

**City of Cumming**  
**Work Session Agenda**  
**October 1, 2024**

- I. Meeting Called to Order-Christopher Light, Mayor Pro tem.
- II. Invocation
- III. Pledge to Flag
- IV. Consider Agenda for Adoption
- V. Consider for adoption the following meeting minutes:
  - A. Regular Meeting of September 17th, 2024
- VI. Acknowledgements, Proclamations, Resolutions, etc.
- VII. Old Business
  - A. Rezoning Application #2024177-Boxville Storage, LLC. Mary Alice Park Road and Marketplace Boulevard
  - B. Conditional Use Permit #2024176- Ford's Place, LLC. 529 Canton Highway
- VIII. New Business
  - A. Utilities
    - 1. Report of RFP- Settingdown Creek Gravity Sewer Project (Time Sensitive)
    - 2. GEFA Loan Modification- AWRP Biosolids Management Project and Vac Truck/ Street Sweeper Project (Time Sensitive)
  - B. Cumming Police
    - 1. Real Time Crime Center (Information Only)
  - C. Planning & Zoning
    - 1. 14905 Hopewell Group, LLC- PUD Amendment (Information Only)
    - 2. Annexation #2024184 Hollywood Properties, LLC- Bettis Tribble Gap Road (Information Only)
    - 3. Rezoning #2024191 Fast Easy Offer, LLC- Bettis Tribble Gap Road (Information Only)
- IX. Announcements
  - A. The Cumming Country Fair & Festival opens this Thursday, Oct. 3 and Continues daily through Sunday, Oct. 13<sup>th</sup> at the Fairgrounds.
- X. Executive Session (If Needed)
- XI. Adjourn.

**CITY OF CUMMING  
COUNCIL MINUTES  
WORK SESSION  
OCTOBER 1, 2024**

**I.** There was a Work Session meeting of the Mayor and Council of the City of Cumming on Tuesday, October 1, 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 with the exception of Mayor Brumbalow. Mayor Pro tem Christopher Light presided over the meeting and called the meeting to order.

**II. Invocation:** Mayor Pro tem Light asked City Administrator Phil Higgins to deliver the invocation.

**III. Pledge to the Flag.** Mayor Pro tem Light led everyone in the Pledge to the American Flag.

**IV. Consider Agenda for Adoption:** A motion was made by Susie Carr and seconded by Joey Cochran to adopt the agenda as presented. The motion carried 4-0.

**V. Consider for adoption the following meeting minutes: A. Regular Council Meeting of September 17th, 2024:** A motion was made by Chad Crane and seconded by Susie Carr to approve the minutes of the Regular Council Meeting of September 17th, 2024 as presented. The motion carried 4-0.

**I. Acknowledgements, Proclamations, Resolutions, etc.: none**

**VII. Old Business: A. Planning and Zoning: 1. Rezoning Application #2024177-Boxville Storage, LLC. Mary Alice Park Road and Marketplace Boulevard:** *The agent has made application, on behalf of the property owner, to rezone 3.697 acres, more or less, from Planned Shopping Center (PSC) to Highway Business (HB), to construct a climate-controlled storage facility, at the SE corner of Market Place Boulevard and Mary Alice Park Road. The adjacent properties are zoned HB and future land use designation for the area is commercial, therefore, the rezoning request conforms with the City's Comprehensive Plan. The Planning Commission held a public hearing on August 20, 2024 and no public comments were made. The Board voted unanimously to approve the rezoning, with the twelve (12) conditions contained in your packet.*

After some discussion on elevations and signage, a motion was made by Jason Evans and seconded by Susie Carr to approve Rezoning Application #2024177-Boxville Storage, LLC with the conditions presented and amending Condition 1 to reference Exhibit “B” and adding to Condition #5 that the signage must be approved by Department of Planning and Zoning and the Design Review Board. The motion carried 4-0.

**2. Conditional Use Permit #2024176- Ford’s Place, LLC. 529 Canton Highway:** *The agent has submitted, on behalf of the property owner, a Conditional Use Permit (CUP) request, to establish a wrecked motor vehicle compound, in the Highway Business (HB) zoning district, at 529 Canton Highway. The applicant already operates an automotive repair establishment at this location and the vehicle compound would be utilized as a supplemental use for that business.*

*The Planning Commission held a public hearing on August 20, 2024 and no public comments were made. The Board voted unanimously to approve the CUP, with the five (5) conditions contained in your packet.*

A motion was made by Joey Cochran and seconded by Chad Crane to approve Conditional Use Permit #2024176-Ford’s Place, LLC. The motion carried 4-0.

**VIII. New Business: A. Utilities: 1. Report of RFP- Settingdown Creek Gravity Sewer Project (Time Sensitive):** The Department of Utilities advertised for proposals for this sanitary sewer project along Settingdown Creek. This project is fully funded by GEFA.

The following proposals were received:

<b>1. JDS, Inc.</b>	<b>\$10,662,735.00</b>
<b>2. Strack</b>	<b>\$13,526,451.00</b>
<b>3. Strickland and Sons Pipeline</b>	<b>\$13,821,827.50</b>
<b>4. Utility Construction Company, Inc.</b>	<b>\$13,855,036.50</b>
<b>5. Garney Companies, Inc.</b>	<b>\$18,552,110.00</b>
<b>6. Cleary Construction, Inc.</b>	<b>\$19,414,272.50</b>

The Department of Utilities negotiated with JDS, Inc. to drastically reduce the scope of the project and recommends awarding the project to JDS, Inc. in the amount of \$6,131,099.00.

A motion was made by Jason Evans and seconded by Chad Crane to award the project to JDS, Inc. The motion carried 4-0.

**2. GEFA Loan Modification- AWRP Biosolids Management Project and Vac Truck/Sweeper Project (Time Sensitive):** The Department of Utilities requests the Council to authorize Mayor Brumbalow to sign the two above-referenced loan modifications to GEFA Loan #CW2021013 and GEFA Loan #CW2024005. These modifications extend the term of the loans to allow a longer period to expend the funds. A motion was made by Joey Cochran and seconded by Susie Carr to authorize Mayor Brumbalow to sign the necessary documents for the two GEFA Loan Modifications. The motion carried 4-0.

**B. Cumming Police: 1. Real Time Crime Center (Information Only):** Chief Girvan presented information on establishing a Real-Time Crime Center (RTCC) for the Cumming Police Department. A RTCC is designed to maximize law enforcement's ability to respond to crimes as they occur, and to do so with precision and speed. By centralizing various technologies, such as surveillance cameras, license plate readers, and data analysis tools the RTCC can provide real-time intelligence to officers in the field. This leads to faster response times, increased officer safety, and more effective policing overall stated Girvan. The initial set-up and cost of equipment would be funded by the Cumming Police Foundation.

**C. Planning and Zoning: 1. 14905 Hopewell Group, LLC- PUD Amendment**

**(Information Only):** *The property owner has made application, to the proper authorities, to amend a Planning Unit Development (PUD), approved by the City on April 20, 2021. The subject property is 43.24 acres and is located on both sides of SR 20, at 519 and 521 Canton Highway. The development plan has been revised from 160 townhomes and 144 condominiums, to approximately 247 townhomes and 68 single-family detached homes. The applicant has submitted twenty (20) revised PUD conditions, along with the revised development plan.*

*In reviewing these revised PUD amendment documents, staff has determined this proposed development no longer meets the requirements of a PUD, according to the land use and design guidelines of the PUD Ordinance. Therefore, staff recommends approval of this development proposal as Multi-Family Residential (R-3) rezoning, with conditional use approval for the church and a density variance to allow the 7.28 residential units per acres. The residential density of this proposed development will*

*actually be decreasing, due to the replacement of the condominiums, with townhomes and single-family detached homes, as well as the elimination of freestanding and vertical mixed-use units. The revised site plan, conditions and elevations, as submitted, will be utilized for this rezoning. Advertising requirements for a rezoning have been met, because our advertising regulations are the same, as for a PUD amendment.*

The Planning Commission held a public hearing on September 17, 2024 and there were no public comments. The Board voted unanimously to rezone the property R-3 with the attached conditions and elevations.

No action was taken on this item.

**2. Annexation #2024184 Hollywood Properties, LLC- Bettis Tribble Gap Road**

**(Information Only):** *The property owner has filed a petition, to the proper authorities, to annex 9.98 acres, more or less, and rezone from County Agricultural (A1) to City Single-Family Residential (R-1), for the purpose of constructing ten (10) single-family detached homes. The subject property located at 1630 Bettis Tribble Gap Road and has contiguity with the existing City boundary. City zoning and future land use in the area is single-family residential, therefore, the property, if annexed and rezoned residential, will conform to the City's Comprehensive Plan. The County has not officially stated whether or not they will object to the proposed annexation. The owner has submitted zoning conditions, as part of this proposed annexation.*

*Staff recommends approval of this annexation and rezoning, with conditions, as presented, contingent upon on official objection by the County.*

The Planning Commission held a public hearing on September 17, 2024 and there were no recorded comments. The Board voted unanimously to recommend approval of this annexation and rezoning, and added a condition, the final site plan must be approved by the Mayor and Council. No action was taken on this item.

**3. Rezoning #2024191 Fast Easy Offer, LLC- Bettis Tribble Gap Road (Information**

**Only):** *The property owner has made application, to the proper authorities, to rezone 0.69 acres, more or less, from Single-Family Residential (R-1A) to Office Professional (OP), in order to reestablish the use of the existing structure as an office. This location has been used by The Place, a non-profit, community assistance service, for a number of years, but is currently vacant. This rezoning is necessary in order to continue what*

*was a legal, nonconforming use, in residential zoning. As part of the rezoning request, there are requested variances from the front, rear and side building setbacks, to accommodate the existing deck, porch and sheds. There will be improvements made to the existing structure and paving, for new parking spaces. OP zoning is a proper transitional district, relative to the surrounding residential land use.*

The Planning Commission held a public hearing on September 17, 2024 and there were no recorded public comments. The Board voted unanimously to recommend approval of the rezoning, including the variances, with the provided conditions. No action was taken on this item.

**IX. Announcements:** A. The Cumming Country Fair & Festival opens this Thursday, Oct. 3 and continues daily through Sunday, Oct. 13<sup>th</sup> at the Fairgrounds.

**X. Executive Session:** Mayor Pro tem Light stated there was no need for Executive Session.

**XI. Adjournment:** A motion was made by Susie Carr and seconded by Chad Crane to adjourn the meeting. The motion carried 4-0.

Approved this 15th day of October, 2024.

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**Mayor**

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**Councilmember**

**Councilmember**

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**Councilmember**

**Councilmember**

**Attest:**

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**City Clerk**

**Councilmember**