

**City of Cumming
Planning and Zoning Minutes
February 18, 2020**

There was the regularly held meeting of the Cumming Planning and Zoning Commission on February 18, 2020 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 the following items under **Old Business** would be postponed until the March 17, 2020 Planning Commission Meeting: **A. Lennar Georgia, Inc. Rezoning #2018321, B. Core Development Group, LLC Rezoning #2019422, C. Ashton Atlanta Residential, LLC Rezoning #2019423, and D. 14905 Hopewell Group, LLC Annexation #2019263.** A motion was made by Brent Otwell, seconded by Randy Murphy, and unanimously passed to approve as presented the minutes of the January 21, 2020 Commission meeting.

The first item of Old Business was: **A. Lennar Georgia, Inc. Rezoning #2018321. (Postponed until March 17, 2020 Commission Meeting)**

The next item of old business was: **B. Core Development Group, LLC Rezoning #2019422- (Postponed until March 17, 2020 Commission Meeting)**

The next item of old business was: **C. Ashton Atlanta Residential, LLC Rezoning #2019423- (Postponed until March 17, 2020 Commission Meeting)**

The next item of old business was: **D. 14905 Hopewell Group, LLC Annexation #2019263 (Postponed until March 17, 2020 Commission Meeting)**

The next item of old business was: **E. Smith Motors Realty Corp. Annexation #2019476-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. Brian King with Engineering 303. Mr. King explained that plans were to develop an automobile financing, sales and/or service establishment, restaurant retail establishment, office, and/or hotel uses on the subject property. The property is located at 1090 Buford Highway and Haw Creek Parkway and contains 10.884 acres. It is currently zoned Forsyth County Commercial Business District (CBD). There were no other public comments presented. 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: *Petitions have been submitted, to the proper authorities, to annex and rezone 10.884 acres, more or less, from County Commercial Business District (CBD) to City Highway Business (HB). The proposed development will consist of a new automobile dealership, a new commercial out-parcel and renovation of an existing commercial structure. The City's Future Land Use Map designation in the SR 20 corridor is commercial, therefore; this proposed annexation/rezoning request is in conformance with the City's Comprehensive Plan. Forsyth County has stated they have no objection to the proposed annexation (see enclosure).*

Also enclosed are draft zoning conditions and a conceptual landscape plan for the proposed development. Work continues with the applicant's engineer in revising these conditions and plan. Therefore, at this time, staff has no formal recommendation as to this proposed annexation/rezoning request.

A motion was made by Ralph Webb, seconded by Randy Murphy, and unanimously passed to postpone any action on Annexation/Rezoning #2019476 until the March 17, 2020 Planning Commission Meeting.

The first item of new business was: **A. City-initiated rezoning- approximately 55.6 acres, more or less, located on Veterans Memorial Boulevard, Atlanta Road and Meadow Drive, within the City of Cumming:** A motion was made by Ralph Webb, seconded by Brent Otwell, and unanimously passed to open the public hearing. Planning Director Scott Morgan explained that due to the size of the tract and the removal of the Orchard Apartments (that would cover both legal description issue and sign complaints), and out of an abundance of caution the City is proceeding, pursuant to its Zoning Ordinance and State Law, with a City-initiated rezoning to clear up any procedural issues. The recommendation before the Planning Commission was to rezone the property PUD, with the same conditions as previously approved, and that is the recommendation they forwarded to the Mayor and Council for their consideration. No one spoke in opposition of the PUD. A motion was made by Ralph Webb, seconded by Brent Otwell, and unanimously passed to close the public hearing. A motion was made by Ralph Webb, seconded by Randy Murphy, and unanimously passed to approve the City-initiated

rezoning of 55.6 acres on Veterans Memorial Boulevard, Atlanta Road and Meadow Drive with the conditions previously approved.

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

Ralph Webb, Chairman

Randy Murphy, Vice Chairman

Robert Brent Otwell, Member

ATTEST:

Jeffery Honea, City Clerk