

City of Cumming
Regular Meeting Agenda
June 18, 2024

I. Meeting Called to Order-Troy Brumbalow, Mayor.

II. Invocation

III. Pledge to Flag

IV. Consider Agenda for Adoption

V. Consider for adoption the following meeting minutes:

A. Work Session Meeting of June 4, 2024

B. Consider Correction to May 21st, 2024 Regular Meeting Minutes

VI. Acknowledgements, Proclamations, Resolutions, etc.

VII. Old Business

VIII. New Business

A. Planning and Zoning.

1. Alcohol License Application- Happy Family Chinese Restaurant, 103 West Courthouse Square.

2. Alcohol License Application- Los Compadres Restaurant, LLC, 125 Tribble Gap Road, Suite 101.

3. Rezoning Application #2024141- City Initiated (Public Hearing).

4. Conditional Use Permit #2024037- (Public Hearing).

B. Administration

1. Call Special Called Meeting between Cumming City Council and Forsyth County Board of Commissioners- SPLOST IX.

IX. Announcements

A. Fourth of July Festivities: Thursday July 4th- Steam Engine Parade at 10:00 a.m.; Fairgrounds Celebration 4 p.m. to 10 p.m. with Fireworks at 9:30 p.m.

B. Non-Essential City Offices will be closed on Thursday, July 4th, 2024 in observance of Independence Day. Cumming Aquatic Center will be open on July 4th from 1-6 p.m.

X. Executive Session (If Needed)

XI. Adjourn.

**CITY OF CUMMING
COUNCIL MINUTES
REGULAR MEETING
JUNE 18, 2024**

I. There was a regular meeting of the Mayor and Council of the City of Cumming on Tuesday, June 18^J, 2024, at 6:00 P.M., at City Hall in Cumming, Georgia. The Mayor and all Council Members were properly notified as required by law and all were present. Mayor Troy Brumbalow presided over the meeting and called the meeting to order.

II. Invocation: Mayor Brumbalow asked Mr. Phil Higgins to deliver the invocation.

III. Pledge to the Flag. Mayor Brumbalow led everyone in the Pledge to the American Flag.

IV. Consider Agenda for Adoption: A motion was made by Susie Carr, and seconded by Chad Crane to adopt the agenda as presented. The motion carried unanimously.

V. Consider for Adoption the Following Meeting Minutes: A. Work Session Meeting of June 4, 2024: A motion was made by Chad Crane and seconded by Joey Cochran to approve the minutes of the Work Session Meeting of June 4, 2024. The motion carried unanimously.

B. Consider Correction to May 21st, 2024 Regular Meeting Minutes: A motion was made by Chad Crane and seconded by Joey Cochran to approve a correction in the minutes of the May 21, 2024 Regular Meeting. Executive Session Meeting of April 16th, 2024. An error was reported in #31 of the Proposed Zoning Conditions for Rezoning Request #2024156 by the Providence Group. The Condition should read “15% of single-family detached homes” instead of “50%”. The motion carried unanimously.

VI. Acknowledgements, Proclamations, Resolutions, etc.: None

VII. Old Business: none

VIII. New Business: A. Planning and Zoning: 1. Alcohol License Application- Happy Family Chinese Restaurant, located at 103 W. Courthouse Square: Planning Director Scott Morgan, reported on the application for the sale of malt beverages and wine for consumption on the premises for the business of Happy Family Chinese Restaurant, located at 103 W. Courthouse Square. In accordance with City alcohol ordinance, a background check was conducted on the license applicant and no issues were found to deny the

applicant the license. Additionally, the applicant has met all the requirements of the application process and has paid all fees due the City. It is Staff's recommendation that the applicant be granted the requested license request. A motion was made by Christopher Light and seconded by Jason Evans to approve the license request for Happy Family Chinese Restaurant, located at 103 W. Courthouse Square for the sale of malt beverages and wine for consumption on the premises. The motion carried unanimously.

2. Alcohol License Application- Los Compadres Restaurant, LLC, 125 Tribble Gap Road, Suite 101: Planning Director Scott Morgan, reported on the application for the sale of distilled spirits, malt beverages and wine for consumption on the premises for the business of Los Compadres Restaurant, LLC, located at 125 Tribble Gap Road, Suite 101. In accordance with City alcohol ordinance, a background check was conducted on the license applicant and no issues were found to deny the applicant the license. Additionally, the applicant has met all the requirements of the application process and has paid all fees due the City. It is Staff's recommendation that the applicant be granted the requested license request. A motion was made by Jason Evans and seconded by Susie Carr to approve the license request for Los Compadres Restaurant, LLC, located at 125 Tribble Gap Road, Suite 101, for the sale of distilled spirits, malt beverages and wine for consumption on the premises. The motion carried unanimously.

3. Rezoning Application #2024141- City Initiated (Public Hearing): Planning Director Scott Morgan, read into the record the following staff report: *The City is proposing to rezone 1.02 acres, more or less, from Single-Family Residential (R-1) to Moderate Family Residential (R-2). This is in an effort to conserve two (2) two-hundred-year old oak trees, while allowing the owner to develop the remaining portion of the property.*

Christopher Light announced he would recuse from voting due a conflict of interest. A motion was made by Chad Crane and seconded by Jason Evans to open the public hearing. The motion carried 4-0 with Christopher Light recused. No public comments were recorded. A motion was made by Chad Crane and seconded by Susie Carr to close the public hearing. The motion carried 4-0 with Christopher Light recused. A motion was made by Susie Carr and seconded by Chad Crane to approve Rezoning Application #2024141- City Initiated. The motion carried 4-0 with Christopher Light recused.

4. Conditional Use Permit #2024037- Randy Chester (Public Hearing): 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, 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 Planning Commission held a public hearing for this CUP on March 19 and adjacent neighbors voiced buffer concerns. The applicant provided a revised site plan, including planted/screening landscape buffers along all adjacent property lines.

The Board then voted and recommended approval of the CUP on May 21, with the revised site plan, architectural layout/elevations, conditions, buffer exhibits and church operating hours.

A motion was made by Christopher Light and seconded by Joey Cochran to open the public hearing. The motion carried unanimously. No public comments were recorded. A motion was made by Susie Carr and seconded by Jason Evans to close the public hearing. The motion carried unanimously. A motion was made by Christopher Light and seconded by Jason Evans to approve Conditional Use Permit #2024037- Randy Chester with the condition that a lighting plan be approved by the Department of Planning and Zoning. The motion carried unanimously.

B. Administration: 1. Call for Special Called Meeting between Cumming City Council and Forsyth County Board of Commissioners- SPLOST IX: The City of Cumming will hold a Specially Called- Joint Meeting with the Forsyth County Board of Commissioners on Thursday, June 20th, 2024 at 4:00 pm. The meeting will be held on the second floor, Commissioners Meeting Room of the Forsyth County Administration Building located at 110 East Main Street, Cumming, Georgia 30040.

IX. Announcements:

A. Fourth of July Festivities: Thursday July 4th- Steam Engine Parade at 10:00 a.m.; Fairgrounds Celebration 4 p.m. to 10 p.m. with Fireworks at 9:30 p.m.

B. Non-Essential City Offices will be closed on Thursday, July 4th, 2024 in observance of Independence Day. Cumming Aquatic Center will be open on July 4th from 1-6 p.m.

X. Executive Session: Mayor Brumbalow stated there was no need for Executive Session.

XI. Adjourn: A motion was made by Chad Crane and seconded by Jason Evans to adjourn the meeting. The motion carried unanimously.

Approved this 2nd day of July, 2024.

Mayor

Councilmember

Councilmember

Councilmember

Councilmember

Attest:

City Clerk

Councilmember