



**City of Cumming Planning Commission Meeting
Regular Meeting
January 20, 2026**

I. Call Meeting to Order – Brent Otwell, Planning Commission Chairman

The scheduled meeting of the Planning Commission for the City of Cumming was held Tuesday, January 20, 2026, at 5:00 P.M., at City Hall in Cumming, Georgia. Planning Commissioners were properly notified as required by law and all were present. Due to the expected absence of Chairman Ralph Webb, Brent Otwell presided over the meeting and called the meeting to order. Chairman Webb was able to attend the meeting but continued allowing Commissioner Otwell to preside over the meeting.

II. Consider Agenda for Adoption

A motion was made by Ricky Noles and seconded by Ralph Webb to adopt the agenda for the January 20, 2026 meeting. The motion carried unanimously 3-0.

III. Consider for Adoption the December 16, 2025 Meeting Minutes

A motion was made by Ricky Noles and seconded by Ralph Webb to approve the minutes of the Planning Commission Meeting held on December 16, 2025. The motion carried unanimously 3-0.

IV. Old Business

A. TPG Rezoning #2025137- Postpone until arbitration complete

Director of Planning and Zoning, Scott Morgan, advised the Planning Commission that arbitration was not yet complete for this project and that the Annexation request would be postponed until arbitration is complete.

B. TPG Annexation #2025138- Postpone until arbitration complete

Director of Planning and Zoning, Scott Morgan, advised the Planning Commission that arbitration was not yet complete for this project and that the Annexation request would be postponed until arbitration is complete.

V. New Business

A. Thomas McNaull Rezoning #2025142– Public Hearing

A motion was made by Ricky Noles and seconded by Ralph Webb to open the public hearing. The motion carried unanimously 3-0.

Applicant, Tommy McNaull spoke in favor of the rezoning and explained intent to use the proposed space for a State Farm Agency. Opposing the rezoning request was Robert Becker in Sienna Subdivision. Mr. Becker advised that the area has always been residential and that he opposed additional commercial office developments in the area. No other individuals spoke in favor or opposed the item.

A motion was made by Ricky Noles and seconded by Ralph Webb to close the public hearing. The motion carried unanimously 3-0.

Director of Planning and Zoning, Scott Morgan, presented the following staff report.

The property owner has made application, to the proper authorities, to rezone 0.24 acres, more or less, located at 406 Kelly Mill Road, from Single-Family Residential (R-1A) to Office Professional (OP). The structure on the property is currently used as a residence and the owner wants to change this to a professional office, such as an insurance agency. The adjacent parcel to the subject property has recently been developed as an office warehouse. Several other properties in the Kelly Mill corridor have been recently rezoned to OP. Future land use designation in the area is a combination of conservation/parks/recreation, low-density residential and public institutional, therefore; the rezoning of this parcel to a transitional district, such as OP, is appropriate and in conformance with the Future Land Use Element of the City's Comprehensive Plan.

For the above-mentioned reasons, staff recommends approval of this rezoning, with the following conditions:

1. *Office hours of the proposed business will be Monday through Friday, from 9:00 AM to 5:30 PM.*
2. *A parking area must be provided, which meets the City's off-street parking requirements.*
3. *Standard flood lights will be used at building corners, no light poles or high-intensity flood lights.*
4. *There will be a landscape strip around the building and a planted buffer along the parcel to the west, to be approved by the Department of Planning and Zoning staff.*

Please let me know if you have questions. Thank you.

A motion was made by Brent Otwell and seconded by Ricky Noles to send the Thomas McNaull Rezoning Request #2025142 to the Council with a recommendation of approval with the conditions in the staff report. The motion carried unanimously 3-0.

B. Gravitt Investments, LLLP Variance #2025158– Public Hearing

A motion was made by Ricky Noles and seconded by Ralph Webb to open the public hearing. The motion carried unanimously 3-0.

No individuals were present to speak in favor or against the item.

A motion was made by Brent Otwell and seconded by Ricky Noles to close the public hearing. The motion carried unanimously 3-0.

Director of Planning and Zoning, Scott Morgan, presented the following staff report.

The property owner has made application, to the proper authorities, for a variance to the City undisturbed and no impervious surface stream buffers (SBV), on property at 1660 Bettis Tribble Gap Road, Cumming, Georgia 30040. The subject property was annexed and rezoned to Single-Family Residential (R-1) on November 18, 2025.

Due to the shape, size and topography of the subject property, and in order to meet the minimum dwelling unit size and conform with homes in the surrounding area, the SBV is required. The same variance was granted for adjacent property on October 15, 2024.

Granting the SBV will not provide special privileges to the property owner, will not permit a use which is not already permitted by right, nor will it negatively affect surrounding owners' use, value or enjoyment of their properties.

For the above-mentioned reasons, staff recommends approval of the variance, as submitted. Please let me know if you have questions. Thank you.

A motion was made by Brent Otwell and seconded by Ricky Noles to approve Gravitt Investments, LLLP Variance #2025158 based on staff recommendations. The motion carried unanimously 3-0.

C. EP Hernandez, LLC Rezoning #2025163– Public Hearing

A motion was made by Brent Otwell and seconded by Ricky Noles to open the public hearing. The motion carried unanimously 3-0.

Sean Courtney with Lipscomb Johnson, LLP was present to speak on behalf of the applicant should questions arise. Applicant Ozzie Rodriguez was also present and confirmed commission's questions that the space would only be used for meetings and special events as defined in the limited use zoning policy. No individuals were present to speak against the item.

A motion was made by Brent Otwell and seconded by Ricky Noles to close the public hearing. The motion carried unanimously 3-0.

Director of Planning and Zoning, Scott Morgan, presented the following staff report.

The agent has made application, on behalf of the property owner, to rezone 0.964 acres, more or less, from Restricted Industrial (M-1) to Institutional (INST), for the purpose of establishing an event facility, within the existing building.

Zoning of adjacent properties is a combination of INST and M-1. Future land use designation in the area is Public Institutional and Industrial, therefore; the requested rezoning is in conformance with the Future Land Use Element of the City's Comprehensive Plan.

The agent has submitted draft zoning conditions, as part of the application, which have been revised. Staff has also requested a proposed layout of the development. Based upon the above-mentioned reasons, and expecting the additional information requested, staff recommends approval of this rezoning request.

Please let me know if you have questions. Thank you.

A motion was made by Brent Otwell and seconded by Ricky Noles to send EP Hernandez, LLC Rezoning Application #2025163 to council with a recommendation of approval with the draft zoning conditions submitted as based on the staff report. The motion carried unanimously 3-0.

VI. Announcements

No announcements at this time.

VII. Adjournment

A motion was made by Brent Otwell and seconded by Ricky Noles to adjourn the January 20, 2026 meeting. The motion carried unanimously 3-0.

Approved this 17th day of February, 2026.

Chairman Ralph Webb

Commissioner Ricky Noles

Commissioner Brent Otwell

Attest:

City Clerk, Alison B. Smith