

**City of Cumming Planning Commission Meeting
Meeting Agenda
October 18, 2022**

1. Call meeting to Order-Ralph Webb, Chairman.
2. Adoption of Agenda
3. Approval of September 20, 2022 meeting minutes
4. Old Business
 - A. Zoning Ordinance amendment-design review-general discussion
5. New Business
 - A. Market Place 400 Area, LLC Rezoning #2022260- public hearing
 - B. Providence Group Condition Amendment #2021293- public hearing
 - C. Central Forsyth Properties, LLC Rezoning#2022261- public hearing
6. Announcements
7. Adjourn.

**CITY OF CUMMING
PLANNING COMMISSION MINUTES
OCTOBER 18, 2022**

I. There was a regular meeting of the Planning Commission of the City of Cumming on Tuesday, October 18, 2022, at 5:00 P.M., at City Hall in Cumming, Georgia. All Commission members were present. Chairman Webb called the meeting to order.

II. Consider Agenda for Adoption: A motion was made by Commissioner Noles and seconded by Commissioner Otwell to adopt the agenda as presented. The motion carried unanimously.

III. Consider for adoption the following meeting minutes: A. Meeting of September 20, 2022: A motion was made by Commissioner Otwell and seconded by Commissioner Noles to approve the Minutes of the September 20, 2022, meeting as presented. The motion carried unanimously.

IV. Old Business: A. Zoning Ordinance amendment-design review-general

discussion: Planning Director Scott Morgan presented a draft of the Design Review Guidelines for the Mayor and Council to review. The guidelines came as a recommendation from the Comprehensive Plan Steering Committee. Plans are to hold a public hearing at the November 15, 2022 Planning Commission meeting and before the Council on December 20, 2022 with the anticipation of adoption.

IV. New Business: A. Market Place 400 Area, LLC Rezoning #2022260- public

hearing: A motion was made by Commissioner Noles and seconded by Commissioner Otwell to open the public hearing. The motion carried unanimously. Representing the applicant was Mr. Sean Courtney with Lipscomb Johnson, LLP. Mr. Courtney explained that plans were rezone 2.092 acres from Office Commercial Multi-Story (OCMS) to Highway Business (HB) with conditions, for the construction of a retail establishment. No one spoke in opposition of the application. A motion was made by Commissioner Noles and seconded by Commissioner Otwell to close the public hearing. The motion carried unanimously. Planning Director Scott Morgan read into the record the following staff report: *The Agent has made application on behalf of the property owner, to the proper authorities, to rezone 2.092 acres, more or less, from Office Commercial Multi-Story (OCMS) to Highway Business (HB), with conditions, for the construction of a retail*

establishment. The applicant is requesting a 50' variance to the 100' building setback adjacent to SR 400 and a parking variance of 3 spaces, reducing parking to 48 spaces provided. Future Land Use designates this area commercial, so the rezoning request is in conformance with the City's Comprehensive Plan.

In addition to the submitted conditions, the following conditions also apply:

- 1. A landscaped plan must be submitted and approved by the Department of Planning & Zoning.*
- 2. The proposed entrance to this development, on Market Place Boulevard, must be approved by the Forsyth County Engineering Department.*
- 3. Any site plan changes must be resubmitted to the City for approval.*

The Staff recommends approval of the rezoning and variances, with the attached and stated conditions.

A motion was made by Chairman Webb and seconded by Commissioner Noles to approve Market Place 400 Area, LLC Rezoning #2022260 and variances with the attached and stated conditions. The motion carried unanimously.

B. Providence Group Condition Amendment #2021293- public hearing: A motion was made by Commissioner Noles and seconded by Commissioner Otwell to open the public hearing. The motion carried unanimously. Representing the applicant was Mr. Clint Walters. Mr. Walters went over several of the conditions requested to be revised by the Providence Group for the Sawnee Village development. No one spoke in opposition to the proposed condition amendments. A motion was made by Chairman Webb and seconded by Commissioner Noles to close the public hearing. The motion carried unanimously. Planning Director Scott Morgan read into the minutes the following staff report:

The applicant has requested amendment to the zoning condition, as approved for Rezoning #2021293, on January 18, 2022. Attached please find their requested changes, as well as their response to our comments.

Staff recommends approval of the condition amendments, provided Providence's proposed changes comply with all building and fire codes.

A motion was made by Chairman Webb and seconded by Commissioner Otwell to approve Providence Group of GA, LLC Zoning Condition Amendment #2021293. The motion carried unanimously.

C. Central Forsyth Properties, LLC Rezoning #2022261- public hearing: A motion was made by Commissioner Otwell and seconded by Commissioner Noles to open the public hearing. The motion carried unanimously. Representing the applicant was Site Engineer, Mr. Ryan Jones, PE. Mr. Jones explained that plans were to rezone 7.7 acres from Office Commercial Multi-Story (OCMS) to Planned Shopping Center (PSC), with conditions to construct a retail establishment. No one spoke in opposition to the Rezoning application. A motion was made by Commissioner Noles and seconded by Commissioner Otwell to close the public hearing. The motion carried unanimously. Planning Director Scott Morgan read into the record the following staff report:

The applicant has made application, on behalf of the property owner, to rezone 7.7 acres, more or less, from Office Commercial Multi-Story (OCMS), to Planned Shopping Center (PSC), with conditions, to construct a retail establishment. Future Land Use for this area is designated commercial, so the rezoning is in conformance with the City's Comprehensive Plan.

In addition to the submitted conditions, the following conditions also apply:

- 1. The architectural design of the building shall be substantially similar to those Requirements in the pending Cumming Design Guide.*
- 2. A landscape plan must be submitted and approved by the Department of Planning and Zoning.*
- 3. Forsyth County Engineering must approve both proposed entrances for this development.*
- 4. Any site plan changes must be resubmitted to the City for approval.*

The Staff recommends approval of the rezoning, with the attached and stated conditions.

A motion was made by Chairman Webb and seconded by Commissioner Noles to approve Central Forsyth Properties, LLC Rezoning #2022261 with the attached and stated conditions and added the condition that the revised site plan ties this development to the overall site plan concept for the entire property. The motion carried unanimously.

VI. Announcements- none

VII. Adjourn: A motion was made by Commissioner Otwell and seconded by Chairman Webb to adjourn the meeting. The motion carried unanimously.

Approved this 15th day of November, 2022.

Chairman Webb

Commissioner Noles

Commissioner Otwell

Attest:

City Clerk