

**REZONING APPLICATION FORM
CITY OF CUMMING, GEORGIA**



Rezoning Request No. 2025048
Date Paid _____ Receipt# _____
Amount Paid _____

Property Owner: Name: See Attached

Address: _____

Phone: _____

Applicant: Name: Sharon Road Development LLC

(if different from owner) Address: 5665 Atlanta Hwy., Suite 103-205

Alpharetta, GA 30004

Phone: 770-887-7761

Agent: (if applicable) Name: Lipscomb Johnson, LLP - Sean Courtney Phone: 770-887-7761

Existing Zoning: OP

Proposed Zoning: PUD

Existing Use: Vacant

Proposed Use: Residential and Commercial Development

Acreage of Site: 6.480

Location of Property: Elm Street /Dahlonega Street

(street address) _____

Tax Map and Parcel # C14-043, C14-044, C14-066, C15-208, P/O C15-054

Applicants shall submit (22) sets of application as follows in order; Application 3 pages, letter of intent, legal description with metes and bounds, plat survey, required site plans, developments plans, elevation drawings to the Zoning Administrative Officer for distribution to the applicable bodies and/or review agencies. The Zoning Administrative Officer may require more or less copies depending on the nature and extent of required review.

All 22 sets must be on 8 ½ x 11 inch paper. Do not staple!

Please be advised of the following:

- 1) The applicant is bound by the submitted site plan and letter of intent if this application is approved.
- 2) It is a legal requirement that the public hearing for this Rezoning, be advertised in the legal County organ in addition to posting a rezoning sign on the subject property.

Complete the following information. (This section may be addressed in the letter of intent.)

1. The existing uses and zoning of nearby property and whether the proposed zoning will adversely affect the existing use or usability of nearby property.

See Letter of Intent for 1-9

2. The extent to which property values are diminished by the particular zoning restrictions.

3. The extent to which the destruction of property values promotes the health, safety, morals or general welfare of the public.

4. The relative gain to the public, as compared to the hardship imposed upon the individual property owner.

5. The physical suitability of the subject property for development as presently zoned and under the proposed zoning district.

6. The length of time the property has been vacant, considered in the context of land development in the area in the vicinity of the property, and whether there are existing or changed conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the rezoning request.

7. The zoning history of the subject property.

8. The extent to which the proposed zoning will result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, schools, parks, or other public facilities.

9. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan, land use plan, or other adopted plans.

Property Owner's Certification

I hereby certify that I am the owner of the property described in the attached legal description, that all information contained in this application is true and correct to the best of my knowledge, and that the applicant and/or agent listed above is authorized to act as the applicant and/or agent in the pursuit of the rezoning of this property. I further certify that, within the past two years, the applicant has not made any campaign contributions or made gifts of \$250 or more to members of the Governing Body or Planning Commission who will consider this application, or that if such contributions or gifts have been made, the amount and recipient of such contributions or gifts will be disclosed within ten (10) days after this application is first filed, as required by Title 36, Chapter 85, Georgia Laws.

Signature of Property Owner:

Merrill D. Wynne

Printed Name of Property Owner:

MERRILL D. WYNNE

Date of Signature:

April 9th, 2025

6. The length of time the property has been vacant, considered in the context of land development in the area in the vicinity of the property, and whether there are existing or changed conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the rezoning request.

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Signature of Property Owner: Cherie T. Brooks

Printed Name of Property Owner: Cherie T. Brooks

Date of Signature: Apr 1, 2025

6. The length of time the property has been vacant, considered in the context of land development in the area in the vicinity of the property, and whether there are existing or changed conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the rezoning request.

7. The zoning history of the subject property.

8. The extent to which the proposed zoning will result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, schools, parks, or other public facilities.

9. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan, land use plan, or other adopted plans.

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Signature of Property Owner:



Printed Name of Property Owner:

Charles Allen Bower

Date of Signature:

4/10/2025

Property Owners:

- 1) WYNNE MERRILL DEE REVOCABLE TRUST &
MDW PROFIT SHARING PLAN
Elm Street
- 2) CHERIE TERESSA BROOKS
418 Dahlonga Street
- 3) LATRELLE OTWELL & CHERIE BROOKS
Dahlonga Street
- 4) BOWEN AND MIDDLETON LLC
416 Dahlonga Street

LAW OFFICES
LIPSCOMB JOHNSON, LLP

112 NORTH MAIN STREET
CUMMING, GEORGIA 30040
TELEPHONE: 770-887-7761
FAX: 770-889-8123

EMORY LIPSCOMB
PUTNAM CLARK SMITH, P.C.
CHRISTOPHER D. LIGHT
SEAN COURTNEY
ASHLEY B. MASHBURN
ANDERSON LIPSCOMB

COY R. JOHNSON
(RETIRED)

L. LEE DAILEY
(1939-2013)

April 10, 2025

VIA HAND DELIVERY

City of Cumming Planning and Zoning Department
Attn: Mr. Scott Morgan, Zoning Administrator
100 Main Street
Cumming, Georgia 30040

Re: Letter of Intent as required by Section 113-110(3) and 113-180 of the Zoning Ordinance of the City of Cumming, Georgia –Rezoning of Sharon Road Development, LLC
Request No. 2025 _____

Dear Mr. Morgan:

This letter of intent is submitted pursuant to Section 113-110(3) and 113-180, and by reference section 113-112, of the Zoning Ordinance of the City of Cumming, Georgia, as part of Sharon Road Development, LLC (the “Applicant’s”) proposed Rezoning Application (the application and all supplemental documents filed contemporaneously therewith are collectively referred to herein as the “Application”). The Applicant is the agent/authorized representative for the current deed record property owners of the property subject to this rezoning application, commonly known as Forsyth County Tax Parcel Numbers C15-208, P/O C15-054, C14-043, C14-044 (the “Subject Property”). The Applicant seeks to rezone the Subject Property from its existing OP (Office Professional) classification to the City of Cumming’s PUD (Planned Unit Development District) zoning classification for the purpose of allowing commercial uses, 45 townhomes and 16 condos on the Subject Property. The land area percentage for the residential is expected to be approximately 31%, the land area for vertical mixed use is expected to be approximately 19% with 28.1% of open space and common area, and 21.9% for right-of-way. The estimated time to build-out for this use is between 2 and 3 years or longer depending on economic and marketing conditions.

With regard to the specific rezoning criteria and requested information contained in sections 1 through 9 of the Application, the Applicant hereby addresses them as follows:

1. The existing zoning of surrounding properties are City of Cumming PUD, R-2, and OP. The City of Cumming Future Land Use Map indicates Public Institutional and Office

April 10, 2025
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Professional as appropriate uses but based on the fact that it is already adjacent to an existing PUD and will have a commercial use, the proposed rezoning will not adversely affect the existing use or usability of nearby properties, but will rather complement existing use patterns.

2. The existing use of the Subject Property at its current zoning classification is for office uses, and the Applicant is requesting to convert this land into a vibrant mixed-use development, therefore it is anticipated that approval of the proposed rezoning to the PUD district will raise and not diminish surrounding property values.

3. Approval of the Applicant's Application would not cause a safety hazard or noxious condition, would not reduce property values in the surrounding area, and therefore would promote the health, safety, morals and general welfare of the public.

4. The relative gain to the public is also estimated to be significant as the proposed commercial uses will mesh well into the existing commercial land uses in the area and the accompanying residential will provide a vibrant mixed use development.

5. The Subject Property is physically suitable for development as requested by the Applicant under the PUD zoning district and is not currently suitable for development under its existing zoning designation.

6. The Subject Property is currently vacant, to the best of the Applicant's knowledge and belief, nor are there existing or changed conditions affecting the use or development of the Subject Property which would give supporting grounds for disapproval of the rezoning request.

7. As far as the Subject Property's zoning history is concerned, to the best of the Applicant's knowledge and belief, the Subject Property has at all times been zoned City of Cumming OP and has been used as it is currently, based on the Applicant's personal knowledge and belief.

8. The build out and transition of the Subject Property from its current use to the Applicant's proposed use will be gradual and in keeping with current and estimated growth patterns in the City, and it is therefore not anticipated that the proposed rezoning/development will result in or cause excessive or burdensome use of existing streets, transportation facilities, utilities, schools, parks, or other public facilities.

9. The City of Cumming Future Land Use Map indicates Public Institutional and Office Professional as appropriate uses but based on the fact that it is already adjacent to an existing PUD and will have a commercial use, it is in keeping with the developing trend in the area.

Refusal to grant approval of the requested annexation and rezoning as described in the Rezoning Application would impose a disproportionate hardship on the Applicant without accruing any benefits to any surrounding property owners. The provisions of the Zoning

April 10, 2025
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Ordinance that require the development of the property to be different from the Applicant's plan are unconstitutional in that they would constitute a taking of the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section 3, Paragraph 1 of the Constitution of the State of Georgia, and the Fifth and Fourteenth Amendments to the Constitution of the United States.

A refusal by the City of Cumming to approve this Application, so as to permit viable economic use of the property, would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and the owners of similarly situated property in violation of Article I, Section 1, Paragraph 2 of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Furthermore, a decision denying the Application would constitute an arbitrary and irrational abuse of discretion and constitute an unreasonable application of local land use authority bearing no relationship to the public health, safety, morality or general welfare of the public in violation of Article I, Section 1, Paragraph 1 of the Constitution of the State of Georgia and the Due Process Clause of the Fifth and Fourteenth Amendments to the Constitution of the United States. The Applicant maintains that a refusal to approve the Application as requested would be an abuse of discretion under the power granted to local governments by the Georgia Constitution and the Zoning Procedures Law, O.C.G.A. Section 36-66-1, et seq.

The Applicant reserves all other rights and privileges under the Constitutions of the United States and the State of Georgia, and available at law and in equity, in the event that the City of Cumming refuses to approve this Application as requested by the Applicant. The Applicant respectfully asks that the Application be approved as requested and reserves the right to amend this Letter of Intent and the Application by supplementing additional responses and documents

Thank you very sincerely and respectfully for your consideration of this request.

Sean Courtney,
Attorney for Sharon Road Development, LLC

LEGAL DESCRIPTION

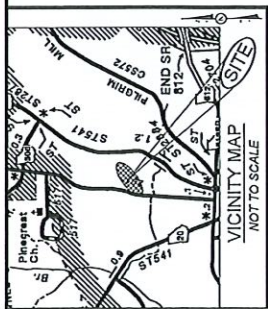
TRACT 1

All that tract or parcel of land lying and being in Land Lots 1180 and 1197 of the 3rd District, 1st Section, Forsyth County, Georgia and being more particularly described as follows:

Beginning at an iron pin set South 87° 29' 18" East a distance of 141.82 feet from a right-of-way monument found on the northerly right-of-way of Elm Street, proceed leaving said right-of-way North 89° 47' 52" East a distance of 413.31 feet to an iron pin set;
THENCE North 86° 12' 03" East a distance of 161.80 feet to an iron pin found;
THENCE North 04° 37' 55" West a distance of 454.96 feet to an iron pin found;
THENCE North 89° 26' 29" East a distance of 131.98 feet to an iron pin set;
THENCE South 00° 37' 44" East a distance of 133.20 feet to a crimp top pipe found;
THENCE South 80° 26' 03" East a distance of 234.23 feet to an open top pipe found on the westerly right-of-way of Dahlonga Street;
THENCE along said right-of-way South 01° 31' 33" East a distance of 424.45 feet to an iron pin found;
THENCE leaving said right-of-way South 84° 35' 58" West a distance of 252.49 feet to a point;
THENCE South 00° 29' 48" East a distance of 85.17 feet to a point;
THENCE South 89° 30' 12" West a distance of 165.68 feet to a point;
THENCE North 01° 51' 35" West a distance of 9.83 feet to an iron pin set;
THENCE North 83° 59' 52" West a distance of 158.00 feet to an iron pin found;
THENCE South 66° 51' 07" West a distance of 152.92 feet to an iron pin found on the easterly right-of-way of Elm Street;
THENCE along said right-of-way North 23° 08' 39" West a distance of 133.92 feet to a point;
THENCE 257.43 feet along an arc of a curve, said curve having a radius of 242.10 feet and a chord bearing and distance of North 53° 36' 19" West 245.47 feet to the POINT OF BEGINNING.

Together with and subject to covenants, easements, and restrictions of record. Said property contains 6.477 acres, more or less.

Course	Bearing	Distance
L1	N 89°46'28" W	116.73'
L2	S 01°51'35" E	72.46'
L3	Rad: 242.10°	ARC: 257.43'
L4	Chd: N 53°35'19" W	245.47'
L5	N 00°37'44" W	82.72'
L6	S 85°29'24" E	19.47'
L7	S 02°32'54" E	20.67'
L8	S 88°19'09" W	24.65'
L9	N 72°48'00" E	15.08'
L10	N 05°17'26" W	7.35'



NOTES:

1. TAX MAP & PARCEL #C16-030, PART OF C16-030, C16-043, C16-044, C16-056
BOUNDARY BY MEASURE CURVING:
10° 00' 00" RADIUS
10° 00' 00" RADIUS

2. 1/4" INCH WATER MAIN RUNS ALONG THE WESTERN ELM STREET RIGHT OF WAY.

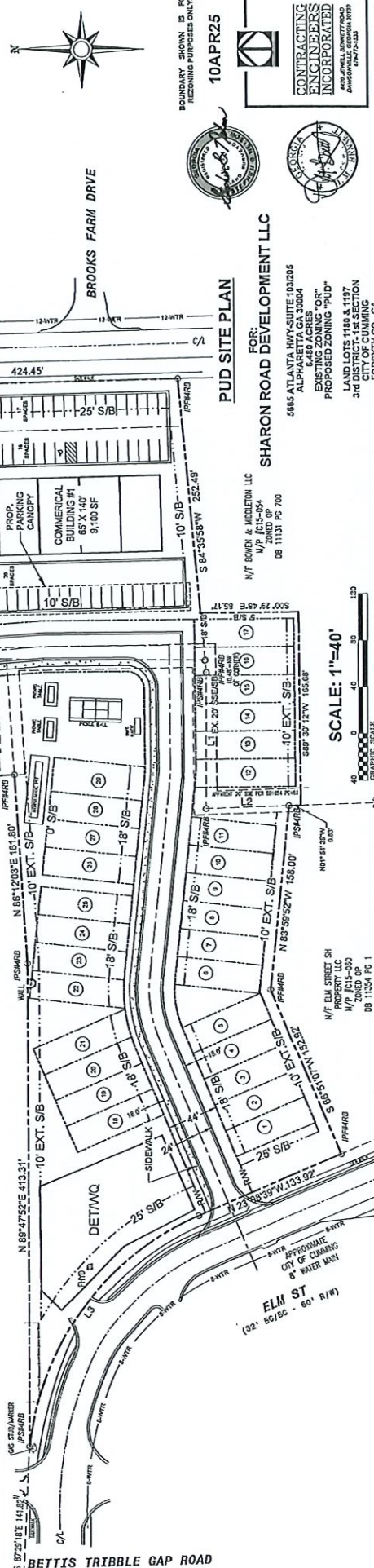
3. 1/4" INCH WATER MAIN RUNS ALONG THE WESTERN ELM STREET RIGHT OF WAY.

4. 1/4" INCH WATER MAIN RUNS ALONG THE WESTERN ELM STREET RIGHT OF WAY.

5. 1/4" INCH WATER MAIN RUNS ALONG THE WESTERN ELM STREET RIGHT OF WAY.

SETBACKS

- FRONT ENTRY TH (MINIMUM STANDARDS)
A. FRONT - 18 FEET AS MEASURED FROM THE BACK OF CURB OR
18' FROM BACK OF SIDEWALK WHEN DRIVEWAY CROSSES A
SIDEWALK
B. SIDEWALK - 5 FEET
C. REAR - 5 FEET
D. EXTERIOR - 10 FT. SETBACK EXCEPT AS SHOWN OTHERWISE
END WALL STRUCTURE - 5 FT. SETBACK
- COMMERICAL MINIMUM STANDARDS
A. FRONT - 25 FEET FROM DAHLONEGA HWY & ELM ST
FRONT - 10 FT. SETBACK
INTERIOR - 10 FT. SETBACK
EXTERIOR - 10 FT. SETBACK
END WALL STRUCTURE - 5 FT. SETBACK
- Open Space/Community Area 23.1% = 1.82 AC
(Includes Amenities & Ponds)
Minimum Density shall be 0.42 DU/AC
Maximum Density shall be 1.00 DU/AC
24' Wide Min. for TH
Max. Average Building Coverage is 65%
Townhome Lots Area is 1500 SF Min.



BOUNDARY SURVEY IS FOR
RECORDING PURPOSES ONLY.

10APR25



PUD SITE PLAN

N/T BOWEN & MOULTON LLC
11131 PG 700

FOR:
SHARON ROAD DEVELOPMENT LLC

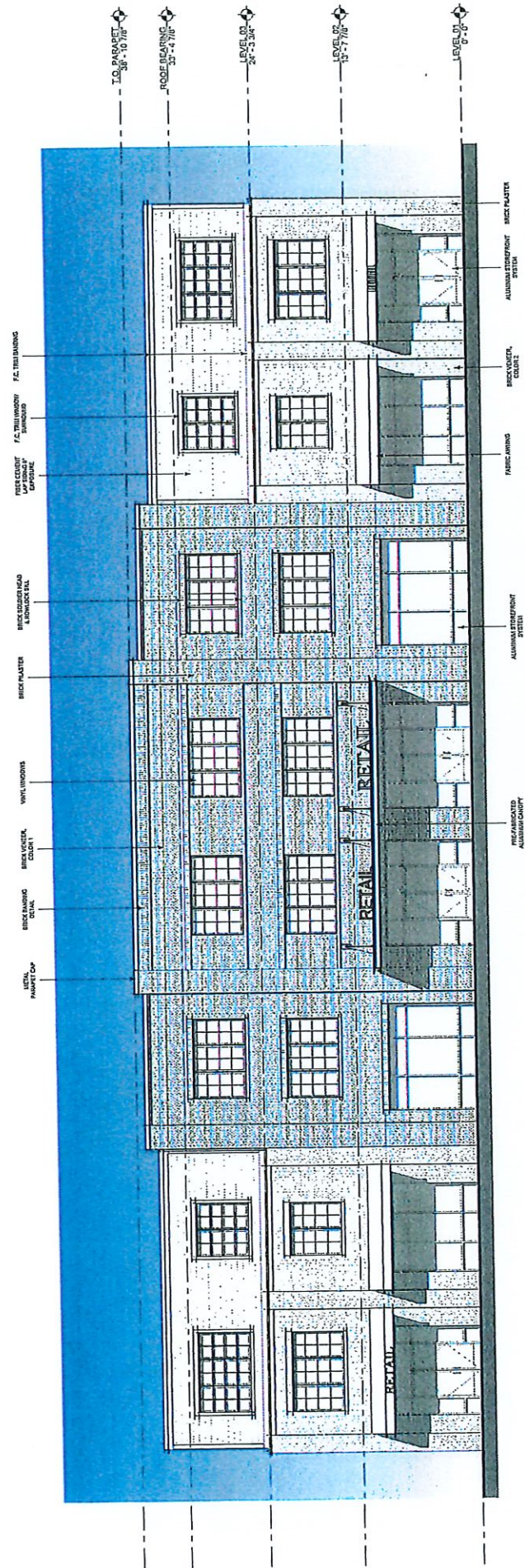
5865 ATLANTA HWY SUITE 103205
ALPHARETTA, GA 30004
4.480 ACRES
EXISTING ZONING "OR"
PROPOSED ZONING "PUD"
LAND LOTS 1180 & 1197
3RD DISTRICT-1st SECTION
CITY OF CLACKAMASH
COUNTY OF CLACKAMASH
OREGON

CONTRACTING
ENGINEERS
INCORPORATED
400 SW 10TH AVE SUITE 100
PORTLAND, OR 97204-3133
503-255-1333



SCALE: 1"=40'







COVERED PARKING (CANTILEVERED)



4/10/25, 11:58 AM





Visually similar results

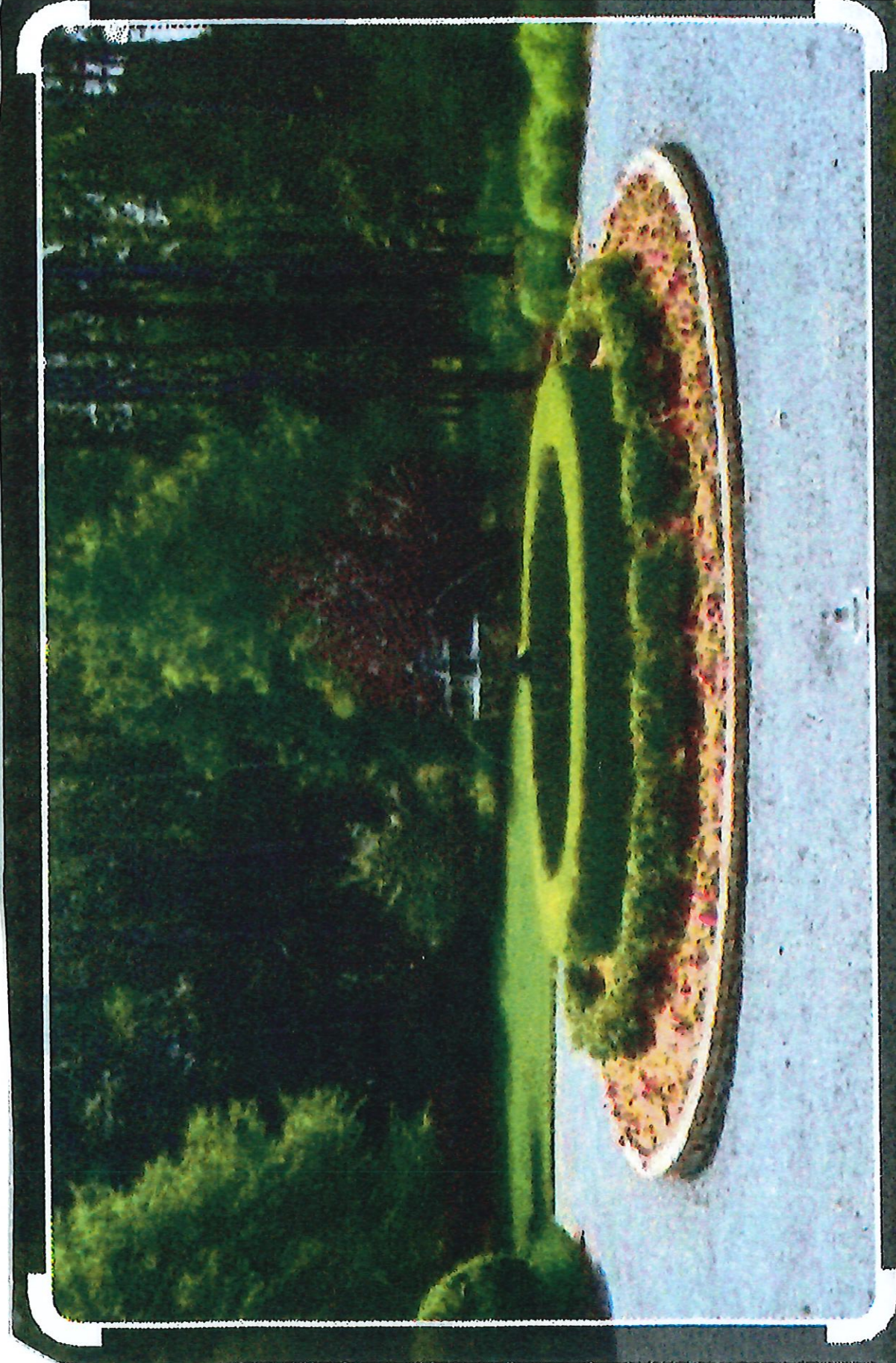


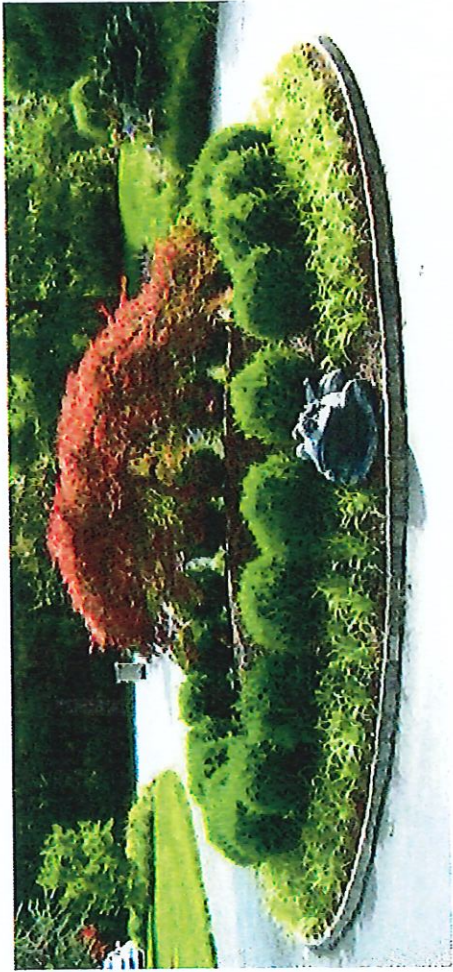
Round Driveway Ideas

Driveway Roundabout Fountain



Kathy Shepherd-McOnie saved to
At the bottom of the Garden.





CITY OF CUMMING
PRE-APPLICATION CHECKLIST FOR
PLANNED UNIT DEVELOPMENT ZONING APPLICATION

Date of Pre-submission conference (required): 4/9/25

Is this PUD expected to be considered a Development of Regional Impact (DRI)? No

APPLICATION MATERIALS TO BE SUBMITTED

Submitted?	Application Material or Component Required (Secs. 113-110 and 113-180 Cumming zoning ordinance)	Notes/Comments
<u>Yes</u>	Rezoning application form	
<u>Yes</u>	Metes and bounds legal description	
<u>Yes</u>	Survey plat	<u>per development plan</u>
<u>Yes</u>	Application fee	
<u>Yes</u>	Copies (specified #) of application materials	
<u>Yes</u>	Revised pre-application checklist	
<u>Yes</u>	Letter of intent	
<u>Yes</u>	PUD Development plan (Sec. 113-180; See also Sec. 113-111)	
<u>Yes</u>	Proposed land uses (see further details in this checklist)	<u>per site plan + LOI</u>
<u>Yes</u>	Dimensional requirements (see further details in this checklist)	<u>per site plan</u>
<u>Yes</u>	Subdivision plan	
<u>No</u>	Phasing plan	<u>1 Phase only</u>
<u>Yes</u>	Architectural elevations of principal buildings	
<u>Yes</u>	Street cross-sections	
<u>No</u>	Design guidelines (strongly encouraged; not required)	

ALL LAND USES SUMMARY ANALYSIS

Compliant?	Land Use Summary	Notes/Comments
<u>Yes</u>	Does the development plan provide for vertical mixed use (see definition in Sec. 113-180)? (encouraged/not required)	
<u>Yes</u>	Does the development plan provide for horizontal mixed use (see definition in Sec. 113-180)? (some form of mixed use is required)	

Check all land uses that are included in the development plan:

Included?	Land Use	% land area	Included?	Land Use	% land area
<u>No</u>	Detached, single-family		<u>No</u>	Office- Institutional	
<u>Yes</u>	Dwellings in vertical mixed-use building(s)	<u>19%</u>	<u>Yes</u>	Commercial (retail/service)	<u>19%</u>
<u>Yes</u>	Fee simple townhouses	<u>31%</u>	<u>Yes</u>	Other (specify) <u>Row</u>	<u>21.9</u>
<u>No</u>	Freestanding multi-family dwellings			Civic space	
<u>No</u>	Residential, other (specify)			Open space <u>]</u>	<u>28.1%</u>
<u>No</u>	Institutional Residential				

vertical mixed use

RESIDENTIAL LAND USE SUMMARY ANALYSIS

Check all types of residential and, if the particular type of residential use is included, complete additional information for residential land uses that are incorporated into the development plan. Note: if there is more than one size (type) of single-family lots, specify for the different types:

Included?	Residential Use	Acreage	% Total Land Area	Total # Units	Density (units per acre)	Notes/Comments
	Detached, single-family lots (type 1)					
	Detached, single-family lots (type 2)					
	Detached, single-family lots (type 3)					
Yes	Units in vertical mixed-use building(s)	1.23	19%	16	2.47	
Yes	Fee-simple townhouses	2.01	31%	45	6.95	
	Free-standing multi-family					
	Other (specify)					
	Subtotal all Residential					

DIMENSIONAL REQUIREMENTS FOR LAND USES

For each type of type of land use included, provide the following dimensional requirements that will govern development if approved. Note: if there is more than one size (type) of single-family lots, specify for the different types:

1. Single-family, detached, residential (type 1) (if applicable)

Dimensional Requirement	Requirement	Comment/Note
Building height (max.) (feet)		
Building height (max.) (# stories)		
Lot size (min.)		
Lot width (min.)		
Building coverage (max.)		
Floor area per dwelling (min.)		
Setback, principal building, front (min.)		
Setback, principal building, side (min.)		
Setback, principal building, rear (min.)		
Setback, accessory building/structure (min), from side or rear property line		
Open space (min.) (% of land area devoted to this use)		
Parking (min. spaces per unit)		

2. Single-family, detached, residential (type 2) (if applicable)

Dimensional Requirement	Requirement	Comment/Note
Building height (max.) (feet)		
Building height (max.) (# stories)		
Lot size (min.)		
Lot width (min.)		

City of Cumming, Planned Unit Development (PUD) Zoning Pre-Application Checklist

Building coverage (max.)		
Floor area per dwelling (min.)		
Setback, principal building, front (min.)		
Setback, principal building side (min.)		
Setback, principal building, rear (min.)		
Setback, accessory building/structure (min), from side or rear property line		
Open space (min.) (% of land area devoted to this use)		
Parking (min. spaces per unit)		

3. Single-family, detached, residential (type 3) (if applicable)

Dimensional Requirement	Requirement	Comment/Note
Building height (max.) (feet)		
Building height (# stories) (max.)		
Lot size (min.)		
Lot width (min.)		
Building coverage (max.)		
Floor area per dwelling (min.)		
Setback, principal building, front (min.)		
Setback, principal building side (min.)		
Setback, principal building, rear (min.)		
Setback, accessory building/structure (min), from side or rear property line		
Open space (min.) (% of land area devoted to this use)		
Parking (min. spaces per unit)		

4. Vertical mixed-use buildings (if applicable)

Dimensional Requirement	Requirement	Comment/Note
Building height (max.) (feet)	45	
Building height (max.) (# stories)	3	
Building height (min.) (feet)	40	
Building height (min.) (# stories)	2	
Building coverage (max.)	20,000sf	
Floor-to-area (FAR) ratio, residential component only (max.)	67%	
Floor-to-area (FAR) ratio, non-residential component only (max.)	35%	
Floor-to-area (FAR) ratio, all uses combined in building (max.)	100%	
Floor area per dwelling (min.)	1200	
Floor area per dwelling (avg.)	1200	
Setback, vertical mixed-use building, front (min.)	25	
Setback, vertical mixed-use building side (min.)	10	
Setback, vertical mixed-use building, rear (min.)	10	
Front build-to line, vertical mixed use building (min./max)	25	
Civic/open space (min.) (% of land area devoted to this use)	12%	
Parking (min. spaces per unit)	1.5	
Are any of the parking spaces proposed to be in structured parking?	NO	

5. Fee-simple townhouse (if applicable)

Dimensional Requirement	Requirement	Comment/Note
Building height (max.) (feet)	40ft	
Building height (max.) (# stories)	3	
Lot size (min.)	1,500	

City of Cumming, Planned Unit Development (PUD) Zoning Pre-Application Checklist

Lot width (min.)	24'	
Building coverage (max.)	65%	
Floor area per dwelling (min.)	1200	
Setback, principal building, front (min.)	18	per plan
Setback, principal building side (min.)	0	per plan
Setback, principal building, rear (min.)	0	per plan
Setback, accessory building/structure (min), from side or rear property line	N/A	
Open space (min.) (% of land area devoted to this use)	16%	
Parking (min. spaces per unit)	2	

6. Freestanding multi-family residential (if applicable)

Dimensional Requirement	Requirement	Comment/Note
# of units (1 bedroom) and percent of total units		
# of units (2 bedroom) and percent of total units		
# of units (3 bedroom) and percent of total units		
Building height (max.) (feet)		
Building height (max.) (# stories)		
Building coverage (max.)		
Principal building separation (min.) (feet)		
Floor area per dwelling (min.)		
Setback, principal building, front (min.)		
Setback, principal building side (min.)		
Setback, principal building, rear (min.)		
Setback, accessory building/structure (min), from side or rear property line		
Open space (min.) (% of land area devoted to this use)		
Active recreation (specify type) (min.) (% of land are devoted to this use)		
Parking (min. spaces per unit)		

7. Freestanding institutional residential (if applicable) (e.g., nursing home)

Dimensional Requirement	Requirement	Comment/Note
# of beds		
Building height (max.) (feet)		
Building height (max.) (# stories)		
Building height (min.) (feet)		
Building height (min.) (# stories)		
Building coverage (max.)		
Floor-to-area (FAR) ratio (max.)		
Setback, principal building, front (min.)		
Setback, principal building side (min.)		
Setback, principal building, rear (min.)		
Front build-to line, principal building (min./max)		
Civic/open space (min.) (% of land area devoted to this use)		
Parking (min. spaces per 1,000 square feet building or per unit)		

8. Freestanding office-institutional (if applicable)

Dimensional Requirement	Requirement	Comment/Note
Building height (max.) (feet)		
Building height (max.) (# stories)		
Building height (min.) (feet)		

City of Cumming, Planned Unit Development (PUD) Zoning Pre-Application Checklist

Building height (min.) (# stories)		
Building coverage (max.)		
Floor-to-area (FAR) ratio (max.)		
Setback, principal building, front (min.)		
Setback, principal building side (min.)		
Setback, principal building, rear (min.)		
Front build-to line, principal building (min./max)		
Civic/open space (min.) (% of land area devoted to this use)		
Parking (min. spaces per 1,000 square feet building)		

9. Freestanding commercial/retail/service (if applicable)

Dimensional Requirement	Requirement	Comment/Note
Building height (max.) (feet)		
Building height (max.) (# stories)		
Building height (min.) (feet)		
Building height (min.) (# stories)		
Building coverage (max.)		
Floor-to-area (FAR) ratio (max.)		
Setback, principal building, front (min.)	N/A	
Setback, principal building side (min.)	25'	per plan
Setback, principal building, rear (min.)	10'	per plan
Front build-to line, principal building (min./max)	12'	per plan
Civic/open space (min.) (% of land area devoted to this use)		
Parking (min. spaces per 1,000 square feet building)		

PUD DESIGN CONSIDERATIONS

Compliant?	Design Consideration (as applicable)	Notes/Comments
Yes	Are principles of "new urbanism" and "traditional neighborhood development" incorporated?	
Yes	Is a vertical mixed use building(s) incorporated and are the streetscapes appropriate?	
N/A	If freestanding commercial or institutional buildings are incorporated, do they abut an existing arterial street, or do they to be located on lots that have direct access to a collector or arterial street?	
N/A	If freestanding commercial or institutional buildings are incorporated, is at least 5 percent (5%) of the lot set aside for civic spaces and streetscapes?	
Yes	Is there a mixture of housing types provided?	
Yes	Are fee-simple townhouses proposed adjacent to vertical mixed use?	
N/A	For smaller-sized detached single-family residential lots, is a grid pattern of streets incorporated?	
N/A	For smaller-sized detached single-family residential lots are town greens comprising at least 10 percent of the land area devoted to such use incorporated?	
N/A	For larger detached single-family lots, particularly those on the periphery, are principles of "conservation subdivisions" followed?	
N/A	If conservation subdivision design is incorporated, is there at least 30% open space provided for the land area devoted to that use?	
N/A	Does the application provide for phasing such that any free-standing multiple-family residential buildings proposed shall not be	

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	constructed until after development of one or more vertical mixed-use buildings and/or commercial and institutional buildings?	
Yes	Do natural buffers for riparian areas, greenbelts, passive recreation areas, active outdoor recreation areas, village greens, courtyards, pocket parks, civic (hardscape) spaces, landscaping, and other amenity areas, or appropriate combinations thereof, comprise at least 20 percent of the land area within the PUD?	

CONSISTENCY WITH COMPREHENSIVE PLAN POLICIES

Compliant?	Planning Considerations (as applicable)	Notes/Comments
No	Is the property to be developed as a PUD designated for mixed use on the future land use plan map of the comprehensive plan?	
Yes	Does the PUD design ensure efficient, functional and compatible land use patterns?	
No	Are office-institutional uses used as a transition between freestanding commercial and residential subdivisions?	
Yes	Overall, does the proposed project meet the general environmental policies?	
N/A	Does the proposal preserve all or a substantial amount of the flood plains and wetlands on site?	
Yes	Have "better stormwater site design practices" been considered and if appropriate, incorporated?	
Yes	Does the PUD provide for "life cycle" or "mixed generation" communities?	
Yes	Does the PUD mix different types of housing units (detached single family, attached single family, duplex, quadruplex, etc.) on the same site or within the same development?	
No	Is active recreation incorporated into the PUD? (e.g., community center), appropriate to the context and size of residential development provided?	
No	Does the PUD attain a ratio of 1.5 jobs for every housing unit within the development, or alternatively, does nonresidential building floor area equal or exceed the total residential floor area within the PUD?	
N/A	Does the PUD incorporate an extension of the grid street system?	
Yes	Does the PUD provide for the connection of streets to provide a local street network that serves as an alternative to the arterial and collector street system?	
Yes	Does the PUD provide for inter-parcel vehicle access points, where compatible, between different parts of the development?	
Yes	Is there a defined system for pedestrian access appropriate to the context (e.g., sidewalks, streetscapes, trails, etc.), linking all parts of the PUD and to the existing external sidewalk system of the city?	