



**KENNESAW DOWNTOWN DEVELOPMENT AUTHORITY**  
**DRAFT REGULAR MEETING MINUTES**  
**MARCH 8, 2022**  
**CITY HALL TRAINING ROOM**  
**7:30 A.M.**

- I. Call to Order:** Meeting called to order at 7:30 am by Chair, Mark Allen
- a. Members present: Mark Allen, Britt Doss, David Lyons, Leslie Steinle, Lexie Newhouse, Mary Jo Groeneveld, Nimesh Patel (non-voting; not yet sworn-in)
  - b. Staff Present: Luke Howe, Miranda Taylor, Fred Bentley, Jr., Darryl Simmons, Councilmember James Eaton, Councilmember Tracey Viars
- II. Approval of Minutes**
- a. Draft Meeting Minutes from the 02.08.22 meeting were reviewed, David Lyons made a motion to approve the minutes as presented; seconded by Britt Doss. Vote taken; motion passed with a vote of 6-0.
- III. Announcements/Public Comment:** None
- IV. Financials**
- a. Financial Report as of 02.28.22 was presented by Leslie Steinle. Ending cash balance was \$3,771.02. David Lyons made a motion to approve the financials as presented, with special condolences to the Collier family on the passing of Mr. David Collier. Britt Doss seconded the motion. Motion passed with a vote of 6-0.
- At this time, the agenda was taken out of order out of respect for the time of our guest/applicant presenters. The order the agenda items were discussed is as follows: VI.b, VI.c, VI.a, VI.e, Executive Session, V.A, VI.d, VIII, IX, X.
- V. Old Business**
- a. 2022 Farmers Market Update: Miranda Taylor reported that there are currently 9 confirmed vendors for the 2022 market, but only one has produce (fresh mushrooms). We are in desperate need of farmers/produce vendors. If any board members are able to attend other markets and let farm vendors know about our market, please do so. Miranda will facilitate two market vendor orientation meetings on March 10<sup>th</sup> (9am and 4pm) at the Ben Robertson Community Center. Luke Howe stated that the board may want to consider hiring a part-time/temporary person to manage all business related to the market once they receive revenue from upcoming projects. This will allow ED staff to focus on development activities and not spend as much time on event management.
- VI. New Business**
- a. BurgerFi Lease discussion – Fred Bentley, Jr. provided an update on the BurgerFi lease. The Collier family is working through some issues with Probate; meanwhile we are continuing to work with the Colliers and the attorney for BurgerFi to secure a lease extension. KDDA is required to officially notify the Collier family of the intent to renew no later than 90 days prior to the lease expiration. This will need to be a formal agenda item at a future meeting.
  - b. Project updates: Dale Hughes reviewed the status of the projects he is currently developing, including Common Grounds Plaza, the 2831 S. Main block, 2243 Lewis St, the final vacant pad in Fullers Chase, and the historic church parsonage. Common Grounds plaza is anticipated to start site work in 3-4 months, with the Main St. block following 3 months behind that.
  - c. CBD Project Application: 2004 Duncan Drive; Devin’s Shire. Hank Dudek presented the CDB Project Application for Devin’s Shire. The business plan includes development of 33 townhomes with an average size of 2000 square feet and a price point of \$400 - \$500K. The townhomes will be 3-story with rear entry garages; the topography of the site will soften the appearance of the 3-story buildings from Duncan Drive. There are no additional amenities planned for the development (i.e. pool/clubhouse, etc.). David Lyons asked about parking: will the driveways be sized to allow for additional parking? Mr. Dudek confirmed that the driveways would be big enough to allow for parking. Mr. Dudek indicated that the project timeline anticipates submitting engineering plans for review following approval from Mayor & Council, and the goal is to start site work by June 2022. David Lyons made a motion to approve the CBD Project Application as presented; seconded by Leslie Steinle. Motion passed with a vote of 6-0.

- d. 2022 Beer Festival Contract: Mark Allen discussed the contract for the 2022 Beer Festival. Two items were changed: first, Atlanta Beer Festivals agrees to not host any other alcohol related events on the same day as our event; second, ABF agrees to have all printed marketing material for the event available at least 45 days prior to the event. Miranda inquired about the previous stipulation that the KDDA would provide at least 100 volunteers; Mark confirmed that this is no longer necessary since the City does not require pouring licenses for the volunteers. Miranda will update the contract to remove that stipulation. David Lyons made a motion to approve the contract with the change to the volunteer requirement, and authorize the Chair to sign the contract. Britt Doss seconded the motion. Motion passed by a vote of 6-0.
- e. Inducement Resolution – 2652 S. Main Street: Elliot Van Dyke provided an overview of the approved project for 2652 S. Main Street (the board previously approved the CBD project application for this project). The project has not yet been named. Elliot shared that Traton homes would be partnering with them to build the townhome portion of the project. Fred Bentley, Jr. reviewed the details of the proposed Inducement Resolution and details of the related future bond issue. This is anticipated to be a \$60M project that will add residential, commercial, and shared parking facilities to the downtown. Mark Allen asked about what risks exist for the KDDA in this arrangement. Fred explained that the KDDA is agreeing to eliminate the tax liability for the developer to allow them to use that capital as principal and interest on their loan, which they are required to secure using their own creditworthiness. David Lyons asked for confirmation that the KDDA would not be responsible for the repayment of the loan value. Fred and Elliot confirmed that other than eliminating the tax liability there is no other material liability/risk to the KDDA. Luke reviewed the difference between cash bonds and abatement bonds with the board. The bond documents will include a non-performance clause that allows the KDDA to cancel the contract if TPA/TR GA Ventures, LLC does not perform. Elliot shared that their goal is to close on their financing and begin site work by July 2022. David Lyons made a motion to adopt the resolution and authorize the Chair to sign the resolution and documents related to the Inducement Resolution. Leslie Steinle seconded the motion. Motion passed by a vote of 6-0.

#### **VII. Executive Session – Land, Legal, Personnel:**

- a. David Lyons made the following motion: That this Authority now enter into closed session as allowed by O.C.G.A. §50-14-3 and pursuant to advice by the City Attorney, for the purpose of discussing Land. Seconded by Britt Doss. Those voting in favor: Mark Allen, David Lyons, Britt Doss, Leslie Steinle, Lexie Newhouse, Mary Jo Groeneveld. Those opposed: None. The motion passed unanimously. The KDDA entered closed session at 8:33 am.
- b. The KDDA exited closed session at 9:01 am. David Lyons made the following motion: That this body, in open session, adopt a resolution authorizing and directing the presiding officer to execute an affidavit in compliance with O.C.G.A. §50-14-4, and that this body ratifies the actions of the KDDA taken in closed session and confirm that the subject matter(s) of the closed session were within the exceptions permitted by the open meetings law. Britt Doss seconded. Those voting in favor: Mark Allen, David Lyons, Britt Doss, Leslie Steinle, Lexie Newhouse, Mary Jo Groeneveld. Those opposed: None. The motion passed unanimously.

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).

#### **VIII. Board Comments**

- a. David Lyons stated that he is excited to see the increased activity by the KDDA and wants to continue the momentum.
- b. Mark Allen shared that he met with the Acworth Downtown Development Authority chair to discuss strategy and got some great information to assist KDDA as we continue to invest in downtown revitalization. Beer Festival planning is underway, and Mark will coordinate with Atlanta Beer Festivals on marketing material now that the contract is finalized.
- c. Leslie Steinle asked if the board could plan a work session in the near future to continue discussing the KDDA's plan/strategy for addressing downtown development. This can be done; if a quorum of members is present we will just have to post/advertise the meeting.
- d. Britt Doss stated that he would like to echo earlier comments in support of using some funds for part-time/temporary staff to help with events.

#### **IX. Economic Development Director Comments:** No additional comments

#### **X. Adjourn:** With no further business, David Lyons made a motion to approve; seconded by Leslie Steinle. Motion passed unanimously. Meeting adjourned at 9:18 am.

**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.

The next scheduled meeting of the Kennesaw Downtown Development Authority will be 7:30 a.m. on April 12, 2022

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