

**Board of Commissioners**

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Charles E. Bannister, Chairman  
Shirley Fanning Lasseter, District 1  
Bert Nasuti, District 2  
Mike Beaudreau, District 3  
Kevin Kenerly, District 4



## **Public Hearing Minutes** **Tuesday, February 23, 2010 - 7:00 PM**

### **I. Call To Order, Invocation, Pledge to Flag**

### **II. Opening Remarks by Chairman**

### **III. Approval of Agenda**

{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

### **IV. Approval of Minutes:      Business Session: February 16, 2010**

**Executive Session: February 23, 2010**

{Action: Approved Motion: Beaudreau Second:  
Kenerly Vote: 5-0}

### **V. Announcements**

- **Resolution of Recognition:** 2009 Eagle Scouts

{Action: Approved Motion: Bannister Second: Kenerly Vote: 5-0}

### **VI. Public Hearing – Old Business**

#### **I. Planning & Development/Bryan Lackey**

**2010-0110 SUP2010-00001, Applicant:** Moongrace, Inc, Owner: Simon Property Group, for a Special Use Permit in a C-3 zoning district to Allow a Tattoo Parlor, District 6 Land Lot 232 Parcel 003 & Parcel 092, 2100 Block of Pleasant Hill Road and the 3500 Block of Mall Boulevard, 27.5 acres, District 1/Lasseter[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny] {Action: Denied Motion: Lasseter Second: Nasuti Vote: 5-0}

**2009-1190 RZC09-035, Applicant:** Robert Bowman, Sr., Owner: Robert Bowman, Sr., RA-200 to O-I, Office Uses, District 1 Land Lot 001 Parcel 450, 3700 Block of Sardis Church Road and the 2700 Block of West Rock Quarry Road, 15.02 acres, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Approved with Stipulations Motion: Kenerly Second: Beaudreau Vote: 4-1 (Lasseter Opposed)}

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**VI. Public Hearing – Old Business**

**I. Planning & Development/Bryan Lackey**

**2009-1281 RZM2009-00002, Applicant:** Silver Springs Communities, Owner: Luv Homes - Joyce Ogletree, O-I and R-75 to RM-8, Attached Senior Housing (Reduction In Buffers), District 6 Land Lots 127 and 128 Parcels 063 and 267, 100-200 Block of Ronald Reagan Parkway and the 200 Block of Bethesda Church Road, 29.41 acres, District 4/Kenerly  
**(Tabled on 02/23/2010) (Tabled to 03/23/2010)**(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0}**

**VII. Public Hearing – New Business**

**I. Support Services/Steve North**

**2010-0143 Approval/authorization** of the abandonment of a portion of a public road known as South Peachtree Street. Approval and authorization for the Chairman to execute any and all documents necessary to effectuate the abandonment. The abandonment is in accordance with Georgia Statutes on abandonment found in O.C.G.A. 32-7-2 HB 1539. District 2/Nasuti (Staff Recommendation: Approval)  
**{Action: Approved Motion: Nasuti Second: Beaudreau Vote: 5-0}**

**2. Change in Conditions**

**2010-0184 CIC2010-00004, Applicant:** Racebrook, Inc., Owner: Racebrook, Inc., to change conditions of zoning for property zoned R-100 to Allow Male Dormitory Residents, District 6 Land Lot 315 Parcel 035, 4000 Block of Gunnin Road, 2.76 acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Nasuti Second: Beaudreau Vote: 4-0 (Kenerly Out of Room)}**

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**VII. Public Hearing – New Business**

**2. Change in Conditions**

**2010-0185 CIC2010-00006, Applicant:** Kelly J. Calvo, Owner: Elmer Smith, to change conditions of zoning for property zoned C-2 to Modify Use Restrictions, District 6 Land Lot 258 Parcel 248, 4500 Block of Buford Highway, 4700 Block of South Berkeley Lake Road, 1.37 acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Nasuti Second: Beaudreau Vote: 4-0 (Kenerly Out of Room)}**

**2010-0186 SUP2010-00009, Applicant:** Kelly J. Calvo, Owner: Elmer Smith, for a Special Use Permit in a C-2 zoning district to Allow Automobile and Motorcycle Repair, District 6 Land Lot 258 Parcel 248, 4500 Block of Buford Highway, 4700 Block of South Berkeley Lake Road, 1.37 acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Nasuti Second: Beaudreau Vote: 4-0 (Kenerly Out of Room)}**

**3. Special Use Permit**

**2010-0187 SUP2010-00004, Applicant:** Curt Thompson, Owner: KVL, LLC, for a Special Use Permit in a C-1 zoning district to Allow a Building Height Increase from 3 to 4 stories; District 6 Land Lot 186 Parcel 013, 5000 Block of Singleton Road, 1.51 acres, District 2/Nasuti **(Tabled on 02/23/2010) (Tabled to 03/23/2010)(Public hearing was not held)**[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 3/16/2010] **{Action: Tabled Motion: Nasuti Second: Beaudreau Vote: 5-0}**

**2010-0188 SUP2010-00005, Applicant:** Cinthya Martinez, Owner: Danilo Martinez; for a Special Use Permit in an R-75 zoning district to Allow A Home Occupation (Group Day Care), District 7 Land Lot 041 Parcel 234, 2600 Block of Old Norcross Road, 0.35 acres, District 1/Lasseter[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Change Motion: Lasseter Second: Nasuti Vote: 4-0 (Kenerly Out of Room)}**

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**3. Special Use Permit**

**2010-0189 SUP2010-00007, Applicant:** Carsmetics, Owner: John Lyon, for a Special Use Permit in a C-2 zoning district to Allow an Automobile Body Repair Shop, District 6 Land Lot 223 Parcel 090, 6000 Block of Jimmy Carter Boulevard, 0.72 acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Nasuti Second: Beaudreau Vote: 4-0 (Kenerly Out of Room)}**

**2010-0190 SUP2010-00010, Applicant:** HD Development of Maryland, Inc., Owner: HD Development of Maryland, Inc., for a Special Use Permit (Renewal) in a C-2 zoning district to Allow Outdoor Sales and Storage, District 7 Land Lot 008 Parcel 035, 800 Block of Lawrenceville-Swanee Road, 10.21 acres, District 1/Lasseter & District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Lasseter Second: Nasuti Vote: 4-0 (Kenerly Out of Room)}**

**2010-0191 SUP2010-00011, Applicant:** Natalya Yeger, Owner: Cruse Walk Investment, LLC, for a Special Use Permit in a C-2 zoning district to Allow a Pawn Shop, District 6 Land Lot 156 Parcel 001A, 800 Block of Pleasant Hill Road, 3600 Block of Cruse Road, 3.59 acres, District 1/Lasseter[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny] **{Action: Approved with Change Motion: Lasseter Second: Bannister Vote: 3-1 (Nasuti Opposed, Kenerly Out of Room)}**

**2010-0192 SUP2010-00012, Applicant:** Dawn Johnson, Owner: Dawn Johnson, for a Special Use Permit in an R-75 zoning district to Allow A Home Occupation (Hair Salon), District 5 Land Lot 053 Parcel 230, 4100 Block of Vicksburg Drive, 0.36 acres, District 3/Beaudreau **(Tabled on 02/23/2010) (Tabled to 03/16/2010)(Public hearing was held)**[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Tabled Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Out of Room)}**

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**4. Rezonings**

**2010-0181 RZC2010-00006, Applicant:** Pierre Maalouf, Owner: Pierre Maalouf, M-1 to C-2, Commercial Retail Uses, District 6 Land Lot 199 Parcel 116, 1700 Block of Willow Trail Parkway, 2.56 acres, District 1/Lasseter. (Tabled on 02/23/2010) (Tabled to 03/23/2010)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Lasseter Second: Nasuti Vote: 4-0 (Kenerly Out of Room)}

**2010-0183 SUP2010-00008, Applicant:** Pierre Maalouf, Owner: Pierre Maalouf, For a Special Use Permit in a C-2 (Proposed) zoning district to Allow Outdoor Recreation, District 6 Land Lot 199 Parcel 116, 1700 Block of Willow Trail Parkway, 2.56 acres, District 1/Lasseter. (Tabled on 02/23/2010) (Tabled to 03/23/2010)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Lasseter Second: Nasuti Vote: 4-0 (Kenerly Out of Room)}

**5. Planning & Development/Bryan Lackey**

**2010-0148 CRC2010-00001, Application** of Kendra Davis for Metropolitan River Protection Act Certificate to construct a single-family residence and a residential swimming pool on 1.26 acres at 4467 Ridgegate Drive, Lot 16, Block D, Unit 3 of Riverview Estates Subdivision located in the Chattahoochee River Corridor, District 6, Land Lot 329, Parcel 055, Commission District 2/Nasuti. (Staff Recommendation: Approval ) {Action: Approved Motion: Nasuti Second: Beaudreau Vote: 4-0 (Kenerly Out of Room)}

**2010-0122 TSP2009-00008 - Construct** four (4) towers (steeples) 58 feet in height. The towers will be located on each corner of the proposed building (mosque). Location is 3122 Cruse Road in Lawrenceville. Commission District 4 (Kenerly). (Tabled on 02/23/2010) (Tabled to 03/23/2010) (Staff Recommendation: Approval with Condition)(Public hearing was not held) {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0}

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**VIII. Comments from Audience**

**IX. Adjournment**