

**City of Cumming
Planning and Zoning Minutes
August 20, 2019**

There was the regularly held meeting of the Cumming Planning and Zoning Commission on August 20, 2019 at City Hall in Cumming, Georgia. All Commission members were present. Chairman Ralph Webb presided over the meeting and called the meeting to order.

As the first item of business a motion was made by Randy Murphy, seconded by Brent Otwell, and unanimously passed adopting the agenda as presented. A motion was made by Brent Otwell, seconded by Randy Murphy, and unanimously passed approving as presented the minutes of the July 16, 2019 Commission meeting.

The first item of Old Business was **A. Central Forsyth Properties, LLC Rezoning #2018320**. A motion was made by Randy Murphy, seconded by Brent Otwell and unanimously passed to open the Public Hearing. Team members from Wakefield Beasley & Associates presented information on the proposed rezoning from M1 and HB to Planning Unit Development (PUD) of 55.60 acres located at 514 Veterans Memorial Boulevard and Meadow Drive called Mashburn Village. The development would include the extension of Buford Dam Road from Atlanta Road to Veterans Memorial Boulevard, 68,000 square feet of commercial space, townhomes, single-family lots, and an eight (8) foot multi-use trail along the main thoroughfare. Several people asked about obtaining more information on the development, mainly the number of units and monthly cost of the rental units. A motion was made by Brent Otwell, seconded by Randy Murphy, and unanimously passed to close the public hearing. The staff report read as follows: ***The agent had made application, on behalf of the property owners, to rezone 55.60 acres, more or less, from a combination of Restricted Industrial (M-1) and Highway Business (HB) to Planned Unit Development (PUD), for the purpose of developing a mixed-use project, including: retail/flex space, self-storage units, senior living units, leasable residential units, single-family homes, attached townhomes, residential amenity, civic space, community amenity/green space and an extension of Buford Dam Road, as a main thoroughfare through the project, to Veterans Memorial Boulevard. This proposed rezoning is in conformance with the City's Future Land Use Plan (Mixed Use). Attached are proposed conditions and exhibits, illustrating the various uses***

proposed within the project. These recently-submitted conditions will require review and revision, to be negotiated between the City and the applicant. Therefore, staff has no recommendation at this time.

A motion was made by Ralph Webb, seconded by Randy Murphy, and unanimously passed to postpone any decision on Rezoning Application #2018320 Central Forsyth Properties, LLC until another meeting with the Planning Staff and developers could take place.

The first item of new business was **A. Atlantic Realty Development, LLC Annexation #2019363** This item was requested to be postponed due to the need to update their DRI and other issues with Forsyth County.

The next item of new business was **B. FC Board of Education Annexation #2019372**. A motion was made by Randy Murphy, seconded by Brent Otwell, and unanimously passed to open the public hearing. No one was present to represent the FC Board of Education or anyone to speak in opposition. A motion was made by Brent Otwell, seconded by Randy Murphy, and unanimously passed to close the public hearing. The following staff report was read into record: *The property owner has made application to annex and rezone to Institutional (INST), 11.881 acres, more or less, for the purpose of constructing additional education facilities on their property. The subject property is currently vacant and is zoned County Agricultural (A-1). Of the 29.951, more or less, which the FCBOE owns, this is the remaining portion which is not in the city limits. The rezoning to INST is in conformance with the City Future Land Use Plan. Forsyth County has acknowledged receipt of the proposed request and indicated they are not aware of any county-owned facilities on the subject property. Therefore, staff recommendation is for approval of the annexation and rezoning to INST with the following conditions:*

- 1. Forsyth County must provide written notice of no objection to the proposed annexation and rezoning, prior to the City Council voting on the proposed request.**
- 2. All future facilities constructed on the subject property must be permitted , without charge, and inspected by the City Department of Planning & Zoning.**

A motion was made by Ralph Webb, seconded by Randy Murphy and unanimously passed to approve FCBOE Annexation #2019372 and rezoning to INST, with the two (2) conditions recommended by Planning Staff and adding Condition #3 that the FC Board of Education present to the Mayor and City Council their intended use of the property.

The next item under new business was **C. Williams Estate Annexation #2019373**. A motion was made by Brent Otwell, seconded by Randy Murphy, and unanimously passed to open the public hearing. No one was present to represent the applicant and no one spoke in opposition. A motion was made by Randy Murphy, seconded by Brent Otwell, and unanimously passed to close the public hearing. The following staff report was read into the record: *The property owner has made application to the proper authorities, to annex and rezone to Annexed Property (AP) 1.703 acres, more or less, to accompany the 74.15 acres, more or less, which they previously annexed and rezoned to AP on July 16, 2019. This property is currently vacant and is zoned County Agricultural (A-1). The rezoning to AP is in conformance with the City Future Land Use Plan. Therefore, staff recommends approval of the proposed annexation and rezoning, with the following conditions:*

1. Forsyth County must provide written notice of no objection to the proposed annexation and rezoning, prior to the City Council voting on the proposed request.

2. Any future improvements to the annexed property must be approved by the Mayor, or his designated representative, before any grading or building permits are issued.

A motion was made by Ralph Webb, seconded by Brent Otwell, and unanimously passed to approve Williams Estate Annexation #2019373 and rezoning to AP.

Then there being no further business to come before the Commission, a motion was made by Randy Murphy and seconded by Brent Otwell to adjourn.

Ralph Webb, Chairman

Randy Murphy, Vice Chairman

Brent Otwell, Member

ATTEST:

Jeffery Honea, City Clerk