

**City of Cumming Planning Commission Meeting
Meeting Agenda
September 28, 2021**

I. Call meeting to Order-Ralph Webb, Chairman.

II. Adoption of Agenda

III. Approval of May 18, 2021 meeting minutes

IV. Old Business

V. New Business (All items will require a public hearing)

A. JP Investment Group, LLC Annexation #2021159

B. Zunzer Properties, LLC Rezoning #2021266

C. Gateway to Lanier, LLC Annexation #2021274 (**Tabled**)

D. Southern General Development Corporation Rezoning #2021275

E. Providence Group of Georgia, LLC Rezoning #2021293

VI. Announcements

VII. Adjourn.

**CITY OF CUMMING
PLANNING COMMISSION MINUTES
SEPTEMBER 28, 2021**

I. There was a regular meeting of the Planning Commission of the City of Cumming on Tuesday, September 28, 2021, at 5:00 P.M., at City Hall in Cumming, Georgia. Chairman Ralph Webb, Planning Commissioner Brent Otwell and newly appointed Commissioner Ricky Noles were present.

II. Consider Agenda for Adoption: Chairman Ralph Webb announced that under **New Business, Item C: Gateway To Lanier, LLC Annexation #2021274** would be tabled **until further notice**. A motion was made by Commissioner Brent Otwell and seconded by Commissioner Ricky Noles to adopt the agenda as amended. The motion carried unanimously.

III. Consider for adoption the following meeting minutes: A. Meeting of May 18, 2021: A motion was made by Commissioner Brent Otwell and seconded by Chairman Ralph Webb to approve the Minutes of the May 18, 2021, meeting as presented. The motion carried unanimously.

IV. Old Business: None

V. New Business: A. JP Investment Group, LLC Annexation #2021159: A motion was made by Commissioner Brent Otwell and seconded by Commissioner Ricky Noles to open the public hearing. The motion carried unanimously. The applicant, Mr. Gregory Willis, explained that his plans were to bring his existing real estate office, a commercial sign and parking spaces into the City Limits. The property located at 522 Canton Road contains 0.8 acres. No one else spoke in favor of or against the request. A motion was made by Commissioner Ricky Noles and seconded by Commissioner Brent Otwell to close the public hearing. The motion carried unanimously. Planning Director Scott Morgan read into the record the following staff report: *The owner has made application, to the proper authorities, to annex and rezone 0.8 acres, more or less, from County Agricultural (A1) to City Highway Business (HB), to bring his existing real estate office, located at 522 Canton Road, into the city limits. Forsyth County has stated they have no objection to the proposed annexation (enclosed). All three uses mentioned in*

the County's letter would require a Conditional Use Permit (CUP) from the Mayor and Council in HB zoning.

Existing City zoning in this area is a combination of HB and Planned Unit Development (PUD). Future Land Use in this section of the SR 20 corridor is commercial. As a result, this annexation and rezoning is in conformance with the City's Comprehensive Plan. The nine existing parking spaces, including two handicapped spaces, meets the City's minimum off-street parking requirements for this size office building. Therefore, staff recommends approval of the annexation as requested.

A motion was made by Chairman Ralph Webb and seconded by Commissioner Ricky Noles to approve the annexation and rezoning of Application #2021159 by JP Investment Group, LLC with the following condition: Any use requiring a Conditional Use Permit (CUP) must be approved by the Mayor and City Council. The motion carried unanimously.

B. Zunzer Properties, LLC Rezoning #2021266: A motion was made by Commissioner Ricky Noles and seconded by Commissioner Brent Otwell to open the public hearing. The motion carried unanimously. The applicant explained that this one-acre lot, located at the corner of Almond C. Hill Drive and Tribble Gap Road, was purchased in July 2001 with the intent of developing a commercial building. The property was not developed and left vacant. The zoning of the property was changed in 2003 through a city-wide rezoning process to R-3. Their request is to rezone the property to Office Professional (OP). No one else spoke in favor of or against the rezoning application. A motion was made by Commissioner Brent Otwell and seconded by Commissioner Ricky Noles to close the public hearing. The motion carried unanimously. Planning Director read into the record the following staff report: *The property owner has made application, to the proper authorities, to rezone a vacant 1.0- acre tract, from Multiple-Family Residential (R-3) to Office Professional (OP), for future development. This property was zoned Central Business District (CBD), however; during the city-wide rezoning of 2003, it was changed to R-3. The owner now desires to rezone the property to OP. Existing zoning is in conformance with the City's Comprehensive Plan. OP is also proper transitional*

zoning between the adjacent R-3 development and the Institutional (INST) district across Almond Hill Drive.

For the above-mentioned reasons, staff recommends approval of the rezoning as requested with the condition, any future development plans for this property must be submitted to and approved by the Mayor and Council.

A motion was made by Chairman Ralph Webb and seconded by Commissioner Ricky Noles to approve Zunzer Properties, LLC Rezoning # 2021266 with the condition recommended by the Planning Staff. The motion carried unanimously.

C. Gateway to Lanier, LLC Annexation #2021274: Application requested by applicant to be tabled until further notice.

D. Southern General Development Corporation Rezoning #2021275: A motion was made by Commissioner Brent Otwell and seconded by Commissioner Ricky Noles to open the public hearing. The motion carried unanimously. Representing the applicant, Mr. Chris McCrary, explained their request was to rezone 78.307 acres from Single-Family Residential (R-1) to Multiple Family Residential (R-3), in order to construct a residential subdivision, with a mixture of housing types. Mrs. Lisa Bennett spoke in opposition of the rezoning due to its close proximity to Sawnee View Gardens, a perpetual-care cemetery. She requested that a six-foot tall fence with blinders in addition to evergreen trees and berms extending the entire shared property line. No one else spoke in opposition. A motion was made by Chairman Ralph Webb and seconded by Commissioner Ricky Noles to close the public hearing. The motion carried unanimously. A motion was made by Chairman Ralph Webb and seconded by Commissioner Ricky Noles to postpone any decision on Southern General Development Corporation Rezoning #2021275 until the October 19, 2021 Planning Commission meeting. The motion carried unanimously.

E. Providence Group of Georgia, LLC Rezoning #2021293: A motion was made by Commissioner Ricky Noles and seconded by Commissioner Brent Otwell to open the public hearing. Representing the Applicant was Attorney Melody A. Glouton, Esq. and Providence Group representative Warren Jolly. Ms. Glouton stated that the request was rezone 152.911 acres from a combination of single-family residential (R-1A), Office Professional (OP) and Planned Shopping Center (PSC), to Planned Unit Development in

order to construct a mixed-use development called the Sawnee Village. The development will consist of a mixture of housing types totaling 862 units, as well as approximately 92,700 square feet of retail, restaurant, office and indoor amenity uses. The proposed development is located between Dahlonega Street, Brooks Farm Drive and Pilgrim Mill Road. Several residents adjacent to the proposed development voiced their concerns. Among their concerns were: increased traffic on Pilgrim Mill Road, phasing of the development, buffers adjacent to existing residents, impact fees generated and need for Regional Impact Study. In rebuttal, City Attorney Kevin Tallant stated that impact fees were collected on each building permit and not tied to rezoning applications. Providence also stated that the Regional Impact Study, including the Sawnee Drive extension, would be completed on October 16, 2021. A motion was made by Commissioner Ricky Noles and seconded by Commissioner Brent Otwell to close the public hearing. The motion carried unanimously. A motion was made by Chairman Ralph Webb and seconded by Commissioner Brent Otwell to postpone any action on Rezoning Request #2021293 Providence Group of Georgia, LLC until the October 19, 2021 Commission Meeting. The motion carried unanimously.

VI. Announcements- none

VII. Adjourn: A motion was made by Commissioner Noles and seconded by Commissioner Otwell to adjourn the meeting. The motion passed unanimously.

Approved this 19th day of October, 2021.

Chairman Webb

Commissioner Noles

Commissioner Otwell

Attest:

City Clerk

