers, 2529 J.O. Stephenson Avenue, Kennesaw, Georgia. You may appear in person or by attorney and may present any objections, which you may have to the granting of this request. All documents relating to this application are enclosed for your review. The applicant, by order of the Planning

Commission, Mayor and Council, sends this notice to you.

Dated _____

Applicant _____



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

CERTIFICATION AUTHORIZATION

I hereby attest to the fact that a certified mailing to property owners within 200 feet was mailed out on Feb. 15th, 2024 in accordance with the application requirements.

2-16-24

Date

A. W. W.

Applicant or Authorized Agent

Sworn and subscribed before me this

16th day of February 20 24

Notary Public



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



Printed: 1/18/2024

RZ2024-01

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:
2573 SUMMERS STREET LLC

2573 SUMMERS STREET LLC

Payment Date: 10/13/2023

Tax Year	Parcel ID	Due Date	Appeal Amount			Taxes Due
2023	20016700410	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	\$9,045.00	\$0.00	



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



City of Kennesaw
PROPERTY TAX DIVISION
2529 J. O. STEPHENSON AVE
KENNESAW, GA 30144-2780
(770) 429-4542

2023
Property Tax Bill

Parcel ID	Tax District		Bill #						
20016700410	3/3-BOND - KENNESAW CITY		238054						
Property Owner/Location/Description			Fair Market Value	Taxable Value					
2573 SUMMERS STREET LLC 2573 SUMMER ST			750,000	300,000					
Levies	Taxable Value	-	Exemptions	=	Net Assessment	X	Tax Rate	=	Net Tax
CITY OF KENNESAW	300,000		0		300,000		7.7500000000		\$2,325.00
BOND	300,000		0		300,000		1.5000000000		\$450.00
Exemptions:									
Interest will accrue monthly at a rate of .96% per month, based on an annual calculation of Federal Prime Rate (8.5%) plus 3%. To arrive at the new monthly interest rate, divide the Federal Prime Rate by 12. This annual interest rate will changes when the Federal Reserve announces the new bank prime loan rate each January (House Bill 960).									
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).									
Any questions concerning payment instructions should be directed to the City of Kennesaw Property Tax Department at (770) 429-4542.									

Current Year Tax	\$2,775.00
Interest	\$50.92
Penalty	\$0.00
Other Fees	\$0.00
Payments Received	\$2,825.92
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.

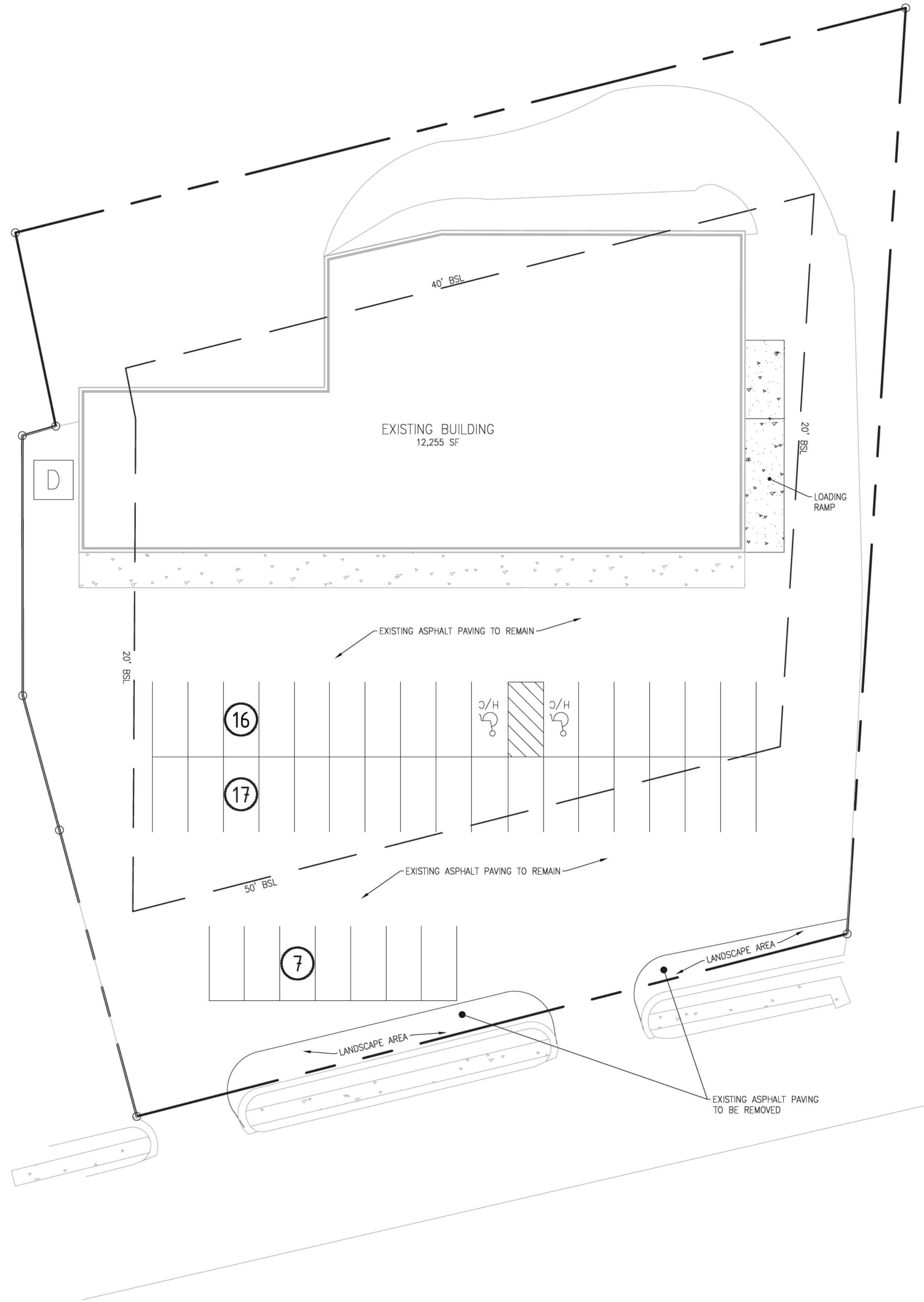
For your convenience, you may pay by check,
money order, Discover, Mastercard, AMEX,
VISA.
3% fee and \$3.50 per transaction fee added to
debit/credit card payments. \$1.25 fee per
ECheck transaction paid online.

Parcel ID: 20016700410
Amount Due: \$0.00
Bill#: 238054
Due Date: 12/01/2023

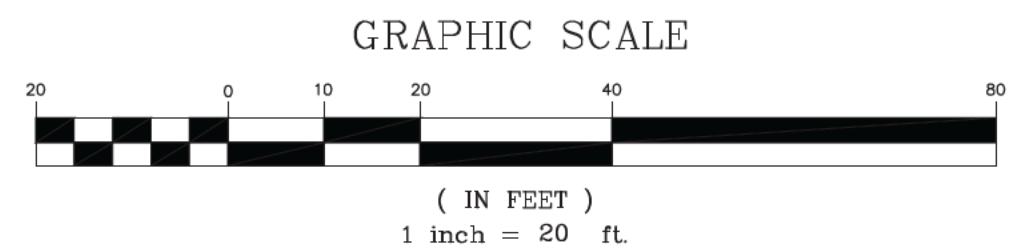
AMOUNT PAID

2573 SUMMERS STREET LLC
300 BELL PARK DR
WOODSTOCK, GA 30188

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



IF YOU DIG GEORGIA...
CALL US FIRST!
UTILITIES PROTECTION CENTER
1-800-282-7411
(404) 325-5000
(metro Atlanta only)
IT'S THE LAW



SITE NOTES:

1. THE SCOPE OF THE PROJECT DEPICTED IN THESE DRAWINGS CONSISTS OF CONSTRUCTION OF THE RENOVATION OF AN EXISTING BUILDING AND MODIFICATIONS TO THE EXISTING PARKING LOT.
2. ALL DIMENSIONS ARE TO FACE OF BUILDING, FACE OF CURB, OR EDGE OF PAVEMENT UNLESS OTHERWISE NOTED.
3. ALL DISTURBED AREAS NOT DESIGNATED AS IMPERVIOUS SURFACE SHALL BE STABILIZED AS INDICATED IN THE EROSION CONTROL PLANS.
4. CONSTRUCT SAFETY RAILING OR FENCE ALONG THE TOP OF ALL RETAINING WALLS WHERE HEIGHT EXCEEDS 30".
5. ALL MATERIALS SHALL BE NEW UNLESS OTHERWISE NOTED.
6. PAVEMENT SHALL BE IN ACCORDANCE WITH GDOT STANDARDS AND SPECIFICATIONS.
7. ALL SIGNAGE AND STRIPING SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE MUTCD.

PARKING SUMMARY:
PARKING REQUIRED - 12,255 SF X 1 SP/200 SF = 57 SP
PARKING PROVIDED - 40 SP INCLUDING 2 HC SPACES
PARKING VARIANCE REQUIRED

RZ2024-01

CLIENT



4692 Sandy Plains Road
Roswell, Georgia 30075

PROJECT

SHERWIN-WILLIAMS
2573 SUMMERS ST

KENNESAW, Georgia

SDP PROJECT NO. C-2303-04



4555 Mansell Road, Suite 300
Alpharetta, GA 30022
Phone 404-647-4006
www.SDPcivil.com
GA P.E. Firm PEF007277

SEAL

NOT VALID WITHOUT SIGNATURE AND DATE

These drawings are instruments of service and are the exclusive property of SITE DEVELOPMENT PARTNERS, LLC (SDP). Their use and publication shall be restricted to the project for which they were prepared. Reuse, reproduction, or publication by any method, in whole or in part, is prohibited except by written permission from SDP.

DATE February 12, 2024

PRINT RECORD

DRAWING TITLE

ZONING
SITE PLAN

DRAWING NUMBER

Z1.01

SITE DEVELOPMENT PARTNERS, LLC, Alpharetta, Georgia o Civil Engineering o Land Planning o SERVICE o EXPERIENCE o QUALITY o What Our Clients Need When They Need It.

SEAL

REVISIONS

#	DATE	DESCRIPTION

ISSUE DATE

NO	DATE	REMARKS/BULLETINS

PROFESSIONAL IN CHARGE:

PROJECT MANAGER:

ALI R. NAJAFI

QUALITY CONTROL:

PROJECT NAME

SHERWIN WILLIAMS -
KENNESAW
2573 SUMMERS STREET, KENNESAW,
GA 30144

PROJECT NUMBER

20230310105

SHEET TITLE

ARCHITECTURAL
FLOOR PLAN

SHEET NUMBER

A1-00

PAGE

OF

WALL LEGEND

EXISTING WALL AND PARTITION TO REMAIN

NEW WALL AND PARTITION



1

PROPOSED FLOOR PLAN

SCALE: 3/16" = 1'-0"

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

FILE NO. 2111471

Parcel ID: 20016700410

LIMITED WARRANTY 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 and LIMA AIRS, LLC
 (“Grantor”) of the State of Georgia, and

2573 SUMMERS STREET LLC
 (“Grantee”) of the State of Georgia, (the terms “Grantor” and “Grantee” to include the singular and the plural, and shall be deemed to refer equally to each of said person, firms or entities, their respective heirs, successors and assigns where the context hereof requires or permits),

WITNESSETH, That the said party of the first part, for and in consideration of the sum of Ten (\$10.00) Dollars and other valuable considerations, in hand paid at and before the sealing and delivery of these presents, the receipt, adequacy and sufficiency of which being hereby acknowledge by Grantor, has granted, bargained, sold and conveyed, and by these presents does hereby grant, bargain, sell and convey unto Grantee, the following described real property, to wit:

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 TO HOLD the above-described tract or parcel of land, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in

anywise appertaining to the only proper use, benefit and behoof of Grantee, forever, in FEE SIMPLE.

AND, SUBJECT TO the title matters expressly set forth hereinabove, if any, Grantor will warrant and forever defend the right and title to the above described property unto the Grantee against the claims of all persons claiming by, through, or under grantor.

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:

DW RBJ, LLC

Unofficial Witness

By: Rex P. Macey (Seal)
REX P. MACEY, Manager

Notary Public
My Commission Expires:



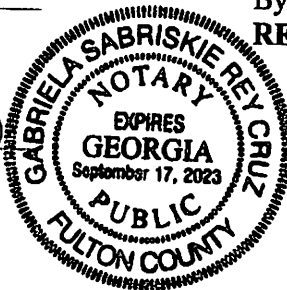
Signed, sealed and delivered in the presence of:

LIMA AIRS, LLC

Unofficial Witness

By: Rex P. Macey (Seal)
REX P. MACEY, Manager

Notary Public
My Commission Expires:



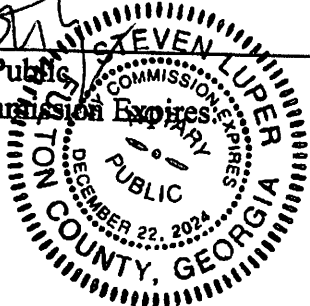
Signature Continued on Next Page

Signed, sealed and delivered in the
presence of:

Shane Helett
Unofficial Witness

LIMA AIRS, LLC

By: *Randall M. Lipshutz* (Seal)
RANDALL M. LIPSHUTZ, Manager

Steven Luper
Notary Public
My Commission Expires:


"EXHIBIT A"

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

BEGINNING AT A POINT ON THE NORTHWESTERLY SIDE OF DUE WEST ROAD, 311.40 FEET NORTHEASTERLY (AS MEASURED ALONG THE NORTHWESTERLY SIDE OF DUE WEST ROAD) FROM THE INTERSECTION OF THE NORTHEASTERLY SIDE OF U.S. 41 HIGHWAY AND THE NORTHWESTERLY SIDE OF DUE WEST ROAD; RUNNING THENCE NORTH 45 DEGREES 16 MINUTES WEST 180 FEET TO A POINT; THENCE NORTH 57 DEGREES 14 MINUTES WEST 50 FEET TO A POINT; THENCE NORTH 30 DEGREES 20 MINUTES EAST 232.58 FEET TO A POINT; THENCE SOUTH 41 DEGREES 34 MINUTES 15 SECONDS EAST 235 FEET TO AN IRON PIN ON THE NORTHWESTERLY SIDE OF DUE WEST ROAD, THENCE SOUTH 30 DEGREES 08 MINUTES WEST ALONG THE NORTHWESTERLY LINE OF DUE WEST ROAD 206.6 FEET TO THE POINT OF BEGINNING.

Such parcel of land being conveyed to Dora R. Macey from Morris W. Macey by that deed dated May 21, 2001, and recorded on May 24, 2001, in Deed Book/Page 13368/5102 of the Cobb County, GA Public Registry.

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.

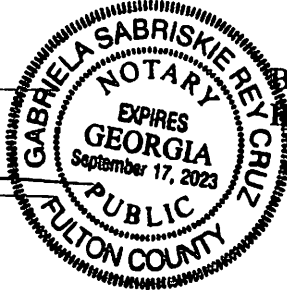
Signed, sealed and delivered in the
presence of:

DW RBJ, LLC

Unofficial Witness

Notary Public

My Commission Expires:



By:

Rex P. Macey, Manager

(Seal)

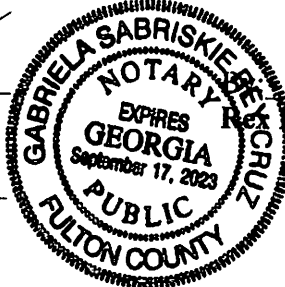
Signed, sealed and delivered in the
presence of:

LIMA AIRS, LLC

Unofficial Witness

Notary Public

My Commission Expires:



By:

Rex P. Macey, Manager

(Seal)

Signatures continued on the next page

Signed, sealed and delivered in the presence of:

Christina Hazelte
Unofficial Witness

[Signature]
Notary Public
My Commission Expires: December 22, 2024
NOTARY PUBLIC
STEVEN LUPER
MY COMMISSION EXPIRES
DECEMBER 22, 2024
FULTON COUNTY, GEORGIA

Signed, sealed and delivered in the presence of:

Christina Hazelte
Unofficial Witness

[Signature]
Notary Public
My Commission Expires: December 22, 2024
NOTARY PUBLIC
STEVEN LUPER
MY COMMISSION EXPIRES
DECEMBER 22, 2024
FULTON COUNTY, GEORGIA

LIMA AIRS, LLC

By: [Signature] (Seal)
Randall M. Lipshutz, Manager

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

By: [Signature] (Seal)
Randall M. Lipshutz, Executor

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.

MAYOR

Derek Easterling

City Manager

Jeff Drobney, ICMA-CM

City Clerk

Lea Alvarez, CMC



Mayor Pro Tem Antonio Jones

Madelyn Orochena

Tracey Viars

Pat Ferris

February 16, 2024

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

Subject: City of Kennesaw Rezoning Application (Case#RZ2024-01)
2573 Summers St, Kennesaw, GA 30144 – Parcel #20016700410

Dear Ms. Mabry,

Attached, please find a zoning application submitted by Jackson Webb of Heirloom Development, LLC to petition for a rezoning request 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.

This case is set to go before the Kennesaw Planning Commission on March 6, 2024 at 6:30 p.m. for public hearing and Mayor and Council on March 18, 2024 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: Zoning Application

cc: Jessica Guinn, AICP, Community Development Agency Director (Via E-mail)
Dr. Jackie McMorris, Cobb County Manager (Via E-mail)
Phillip Westbrook, Senior Planner, Cobb County Community Development (Via E-mail)
Donald Wells, Intergovernmental Coordinator/Planner III, Cobb County Community Dev. (Via E-mail)
Dr. Jeff Drobney, City Manager, City of Kennesaw (Via E-mail)
Chanelle Campbell, Assistant Zoning Administrator & Planner, City of Kennesaw (Via E-mail)
Natalie Faustine, Community Development Administrative Assistant, City of Kennesaw (Via E-mail)



**CITY OF KENNESAW
LAND USE NOTICE**

APPLICATION # **RZ2024-01**

PURPOSE **Rezoning from light industrial (LI) to Central Business District (CBD)**

DATE OF PUBLIC MEETING: **3/6/2024** TIME: **6:30PM**

DATE OF PUBLIC MEETING: **3/18/2024** TIME: **6:30PM**

PLACE: **CITY HALL KENNESAW, GA**

Due to the priority for public health and safety,
the City of Kennesaw will implement a public meeting
protocol / system for community participation
in compliance to social distancing protocol.
For specific public meeting guidelines and access to all
application information please visit our website

HTTP://WWW.KENNESAW-GA.GOV

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

02.21.2024 12:11

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

2:16-2024

MDJ-1888
GPN-16

**CITY OF KENNESAW
PUBLIC NOTICE**

Notice is hereby given that the City of Kennesaw shall hold public hearings to give consideration for a rezoning request submitted by Jackson Webb. Said request is to rezone from Light Industrial (LI) to Central Business District (CBD) for parcel located at 2573 Summers St NW (20016700410) and lies in Land Lot 167, Tax Parcel 41 of the 20th District, 2nd Section, Cobb County Georgia.

Said meetings shall be held before the Planning Commission on March 6, 2024 at 6:30 p.m. with a final scheduled hearing and adoption by the Mayor and Council to be considered on March 18, 2024 at 6:30 p.m. Meetings will be held in the Kennesaw City Council Chambers, 2529 J.O. Stephenson Avenue, Kennesaw, GA. Any interested persons may attend and be heard relative thereto.

Mayor and Council will be conducting their meeting in person as well as through Facebook Live at the following link: <https://www.facebook.com/City-ofKennesaw/>

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

2:16-2024

8004 Public Sales/Auctions

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PARID4A	OWNER1	OWNER2	ADDR1	ADDR2	ADDR3
20016700400	CAMORIN LLC		2601 SUMMER ST		KENNESAW GA 30144
20016700450	HEBACH INC		300 BELL PARK DR		WOODSTOCK GA 30188
20016700460	KHEHRA INVESTMENTS LLC		1211 NOBLE LN		MARIETTA GA 30062
20016701100	ARRIS KENNESAW LLC	C/O RYAN LLC	PO BOX 20197		ATLANTA GA 30325
20016700560	CROSSINGS PARTNERS THE LLC		19241 BIRMINGHAM HWY		ALPHARETTA GA 30004
20016700580	2510NCP LLC		P O BOX 318		LEBANON GA 30146
20016700590	KENNESAW PARTNERS LLC	C/O RYAN LLC	1999 BROADWAY STE 4100		DENVER CO 80202
20016700360	ARRIS KENNESAW LLC	C/O RYAN LLC	PO BOX 20197		ATLANTA GA 30325
20016700750	ARRIS KENNESAW LLC	C/O RYAN LLC	PO BOX 20197		ATLANTA GA 30325
20016700380	ARRIS KENNESAW LLC	C/O RYAN LLC	PO BOX 20197		ATLANTA GA 30325
20016700370	ARRIS KENNESAW LLC	C/O RYAN LLC	PO BOX 20197		ATLANTA GA 30325
20016700390	ARRIS KENNESAW LLC	C/O RYAN LLC	PO BOX 20197		ATLANTA GA 30325
20016701100	ARRIS KENNESAW LLC	C/O RYAN LLC	PO BOX 20198		ATLANTA GA 30326
20016701170	GREATER HEIGHTS BAPTIST CHURCH		3790 POST RD		CUMMING GA 30040
20016700610	KIRK RUDY INC	C/O RYAN LLC	1999 BROADWAY STE 4100		DENVER CO 80202
20016701040	ARRIS KENNESAW LLC	C/O RYAN LLC	PO BOX 20198		ATLANTA GA 30326

PLEASE TAKE NOTICE

That the undersigned has applied to the Planning Commission and Mayor and Council of the City of KENNESAW for the following:

20016700410

The property referred to identified as Land Lot 167 , Tax Parcel 2001 Kennesaw, GA 30144

Address of property(ies) 2573 Summers St NW

and is within a 200-foot radius of your property. It is described as Land Lot 167 20th District, 2nd Section, Tax Parcel 20016700410 in the City of Kennesaw.

The said application will come up for hearing before the **Planning Commission** on March 6th at **7:00 p.m.**, and the **Mayor and City Council** on March 11th & 18th, at **6:30 p.m.** in the City Hall Council Chambers, 2529 J.O. Stephenson Avenue, Kennesaw, Georgia. You may appear in person or by attorney and may present any objections, which you may have to the granting of this request. All documents relating to this application are enclosed for your review. The applicant, by order of the Planning Commission, Mayor and Council, sends this notice to you.

Sign:



Dated:

2/16/24

**REZONING APPLICATION**

Required Fee \$375.00

Date Received 1/17/24
Staff's Initials NFIs this property located within the Kennesaw Historic District (yes) _____ (no) X?**A MINIMUM OF ONE CONSULTATION WITH PLANNING AND ZONING ADMINISTRATOR AND STAFF PRIOR TO THE SUBMISSION OF THE REQUESTED APPLICATION IS MANDATORY.**Date of Consultation 1/11/24 Staff's Initials NF**REZONING PROPERTY ADDRESS** 2573 Summers St NWLand Lot 167 Tax Parcel 20016700410 Lot Size 1.1 Acres

Resident Population _____ Housing Units _____ Other Buildings _____

Zoning Request from:

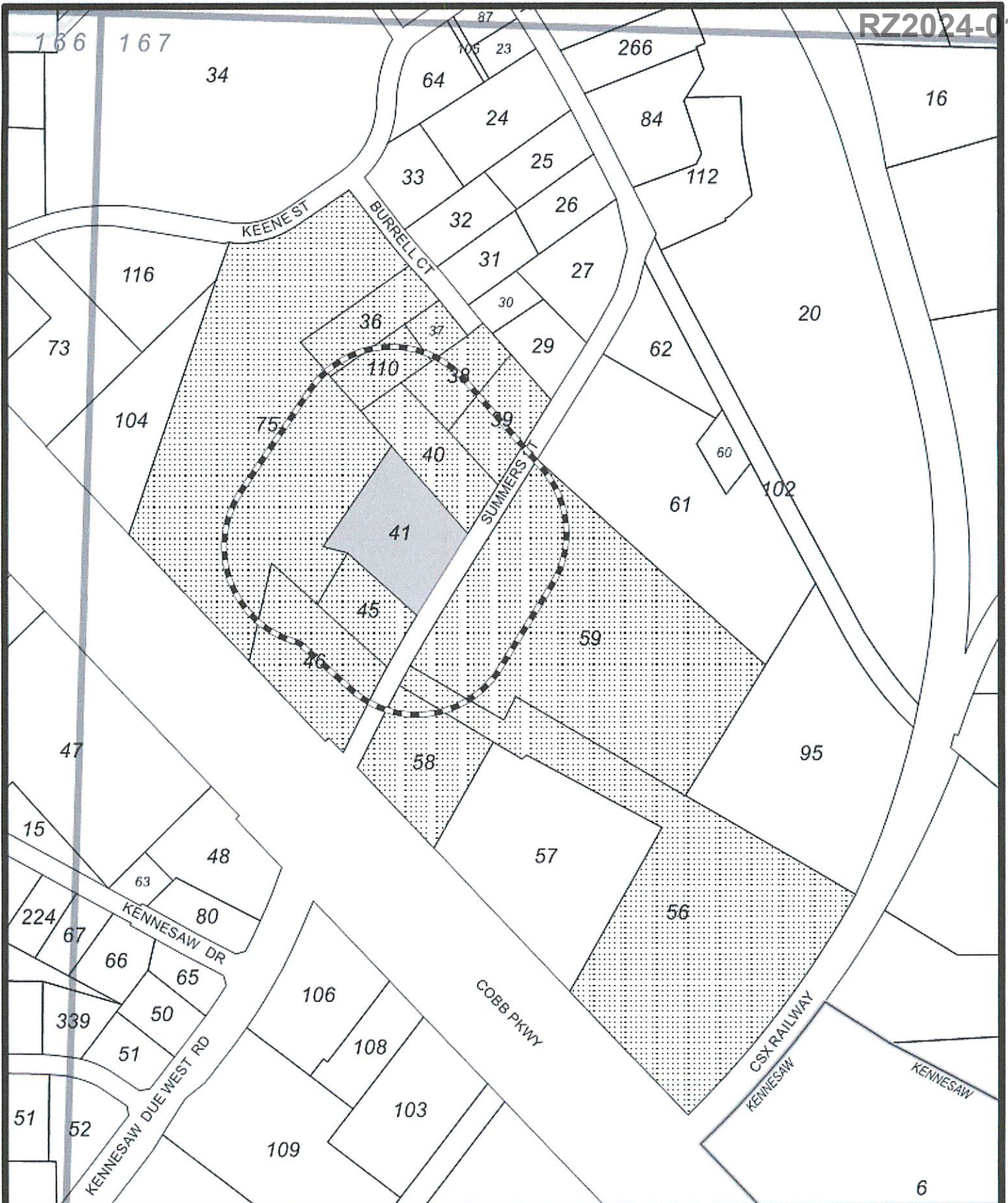
Present Zoning LI To: CBDFor the purpose of: A Sherwin Williams Paint StoreAPPLICANT EMAIL [REDACTED]Applicant Address 3544 Jefferson Township Parkway(Phone #) [REDACTED]Applicant Signature [Signature] Date 1/16/24Signed, sealed and delivered in presence of: Miranda Taylor 1-10-24
Notary Date**REPRESENTATIVE** Jackson Webb(Fax #) _____ (Work#) _____ (Cell#) [REDACTED]

Representative Signature _____ Date _____

Signed, sealed and delivered in presence of: _____
Notary Date**TITLEHOLDER:** 2573 Summers Street, LLC (Phone #) [REDACTED]Signature: [Signature] Address 300 Bell Park Drive Woodstock GA 30188Signed, sealed and delivered in presence of: Stephanie Riley 1/17/2024
Notary Date



CASE NUMBER		LAND USE OR ZONING		2573 Summers St NW		
		FROM	TO	Land Lot 167, Tax Parcel 41		
AV	LU			Subject Property		
AX	RZ 2024-001	LI	CBD			
DX	AV - Administrative Variance AX - Annexation DX - De-annexation HBR - Historic Board Review	 ZONING  KENNESAW CITY LIMITS  COBB COUNTY  LAND LOT		 CITY OF KENNESAW PLANNING & ZONING DEPT. 770-590-4268		
HBR	LU - Land Use RZ - Re-zoning SLUP - Special Land Use ZV - Variance			David P. ... City Manager (770) 590-1234		
SLUP				Scale: 1" = 181' Print Date: 1/31/2024 RZ2023_000		
ZV						



-  Subject Parcel
-  200' Radius
-  Properties Notified

2573 Summers St NW
Land Lot 167,
Tax Parcel 41

RZ2024-001
200' PROPERTY NOTIFICATION

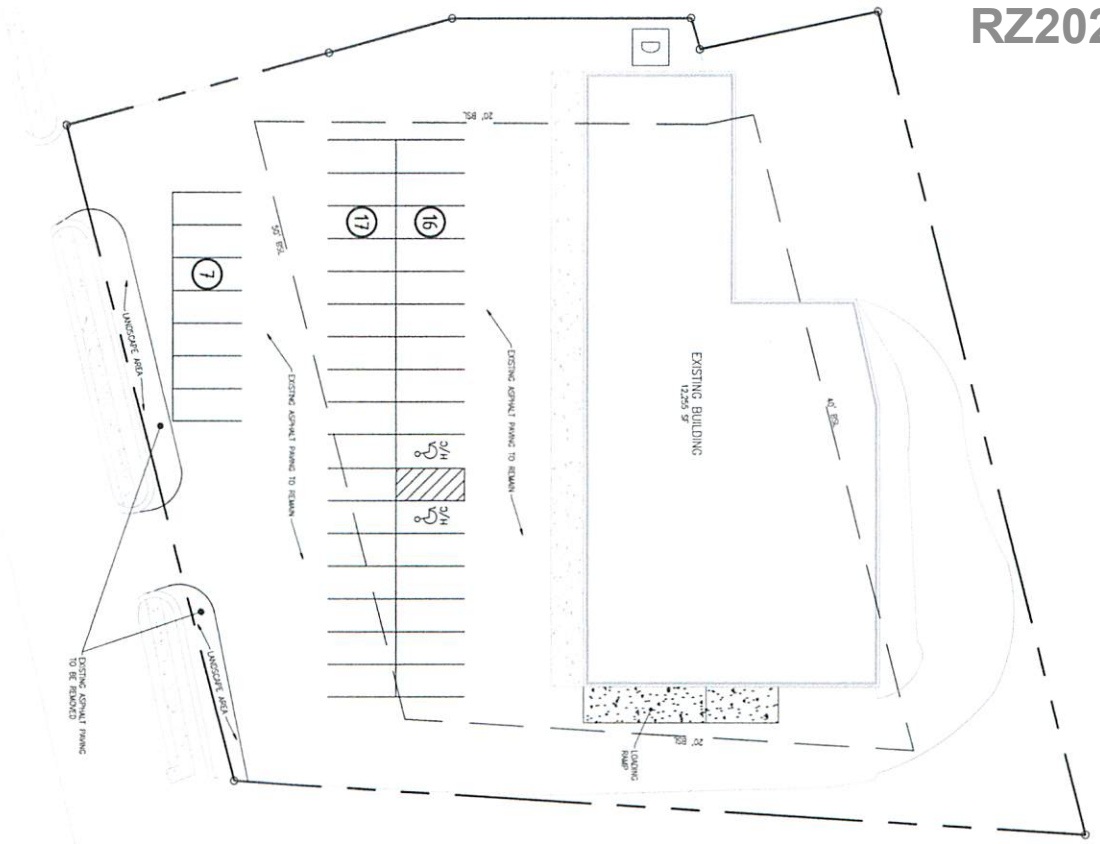


CITY OF KENNESAW
 PLANNING & ZONING DEPT.
 770-590-4268

Check Today
 NAD 83
 UTM - 18Q
 UTM - 18Q



Date: 1/31/2024
 RZ2023_000



SITE NOTES:

1. THE SCOPE OF THE PROJECT DEPICTED IN THESE DRAWINGS CONSISTS OF CONSTRUCTION OF THE RENOVATION OF AN EXISTING BUILDING AND MODIFICATIONS TO THE EXISTING PARKING LOT.
2. ALL DIMENSIONS ARE TO FACE OF BUILDING, FACE OF CURB, OR EDGE OF PAVEMENT UNLESS OTHERWISE NOTED.
3. ALL NOTED AREAS NOT DESIGNATED AS UNPERFORATED SURF SHALL BE SHOULDERED AS NOTED IN THE EROSION CONTROL PLANS.
4. CONSTRUCT SAFETY BAILING OR FENCE ALONG THE TOP OF ALL RETAINING WALLS WHERE HEIGHT EXCEEDS 50'.
5. ALL MATERIALS SHALL BE NEW UNLESS OTHERWISE NOTED.
6. PAVEMENT SHALL BE IN ACCORDANCE WITH DOT STANDARDS AND SPECIFICATIONS.
7. ALL SIGNAGE AND STRIPING SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE MCDOT.

PARKING SUMMARY:
PARKING REQUIRED - 12,255 SF X 1 SP/200 SF = 57 SP
PARKING PROVIDED - 40 SP INCLUDING 2 HC SPACES
PARKING VARIANCE REQUIRED

CLIENT:



4602 Sandy Plains Road
Roswell, Georgia 30075

PROJECT:

SHERWIN-WILLIAMS
2573 SUMMERS ST

KENNESAW, Georgia



5000 Marietta Road, Suite 300
Atlanta, Georgia 30328
Phone: 404-417-1006
www.sdpnllc.com
DATE: 1/19/2024

SCALE:

NOT VALID WITHOUT SEALING AND DATE
These drawings are the property of SITE DEVELOPMENT PARTNERS, LLC (SDP). They are not to be reproduced, copied, or used in any way without the written permission of SDP. Any reproduction or use without permission is prohibited. In whole or in part, is prohibited except by written permission from SDP.

DATE:

February 12, 2024

PRINT RECORD

DRAWING TITLE

ZONING
SITE PLAN

DRAWING NUMBER

Z1.01



IF YOU DIG GEORGIA...
CALL US FIRST!
UTILITIES PROTECTION CENTER
1-800-282-7411
(404) 325-5000
(metro Atlanta only)
IT'S THE LAW



9589 0710 5270 1425 0700 64

U.S. Postal ServiceTM CERTIFIED MAIL[®] RECEIPT

Domestic Mail Only

RZ2024-01

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

Denver, CO 80202

Certified Mail Fee \$4.40
\$0.00

Extra Services & Fees (check box, add fees as appropriate)

- ☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.68
\$0.68

Total Postage and Fees

\$5.08

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Total Postage and Fees

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Total Postage and Fees

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Kennesaw, GA 30144

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ZONING ADMINISTRATOR
DARRYL SIMMONS

**ASSISTANT ZONING
ADMINISTRATOR/PLANNER**
CHANELLE CAMPBELL

CONTACT US

OFFICE: (770) 590-8268

WEBSITE: www.kennesaw-ga.gov

EMAIL: zoningdept@kennesaw-ga.gov



COMMUNITY DEVELOPMENT
Planning and Zoning

2529 J.O. Stephenson Avenue

MAYOR AND COUNCIL
MARCH 18, 2024

PLANNING COMMISSION
MARCH 6, 2024

LEGAL ADVERTISEMENTS
FEBRUARY 16, 2024

PUBLIC NOTICE SIGN
FEBRUARY 20, 2024

APPLICATION SUBMITTED
JANUARY 17, 2024

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2024-01

Property Addresses

2573 Summers St

Applicant

Jackson Webb

Representative

Jackson Webb

Property Owner

2573 Summers Street LLC

Current Zoning

Light Industrial (LI)

Proposed Zoning

Central Business District (CBD)

Current Future Land Use Category

Downtown Activity Center (DAC)

Project Request: Rezoning for the purpose of renovating the vacant structure to establish a Sherwin-Williams paint store.



Aerial view of subject property

PROPERTY DETAILS

Within 1 1/2 mi from Unincorporated Cobb Co: Yes

Historic District: No **Airport Overlay:** Yes

Cemetery: No **Floodplain:** No **Stream:** No

Parcel ID #: 20016700410

Land Lot #: 167 **Tax Parcel #:** 41

Land Area: 1.107 +/- acres or 48,241 +/- SQFT

RECOMMENDATION

Staff Recommendation

Approval with conditions

Planning Commission Recommendation

To be determined on March 6, 2024

Please see page 12 for basis for recommendation.

ADJACENT PROPERTY DETAILS

Surrounding Zoning Dist. and Future Land Use

North: No Street

Zoning: Central Business District (CBD)

Future Land Use: Downtown Activity Center (DAC)

South: Summers St

Zoning: General Commercial (GC)

Future Land Use: Community Activity Center (CAC)

East: Summers St

Zoning: Heavy Industrial (HI)

Future Land Use: Community Activity Center (CAC)

West: No Street

Zoning: Central Business District (CBD)

Future Land Use: Community Activity Center (CAC)

Please see page 2 for full maps.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2024-01

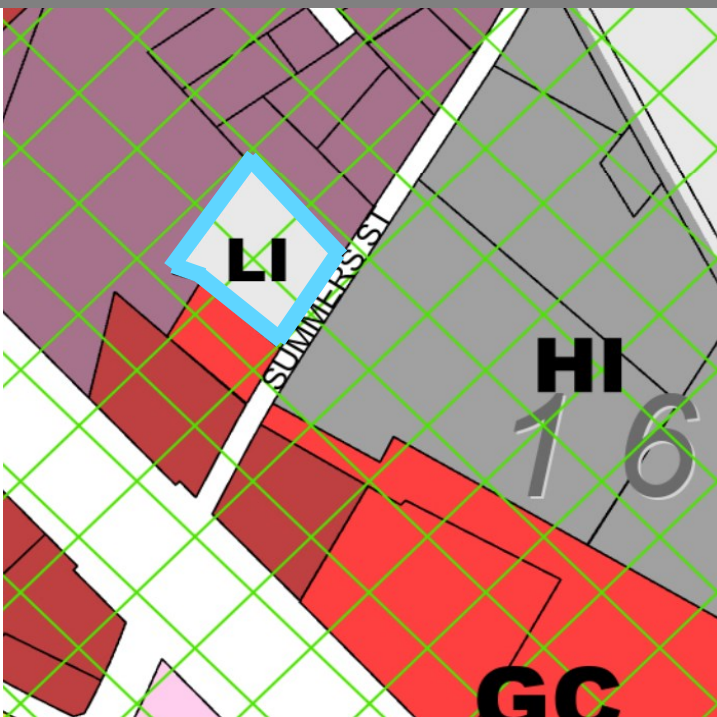
AERIAL MAP

LOCATION:

The 1.107 +/- acre tract is located at the northeast quadrant of Summers Street and Cobb Parkway NW. The subject property is bounded by Dairy Queen Grill & Chill to the south, BFS Operations LLC, a lumber company to the east and to the west and north the apartment complex, The Landing on Summers Street, that is currently under construction and will consist of two (2) residential buildings totaling 176 units.



ZONING MAP



LEGEND

Zoning Districts

CBD	HGB
CRC	HI
FST	LI
GC	MHP

BACKGROUND:

The site is currently zoned Light Industrial (LI), with a structure that has been vacant since 11/08/2022. At the beginning of 2023, the City identified this subject property along with twenty-four (24) other parcels located in or near the downtown to be rezoned to the Central Business District (CBD). The project known as the CBD Expansion Project Phase II was intended to align the zoning of the parcels located within the Downtown Activity Center as outline on the Future Land Use Map to ensure continuity of uses, design standards and walkability throughout the downtown area. At that time, the property owner declined to participate in the rezoning initiative.

PROJECT INTENT

The intent of this project is to renovate a 12,255 +/- square footage vacant building for a Sherwin Williams paint store. The business will be selling paint to residential and commercial contractors and professionals that hold contracts with Sherwin-Williams.

STAFF ANALYSIS REPORT



ZONING CASE #: RZ2024-01

DESCRIPTION OF ZONING REQUEST: **REZONING**

This is a rezoning request to change the zoning designation from Light Industrial (LI) to Central Business District (CBD).

Pre-Application Meeting

January 11, 2024

Application Submitted

January 17, 2024

Fees Paid

\$375.00

Certified Letters Mailed

February 16, 2024

PROPOSED SITE DETAILS

COMMERCIAL: 12,255 square feet

RESIDENTIAL: None

Land Area: 1.107 +/- acres or 48,241 +/- SQFT

Total Building SQFT: 12,255

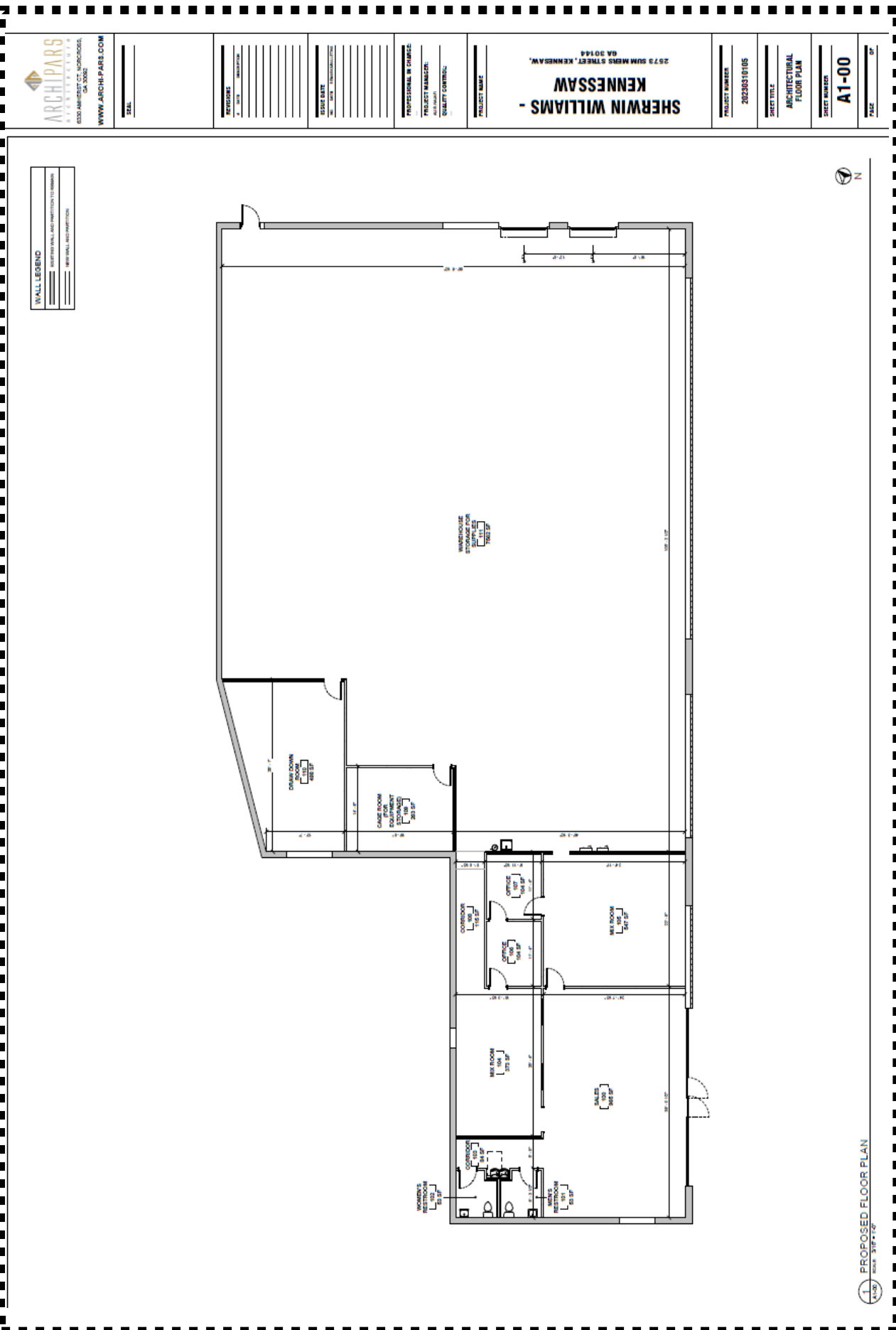
- Warehouse storage for paint supplies (includes storage room, mix rooms, draw down room): 8,901 sq. ft.
- Retail Sales of paint supplies: 1,324 sq. ft.
- Office: 208 sq. ft.

EXISTING SITE CONDITIONS - TAX ASSESSOR OFFICE



PROPOSED FLOOR PLAN

ZONING CASE #: RZ2024-01



STAFF ANALYSIS REPORT

ZONING CASE #: RZ2024-01

ELEVATION OF PAST PROJECT: PEACHTREE CITY LOCATION

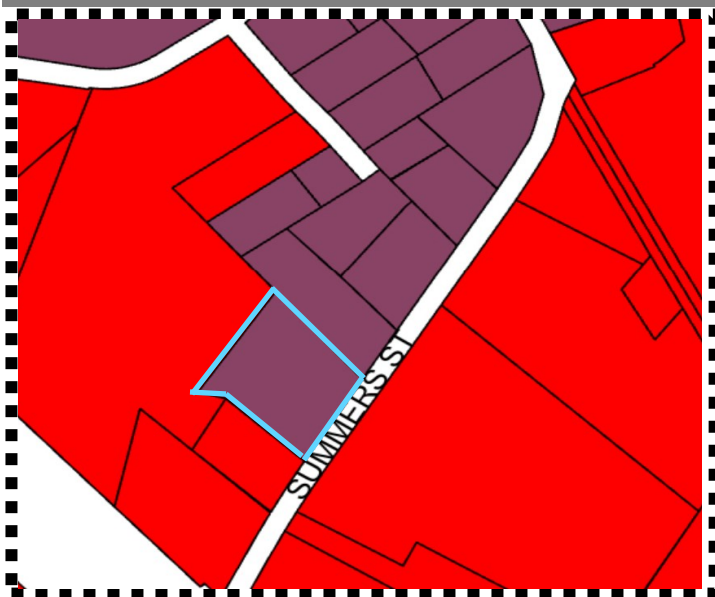


STAFF ANALYSIS REPORT



ZONING CASE #: RZ2024-01

2022 COMPREHENSIVE PLAN –AREA



LEGEND



NAC - Neighborhood Activity Center



CAC - Community Activity Center



DAC - Downtown Activity Center

FUTURE LAND USE CATEGORY

DAC - DOWNTOWN ACTIVITY CENTER

This area is the traditional downtown of Kennesaw. As part of the Livable Centers Initiatives, the goal of this area is to create vibrant, walkable communities that offers increased mobility options, encourages healthy lifestyle and provide improved access to jobs and services.

FUTURE LAND USE ANALYSIS

The Comprehensive Plan designates the subject property to the north along Summers Street as Downtown Activity Center (DAC). The land use category consists of the traditional downtown of Kennesaw, that was highlighted as part Livable Center Initiative (LCI) study conducted in 2015. The study aims to create an economically viable and active Downtown Kennesaw that serves a multi-generational community and is suitable for residents to live, work, play and shop. The goal of the Central Business District is to facilitate the redevelopment and revitalization of the downtown area. The subject property is located in close proximity to the Downtown Area and the proposal would align with the Comprehensive Plan's vision for economic development by encouraging the creation of local business within the City.

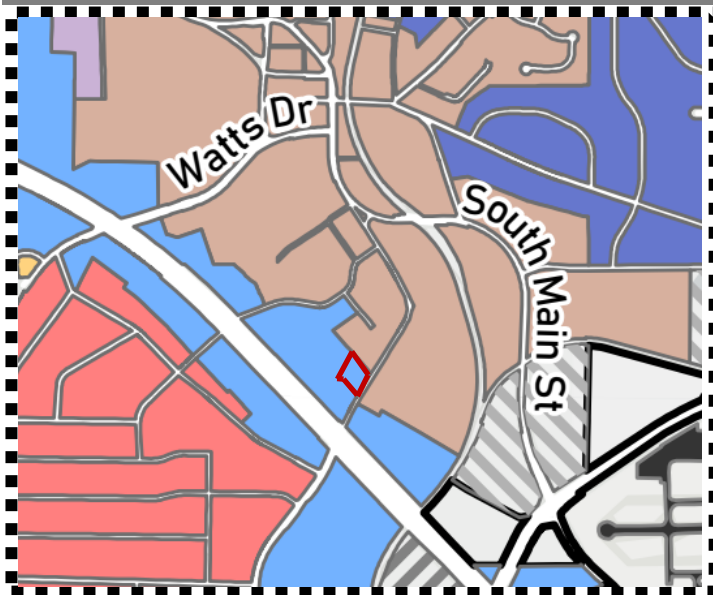
The request to rezone to Central Business District (CBD) is consistent with the Comprehensive Plan. The proposed retail is complimentary in nature to the existing uses already permitted within the Downtown Area and retail along Summers Street and further adds to the community by encouraging economic development and growth through the revitalization of a vacant property.

STAFF ANALYSIS REPORT



ZONING CASE #: RZ2024-01

2022 COMPREHENSIVE PLAN UPDATE



LEGEND

Kennesaw Areas

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

AREA DESIGNATION

COBB PARKWAY COMMERCIAL CORRIDOR

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

AREA DESIGNATION ANALYSIS

The site is located within the Cobb Parkway Commercial Corridor. According to the Area Policy Matrix outlined in the Comprehensive Plan, development in this area will be required to adhere to architectural and site development standards that will facilitate cohesive design throughout the corridor connecting to the downtown. The improvements to the vacant building will create a sense of space while encouraging a diverse mix of products and services. The proposal as stipulated will not only generate economic gains for the city, but will revitalize the current vacant property that will be instrumental in creating connections to the downtown area and surrounding developments.

STAFF ANALYSIS REPORT



ZONING CASE #: RZ2024-01

TRANSPORTATION DATA

2016

ROAD #1

AERIAL OF ROAD #1

Roadway Name

Summers St

Roadway Classification

Arterial

Speed Limit

35-MPH

Jurisdictional Control

City of Kennesaw

Minimum Right-of-Way Requirement

100-FEET



ENVIRONMENTAL

FEMA FLOOD ZONE MAP

Flood Hazard:

☐ Yes ☒ No ☐ Not Verified

Drainage Basin:

- ☐ FEMA 100-year floodplain area
- ☐ Flood Damage Prevention Ordinance¹
- ☐ Project subject to Cobb County Damage Prevention Requirements
- ☐ Dam Breach Zone (Upstream)²

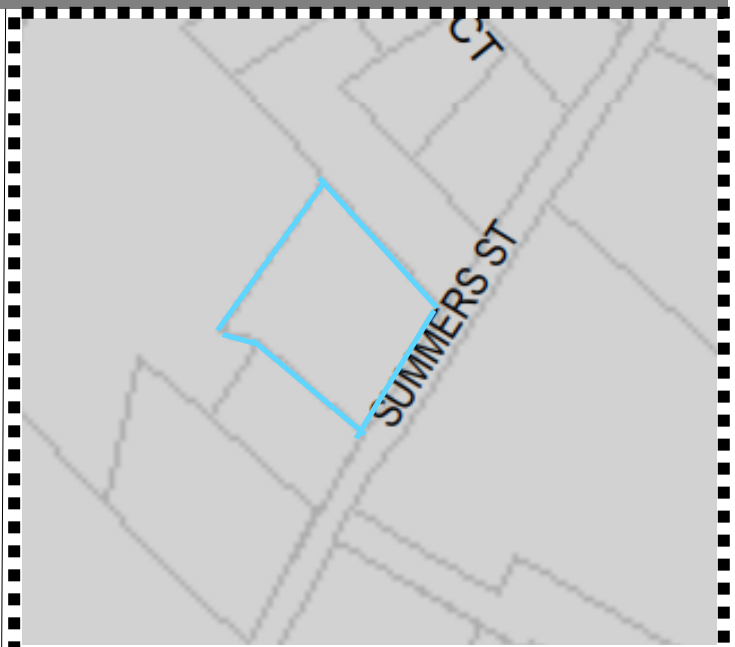
Wetlands:

- ☐ Yes
- ☒ No
- ☐ Not Verified
- ☐ Owner/Developer is responsible for obtaining any required wetland permits from the United States Army Corps of Engineers

Streambank Buffer Zone:

- ☐ Metropolitan River Protection Area³
- ☐ Chattahoochee River Corridor Tributary Area⁴
- ☐ Georgia Erosion-Sediment Control Law and County Ordinance⁵
- ☐ Georgia DNR Variance for work being done in 25-foot stream bank buffers (may be required)
- ☐ City Stream Buffer Ordinance

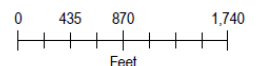
Special Site Conditions: N/A



Special Flood Hazard Areas

2018 Flood Zones

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



STAFF ANALYSIS REPORT



ZONING CASE #: RZ2024-01

PLANNING AND ZONING

DEPARTMENT COMMENTS

Site Visit:

Yes
☒ No

Staff Member:

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

Land Use Recommendation:

Retail use and service is compatible.

Historic Preservation:

Not in a historic district

Cemetery Preservation:

No cemeteries on site

Required Parking:

13 spaces

Engineering: No Comments

Public Works: If the existing building is removed and a new building developed, the applicant will need to consider stormwater management and will need to implement a system that conforms with the current code requirement.

Building Services: No Comments

Cobb County Fire: None provided.

Cobb County Water: None provided.

STAFF ANALYSIS

The applicant, Jackson Webb, is requesting to rezone the property located at 2573 Summers St from Light Industrial (LI) to Central Business District (CBD). The applicant is requesting to rezone the current vacant property to establish a Sherwin Williams paint store; the store will be geared towards commercial contractors. The site plan proposes the renovation of the vacant building with a total building footprint of 12,255 +/- square foot. The site plan is also showing vehicular access from Summers Street with 40 parking spaces, two of which will be reserved for accessible parking spaces. In 2023, the subject property was identified as part as the city initiated rezoning known as *Central Business District Phase 2* and the owner invited to participate in the rezoning project. The city initiated rezoning intended to rezone parcels located within or directly adjacent to Downtown Kennesaw to CBD to create continuity of uses and design standards throughout the downtown area; the property owner decided not to participate in the rezoning at that time.

Staff has analyzed the request to rezone based on the standard for decision outlined in [section 10.01.02 Rezoning Procedures for Amending the Official Zoning Map](#) and the requirement outline in [section 4.02.03](#) for the Central Business District (CBD) with the following observations:

The City's land use policy documents and Comprehensive plan supports the rezoning request. The proposed development will comply with the purpose and intent of the Central Business District as outline in the Unified Development Code [section 4.02.03](#), that states the intent of the Central Business District (CBD) is to not only preserve and protect the cultural and historic aspects of downtown Kennesaw, but to also develop a compact core to encourage and facilitate pedestrian movement and provide convenient access to the amenities of Historic Downtown Kennesaw. The flexibility of the zoning district allows for diverse development that will serve the residential and commercial needs while encouraging walkability and connectivity throughout the city's downtown.

The proposal will not adversely affect the use or useability of nearby properties as the surrounding properties are currently zoned CBD with the development of a mixed use development to the north of the subject property.

STAFF ANALYSIS REPORT



ZONING CASE #: RZ2024-01

STAFF ANALYSIS

The property currently has a vacant building that has been closed since 2022. The property that was previously used as a collision center will be remodeled and converted to a Sherwin Williams paint store; the store is appropriate at this location and is consistent with the scale and existing uses in 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. Currently, the site plan submitted proposed 40 parking spaces. The breakdown of the floor area based on the floor plan submitted is as follows:

- Warehouse storage for paint supplies (includes storage room, mix rooms, draw down room): 8,901 sq. ft.
- Retail sales of paint supplies: 1,324 sq. ft.
- Office: 208 sq. ft.

Per the parking standards per use as outlined in [Section 6.06.00](#) Off-Street Parking Facilities requires:

- *1 space per 2,000 sq. ft (net) of storage space, with a minimum of 5 spaces for Warehouse and storage*
 $8,901 \text{ sq. ft} / 2000 \text{ sq. ft} = 4 \text{ parking spaces (minimum 5 spaces required)} = 5 \text{ parking space required}$
- *1 space per 200 sq. ft (net) of floor space for Community retail uses*
 $1,324 \text{ sq. ft} / 200 \text{ sq. ft.} = 7 \text{ parking spaces required}$
- *1 space per 200 sq. ft. (net) of floor space for Office service and supply establishments*
 $208 \text{ sq. ft.} / 200 \text{ sq. ft} = 1 \text{ parking space required}$

Based on this requirement, the proposed project will be required to provide thirteen (13) parking spaces; the proposed business proposed parking that surpasses the required parking as outlined in the ordinance. Due to the client base, the volume of vehicles on the property will be significant lower than traditional paint stores that is open to the general public; at most the business will be servicing 3 - 4 customers at any given time.

This means the store will see an expected max average of 9 -11 vehicles on the premises including employee vehicles. Staff finds that the proposed parking will be sufficient as the clientele will be limited to contractors and professionals that will minimize the number of cars present at the subject property. [Section 4.02.03](#) of the Unified Development Code encourages shared parking in the CBD district with emphasis on alternative modes of transportation aim to bring people, activities and public space together with easy walking and cycling connection between uses.

If approved, the proposed business will have limited effect on the traffic congestion and will not cause an excessive burdensome use of existing streets, transportation facilities, utilities and schools.

The proposal as submitted would be in conformance with the policy and intent of the Comprehensive Plan.

The presence of the store provides viable economic value; it would be complementary in use to the retail/ service office and commercial businesses in close vicinity.

STAFF ANALYSIS REPORT



ZONING CASE #: RZ2024-01

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

The Zoning Administrator, recommends **approval with conditions**.

Conditions:

1. Renovation of the store front shall align with the architecture and site development of the Central Business District (CBD). Final exterior materials shall be approved by the Zoning Administrator or their designee during the plan review process.
2. There shall be directional signs at points of ingress/egress to ensure that vehicular traffic flows in the correct pattern. This signage shall be approved by the Zoning Administrator or their designee.
3. The development shall generally occur as depicted on the site plan, if the impervious area increases or changes significantly then a stormwater management system will be required as defined in Chapter 46 *Stormwater Utility and Environment* of the Development Code.
4. There shall be added landscape buffer along the frontage of Summers Street to match the landscaping design guidelines and site design standards for the Central Business District outlined in section 4.02.03.
5. All exterior lighting shall be down-cast in style. No over flow of light onto/into the adjacent residential properties. This shall be verified with a photometric plan during the plan review process.

BASIS FOR ZONING ADMINISTRATOR'S RECOMMENDATION

The request to rezone to Central Business District (CBD) aligns with the Comprehensive Plan and the city's effort to revitalize Downtown Kennesaw. The rezoning would encourage a mixture of residential and commercial uses through the revitalization of a property that is currently vacant.

PLANNING COMMISSION RECOMMENDATION:

To be determined on March 6, 2024

MAYOR AND COUNCIL DECISION:

To be determined on March 18, 2024

**MINUTES OF PLANNING COMMISSION MEETING
CITY OF KENNESAW
Council Chambers
(2529 J.O. Stephenson Avenue, Kennesaw, GA 30144)
March 6, 2024
6:30 PM**

1. Call to Order / Roll Call

The meeting was called to order by Chairman Jackson at 6:32 p.m.

Roll Call: Commissioner Bodenhamer, Commissioner Patterson, and Commissioner Trim

Absent: Commissioner Greenall, Commissioner Vande Zande, and Commissioner Ragus

Staff Present: Darryl Simmons (Planning & Zoning Administrator), Chanelle Campbell (Assistant Zoning Administrator & City Planner), and Natalie Faustine (Community Development Administrative Assistant)

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/](https://www.facebook.com/CityofKennesaw/). 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 March 18, 2024.

3. Approval of the Meeting Minutes

- A. Meeting Minutes from 02-07-2024

Chairman Jackson called for a motion.

Motion to approve by Commissioner Bodenhamer
Seconded by Commissioner Trim
Chairman Jackson proceeded with a roll call for approval.
Vote taken, motion unanimously approved 3-0. Motion carried.

4. New Business

- A. **RZ2024-01** - Consideration to rezone property located at 2573 Summers St NW (20016700410) from Light Industrial (LI) to Central Business District (CBD) as submitted by Jackson Webb. Said request to rezone the property is for a 12,255 +/- square foot Sherwin Williams paint store. Property consists of 1.107 +/- acres and lies in land lot 167 tax parcel 41.

Chairman Jackson called for a motion.
Motion to approve by Commissioner Patterson
Seconded by Commissioner Bodenhamer
Chairman Jackson proceeded with a roll call for approval.
Vote taken, motion unanimously approved 3-0. Motion carried.

5. Staff Comment

- A. Population Forecast and Projections
1. Cobb County Mobility SPLOST

6. Adjourn

Chairman Jackson called for a motion to adjourn.
Motion to adjourn by Commissioner Trim
Seconded by Commissioner Bodenhamer
Chairman Jackson adjourned the meeting at 7:05 p.m.

**MINUTES OF CITY COUNCIL WORK SESSION MEETING
CITY OF KENNESAW
Council Chambers
(2529 J.O. Stephenson Avenue, Kennesaw, GA 30144)
February 26, 2024
6:30 PM**

Present Mayor Derek Easterling
 Mayor Pro Tem Antonio Jones
 Councilmember Madelyn Orochena
 Councilmember Tracey Viars
 Councilmember Pat Ferris
 City Clerk Lea Alvarez
 City Manager Jeff Drobney
 City Attorney Randall Bentley, Sr.

1. Invocation

2. Pledge of Allegiance

Boy Scout Troop #002 led the Pledge of Allegiance.

3. Call to Order

Mayor Easterling called the meeting to order at 6:30 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

7. Old Business

8. New Business

B. Resolution: Conveyance of Property at 1920 Twelve Oaks Circle for Driveway Relocation

Approval of a Resolution to convey a section of the City owned property at 1920 Twelve Oaks Circle in fee simple to Harold and Patricia Anderson.

Mayor Easterling asked the Council to take the agenda out of order to allow Legal to present item 15. B first.

Attorney Linda Brunt from Bentley, Bentley, and Bentley presented a resolution to convey a section of the city-owned property at 1920 Twelve Oaks Circle in fee simple to Harold and Patricia Anderson. Ms. Brunt shared that this was a housekeeping item regarding a matter that came before the Council at the beginning of December. However, the agenda item and resolution at that time did not include a legal description of the green shaded area on the attached plat. She explained that Mr. and Mrs. Anderson's driveway is being closed, and they need title to the green area for their new driveway to access the public road system. Ms. Brunt asked the Council to approve the conveyance of the green area and authorize the Mayor to sign the quit claim deed and revised exchange agreement with the Andersons.

After receiving confirmation from the Council, Mayor Easterling suggested moving the item to the Consent Agenda for the regular meeting.

9. Committee and Board Reports

A. Road Closures: Big Shanty Festival

Approval of road closures to support the Big Shanty Festival on April 19-21, 2024.

Assistant to the City Manager and Events Committee Chair James Friedrich presented the proposed road closures to support the Big Shanty Festival on April 19 - 21, 2024.

The road closures are as follows:

From Friday, April 19, 2024, at 6:00 p.m. to Sunday, April 21, 2024, at 8:00 p.m., J.O. Stephenson Avenue, Cherokee Street, Watts Drive, and Lewis Street, at their various intersections, will be closed. On Saturday, April 20, 2024, at 6:00 a.m. until Sunday, April 21, 2024, at 8:00 p.m., Main Street from Summer Street to Moon Station Road will be closed. For the parade, on Saturday, April 20, 2024, Main Street will also be closed from Park Drive to Watts Drive from 9:15 a.m. to 10:45 a.m. Watts Drive will be closed from the entrance to Adams Park to Main Street from 9:15 a.m. to 10:30 a.m.

After receiving confirmation from the Council, Mayor Easterling suggested moving the item to the Consent Agenda for the regular meeting.

10. Public Hearing(s)

A. Ordinance: Charter Amendment to Section 3.04 "Oath of Office"

FIRST PUBLIC HEARING

Consideration of approval of an ordinance to amend the City of Kennesaw Charter § 3.04, "Oath of Office."

City Clerk Lea Alvarez presented an ordinance to amend the City of Kennesaw Charter § 3.04, "Oath of Office." This amendment codifies the oaths and filing processes necessary before a person takes any elected office in the city government. Specifically, the oaths shall be administered before an officer of the state authorized to administer oaths at an open public meeting of the Mayor and City Council. The oaths shall be filed with the Cobb County Probate Court.

Ms. Alvarez explained that this charter amendment must be read at two regular consecutive meetings of the Mayor and City Council. The first public hearing will be held on March 4, 2024, at 6:30 p.m., and the final public hearing will be held on March 18, 2024, at 6:30 p.m., where final action will take place.

B. Ordinance: Oaths for Boards, Commissions, and Authorities

Consideration of approval of an ordinance to adopt an oath as prescribed by the Code of Ordinances of the City of Kennesaw, Georgia § 2-71(f) and O.C.G.A § 45-3-1; and the Loyalty Oath as set forth in O.C.G.A § 45-3-13.

City Clerk Lea Alvarez presented an ordinance to adopt an oath as prescribed by the Kennesaw Code of Ordinances § 2-71(f) and O.C.G.A § 45-3-1 as well as the inclusion of the Loyalty Oath as set forth in O.C.G.A § 45-3-13. Ms. Alvarez explained that this ordinance codifies the oaths and filing processes necessary before a person assumes office as a member of a board, commission, or authority. Specifically, the oaths shall be administered before the mayor, municipal court judge, associate judge, or an officer of the state authorized to administer oaths at an open public meeting of the Mayor and City Council. The oaths shall be filed with the Cobb County Probate Court.

Because this is an ordinance amendment, only one public hearing is required. The public hearing and final action will take place at the March 4, 2024, regular meeting of the Mayor and City Council at 6:30 p.m.

Councilmember Ferris asked why the members are required to take their oath at a regular meeting of the Mayor and City Council. He said we should be more accommodating to them and did not mind the oaths being administered in the Mayor's office at their convenience. Ms. Alvarez said the language was a carry over from the charter amendment, but was not necessary. She will strike that language out before the amendment is considered for adoption at the regular meeting.

11. Consent Agenda

A. Minutes: February 12, 2024, City Council Work Session

Approval of the February 12, 2024, City Council work session minutes.

B. Minutes: February 12, 2024, City Council Executive Session

Approval of the February 12, 2024, City Council executive session minutes.

C. Minutes: February 19, 2024, City Council Regular Meeting

Approval of the February 19, 2024, City Council regular meeting minutes.

12. General and Administrative

13. Public Safety

14. Information Technology

15. Public Works

A. Resolution: CDBG Subrecipient Agreement

Approval of a Resolution for the 2024 Community Development Block Grant (CDBG) Subrecipient Agreement between Cobb County and the City of Kennesaw.

Public Works Ricky Stewart presented a resolution for the 2024 Community Development Block Grant (CDBG) Subrecipient Agreement between Cobb County and the City of Kennesaw. Mr. Stewart stated the city enters into this agreement annually with the county each year, so instead of going through the state's CDBG process, the county will receive the funds from the state and disburse it to the cities, if participating. This year, Kennesaw's appropriation is a minimum of \$113,360.85. However, adjustments will be made as the county finalizes their numbers. Mr. Stewart confirmed this grant will be used for new sidewalk installation in Woodland Acres subdivision.

After receiving confirmation from the Council, Mayor Easterling suggested moving the item to the Consent Agenda for the regular meeting.

16. Recreation and Culture

A. Resolution: Sports Association Facility Use Agreement

Approval of a Resolution to authorize the Mayor to execute a Sports Association Facility Use Agreement between the Kennesaw Baseball and Softball Association (KBSA) and the City of Kennesaw.

Parks and Recreation Director Bill McNair presented a resolution authorizing the Mayor to execute a Sports Association Facility Use Agreement with the Kennesaw Baseball and Softball Association for an additional one-year term.

After receiving confirmation from the Council, Mayor Easterling suggested moving the item to the Consent Agenda for the regular meeting.

17. Community Development

18. Public Comment/Business from the Floor

19. City Manager's Report

A. Reports, Discussions, and Updates

Update to 489 - haven't made headway in negotiations

B. Resolution: Revenue Administration Policy

Approval of a Resolution to adopt the City of Kennesaw's Revenue Administration Policy.

City Manager Jeff Drobney presented a resolution adopting the City of Kennesaw's Revenue Administration policy. Dr. Drobney explained that this policy provides direction for the application, acceptance, and administration of the various revenues the city receives.

After receiving confirmation from the Council, Mayor Easterling suggested moving the item to the Consent Agenda for the regular meeting.

C. Resolution: Debt Management Policy

Approval of a Resolution to adopt the City of Kennesaw's Debt Management Policy.

City Manager Jeff Drobney presented a resolution to adopt the City of Kennesaw's Debt Management policy. The intent of this policy is to ensure the city issues and manages its debt prudently in order to maintain a sound financial position and protect its credit rating.

After receiving confirmation from the Council, Mayor Easterling suggested moving the item to the Consent Agenda for the regular meeting.

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

A. Discussion: First Light Technologies

Requested by Mayor Pro Tem Antonio Jones regarding the use of solar lighting.

The City Council listened to a brief presentation from Jesse Leimer of First Light Technologies, which is a manufacturer of solar lighting in Canada and Victoria, British Columbia. Mr. Leimer went over various solar lighting products with the Council that could be used to light smaller neighborhood parks.

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

Mayor Easterling adjourned the meeting at 7:05 p.m. The next regular meeting will be

held on Monday, March 4, 2024, 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

**MINUTES OF CITY COUNCIL MEETING
CITY OF KENNESAW
Council Chambers
(2529 J.O. Stephenson Avenue, Kennesaw, GA 30144)
March 4, 2024
6:30 PM**

Present Mayor Derek Easterling
 Mayor Pro Tem Antonio Jones
 Councilmember Madelyn Orochena
 Councilmember Tracey Viars
 Councilmember Pat Ferris
 City Clerk Lea Alvarez
 City Manager Jeff Drobney
 City Attorney Randall Bentley, Sr.

1. Invocation

City Resident Carlene Fregeolle led the invocation.

2. Pledge of Allegiance

City resident Andrew Bramlett led the Pledge of Allegiance.

3. Call to Order

Mayor Easterling called the meeting to order at 6:31 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

6:32 p.m. Floor Open for Public Comments

No comments.

6:33 p.m. Floor Closed for Public Comments

7. Old Business

8. New Business

9. Committee and Board Reports

10. Public Hearing(s)

A. Ordinance: Charter Amendment to Section 3.04 "Oath of Office"

FIRST PUBLIC HEARING

Consideration of approval of an ordinance to amend the City of Kennesaw Charter § 3.04, "Oath of Office."

City Clerk Lea Alvarez presented an ordinance to amend the Kennesaw Charter § 3.04 "Oath of Office." The proposed amendments include codifying the Oath of Office, Loyalty Oath, and the Statuary Oath, as well as the process necessary to file those oaths. The aforementioned oaths shall be administered before an officer of the state authorized to administer oaths at an open public meeting of the Mayor and City Council before a person takes any elected office in the city government. Ms. Alvarez also explained that the oaths taken by our municipal officers shall be filed in the office of the judge of the probate court. The Charter amendment was advertised in the Marietta Daily Journal on February 23, 2024, and March 1, 2024. It will be advertised again in the March 8, 2024, edition. Since this amendment requires two public hearings, the final public hearing will be held on Monday, March 18, 2024, at a regular meeting of the Mayor and Council at 6:30 p.m. where final action will take place.

6:33 p.m. Floor Open for Public Comments

No comments.

6:34 p.m. Floor Closed for Public Comments

B. Ordinance: Oaths for Boards, Commissions, and Authorities

Consideration of approval of an ordinance to adopt an oath as prescribed by the Code of Ordinances of the City of Kennesaw, Georgia § 2-71(f) and O.C.G.A § 45-3-1; and the Loyalty Oath as set forth in O.C.G.A § 45-3-13.

City Clerk Lea Alvarez presented an ordinance to adopt an oath as prescribed by the Kennesaw Code of Ordinances § 2-71(f) and O.C.G.A § 45-3-1; and the Loyalty Oath as set forth in O.C.G.A § 45-3-13. The proposed ordinance codifies the Oath of Office and Loyalty Oath, as well as the process necessary to file those oaths. Ms. Alvarez shared the oaths shall be administered before the mayor, municipal court judge, associate judge, or an officer of the state authorized to administer oaths before a

person assumes office as a member of a board, commission, or authority. Further, after the oaths are administered, they will be filed in the office of the judge of the probate court. The public hearing was advertised in the Marietta Daily Journal on February 23, 2024, and March 1, 2024.

Motion by Councilmember Ferris to approve [ORDINANCE NO. 2024-04, 2024](#) to adopt an oath as prescribed by the Code of Ordinances of the City of Kennesaw, Georgia § 2-71(f) and O.C.G.A § 45-3-1; and Loyalty Oath as set forth in O.C.G.A § 45-3-13, as presented with changes noted. Seconded by Councilmember Viars.

6:35 p.m. Floor Open for Public Comments

No comments.

6:36 p.m. Floor Closed for Public Comments

Vote taken, motion unanimously approved 4-0. Motion passed.

11. Consent Agenda

Motion by Mayor Pro Tem Jones to approve the Consent Agenda engross. Seconded by Councilmember Orochena.

Vote taken, motion unanimously approved 4-0. Motion passed.

- A. **Minutes: February 12, 2024, City Council Work Session**
Approval of the February 12, 2024, City Council work session minutes.
- B. **Minutes: February 12, 2024, City Council Executive Session**
Approval of the February 12, 2024, City Council executive session minutes.
- C. **Minutes: February 19, 2024, City Council Regular Meeting**
Approval of the February 19, 2024, City Council regular meeting minutes.
- D. **Cemetery Deed: Section III, 58-E to Sandra Bryant**
Authorization for the Mayor to execute a deed for Section III, 58-E to Sandra Bryant.
- E. **Road Closures: Big Shanty Festival**
Approval of road closures to support the Big Shanty Festival on April 19-21, 2024.
- F. **Resolution: CDBG Subrecipient Agreement**
Approval of a Resolution for the 2024 Community Development Block Grant (CDBG) Subrecipient Agreement between Cobb County and the City of Kennesaw.

[RESOLUTION NO. 2024-08, 2024](#)

- G. **Resolution: Conveyance of Property at 1920 Twelve Oaks Circle for**

Driveway Relocation

Approval of a Resolution to convey a section of the City owned property at 1920 Twelve Oaks Circle in fee simple to Harold and Patricia Anderson.

RESOLUTION NO. 2024-09, 2024

H. Resolution: Sports Association Facility Use Agreement

Approval of a Resolution to authorize the Mayor to execute a Sports Association Facility Use Agreement between the Kennesaw Baseball and Softball Association (KBSA) and the City of Kennesaw.

RESOLUTION NO. 2024-10, 2024

I. Resolution: Revenue Administration Policy

Approval of a Resolution to adopt the City of Kennesaw's Revenue Administration Policy.

RESOLUTION NO. 2024-11, 2024

J. Resolution: Debt Management Policy

Approval of a Resolution to adopt the City of Kennesaw's Debt Management Policy.

RESOLUTION NO. 2024-12, 2024

12. General and Administrative

13. Public Safety

14. Information Technology

15. Public Works

16. Recreation and Culture

17. Community Development

18. Public Comment/Business from the Floor

6:36 p.m. Floor Open for Public Comments

ANTHONY GUTIERREZ [Candidate for City Council, Post 5]: Mr. Gutierrez spoke about voter turnout in the City of Kennesaw. He believes the city could do better and suggests sending out mass postcards to remind residents to vote and to get involved.

BEATRICE SHAKAL [Candidate for City Council, Post 5]: Ms. Shakal announced she is running for City Council, Post 5 for the Special Election. She is running as a wife and a mother trying to make sure this city is enjoyable for many generations to come. Ms. Shakal shared she is looking forward to getting to know our city's residents and to hopefully join the City Council here soon.

ANDREW BRAMLETT [City Resident]: Mr. Bramlett presented a local history story regarding Kennesaw School students (See **Exhibit A**).

ANN PRATT [City Resident]: Ms. Pratt asked for the thoughts and prayers of our community for her Associate Pastor Terry Philips, and his wife Mary. Their granddaughter was the young lady who lost her life at the University of Georgia. Ms. Pratt said the family is having an incredibly hard time right now.

SARA TORRES [Candidate for City Council, Post 5]: Ms. Torres shared that for almost a decade, the City of Kennesaw has been her home that she has shared with her husband and two dogs. A graduate of Kennesaw State University, Ms. Torres owns and operates her own marketing agency in Kennesaw. As a candidate for Post 5, her focus is on understanding and representing the diverse needs of the community. If elected, her priorities will be to enhance public services, advocate for improved infrastructure, and champion robust safety measures. To learn more about her vision, Ms. Torres asked everyone to visit her campaign website, votesaratorres.com

6:43 p.m. Floor Closed for Public Comments

19. City Manager's Report

A. Reports, Discussions, and Updates

Dr. Drobney shared he had an opportunity to look at the amphitheater, and it is coming along nicely. He mentioned Parks and Recreation had a great event on Saturday called Touch-A-Truck.

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

Mayor Pro Tem Jones went to Touch-A-Truck over the weekend with his son. He thanked Parks and Recreation, the Kennesaw Police Department, and all the businesses and vendors that made the event happen.

Councilmember Orochena attended the Newly Elected Officials Training in Athens, Georgia. She enjoyed the opportunity to meet other newly elected officials across the state.

Councilmember Ferris gave Chief Westenberger congratulations on a successful community event over the last week. It had a great turnout. He is grateful for the Kennesaw Police Department's incredible community outreach.

Councilmember Viars quizzed Mayor Easterling on how many days are left until the Big Shanty Festival - 47 days!

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

Mayor Easterling adjourned the meeting at 6:52 p.m. The next regularly scheduled meeting will be held on Monday, March 11, 2024, 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

KENNESAW HISTORY

Kennesaw School Students

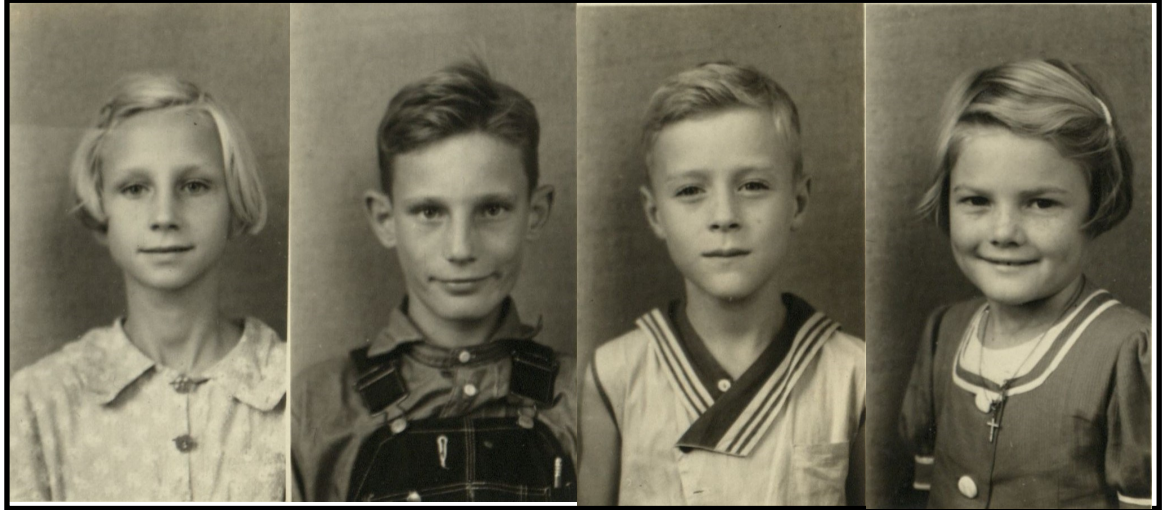
Left to right:

Effie Lee
Kuykendall

David
Woodruff

Joe Ellis

June Moon



In 1938, the Kennesaw School that sat next to the cemetery was lost in a fire. While work was progressing on a new building, students from Kennesaw were sent to schools across North Cobb, including the Eli Whitney School in Acworth that now houses J. D.'s Barbeque. It took several years for a building to be built that could accommodate all of the students.

Between the time of the fire and the new building, Helen Terrell (later Helen McGee) was a third grade teacher. According to a 2011 interview, when she taught school, class was held inside of a closed grocery store. The location of this store is not known. She also recalled walking to school from Acworth each day.

While Helen Terrell was teaching Kennesaw students, she saved photos of her pupils for her scrapbook. Recently, her daughter Nancy was kind enough to let me scan the scrapbook. Several of the photos are reproduced above.

Presented by Andrew J. Bramlett at the March 4, 2024,
City of Kennesaw Mayor & Council Meeting

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

3/4/2024

Public Comment Sign-in

Name	Address	Topic
1 Andrew J. Bramlett	2990 Sommerfield Ct, Kennesaw	Local History
2 Sara Torres	2008 Chesterfield Drive, 30144	City Council
3 (M) 4016 Polkvorde Dr		voter info
4 Ann Pratt	Kennesaw, Ga.	
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DRAFT



Item Report

TO: The Honorable Mayor and City Council

FROM: Jennifer Gordy, Assistant Finance Director

DATE: March 11, 2024

TITLE: **URA Series 2014A and 2014B Revenue Bonds**
 Consideration for approval to authorize the Refunding of the Urban Redevelopment Agency Series 2014A and 2014B Revenue Bonds

Summary:

In February 2014, the Kennesaw Urban Redevelopment Agency (KURA) issued \$3,620,000 and \$2,805,000 of Series 2014A (Tax-Exempt) and 2014B (Taxable) Revenue Bonds, respectively, to finance costs of acquiring a parking deck and adjacent surface parking in the downtown Kennesaw area. These bonds became callable on February 1, 2024, and are eligible to be refunded any time after that date.

We are requesting consideration for approval to authorize the Refunding of the Urban Redevelopment Agency Series 2014A and 2014B Revenue bonds to achieve approximately \$20,000 in annual debt service savings or approximately \$275,000 of total savings.

Recommendation:

Finance Director recommends approval.

Fiscal Impact:

Approximately \$20,000 in annual debt service savings or approximately \$275,000 of total savings.

Attachments:

1. 2-20-24, Estimated Current Refunding (Series 2014) - Kennesaw URA

\$4,915,000.00

Urban Redevelopment Agency of the City of Kennesaw, Georgia

Refunding Revenue Bonds, Series 2024

Preliminary Numbers as of 2-20-24

Estimated Debt Service Comparison

Date	Total P+I	Net New D/S	Old Net D/S	Savings
02/01/2025	370,137.83	370,137.83	391,848.76	21,710.93
02/01/2026	374,693.76	374,693.76	394,563.76	19,870.00
02/01/2027	373,493.76	373,493.76	391,808.76	18,315.00
02/01/2028	372,093.76	372,093.76	393,818.76	21,725.00
02/01/2029	373,843.76	373,843.76	394,368.76	20,525.00
02/01/2030	375,093.76	375,093.76	394,393.76	19,300.00
02/01/2031	375,843.76	375,843.76	393,893.76	18,050.00
02/01/2032	371,093.76	371,093.76	392,868.76	21,775.00
02/01/2033	381,093.76	381,093.76	401,318.76	20,225.00
02/01/2034	380,093.76	380,093.76	402,318.76	22,225.00
02/01/2035	378,593.76	378,593.76	397,818.76	19,225.00
02/01/2036	381,593.76	381,593.76	402,618.76	21,025.00
02/01/2037	383,843.76	383,843.76	401,818.76	17,975.00
02/01/2038	380,343.76	380,343.76	399,918.76	19,575.00
02/01/2039	381,343.76	381,343.76	402,593.76	21,250.00
02/01/2040	381,593.76	381,593.76	399,631.26	18,037.50
02/01/2041	381,093.76	381,093.76	400,456.26	19,362.50
02/01/2042	383,093.76	383,093.76	400,606.26	17,512.50
02/01/2043	379,493.76	379,493.76	397,925.00	18,431.24
02/01/2044	380,056.26	380,056.26	399,475.00	19,418.74
Total	\$7,558,531.77	\$7,558,531.77	\$7,954,065.18	\$395,533.41

PV Analysis Summary (Net to Net)

Gross PV Debt Service Savings	273,875.65
Net PV Cashflow Savings @ 4.016%(AIC)	273,875.65
Contingency or Rounding Amount	962.19
Net Present Value Benefit	\$274,837.84
Net PV Benefit / \$5,110,000 Refunded Principal	5.378%
Net PV Benefit / \$4,915,000 Refunding Principal	5.592%
DV01	4,220.65

Refunding Bond Information

Refunding Dated Date	5/02/2024
Refunding Delivery Date	5/02/2024

\$4,915,000.00

Urban Redevelopment Agency of the City of Kennesaw, Georgia

Refunding Revenue Bonds, Series 2024

Preliminary Numbers as of 2-20-24

Estimated Annual Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I
02/01/2025	200,000.00	4.000%	170,137.83	370,137.83
02/01/2026	155,000.00	4.000%	219,693.76	374,693.76
02/01/2027	160,000.00	4.000%	213,493.76	373,493.76
02/01/2028	165,000.00	5.000%	207,093.76	372,093.76
02/01/2029	175,000.00	5.000%	198,843.76	373,843.76
02/01/2030	185,000.00	5.000%	190,093.76	375,093.76
02/01/2031	195,000.00	5.000%	180,843.76	375,843.76
02/01/2032	200,000.00	5.000%	171,093.76	371,093.76
02/01/2033	220,000.00	5.000%	161,093.76	381,093.76
02/01/2034	230,000.00	5.000%	150,093.76	380,093.76
02/01/2035	240,000.00	5.000%	138,593.76	378,593.76
02/01/2036	255,000.00	5.000%	126,593.76	381,593.76
02/01/2037	270,000.00	5.000%	113,843.76	383,843.76
02/01/2038	280,000.00	5.000%	100,343.76	380,343.76
02/01/2039	295,000.00	5.000%	86,343.76	381,343.76
02/01/2040	310,000.00	5.000%	71,593.76	381,593.76
02/01/2041	325,000.00	4.000%	56,093.76	381,093.76
02/01/2042	340,000.00	4.000%	43,093.76	383,093.76
02/01/2043	350,000.00	4.125%	29,493.76	379,493.76
02/01/2044	365,000.00	4.125%	15,056.26	380,056.26
Total	\$4,915,000.00	-	\$2,643,531.77	\$7,558,531.77

Yield Statistics

Bond Year Dollars	\$57,747.60
Average Life	11.749 Years
Average Coupon	4.5777347%
DV01	4,220.65

Net Interest Cost (NIC)	3.8964036%
True Interest Cost (TIC)	3.7167480%
Bond Yield for Arbitrage Purposes	3.6012590%
All Inclusive Cost (AIC)	4.0163674%

IRS Form 8038

Net Interest Cost	3.6325776%
Weighted Average Maturity	11.669 Years

\$4,915,000.00

Urban Redevelopment Agency of the City of Kennesaw, Georgia

Refunding Revenue Bonds, Series 2024

Preliminary Numbers as of 2-20-24

Debt Service To Maturity And To Call

Date	Refunded Bonds	Interest to Call	D/S To Call	Principal	Interest	Refunded D/S
05/02/2024	5,110,000.00	59,870.11	5,169,870.11	-	-	-
08/01/2024	-	-	-	-	118,424.38	118,424.38
02/01/2025	-	-	-	155,000.00	118,424.38	273,424.38
08/01/2025	-	-	-	-	114,781.88	114,781.88
02/01/2026	-	-	-	165,000.00	114,781.88	279,781.88
08/01/2026	-	-	-	-	110,904.38	110,904.38
02/01/2027	-	-	-	170,000.00	110,904.38	280,904.38
08/01/2027	-	-	-	-	106,909.38	106,909.38
02/01/2028	-	-	-	180,000.00	106,909.38	286,909.38
08/01/2028	-	-	-	-	102,184.38	102,184.38
02/01/2029	-	-	-	190,000.00	102,184.38	292,184.38
08/01/2029	-	-	-	-	97,196.88	97,196.88
02/01/2030	-	-	-	200,000.00	97,196.88	297,196.88
08/01/2030	-	-	-	-	91,946.88	91,946.88
02/01/2031	-	-	-	210,000.00	91,946.88	301,946.88
08/01/2031	-	-	-	-	86,434.38	86,434.38
02/01/2032	-	-	-	220,000.00	86,434.38	306,434.38
08/01/2032	-	-	-	-	80,659.38	80,659.38
02/01/2033	-	-	-	240,000.00	80,659.38	320,659.38
08/01/2033	-	-	-	-	76,159.38	76,159.38
02/01/2034	-	-	-	250,000.00	76,159.38	326,159.38
08/01/2034	-	-	-	-	71,409.38	71,409.38
02/01/2035	-	-	-	255,000.00	71,409.38	326,409.38
08/01/2035	-	-	-	-	66,309.38	66,309.38
02/01/2036	-	-	-	270,000.00	66,309.38	336,309.38
08/01/2036	-	-	-	-	60,909.38	60,909.38
02/01/2037	-	-	-	280,000.00	60,909.38	340,909.38
08/01/2037	-	-	-	-	54,959.38	54,959.38
02/01/2038	-	-	-	290,000.00	54,959.38	344,959.38
08/01/2038	-	-	-	-	48,796.88	48,796.88
02/01/2039	-	-	-	305,000.00	48,796.88	353,796.88
08/01/2039	-	-	-	-	42,315.63	42,315.63
02/01/2040	-	-	-	315,000.00	42,315.63	357,315.63
08/01/2040	-	-	-	-	35,228.13	35,228.13
02/01/2041	-	-	-	330,000.00	35,228.13	365,228.13
08/01/2041	-	-	-	-	27,803.13	27,803.13
02/01/2042	-	-	-	345,000.00	27,803.13	372,803.13
08/01/2042	-	-	-	-	18,962.50	18,962.50
02/01/2043	-	-	-	360,000.00	18,962.50	378,962.50
08/01/2043	-	-	-	-	9,737.50	9,737.50
02/01/2044	-	-	-	380,000.00	9,737.50	389,737.50
Total	\$5,110,000.00	\$59,870.11	\$5,169,870.11	\$5,110,000.00	\$2,844,065.18	\$7,954,065.18

Yield Statistics

Base date for Avg. Life & Avg. Coupon Calculation	5/02/2024
Average Life	11.758 Years
Average Coupon	4.6338913%
Weighted Average Maturity (Par Basis)	11.758 Years
Weighted Average Maturity (Original Price Basis)	11.831 Years

Refunding Bond Information

Refunding Dated Date	5/02/2024
Refunding Delivery Date	5/02/2024
2-20-24, TE Refunding of SINGLE PURPOSE 2/21/2024 8:48 AM	

Raymond James

Georgia Public Finance

\$4,915,000.00

Urban Redevelopment Agency of the City of Kennesaw, Georgia
Refunding Revenue Bonds, Series 2024
Preliminary Numbers as of 2-20-24

Estimated Sources & Uses

Dated 05/02/2024 | Delivered 05/02/2024

Sources Of Funds	
Par Amount of Bonds	\$4,915,000.00
Reoffering Premium	393,452.30
Total Sources	\$5,308,452.30
Uses Of Funds	
Deposit to Current Refunding Fund	5,169,870.11
Costs of Issuance	137,620.00
Rounding Amount	962.19
Total Uses	\$5,308,452.30



Item Report

TO: The Honorable Mayor and City Council
FROM: Bill Westenberger, Chief of Police
DATE: March 11, 2024
TITLE: **February 2024 Crime Statistics**
Receipt of the February 2024 Crime Statistics.

Summary:

Recommendation:

Fiscal Impact:

Attachments:

1. 2024 February Crime Statistics (M+C) (003)



February 2024 Crime Statistics

Summary

February 2024 Group A Offenses (108) decreased by 19% compared to February 2023 (133). A vast majority of the crimes reported in February 2024 were Assault Offenses (29). This trend is also present in the data collected for crimes reported in February 2023. Assault Offenses account for approximately 27% (29) of the crimes that have occurred within our jurisdiction in February 2024. Out of the 644 traffic stops in February 2024, (1,044) resulted in Citations and (849) Warnings. There was a total of 90 Adult Arrests that took place during the month, which is a 15% increase from February 2023 (78).

There were 226 traffic accidents YTD, 23 of which were classified as Hit and Run. Of the 226 accidents 16 had injuries, and 2 involved a pedestrian. YTD 2024 total accidents (226) are down compared to 271 YTD 2023.

Crimes	February 2024	February 2023	YTD (01/01/2024) –(02/29/2024)	YTD (01/01/2023) – (01/28/2023)
Assault Offenses	29	26	65	57
Motor Vehicle Theft	1	1	3	1
Burglary	3	4	6	6
Homicide	0	0	0	0
Larceny	15	25	46	49
Sex Offenses	2	3	5	3
Robbery	0	2	0	2
Total	50	61	125	118

	February 2024	February 2023	YTD (01/01/2024) – (02/29/2024)	YTD (01/01/2023) – (02/28/2023)
Dispatched Calls for Service	649 (-122)	771	1,029 (-540)	1,569
Self-Initiated Activity	1,002 (-153)	849	1,941 (-17)	1,958
Traffic Citations	1,044 (+206)	838	2,085 (+180)	1,905
Traffic Warnings*	511 (+310)	201	975 (+483)	492
Arrests*	90 (+12)	78	176 (+1)	175

*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: Bill McNair, Parks & Recreation Director

DATE: March 11, 2024

TITLE: **Proposed road closures for 2024 City events.**
Consideration of approval of the proposed road closures pertaining to the Kennesaw Grand Prix Series, Salute to America, and Day with Santa.

Summary:

2024 Kennesaw Parks & Rec Event Road Closures

Grand Prix

- Event Timeline
 1. 6:30 AM - Race Day Packet Pickup and Day of Registration Begins
 2. 7:30 AM - 1 Mile Fun Run Start
 3. 8:00 AM - Wheelchair Start
 4. 8:05 AM – 5K Start
 5. 8:55 AM - Tot Trot
 6. 9:15 AM - Awards Ceremony

The following road closures support the Kennesaw Grand Prix Race Series on the following Saturdays; May 11, June 8, September 28, October 26:

Main Street will be closed from Watts Drive to Cherokee Street from 6:00 – 10:00 AM

The following Roads will be closed at Main Street from 7:00 – 9:30 AM:

- J.O. Stephenson Avenue
- Cherokee Street
- Lewis Street
- Moon Station Road
- Dallas Street
- Whitfield Place

- Park Drive
- Knightsbridge Road
- Paulding Street
- Jiles Road
- Rutledge Road NW

Kennesaw Police will be on-site to monitor traffic and allow cross traffic at Knightsbridge and Jiles Road while ensuring the safety of runners and walkers.

Salute to America

- Event Timeline
 1. 2:30 PM Vendor/Sponsor Load In Begins
 2. 4:30 PM Vendor/Sponsor Load In Ends
 3. 6:00 PM Event Begins
 4. 9:30 PM Fireworks
 5. 10:00 PM Event Ends

The following road closures support the Salute to America, July 3rd event:

- The following roads will be closed from 1:00 PM – 12:00 Midnight on Wednesday, July 3:
 1. Main Street closed from Lewis St. to Summers Street
 2. Cherokee Street from Big Shanty Drive to Main Street
 3. J.O. Stephenson Ave. from Main St. to Dallas St.
 4. Watts Dr. from Main Street to Dallas Street
- The parking lots at Tunnel Plaza and BurgerFi will be closed 1:00 PM – 12:00 Midnight on Wednesday, July 3
- Shirley Drive will be closed from Cherokee Street to Carruth Street from 5:00 PM - 10:30 PM for fireworks
- Depot Park parking lot will be closed Wednesday, July 3
- The small parking lot in front of City Hall will be closed Wednesday, July 3
- City Hall side parking lot will close at 5:00 PM Wednesday, July 3

A Day with Santa

- Event Timeline
 1. 12:30 PM Vendor/Sponsor Load In Begins
 2. 1:00 PM Parade Begins
 3. 1:30 PM Vendor/Sponsor Load In Ends
 4. 2:00 PM Parade Ends, Event Begins
 5. 5:30 PM Parade Awards
 6. 5:45 PM Tree Lighting Program Ends
 7. 6:00 PM Tree is Lit, Event Ends
- The following road closures support the A Day with Santa event and parade on Saturday, December 7:
- Parade
 1. Main St. will be closed from Park Drive to Watts Drive 12:45 – 2:30 PM.
 2. The following roads will be closed at Main St. 12:45 - 2:15 PM:
 - Park Drive
 - Dallas Street
 - Whitfield Place
 - Moon Station Road

- Lewis Street
- J.O. Stephenson Avenue
- Cherokee Street
- Watts Drive

3. Watts Drive will be closed from the entrance to Adams Park to Main Street 12:45 – 2:30 PM

4. Dallas Street will be closed from 12:45 – 2:15 PM

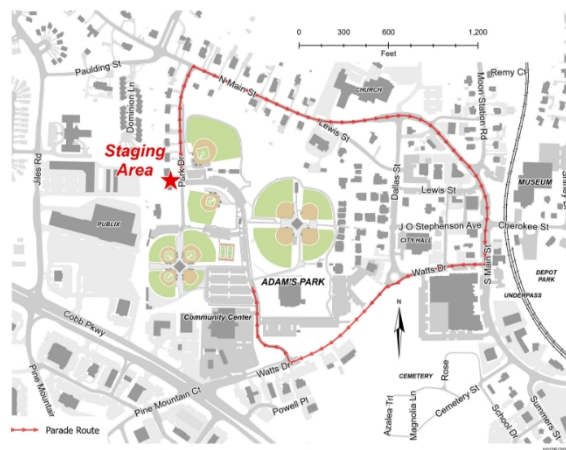
5. During the parade the Revival residents will have access to the complex from the Main Street side.

• Event

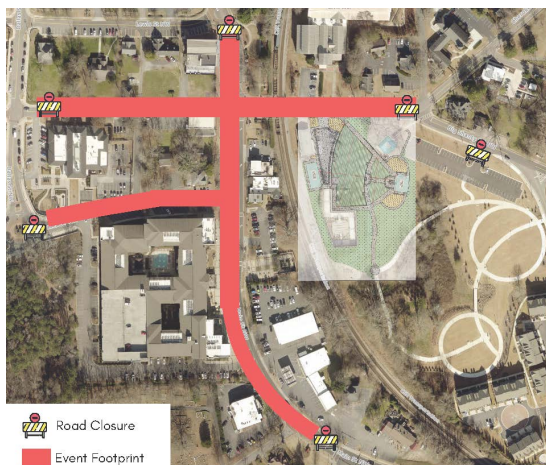
1. Cherokee St. will be closed from Big Shanty Dr. to Main St. 11:30 AM – 8:00 PM

2. The Depot Park parking lot will be closed on Saturday, December 7

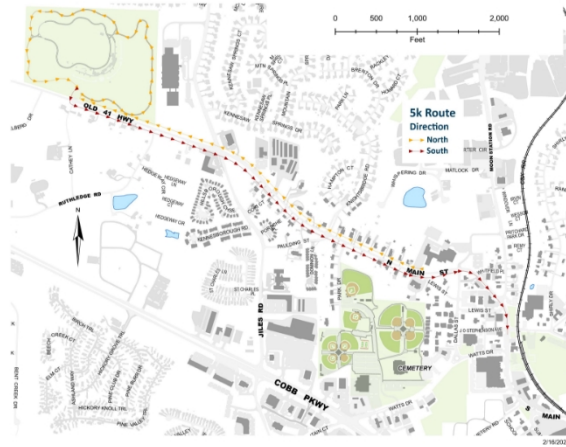
3. The parking lot at Tunnel Plaza will be closed from 4:00 – 7:00 PM



Route for Santa Parade 2024



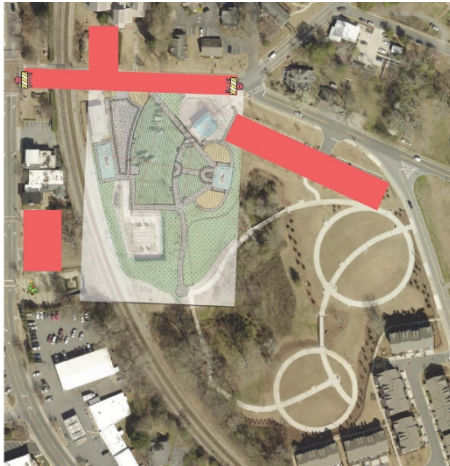
Salute to America 2024 Layout



Kennesaw Grand Prix Route

**2024
A Day with
Santa
Draft Layout**

-  ROAD CLOSURE
-  EVENT FOOTPRINT
-  CHRISTMAS TREE



Recommendation:

The Parks and Recreation Director recommends approval of road closures for the Grand Prix Series, Salute to America, and Day with Santa.

Fiscal Impact:

Attachments:

None



Item Report

TO: The Honorable Mayor and City Council

FROM: Darryl Simmons, Zoning Administrator

DATE: March 11, 2024

TITLE: **Final Plat Application: 1740 & 1750 Old 41 Highway**
 Consideration for approval of a final plat application submitted by Kennesaw RE Investors, LLC dab Gaines Park Senior Living for 1740 & 1750 Old 41 Hwy (parcel numbers 20021200310 and 20021200030); this plat intends to adjust the property lines, as the building and parking lot currently occupy two parcels. Case #FP2024-01.

Summary:

The final plat was submitted to adjust the property lines for parcels 20021200310 and 20021200030 as the building and parking lot span across two (2) parcels for the property located at 1740 Old 41 Hwy NW. The Plan Review Committee has reviewed the final plat and deemed the plat is in compliance and recommends approval.

Recommendation:

Zoning Administrator recommends approval of the final plat.

Fiscal Impact:

Attachments:

1. FP2024-01 - 1740 & 1750 Old 41 Hwy_ApplicationPacket_Redacted
2. FP2024-01 - 1740 & 1750 Old 41 Hwy_CobbTaxReceipt_2
3. FP2024-01 - 1740 & 1750 Old 41 Hwy_KennesawTaxReceipt_2
4. FP2024-01 - 1740 & 1750 Old 41 Hwy_SignedPRCLetter
5. FP2024-01_1740_1750OLD41HWYNW_PLAT_REV3



Date Received 1/26/24
Staff's Initials NE

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) _____

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 11/13/23

Staff Initials DS

DEVELOPMENT NAME

Number of Units
58

Kennesaw RE Investors, LLC dba Gaines Park Senior Living

PURPOSE OF DEVELOPMENT Existing Development - Senior Living

WHAT IS THE REVISION BEING MADE Adjustment of property lines, as building and parking lot currently occupies two parcels

ADDRESS OF PROPERTY 1740 & 1750 Old 41 Highway NW

Parcel ID 20021200310 & 20021200030 Lot Size 3.002 & .738 Present Zoning C4 & C3

Current Use Senior Living & Office Proposed Use No Change

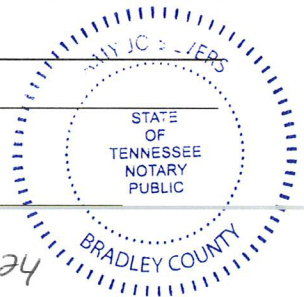
APPLICANT Kennesaw RE Investors, LLC

Applicant address 2000 Sitton Mills Place, Signal Mountain, TN 37377

(Phone #) [REDACTED] Email Address [REDACTED]

Applicant Signature Matthew T. Fox

Signed, sealed and delivered in presence of: Amy Jo Silvers 01/26/2024
Notary Date



REPRESENTATIVE _____ (Phone #) _____ Email Address _____ My Commission Expires March 23, 2027

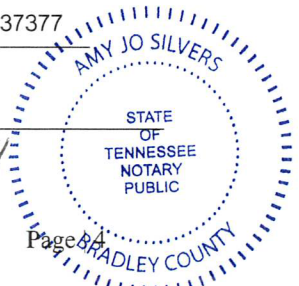
Representative Signature _____

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

TITLEHOLDER Kennesaw RE Investors, LLC (Phone #) [REDACTED]

Titleholder Signature Matthew T. Fox Address 2000 Sitton Mills Place, Signal Mountain, TN 37377

Signed, sealed and delivered in presence of Notary Amy Jo Silvers Date 01/26/2024





CAMPAIGN DISCLOSURE REPORT ¹ 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:

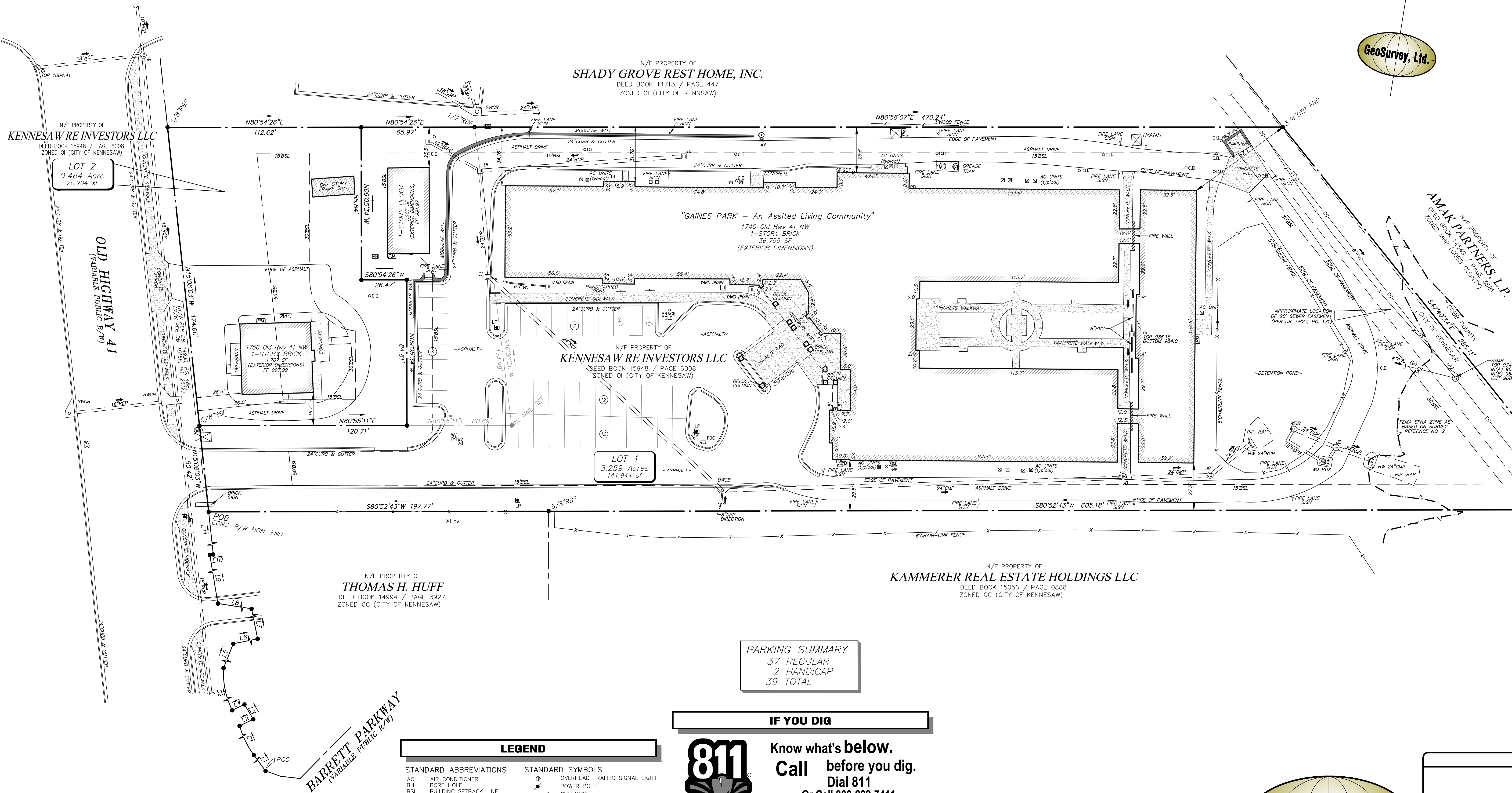
I certify that the foregoing information is true and correct, this 23rd day of January, 2024

Matthew T. Fox
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.

(CLERK OF COURT RECORDING INFORMATION)



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N45°37'30\"W	59.52'
L2	N55°21'48\"E	8.81'
L3	S39°35'41\"E	10.02'
L4	S55°43'33\"W	7.91'
L5	N12°37'34\"E	27.72'
L6	N69°29'57\"E	68.19'
L7	N20°30'03\"W	50.00'
L8	S89°59'05\"W	87.01'
L9	N18°24'38\"W	152.79'
L10	N74°52'10\"E	2.00'
L11	N15°08'40\"W	88.28'

LINE TABLE				
CURVE	CHORD BEARING	CHORD LENGTH	RADIUS	ARC LENGTH
C1	N36°29'58\"W	103.29'	1588.70'	103.31'
C2	N28°56'17\"W	299.90'	1588.70'	300.35'

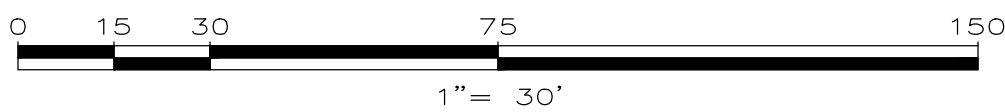
PARKING SUMMARY
37 REGULAR
2 HANDICAP
39 TOTAL

IF YOU DIG



Know what's below.
Call before you dig.
Dial 811
Or Call 800-282-7411

GRAPHIC SCALE



CLOSURE STATEMENT

THE FIELD CLOSURE UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 96,398. AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. A TRIMBLE S-6 ROBOTIC TOTAL STATION AND TRIMBLE DATA COLLECTOR WERE USED TO COLLECT THIS FIELD DATA.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 225,902 FEET. - GEE - INIT.



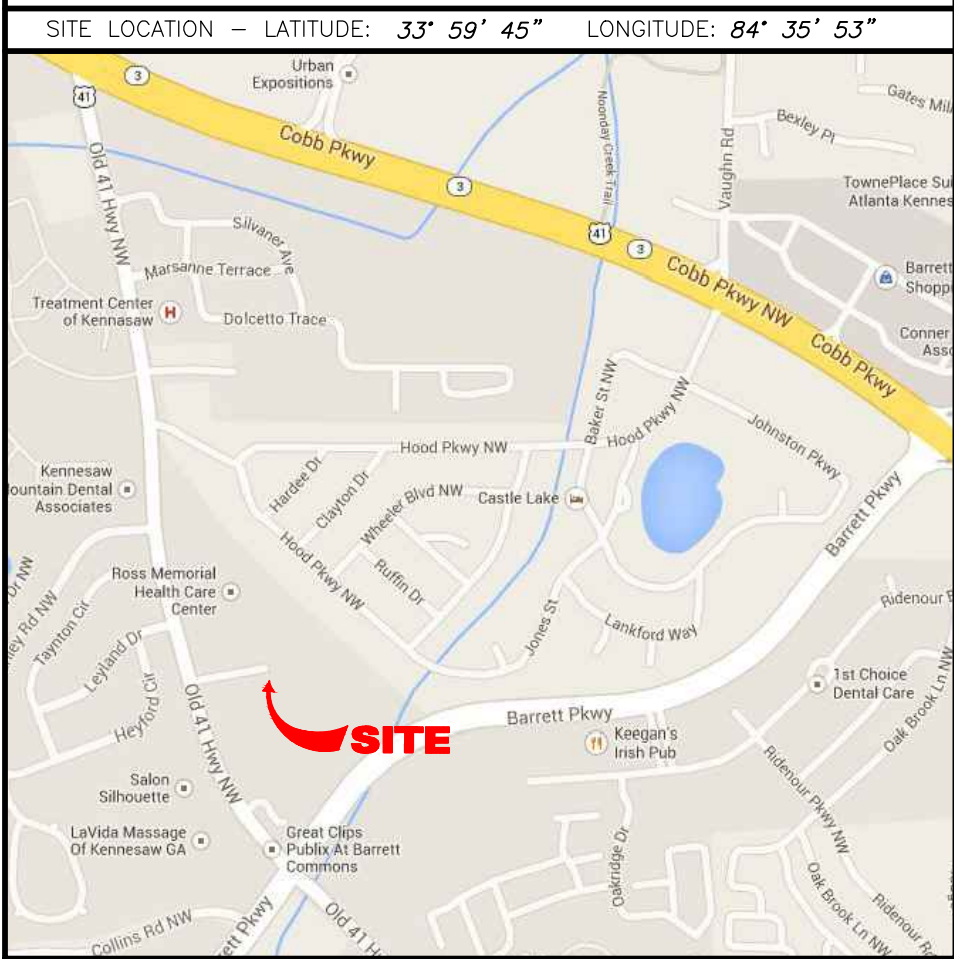
Land Surveying & Mapping

1660 Barnes Mill Road
Marietta, Georgia 30062

Phone: (770) 795-9900
Fax: (770) 795-8880

www.geosurvey.com
EMAIL: info@geosurvey.com
Certificate of Authorization #LSF-000621

VICINITY MAP



GENERAL NOTES

THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON OR ENTITIES NAMED HEREON. NO EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE INFORMATION SHOWN HEREON IS TO BE EXTENDED TO ANY PERSONS OR ENTITIES OTHER THAN THOSE SHOWN HEREON.

THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE INSPECTION REPORT. EASEMENTS OR OTHER ENCUMBRANCES MAY EXIST ON PUBLIC RECORD BUT NOT BE SHOWN HEREON.

THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARD AREA BASED ON THE FLOOD INSURANCE RATE MAP FOR THIS AREA. THE MAP NUMBER FOR THIS AREA IS 130670010H, AND THE DATE OF SAID MAP IS MARCH 4, 2013. THIS DETERMINATION WAS MADE BY GRAPHICALLY DETERMINING THE POSITION OF THIS SITE ON SAID FIRM MAPS UNLESS OTHERWISE NOTED.

DATUM
THE DATUM FOR THIS SITE WAS ESTABLISHED UTILIZING GLOBAL POSITIONING SYSTEMS, AND BASED ON POSITIONAL VALUES FOR THE VIRTUAL REFERENCE STATION NETWORK DEVELOPED BY AGPS SOLUTIONS. THE HORIZONTAL REFERENCE FRAME IS NORTH AMERICAN DATUM OF 1983 (NAD83) - STATE PLANE COORDINATE SYSTEM OF GEORGIA - WEST ZONE. THE VERTICAL REFERENCE FRAME IS NORTH AMERICAN VERTICAL DATUM OF 1988. ANY DIRECTIONS OR DIMENSIONS SHOWN ARE A RECTANGULAR, GROUND LEVEL PROJECTION OF THE STATE PLANE COORDINATE SYSTEM.

THE SITE IS ZONED "O1" (OFFICE INSTITUTIONAL DISTRICT).

THE MINIMUM YARD SETBACKS ARE:

FRONT - 50 FEET ARTERIAL
40 FEET COLLECTOR
40 FEET LOCAL
SIDE - 25 FEET (MAJOR)
15 FEET (MINOR)
REAR - 30 FEET
MINIMUM LOT WIDTH: 60 FEET
MINIMUM LOT SIZE: 20,000 SF

PLEASE NOTE: ZONING AND SETBACKS SHOULD BE CONFIRMED AND VERIFIED BY PLANNING AND ZONING PRIOR TO DESIGN OR CONSTRUCTION ACTIVITIES.

SURVEY REFERENCES

1> SURVEY FOR ISBE & BENADAM CORPORATION PREPARED BY GASKINS SURVEYING & ENGINEERING COMPANY DATED NOVEMBER 14, 2002.
2> BOUNDARY & TOPOGRAPHIC SURVEY OF GAINES PARK, FOR GAINES PROPERTIES, LLC, PREPARED BY GEOSURVEY, LTD., DATED 10-7-2013, LAST REVISED ON 2-13-2014 - GEOSURVEY, LTD. JOB NO. 20134603-01.

SURVEYOR CERTIFICATION

As required by subsection (d) of O.C.G.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.

Craig A. Jennings
Georgia Registered
Land Surveyor # 3043

FOR REVIEW

MINOR PLAT

GAINES PARK
An Assisted Living Community

FOR

KENNESAW RE INVESTORS LLC

GS JOB NO: 20134603-6		DRAWING SCALE: 1"= 30'		SURVEY DATE: JANUARY 28, 2019	
FIELD WORK: MWW		CITY: KENNESAW		STATE: GA	
PROJ MGR: CAJ		COUNTY: COBB		REVISIONS	
REVIEWED: JRC		LAND LOT: 212		No.	Date Description
DWG FILE: 20134603-6.dwg		DISTRICT: 20th		SECTION: 2nd	



Printed: 1/26/2024

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:
Matthew Fox

KENNESAW RE INVESTORS LLC

Payment Date: 12/15/2023

Tax Year	Parcel ID	Due Date	Appeal Amount		Taxes Due
2023	20021200310	12/15/2023	Pay:	N/A or	\$0.00
Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$0.00	\$0.00	\$0.00	\$0.00	\$59,240.59	\$0.00



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



Printed: 1/26/2024

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:
Kennesaw RE Investors LLC

KENNESAW RE INVESTORS LLC

Payment Date: 10/9/2023

Tax Year	Parcel ID	Due Date	Appeal Amount		Taxes Due
2023	20021200030	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	\$5,307.37	\$0.00



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



City of Kennesaw
PROPERTY TAX DIVISION
2529 J. O. STEPHENSON AVE
KENNESAW, GA 30144-2780
(770) 429-4542

2023 Property Tax Bill

Parcel ID	Tax District		Bill #	
20021200310	3/3-BOND - KENNESAW CITY		250056	
Property Owner/Location/Description			Fair Market Value	Taxable Value
KENNESAW RE INVESTORS LLC 1740 OLD 41 HWY			4,912,156	1,964,862
Levies	Taxable Value	- Exemptions	= Net Assessment	X Tax Rate = Net Tax
CITY OF KENNESAW	1,964,862	0	1,964,862	7.7500000000 \$15,227.68
BOND	1,964,862	0	1,964,862	1.5000000000 \$2,947.30
Exemptions:				
Interest will accrue monthly at a rate of .96% per month, based on an annual calculation of Federal Prime Rate (8.5%) plus 3%. To arrive at the new monthly interest rate, divide the Federal Prime Rate by 12. This annual interest rate will changes when the Federal Reserve announces the new bank prime loan rate each January (House Bill 960). 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). Any questions concerning payment instructions should be directed to the City of Kennesaw Property Tax Department at (770) 429-4542.			Current Year Tax	\$18,174.98
			Interest	\$0.00
			Penalty	\$0.00
			Other Fees	\$0.00
			Payments Received	\$18,174.98
			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: 20021200310
Amount Due: \$0.00
Bill#: 250056
Due Date: 12/01/2023

AMOUNT PAID

KENNESAW RE INVESTORS LLC
2000 SITTON MILLS PL
SIGNAL MOUNTAIN, TN 37377

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 #	
20021200030	3/3-BOND - KENNESAW CITY		249888	
Property Owner/Location/Description			Fair Market Value	Taxable Value
KENNESAW RE INVESTORS LLC 1750 OLD 41 HWY NW			440,080	176,032
Levies	Taxable Value	-	Exemptions	= Net Assessment X Tax Rate = Net Tax
CITY OF KENNESAW	176,032		0	176,032 7.7500000000 \$1,364.25
BOND	176,032		0	176,032 1.5000000000 \$264.05
Exemptions:				
Interest will accrue monthly at a rate of .96% per month, based on an annual calculation of Federal Prime Rate (8.5%) plus 3%. To arrive at the new monthly interest rate, divide the Federal Prime Rate by 12. This annual interest rate will changes when the Federal Reserve announces the new bank prime loan rate each January (House Bill 960). 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). Any questions concerning payment instructions should be directed to the City of Kennesaw Property Tax Department at (770) 429-4542.			Current Year Tax	\$1,628.30
			Interest	\$0.00
			Penalty	\$0.00
			Other Fees	\$0.00
			Payments Received	\$1,628.30
			Other Amounts Due	\$0.00
			Total Due	\$0.00
			Due Date	12/01/2023



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3% fee and \$3.50 per transaction fee added to
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ECheck transaction paid online.

Parcel ID: 20021200030
Amount Due: \$0.00
Bill#: 249888
Due Date: 12/01/2023

AMOUNT PAID

KENNESAW RE INVESTORS LLC
2000 SITTON MILLS PL
SIGNAL MOUNTAIN, TN 37377

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



Community Development Department
Plan Review Committee

Plan Review Coordinator
Scott Banks, Building Official

Plan Review Committee Members
Darryl Simmons, Zoning Administrator
Ricky Stewart, Public Works Director
Luke Howe, Economic Development Director

To: Mayor and Council

From: Plan Review Committee

Date: March 4, 2024

The final plat (FP2024-01) was submitted by the applicant Kennesaw RE Investors, LLC for 1740 Old 41 Highway (20021200310) and 1750 Old 41 Highway (20021200030). It was received and reviewed by the Plan Review Committee. This plat intends to adjust the property lines, as the building and parking lot currently occupy two parcels. All members of the Plan Review Committee have verified said plat, and all comments were addressed. The final plat is in compliance and ready for your consideration and approval.

Scott Banks, Plan Review Coordinator



Printed: 1/26/2024

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:
Kennesaw RE Investors LLC

KENNESAW RE INVESTORS LLC

Payment Date: 10/9/2023

Tax Year	Parcel ID	Due Date	Appeal Amount		Taxes Due
2023	20021200030	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	\$5,307.37	\$0.00



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



City of Kennesaw
PROPERTY TAX DIVISION
2529 J. O. STEPHENSON AVE
KENNESAW, GA 30144-2780
(770) 429-4542

2023 Property Tax Bill

Parcel ID	Tax District		Bill #	
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Scott Banks, Plan Review Coordinator

COBB COUNTY WATER AND SEWER APPROVAL

THIS PLAT, HAVING BEEN SUBMITTED TO COBB COUNTY WATER AND SEWER SYSTEMS AND HAVING BEEN FOUND TO COMPLY WITH THE COBB COUNTY DEVELOPMENT STANDARDS IS APPROVED FOR RECORDING.

COBB COUNTY WATER & SEWER SYSTEM

Date

DEPARTMENT APPROVALS

Planning and Zoning Date

Building and Construction Date

Public Works Date

City Engineer Date

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.

SURVEYOR CERTIFICATION

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 herein 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.

Craig A. Jennings
Georgia Registered
Land Surveyor # 3043

February 9, 2024

Date

MAYOR 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 _____ (Date)

Derek Easterling
Mayor, Kennesaw, Georgia

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 3.723 acres, for the purposes therein expressed.

SUBDIVIDER:

PRINT NAME

SIGNATURE

Date

OWNER:

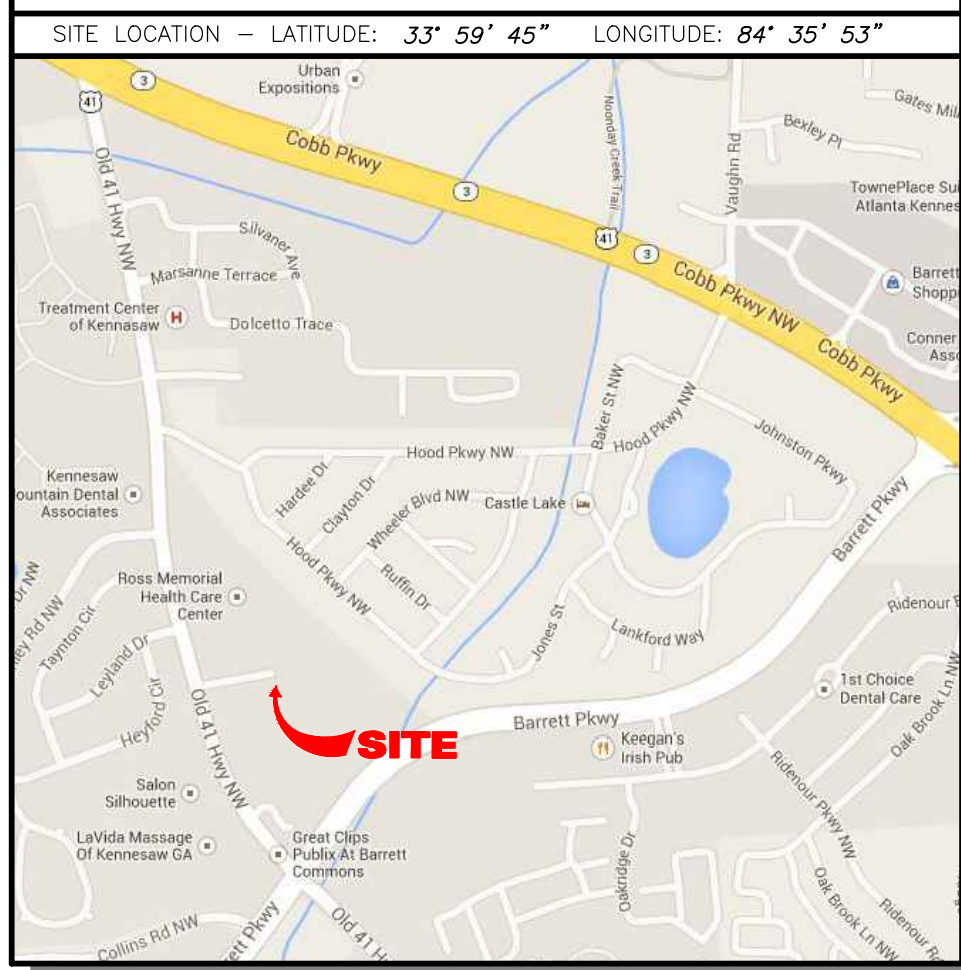
PRINT NAME

SIGNATURE

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 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.

VICINITY MAP



GENERAL NOTES

THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON OR ENTITIES NAMED HEREON. NO EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE INFORMATION SHOWN HEREON IS TO BE EXTENDED TO ANY PERSONS OR ENTITIES OTHER THAN THOSE SHOWN HEREON.

THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE INSPECTION REPORT. EASEMENTS OR OTHER ENCUMBRANCES MAY EXIST ON PUBLIC RECORD BUT NOT BE SHOWN HEREON.

THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARD AREA BASED ON THE FLOOD INSURANCE RATE MAP FOR THIS AREA. THE MAP NUMBER FOR THIS AREA IS 13067C0101H, AND THE DATE OF SAID MAP IS MARCH 4, 2013. THIS DETERMINATION WAS MADE BY GRAPHICALLY DETERMINING THE POSITION OF THIS SITE ON SAID FIRM MAPS UNLESS OTHERWISE NOTED.

DATUM
THE DATUM FOR THIS SITE WAS ESTABLISHED UTILIZING GLOBAL POSITIONING SYSTEMS, AND BASED ON POSITIONAL VALUES FOR THE VIRTUAL REFERENCE STATION NETWORK DEVELOPED BY GPS SOLUTIONS. THE HORIZONTAL REFERENCE FRAME IS NORTH AMERICAN DATUM OF 1983 (NAD83) - STATE PLANE COORDINATE SYSTEM OF GEORGIA - WEST ZONE. THE VERTICAL REFERENCE FRAME IS NORTH AMERICAN VERTICAL DATUM OF 1988. ANY DIRECTIONS OR DIMENSIONS SHOWN ARE A RECTANGULAR, GROUND LEVEL PROJECTION OF THE STATE PLANE COORDINATE SYSTEM.

THE SITE IS ZONED "O1" (OFFICE INSTITUTIONAL DISTRICT).
THE MINIMUM YARD SETBACKS ARE:
FRONT - 50 FEET ARTERIAL
40 FEET COLLECTOR
40 FEET LOCAL
SIDE - 25 FEET (MAJOR)
15 FEET (MINOR)
REAR - 30 FEET
MINIMUM LOT WIDTH: 60 FEET
MINIMUM LOT SIZE: 20,000 SF

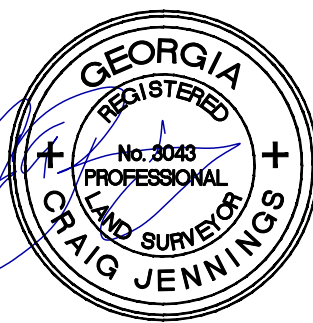
PLEASE NOTE: ZONING AND SETBACKS SHOULD BE CONFIRMED AND VERIFIED BY PLANNING AND ZONING prior TO DESIGN OR CONSTRUCTION ACTIVITIES.

SURVEY REFERENCES

- 1> SURVEY FOR ISBE & BENADAM CORPORATION PREPARED BY GASKINS SURVEYING & ENGINEERING COMPANY DATED NOVEMBER 14, 2002.
- 2> BOUNDARY & TOPOGRAPHIC SURVEY OF GAINES PARK, FOR GAINES PROPERTIES, LLC, PREPARED BY GEOSURVEY, LTD., DATED 10-7-2013, LAST REVISED ON 2-13-2014 - GEOSURVEY, LTD. JOB NO. 20134603-01.

SURVEYOR CERTIFICATION

As required by subsection (d) of O.C.G.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 herein. 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.



Craig A. Jennings
Georgia Registered
Land Surveyor # 3043

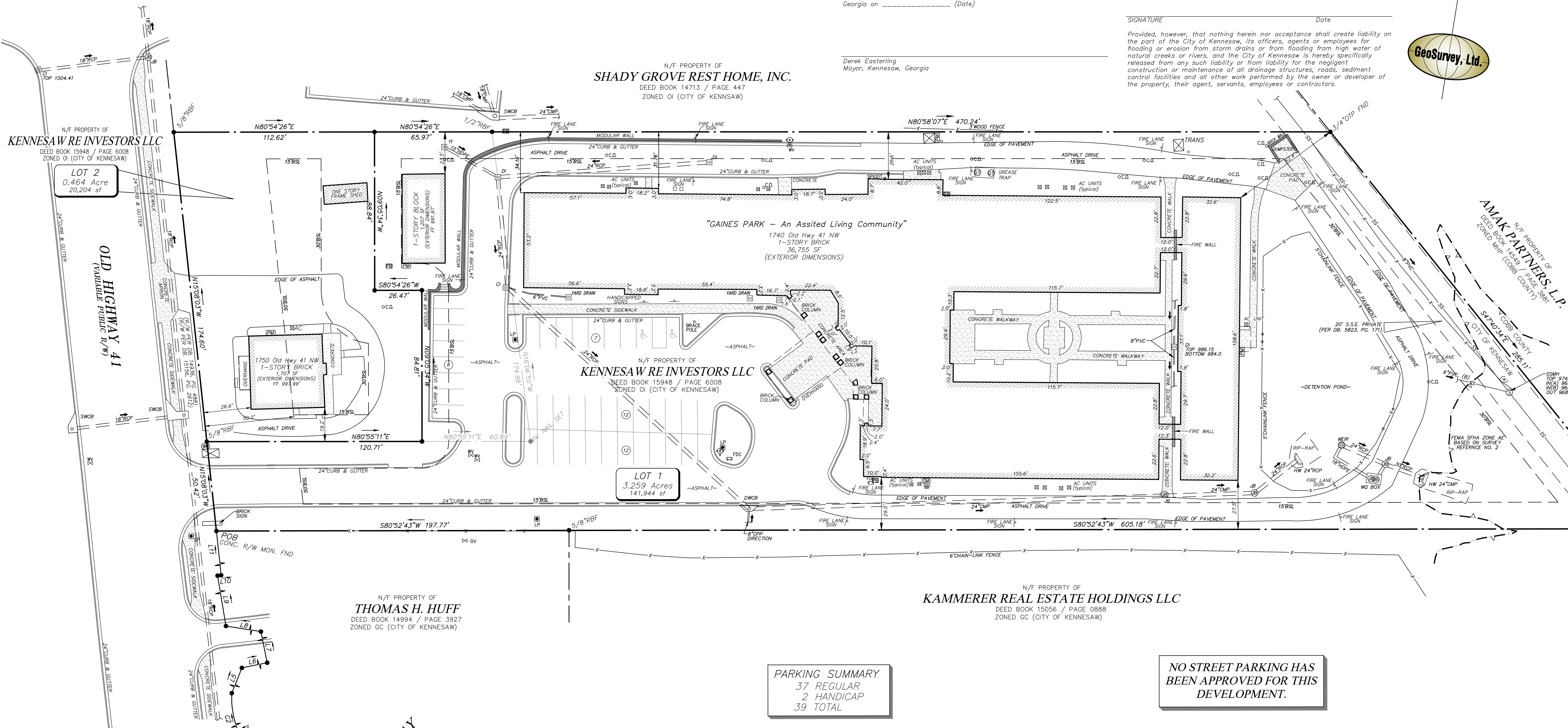
MINOR PLAT

GAINES PARK
An Assisted Living Community

FOR

KENNESAW RE INVESTORS LLC

GS JOB NO:	20134603-6	DRAWING SCALE:	1"= 30'	SURVEY DATE:	JANUARY 28, 2019
FIELD WORK:	MWW	CITY:	KENNESAW	STATE:	GA
PROJ MGR:	CAJ	COUNTY:	COBB	No. Date Description	
REVIEWED:	JRC	LAND LOT:	212	1. 02/09/2024 Per Comments	
DWG FILE:	20134603-6.dwg	DISTRICT:	20th	SECTION:	2nd



PARKING SUMMARY
37 REGULAR
2 HANDICAP
39 TOTAL

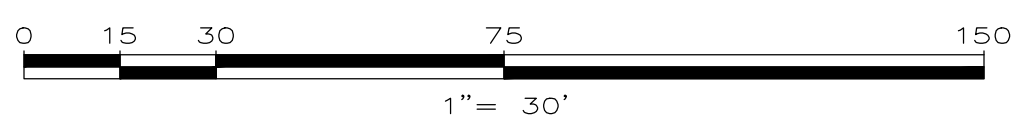
NO STREET PARKING HAS
BEEN APPROVED FOR THIS
DEVELOPMENT.

IF YOU DIG



Know what's below.
Call before you dig.
Dial 811
Or Call 800-282-7411

GRAPHIC SCALE



CLOSURE STATEMENT

THE FIELD CLOSURE UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 96,396, AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. A TRIMBLE S-6 ROBOTIC TOTAL STATION AND TRIMBLE DATA COLLECTOR WERE USED TO COLLECT THIS FIELD DATA.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 225,902 FEET. - GEE - INIT.

LEGEND

STANDARD ABBREVIATIONS	STANDARD SYMBOLS
AC AIR-CONDITIONER	⊕ OVERHEAD TRAFFIC SIGNAL LIGHT
BH BORE HOLE	⊕ POWER POLE
BSL BUILDING SETBACK LINE	⊕ GUY WIRE
CI CURB INLET	⊕ POWER LINE
CMF CORRUGATED METAL PIPE	⊕ LIGHT POLE
CMF CONCRETE MONUMENT FND	⊕ ELECTRIC TRANSFORMER
CPED COMMUNICATION FEDESTAL	
CTP CRIMPED TOP PIPE	
DIP DROP INLET	
DWCB DOUBLE WING CATCH BASIN	
FNC FENCE	
GM GAS METER	
INV INVERT	
JB JUNCTION BOX	
MH MANHOLE	
OMP OVERHEAD POWER	
OTF OPEN TOP PIPE	
PM POWER METER	
POB POINT OF BEGINNING	
POC POINT OF COMMENCEMENT	
RCS REINFORCED CONCRETE PIPE	
RBR IRON REINFORCING BAR	
RCS 5/8" RBR SET	
RS SANITARY SEWER	
SWCB SINGLE WING CATCH BASIN	
TRANS ELECTRIC TRANSFORMER	
SFHA SPECIAL FLOOD HAZARD AREA	

LINE	BEARING	DISTANCE
L1	N45°37'30"W	59.52'
L2	N55°21'48"E	8.81'
L3	S39°35'41"E	10.02'
L4	S55°43'33"W	7.91'
L5	N12°37'34"E	27.72'
L6	N69°29'57"E	68.19'
L7	N20°30'03"W	50.00'
L8	S89°59'05"W	87.01'
L9	N18°24'38"W	152.79'
L10	N74°52'10"E	2.00'
L11	N15°08'40"W	88.28'

CURVE	CHORD BEARING	CHORD LENGTH	RADIUS	ARC LENGTH
C1	N36°29'58"W	103.29'	1588.70'	103.31'
C2	N28°56'17"W	299.90'	1588.70'	300.35'



Item Report

TO: The Honorable Mayor and City Council

FROM: Darryl Simmons, Zoning Administrator

DATE: March 11, 2024

TITLE: **Central Business District Application: 2573 Summers Street**
 Consideration to review a Central Business District (CBD) project application to remodel the vacant property located at 2573 Summers St (parcel number 20016700410) for a proposed Sherwin-Williams paint store. Case #CBD2024-01.

Summary:

Consideration to review a CBD project application request located on 1.107 +/- acres for the renovation of a vacant property for a Sherwin-Williams Paint store located at 2573 Summers St (20016700410).

The Kennesaw Downtown Development Authority met during their scheduled meeting on March 8th and unanimously recommended approval. (vote 3-0)

The CBD application will be presented to the Historic Preservation Commission at their scheduled meeting on March 15th.

Recommendation:

The Zoning Administrator recommends approval of the CBD project application

Fiscal Impact:

Attachments:

1. CBD2024-01_2573SummersSt_ApplicationPacket_Redacted
2. DRAFT KDDA Minutes 3-8-2024



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 [REDACTED]

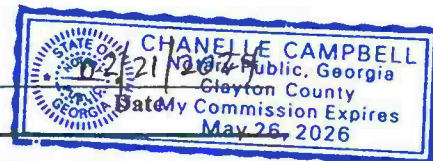
Applicant address [REDACTED]

(Fax #) _____ (Work #) _____ (Cell #) [REDACTED]

Applicant Signature [Signature]

Signed, sealed and delivered in presence of: _____

Notary



TITLEHOLDER: 2573 Summers St LLC

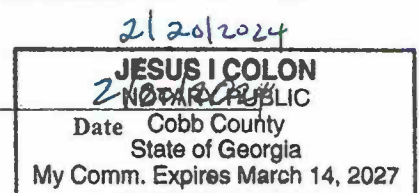
Telephone: [REDACTED]

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.

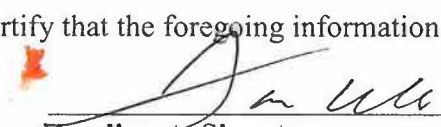
Please supply the following information that will be considered as the required disclosure:

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:

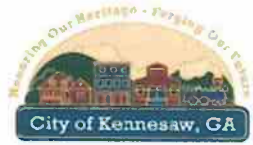
I certify that the foregoing information is true and correct, this 21 day of Feb, 2021



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.

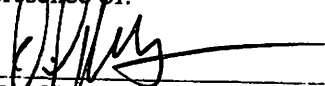
TO HAVE AND HOLD said tract or parcel of land in order that neither the Grantor nor any person claiming under Grantor shall at any time, by any means or ways, have claim or demand any right or title to said land or any of the rights, members and appurtenances thereof.

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

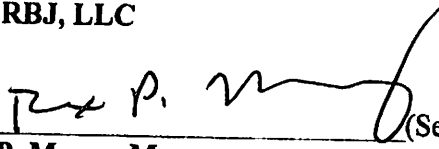
year first above written.

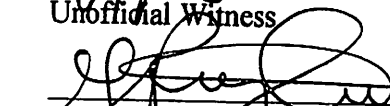
Signed, sealed and delivered in the presence of:

DW RBJ, LLC


Unofficial Witness

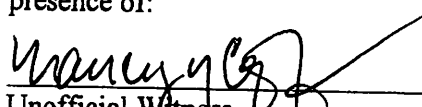


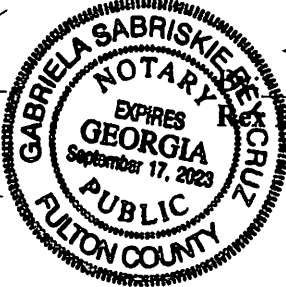
By:  (Seal)
Rex P. Macey, Manager

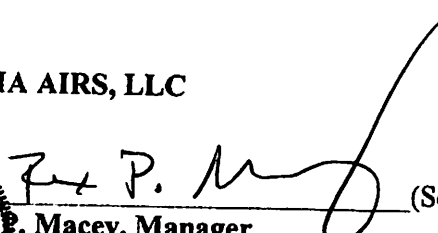

Notary Public
My Commission Expires:

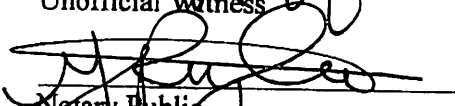
Signed, sealed and delivered in the presence of:

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

[Signature]
Notary Public
My Commission Expires: December 22, 2024
STEVEN LUPER
NOTARY PUBLIC
FULTON COUNTY, GEORGIA

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

[Signature]
Notary Public
My Commission Expires: December 22, 2024
STEVEN LUPER
NOTARY PUBLIC
FULTON COUNTY, GEORGIA

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.

MINUTES OF KENNESAW DOWNTOWN DEVELOPMENT AUTHORITY MEETING
CITY OF KENNESAW
Council Chambers
(2529 J.O. Stephenson Avenue, Kennesaw, GA 30144)
March 8, 2024
7:30 AM

Present Chair Mark Allen
 Vice Chair David Lyons
 Secretary Mary Jo Groeneveld
 Ian Coats

1. Call to Order / Roll Call

Chair Mark Allen called the meeting to order at 7:45 am.

Members Present: Mark Allen, Ian Coats, David Lyons, Mary Jo Groeneveld

Members Absent: Lexie Newhouse, Leslie Patton, Nimesh Patel

Staff Present: Luke Howe, Miranda Taylor, Lauren McKenzie (legal)

5. New Business

B. Review of outparcel assignment at TUG site development (South Main Street)

This item was taken out of order, following the Call to Order.

The applicant previously submitted a request for consideration the Authority's consent to the assignment and assumption for the retail site development for Kennesaw Commercial Owner, LLC for the March 8, 2024 KDDA meeting. To allow the applicant to prepare all necessary documents for review, KDDA received a letter formally withdrawing the request for consideration at the March 8, 2024 meeting and requested the consideration of the assignment and assumption agreement be placed on the April 12, 2024 KDDA meeting. A copy of the letter will be included as part of the official minutes. Elliot Van Dyke, representing Highpoint Development was in attendance and confirmed that his firm was in agreement with the letter as submitted.

David Lyons made a motion to accept the withdrawal letter as presented. Ian Coats seconded the motion. Motion passed unanimously.

A. CBD Project Application: 2573 Summers Street

This item was taken out of order, following the discussion of item 5B.

Darryl Simmons provided an introduction for the CBD application for 2573 Summers Street. The applicant is going through a separate rezoning process to rezone the parcel as CBD to better fit in with the surrounding downtown parcels; since the property is on the schedule for rezoning, the applicant is pursuing the CBD project application concurrently. The project will include the build-out of a Sherwin-Williams store/showroom to service commercial customers. The applicant was present, and shared that they will be installing a landscape buffer to help their site match other recently improved parcels on Summers Street, repaving the parking lot, and that they

will keep the existing building but will rehab it. Their goal is to deliver a completed site to their customer in the 3rd quarter of 2024 (anticipating a 6-month construction turnaround).

David Lyons made a motion to approve the CBD application as presented. Ian Coats seconded the motion. Motion passed unanimously.

2. Approval of the Meeting Minutes

A. Draft meeting minutes 2.9.24

The board reviewed the draft minutes from the February meeting. David Lyons made a motion to approve as presented. Motion seconded by Ian Coats. Motion passed unanimously.

3. Financial Report

A. Review of Financial Report as of 2.29.24

The board reviewed the balance sheet and income statement. However, the cash activity sheet was not available prior to the meeting due to the quick turnaround between the end of the month and today's meeting. The board indicated they'd rather wait to approve the financial report when they are able to review the cash activity sheet. David Lyons made a motion to table the financial report approval to the April meeting. Motion seconded by Ian Coats. Motion passed unanimously.

B. Review of open invoices (legal)

The board reviewed open legal invoices totaling \$1,015. David Lyons made a motion to approve the invoices as presented. Motion seconded by Mary Jo Groeneveld. Motion passed unanimously.

4. Old Business

6. Public Comment

Councilmember Tracey Viars was in attendance, and she stated that the board was doing a great job and encouraged them to keep it up!

Staff member Darryl Simmons told the board he looked forward to bringing more downtown projects forward for review.

7. Board & Staff Comment

David Lyons inquired about the status of the Main Street benches discussed at the last meeting, and stated that he would like to see something done about the ones in disrepair.

Mary Jo Groeneveld stated that she did a site visit to the newly proposed Farmers Market location, and she thinks it will be a good site. Mark Allen confirmed that there is power available for the vendors who are required to have power for their items. The board discussed using banners to help with visibility and advertising the market on Patch and Facebook. Miranda will put together quotes for banners and advertising for review at the next meeting.

Mark Allen discussed the update to the Flex Grant program to include the historic structures study, and requested that staff provide updated verbiage at the next meeting.

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 to discuss, the meeting was adjourned at 8:13 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.

DRAFT