

**City of Cumming  
Planning and Zoning Minutes  
December 17, 2019**

There was the regularly held meeting of the Cumming Planning and Zoning Commission on December 17, 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 Ralph Webb, seconded by Randy Murphy, and unanimously passed to amend the agenda to reflect that **Item 4-A under Old Business A. Lenar Georgia, Inc., and under New Business Items 5-A. Core Development Group, LLC. Rezoning #2019422, Item 5-B Ashton Atlanta Residential, LLC Rezoning #2019423 and Item 5-C 14905 Hopewell Group, LLC Annexation #2019263** would be postponed until the January 21, 2020 Planning Commission Meeting. A motion was made by Brent Otwell, seconded by Randy Murphy, and unanimously passed to approve as presented the minutes of the November 19, 2019 Commission meeting.

The first item of Old Business was: **A. Lennar Georgia, Inc. Rezoning #2018321. (Postponed until January 21, 2020 Commission Meeting)**

The first item of new business was: **A. Core Development Group, LLC Rezoning #2019422- (Postponed until January 21, 2020 Commission Meeting)**

The next item of new business was: **B. Ashton Atlanta Residential, LLC Rezoning #2019423- (Postponed until January 21, 2020 Commission Meeting)**

The next item of new business was: **C. 14905 Hopewell Group, LLC Annexation #2019263 (Postponed until January 21, 2020 Commission Meeting)**

The next item of new business was: **D. Atlantic Realty Development, Inc. Annexation #2019363- Public Hearing-** A motion was made by Randy Murphy, seconded by Brent Otwell, and unanimously passed to open the public hearing. Representing the applicant was Mr. Sean Courtney. Mr. Courtney stated that plans were to annex and rezone 151.384 acres from City Planned Shopping Center (PSC) and County Commercial Business District (CBD) and Restricted Industrial (M1) to City Planned Unit Development (PUD), with a Conditional Use Permit (CUP) for alcohol licenses and sales, and Highway Business (HB). The proposed development will consist

of a 57.887-acre PUD mixed-use project, west of Market Place Boulevard (MPB), known as Westshore and 93.497 acres, east of MPB, which will be rezoned to HB and remain vacant at this time. The Westshore PUD would include a total of 522 residential units consisting of up to: 30 single-family units in Neighborhood District, 130 townhome units in Neighborhood District, 252 multi-family in free-standing buildings in Club District, and 110 multi-family units in vertical mixed-use buildings in Town Green District. No one else spoke for or against the request. A motion was made by Brent Otwell, seconded by Randy Murphy, and unanimously passed to close the public hearing.

Planning Director Scott Morgan read into the record the following staff report: ***The application has been made to the proper authorities, to annex and rezone 151.384 acres, more or less, from a combination of City Planned Shopping Center (PSC) and County Commercial Business District (CBD) and Restricted Industrial (MI) to City Planned Unit Development (PUD), with a Conditional Use Permit (CUP) for alcohol licenses and sales, and Highway Business (HB). The proposed development will consist of a 57.887-acre PUD mixed-use project, west of Market Place Boulevard (MPB), known as Westshore and 93.497 acres, east of MPB, which will be rezoned to HB and remain vacant at this time.***

***Attached are the draft conditions and elevations for Zoning "A", the proposed 57.887-acre PUD Westshore, and the condition for Zoning "B", the 93.497 acres to be rezoned HB. Also attached are the letter from the County attorney and the Annexation Dispute Joint Final Order, indicating the County and the Developer have reached agreement on the annexation of this property into the City and the developer must comply with all conditions as stated in the Order.***

***Given the above-referenced information, staff recommends approval of the annexation and rezoning of the property, with conditions and approval of the CUP, as requested.***

A motion was made by Ralph Webb, seconded by Bret Otwell, and unanimously passed to approve Annexation and Rezoning Request #2019363 by Atlantic Realty Development, Inc. with the sixteen (16) conditions recommended by the Planning Staff and adding condition #17- All development must adhere to the Annexation Dispute Joint Final Order as agreed upon by Forsyth County and the Developer.

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

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Ralph Webb, Chairman

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Randy Murphy, Vice Chairman

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Brent Otwell, Member

ATTEST:

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Jeffery Honea, City Clerk