

**City of Cumming Planning Commission Meeting
Meeting Agenda
June 20, 2023**

1. Call meeting to Order-Ralph Webb, Chairman.
2. Adoption of Agenda
3. Approval of May 16, 2023 meeting minutes
4. Old Business
5. New Business
 - A. Haw Creek Baptist Church Annexation #2023076-public hearing
 - B. Marvin Hirsh Rezoning #2023117- public hearing
6. Announcements
7. Adjourn.

**CITY OF CUMMING
PLANNING COMMISSION MINUTES
JUNE 20, 2023**

I. There was a regular meeting of the Planning Commission of the City of Cumming on Tuesday, June 20, 2023, at 5:00 P.M., at City Hall in Cumming, Georgia. All Commission members were present with the exception of Commissioner Otwell. Chairman Webb called the meeting to order.

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

III. Consider for adoption the following meeting minutes: A. Meeting of May 16, 2023: A motion was made by Commissioner Noles and seconded by Chairman Webb to approve the Minutes of the May 16, 2023, meeting as presented. The motion carried 2-0 with Commissioner Otwell absent.

IV. Old Business: None

IV. New Business: A. Haw Creek Baptist Church Annexation: A motion was made by Commissioner Noles and seconded by Chairman Webb to open the public hearing. The motion carried 2-0 with Commissioner Otwell absent. Representing the applicant was Mr. Paul Hamby. Mr. Hamby explained that due to increased cut-through traffic on Haw Creek Road pedestrian safety was a concern. Also, there were concerns that if the proposed Sharon Springs became a reality they had rather be in the City of Cumming rather than the new city.

Residents of the Grand Forest Subdivision voiced their opposition to the annexation/rezoning. They opposed the closure of Haw Creek Road at Haw Creek Drive stating they would have to reroute to get to Buford Highway/20 East. A motion was made by Commissioner Noles and seconded by Chairman Webb to close the public hearing. The motion carried 2-0 with Commissioner Otwell absent.

Planning Director Scott Morgan read into the record the following staff report:

The property owner has made application to annex 8.602 acres, more or less, and rezone from a combination of County Single-Family Residential (R1 and R2R) to City

Institutional (INST). Located on the property is a church, fellowship hall, cemetery, playground and parking. The property owner will not be developing or selling any of their property. The adjacent City property is Northside Forsyth Hospital, which is also zoned INST. Therefore, this requested annexation/rezoning would conform to the existing and future land use of the Comprehensive Plan.

Forsyth County has been properly notified of the proposed annexation and have sent a received letter (attached), however; they have not provided a final response, as to whether or not they will file an objection. If the annexation is approved, it will result in sections of Haw Creek Road and Haw Creek Circle becoming City right-of-way, under annexation law.

Based upon the continued existing and surrounding property uses, staff recommends approval of the annexation and rezoning as requested, provided the County notify the City they have no objection to this annexation.

A motion was made by Chairman Webb and seconded by Commissioner Noles to approve Annexation #2023076-Haw Creek Baptist Church with the condition that Forsyth County does not object. The motion carried 2-0 with Commissioner Otwell absent.

B. Marvin Hirsch-Rezoning #2023117: A motion was made by Commissioner Noles and seconded by Chairman Webb to open the public hearing. The motion carried 2-0 with Commissioner Otwell absent. Planning Director Scott Morgan read into the record the following staff report:

The City of Cumming, on behalf of the property owner, has made application to rezone 1.45 acres, more or less, from Office Commercial Multi-Story (OCMS) to Single-Family Residential (R-1). The adjacent properties on Mary Alice Park Road are zoned a combination of R-1 and Institutional (INST). This property contains a single-family detached home and was inadvertently zoned from R-1 to OCMS in 2003, as part of the City-wide rezoning. The City is now correcting this situation.

Therefore, staff recommends rezoning this property from OCMS to R-1.

No public comments were recorded. A motion was made by Commissioner Noles and seconded by Chairman Webb to close the public hearing. The motion carried 2-0 with Commissioner Otwell absent. A motion as made by Chairman Webb and seconded by

Commissioner Noles to approve Rezoning #2023117- Marvin Hirsh from OCMS to R-1.

The motion carried 2-0 with Commissioner Otwell absent.

VI. Announcements- none

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

Approved this 18th day of July, 2023.

Chairman Webb

Commissioner Noles

Commissioner Otwell

Attest:

City Clerk