

**City of Cumming Planning Commission Meeting
Meeting Agenda
July 19, 2022**

1. Call meeting to Order-Ralph Webb, Chairman.
2. Adoption of Agenda
3. Approval of June 21, 2022 meeting minutes
4. Old Business
5. New Business
 - A. Comprehensive Plan update-public hearing
 - B. PUD multi-family zoning condition amendment-public hearing
 - C. Bernadette's Hair Salon CUP#2022181-public hearing
 - D. Anthony Austin Annexation#2022192-public hearing
 - E. Jan Allen Annexation#2022194-public hearing
6. Announcements
7. Adjourn.

**CITY OF CUMMING
PLANNING COMMISSION MINUTES
JULY 19, 2022**

I. There was a regular meeting of the Planning Commission of the City of Cumming on Tuesday, July 19, 2022, at 5:00 P.M., at City Hall in Cumming, Georgia. All Commission members were present with the exception of Chairman Ralph Webb. Commissioner Otwell called the meeting to order.

II. Consider Agenda for Adoption: A motion was made by Commissioner Otwell and seconded by Commissioner Noles to adopt the agenda as presented. The motion carried 2-0 with Chairman Webb absent.

III. Consider for adoption the following meeting minutes: A. Meeting of June 21, 2022: A motion was made by Commissioner Otwell and seconded by Commissioner Noles to approve the Minutes of the June 21, 2022, meeting as presented. The motion carried 2-0 with Chairman Webb absent.

IV. Old Business: None

V. New Business: A. Comprehensive Plan update-public hearing (moved to end of agenda)

B. PUD multi-family zoning condition amendment-public hearing: Planning Director Scott Morgan read into the record the following staff report: *The Planned Unit Development (PUD) projects, The Foundry at Mashburn Village and 400 Union Apartments, have requested to amend their respective zoning conditions, to allow for a discounted rate for their residential units, to law enforcement officers.*

A public hearing is required, to provide the opportunity to comment on these PUD zoning condition amendment request.

A motion was made by Commissioner Otwell and seconded by Commissioner Noles to open the public hearing. The motion carried 2-0 with Chairman Webb absent. No opposition to this amendment was recorded. A motion was made by Commissioner Otwell and seconded by Commissioner Noles to close the public hearing. The motion carried 2-0 with Chairman Webb absent. A motion was made by Commissioner Otwell and seconded by Commissioner Noles to approve the request to amend the PUD zoning condition. The motion carried 2-0 with Chairman Webb absent.

C. Bernadette's Hair Salon CUP#2022181-public hearing: Planning Director Scott Morgan read the following staff report: *The property owner has made application, to the proper authorities, for a Conditional Use Permit (CUP), to operate a personal service establishment (hair salon), in the Office Professional (OP) zoning district.*

As part of the CUP request, the owner has requested a variance to allow six (6) off-street parking spaces above the maximum, for a total of seventeen (17) spaces. The existing curb cut will be utilized for ingress/egress to the business

Staff recommends approval of the CUP with the following conditions:

- 1. Parking spaces must be marked a minimum of nine (9) feet wide by eighteen (18) feet long, including providing one marked handicapped space, which meets ADA dimensional requirements.*
- 2. Hours of operation shall be Monday thru Saturday, from 8:00 AM to 7:00 PM*
- 3. All existing landscape areas are to remain as is, at a minimum.*
- 4. Any future ADA/building code, life safety or ingress/egress changes must be approved and permitted by the Cumming Department of Planning and Zoning, the County Fire Marshall and the Georgia DOT, respectively.*

A motion was made by Commissioner Otwell and seconded by Commissioner Noles to open the public hearing. The motion carried 2-0 with Chairman Webb absent. No opposition to this amendment was recorded. A motion was made by Commissioner Otwell and seconded by Commissioner Noles to close the public hearing. The motion carried 2-0 with Chairman Webb absent. A motion was made by Commissioner Otwell and seconded by Commissioner Noles to approve CUP#2022181-Bernadette's Hair Salon, Inc. with the conditions recommended by the Planning Staff. The motion carried 2-0 with Chairman Webb absent.

D. Anthony Austin Annexation#2022192- Planning Director Scott Morgan read the following staff report: *The property owner has made application to the proper authorities to annex and rezone 0.99 acres, more or less, from County R-1R single-family residential to City R-1 single-family residential, for the purpose of maintaining a private, single-family residence. The owner will continue to occupy this residence, with no plans for any additions or changes to the structure. The City's future land use map shows R-1, up to 1.5 units per acre, on adjacent properties, therefore; this annexation and rezoning is in*

conformance with the City's Comprehensive Plan. Forsyth County has acknowledged receipt of the annexation request and is reviewing (enclosure).

Staff recommends approval of the annexation with the following conditions:

- 1. Any additions or improvements to the structure or property must be approved and permitted by the Department of Planning and Zoning.*
- 2. Written approval of the proposed annexation must be received from the County, prior to the public hearing before the Mayor and Council.*

A motion was made by Commissioner Otwell and seconded by Commissioner Noles to open the public hearing. The motion carried 2-0 with Chairman Webb absent. No opposition to this amendment was recorded. A motion was made by Commissioner Otwell and seconded by Commissioner Noles to close the public hearing. The motion carried 2-0 with Chairman Webb absent. A motion was made by Commissioner Otwell and seconded by Commissioner Noles to approve Annexation#2022192-Anthony Austin. The motion carried 2-0 with Chairman Webb absent.

E. Jan Allen Annexation#2022194-public hearing: Planning Director Scott Morgan read the following staff report: *The property owner has made application to the proper authorities to annex and rezone 1.35 acres, more or less, from County R-1R single-family residential to City R-1 single-family residential, for the purpose of maintaining a private, single-family residence. The owner will continue to occupy this residence, with no plans for any additions or changes to the structure. The City's future land use map shows R-1, up to 1.5 units per acre, on adjacent properties, therefore; this annexation and rezoning is in conformance with the City's Comprehensive Plan. Forsyth County has acknowledged receipt of the annexation request and is reviewing (enclosure).*

Staff recommends approval of the annexation with the following conditions:

- 1. Any additions or improvements to the structure or property must be approved and permitted by the Department of Planning and Zoning.*
- 2. Written approval of the proposed annexation must be received from the County, prior to the public hearing before the Mayor and Council.*

A motion was made by Commissioner Otwell and seconded by Commissioner Noles to open the public hearing. The motion carried 2-0 with Chairman Webb absent. No opposition to this annexation was recorded. A motion was made by Commissioner Otwell

and seconded by Commissioner Noles to close the public hearing. The motion carried 2-0 with Chairman Webb absent. A motion was made by Commissioner Otwell and seconded by Commissioner Noles to approve Annexation#2022194-Jan Allen. The motion carried 2-0 with Chairman Webb absent.

A. Comprehensive Plan update-public hearing: Planning Director Scott Morgan presented Mr. Jerry Weitz whose firm drafted the 5-year update of the Comprehensive Plan and the Capital Improvement Element Guide as required by the Department of Community Affairs for the City to remain a Qualified Local Government. These public hearings are required before the plan update draft can be submitted to the Atlanta Regional Commission and DCA for their reviews and comments. A motion was made by Commissioner Otwell and seconded by Commissioner Noles to open the public hearing. The motion carried 2-0 with Chairman Webb absent.

After some discussion, a motion was made by Commissioner Otwell and seconded by Commissioner Noles to close the public hearing. The motion carried 2-0 with Chairman Webb absent.

VI. Announcements- none

VII. Adjourn: A motion was made by Commissioner Otwell and seconded by Commissioner Noles to adjourn the meeting. 2-0 with Chairman Webb absent.

Approved this 16th day of August, 2022.

Chairman Webb

Commissioner Noles

Commissioner Otwell

Attest:

City Clerk

