

**City of Cumming Planning Commission Meeting
Meeting Agenda
May 21, 2024**

1. Call meeting to Order-Ralph Webb, Chairman.
2. Adoption of Agenda
3. Approval of April 16, 2024 meeting minutes
4. Old Business
 - A. Randy Chester CUP #2024037
5. New Business
 - A. City-Initiated Rezoning 2024105-public hearing
 - B. Sawnee View Gardens Variance #2024272-public hearing
6. Announcements
7. Adjourn.

**CITY OF CUMMING
PLANNING COMMISSION MINUTES
MAY 21, 2024**

I. There was a regular meeting of the Planning Commission of the City of Cumming on Tuesday, May 21, 2024, at 5:00 P.M., at City Hall in Cumming, Georgia. All Commission members were present with the exception of Commissioner Noles. Chairman Webb called the meeting to order.

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

III. Consider for adoption the following meeting minutes: A. Meeting of April 16, 2024: A motion was made by Commissioner Otwell and seconded by Chairman Webb to approve the Minutes of the April 16, 2024, meeting as presented. The motion carried 2-0 with Commissioner Noles absent.

IV. Old Business: A. Randy Chester CUP #2024037: Planning Director Scott Morgan read into the record the following Staff report: *The owner has made application, to the proper authorities, for a Conditional Use Permit (CUP), to establish a church at 375 Mary Alice Park Road, in a Single-Family Residential (R-1) zoning district. The existing house will be demolished and a 14,164 square-foot, 2-story building will be constructed, utilizing both lots. The occupancy maximum will be 346 people, so the ninety-five (95) parking spaces, including four (4) handicapped spaces, will meet our minimum off-street parking requirements.*

The public hearing for this CUP was held on March 19 and adjacent neighbors voiced buffer concerns. The applicant has provided a revised site plan, including planted/screening landscape buffers along all adjacent property lines.

Staff recommends approval of the CUP, with the revised site plan, architectural layout/elevations, conditions, buffer exhibits and church operating hours.

A motion was made by Chairman Webb and seconded by Commissioner Otwell recommending approval of CUP #2024037 to the Mayor and Council, and adding the condition that no one species shall be more than 60% of the total buffer, instead of 40%. The motion carried 2-0 with Commissioner Noles absent.

V. New Business: A. City-Initiated Rezoning #2024105-public hearing: A motion was made by Commissioner Otwell and seconded by Chairman Webb to open the public hearing. The motion carried 2-0 with Commissioner Noles absent. Planning Director Scott Morgan read into the record the following staff report: *The City is proposing to rezone 6.101 acres, more or less, from Single-Family Residential (R1-A) to Restricted Industrial (M-1). The subject property is made up of two other parcels (PIN's 128-079 and 128-610), both of which were previously rezoned to M-1. This rezoning, if approved, will correct an oversight and result in the entire portion of both parcels assigned to the same zoning category.*

After some discussion and no other public comments, a motion was made by Chairman Webb and seconded by Commissioner Otwell to close the public hearing. The motion carried 2-0 with Commissioner Noles absent. A motion was made by Chairman Webb and seconded by Commissioner Otwell to recommend approval to the Mayor and City Council, the City-Initiated Rezoning #2024105 to correct the map oversight. The motion carried 2-0 with Commissioner Noles absent.

B. Sawnee View Gardens Variance #2024272-public hearing: A motion was made by Commissioner Otwell and seconded by Chairman Webb to open the public hearing. The motion carried 2-0 with Commissioner Noles absent. Representing the applicant was Mr. Scott Bennett, Grounds Director of Sawnee View Gardens. Mr. Bennett explained that for them to construct a new mausoleum at the desired location, a variance from the City buffers, down to the State buffer would be needed. No other public comments were recorded. A motion was made by Chairman Webb and seconded by Commissioner Otwell to close the public hearing. The motion carried 2-0 with Commissioner Noles absent. Planning Director Scott Morgan read into the record the following staff report: *The property owner has made application, to the proper authorities, for a stream buffer variance, in order to construct a second mausoleum at the cemetery. There is a stream fed, man-made lake on the property, which was constructed before City buffers were created. The owner is requesting a variance from the City buffers, down to the State buffer, so the mausoleum can be properly located. Construction would be outside of the 100-year flood level. Adjacent properties would not be detrimentally affected, by the granting of this variance.*

For the above-mentioned reasons, staff recommends approval of the variance as requested.

A motion was made by Chairman Webb and seconded by Commissioner Otwell to approve Variance request #2024272 for Sawnee View Gardens with the condition that the mausoleum construction must be out of the 100-year flood level. The motion carried 2-0 with Commissioner Noles absent.

VI. Announcements- none

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

Approved this 18th day of June, 2024.

Chairman Webb

Commissioner Noles

Commissioner Otwell

Attest:

City Clerk