

# **Gwinnett County Board of Commissioners**

**April 26, 2005 – 7:00 P.M.**

## **A G E N D A**

- I. Call to Order, Invocation, Pledge to Flag**
- II. Opening Remarks by Chairman**
- III. Approval of Agenda**
- IV. Approval of Minutes:** **April 19, 2005**  
**April 26, 2005 - Executive Session**
- V. Announcements**
  - A. Resolution of Recognition: Duluth Cheerleaders, State Champions**
- VI. Old Business**
  - 1. Planning & Development/Michael Williams**
    - A. SUP-05-019 –** Julia H. Gibriel, Tire Store, LL257, 6<sup>th</sup> District, Parcel 002, 025, and 064, 5000 Block of Buford Highway, District 2/Nasuti  
**(Tabled 2/22) (Public hearing was not held)**
    - B. RZM-05-001 –** Precision Design & Development, Townhomes, M-1 to RM-8, LL59, 6<sup>th</sup> District, Parcel 1B, 2100-2200 Block of West Park Place, District 3/Beaudreau  
**(Tabled 3/22) (Public hearing was not held)**
    - C. RZR-05-029 –** Precision Design & Development, Single-Family Detached Subdivision, M-1 to R-ZT, LL59, 6<sup>th</sup> District, Parcel 1B, 2100-2200 Block of West Park Place, District 3/Beaudreau  
**(Tabled 3/22) (Public hearing was not held)**

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**VII. Old Business**

**1. Planning & Development/Michael Williams**

**D. RZM-05-011 –** Willie Properties, LLC, Townhomes, R-75 to R-ZT, LL230, 7<sup>th</sup> District, Parcel 004, 0-100 Block of South Side Road, District 4/Kenerly  
**(Tabled 2/22) (Public hearing was not held)**

**E. RZM-05-012 –** Willie Properties, LLC, Townhomes, R-75 to R-ZT, LL230, 7<sup>th</sup> District, Parcel 004, 0-100 Block of South Side Road, District 4/Kenerly  
**(Tabled 2/22) (Public hearing was not held)**

**F. RZR-06-001 –** Willie Properties, LLC, Single-Family Detached Subdivision, R-75 to R-ZT, LL230, 7<sup>th</sup> District, Parcel 004, 0-100 Block of South Side Road, District 4/Kenerly  
**(Tabled 2/22) (Public hearing was not held)**

**VII. Public Hearing**

**1. Support Services/Connie Hinson**

**A. Approval** to abandon a portion of a public road known as Old Flowery Branch Road (the old road bed), authorization for Chairman to execute a Quitclaim deed in Land Lot 007 of the 3<sup>rd</sup> district, abandonment in accordance with Georgia Statutes on abandonment found in O.C.G.A. 32-72- HB 1539. District 4/Kenerly

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**VII. Public Hearing**

**2. Transportation/Brian Allen**

**A. Approval** of incorporation into Gwinnett County Speed Hump Program  
Leigh Kay Drive (#4486-12) Estimated cost \$12,376.00 – 2001 Sales  
Tax Program – District 4/Kenerly

**3. Buffer Reduction:**

**A. BRD-05-002** - Total Construction, Inc., Buffer Reduction From 50 Ft.  
to 25 Ft., LL250, 6<sup>TH</sup> District, Parcel 007, 6900 Block  
of Gilleland Lane, District 2/Nasuti

**4. Change in Conditions:**

**A. CIC-05-007** - Jay York, Change in Conditions (Reduction in  
Buffers), LL130, 5<sup>th</sup> District, Parcel 005, 400 Block of  
Athens Highway, District 3/Beaudreau

**B. CIC-05-008** - Klebanoff Properties, Change in Conditions  
(Reduction in Buffers), LL126, 7<sup>th</sup> District, Parcel 175,  
400 Block of Old Peachtree Road, 2600 Block of  
Whitehead Place Drive N.W., 400 Block of Peachtree  
Ridge Court, District 1/Green

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**VII. Public Hearing**

**4. Change in Conditions:**

**C. CIC-05-009 -** Total Construction, Inc., Change in Conditions (Eliminate Pitched Roof Requirement), LL169, 6<sup>th</sup> District, Parcel 012 and 040, 4800 Block of Jimmy Carter Blvd., 6200 Block of Forest Vale Drive, District 2/Nasuti

**D. CIC-05-010 -** Hamilton Mill 755, LLC, Buffer Reduction (From 85' to 25'), LL1, 1<sup>st</sup> District, Parcel 023 and 061, LL2, 3<sup>rd</sup> District, Parcel 077, 2500 Block of Hamilton Mill Road, District 4/Kenerly

**5. Special Use Permits:**

**A. SUP-05-026 -** Neuvo Mexico Taxi Service, Taxi Cab Service, LL164, 6<sup>th</sup> District, Parcel 253, 273, and 275, 4700 Block of Britt Road, 300 Block of Merchants Drive, 800 Block of Green Hill Lane, District 2/Nasuti

**B. SUP-05-027 -** Magnolia Pantoja, Restaurant, LL39, 7<sup>th</sup> District, Parcel 848, 2700 Block of Cruse Road, District 1/Green

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**VII. Public Hearing**

**6. Rezonings:**

- A. RZC-05-015 -** Metro Land Investors, LLC, Commercial Retail Uses (Reduction in Buffers), R-75 to C-2, LL84, 5<sup>th</sup> District, Parcel 034, 3400 Block of Sugarloaf Parkway, District 4/Kenerly
- B. RZC-05-016 -** Dennis L. Johnson, Commercial Retail Uses (Reduction in Buffers), R-75 to C-1, LL261A, 6<sup>th</sup> District, Parcel 042, 2900 Block of Pleasant Hill Road, District 1/Green
- C. RZC-05-017 -** Bolaji Odusing, Medical Offices (Reduction in Buffers), R-100 to O-I, LL70, 7<sup>th</sup> District, Parcel 026, 1700 Block of Lawrenceville-Suwanee Road, District 1/Green
- D. RZC-05-018 -** Bramblett Shoals, LTD, Commercial Retail Uses (Reduction in Buffers), R-100 to C-2, LL126, 5<sup>th</sup> District, Parcel 004, 600 Block of Athens Highway, District 3/Beaudreau
- E. RZC-05-019 -** D.G. Jenkins Development Corp., Commercial Retail Uses (Reduction in Buffers), R-75 to C-2, LL149, 6<sup>th</sup> District, Parcel 023, 024, and 083, 600 Block of Beaver Ruin Road, 500 Block of Old Arcadia Road, District 2/Nasuti
- F. RZC-05-020 -** Bohannon Holman, LLC, Commercial Retail Uses (Reduction in Buffers), R-100 to C-2, LL2, 3<sup>rd</sup> District, Parcel 035, 3500-3600 Block of Braselton Hwy., District 3/Beaudreau

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**VII. Public Hearing**

**6. Rezonings:**

**G. RZC-05-021 -** Atlanta Metro Partners, LLC, Commercial Retail Uses, MH to C-1, LL162, 5<sup>th</sup> District, Parcel 005 and 058, 200-300 Block of Willow Wind Drive, 3600 Block of Bay Creek Road, 3600 Block of Loganville Highway, District 3/Beaudreau

**H. SUP-05-007 -** Atlanta Metro Partners, LLC, Drug Store, LL162, 5<sup>th</sup> District, Parcel 005 and 058, 3600 Block of Bay Creek Road, 200-300 Block of Willow Wind Drive, 3600 Block of Loganville Highway, District 3/Beaudreau

**I. SUP-05-008 -** Atlanta Metro Partners, LLC, Restaurant, LL162, 5<sup>th</sup> District, 200-300 Block of Willow Wind Drive, 3600 Block of Bay Creek Road, 3600 Block of Loganville Highway, District 3/Beaudreau

**J. RZC-05-022 -** Atlanta Metro Partners, LLC, Office Uses, MH to O-I, LL162, 5<sup>th</sup> District, Parcel 005, 200-300 Block of Willow Wind Drive, 3600 Block of Bay Creek Road, District 3/Beaudreau

**K. SUP-05-009 -** Atlanta Metro Partners, LLC, Daycare Center, LL162, 5<sup>th</sup> District, 200-300 Block of Willow Wind Drive, 3600 Block of Bay Creek Road, District 3/Beaudreau

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**VII. Public Hearing**

**6. Rezonings:**

**L. RZC-05-023 -** J.S.A. Incorporated, Commercial Retail Uses (Reduction in Buffers), RA-200 & R-100 to C-1, LL1, District 1, Parcel 017 and 018, 3500 Block of Sardis Church Road, District 4/Kenerly

**M. RZC-05-024 -** Benjamin Mitchell, Office Uses (Reduction in Buffers), R-100 to O-I, LL1, 3<sup>rd</sup> District, Parcel 228, 2900 Block of Hog Mountain Road, District 3/Beaudreau

**N. RZC-05-025 -** Robert Slack, Automobile Sales and Service, M-2 to C-3, LL258, 6<sup>th</sup> District, Parcel 032A and 033, 2700 Block of Simpson Circle, District 2/Nasuti

**O. RZC-05-026 -** J.T. Future, Inc., Commercial Retail Uses (Reduction in Buffers), C-1 to C-2, LL191, 6<sup>th</sup> District, Parcel 003, 091 and 132, District 2/Nausti

**P. RZC-05-027 -** James L. McHugh, Commercial Retail Uses (Reduction in Buffers), RA-200 to C-2, LL23, 7<sup>th</sup> District, Parcel 001 and 005, 1800 Block of Old Fountain Road, District 4/Kenerly

**Q. RZC-05-028 -** Try-La, Inc., Commercial Retail Uses (Reduction in Buffers), RA-200 to C-2, LL1, 1<sup>st</sup> District, Parcel 063 and 064, 3200 Block of Hamilton Mill Road, District 4/Kenerly

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**6. Rezonings:**

- R. RZC-05-057 -** Alcovy Retail Ventures, LLC, Commercial/Retail Uses, M-1 to C-2, LL240, 5<sup>th</sup> District, Parcel 001, 1400 Block of Hurricane Shoals Road, District 4/Kenerly
- S. RZM-05-027 -** Alcovy Retail Ventures, LLC, Townhomes, M-1 to R-TH, LL240, 5<sup>th</sup> District, Parcel 001, 1400 Block of Hurricane Shoals Road, District 4/Kenerly
- T. RZM-05-028 -** 316 Hurricane Partners, LLC, Townhomes, M-1 to R-TH, LL240, 5<sup>th</sup> District, Parcel 001, 1200 Block of Hurricane Shoals Road, District 4/Kenerly
- U. RZR-05-059 -** Progress Resolution Partners, LLC, Single-Family Subdivision, M-1 TO R-ZT, LL240, 5<sup>th</sup> District, Parcel 003, 1400 Block of Hurricane Shoals Road, District 4/Kenerly
- V. RZR-05-060 -** Cedars Road Associates II, LLC, Single-Family Subdivision, M-1 to R-ZT, LL239, 5<sup>th</sup> District, Parcel 006, 1600-1700 Block of Cedars Road, 1200-1300 Block of Winder Highway, District 4/Kenerly

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## **VII. Public Hearing**

### **6. Rezonings:**

**W. RZM-05-002 -** Sydney Investments, LLC, Townhomes, R-100 to RM-8, LL3, 7<sup>th</sup> District, Parcel 004A, 005H and 214, 2200 Block of Oakland Drive, District 4/Kenerly

**X. RZR-05-061 -** Peachtree Corners Baptist Church, Church Recreation Fields, O-I to R-100, LL316, 6<sup>th</sup> District, Parcel 029, 4400 Block of Peachtree Corners Circle, District 2/Nasuti

**Y. SUP-05-028 -** Peachtree Corners Baptist Church, Church Recreation Field, LL316, 6<sup>th</sup> District, Parcel 029, 4400 Block of Peachtree Corners Circle, District 2/Nasuti

### **7. Planning & Development/Michael Williams**

**A. Waiver WVR2005-001 -** Allow a subdivision to have private gated internal streets and drainage system. Location is 2895 Camp Branch Road. District 4/Kenerly

**B. Waiver WVR2005-002 -** Request waiver to eliminate requirement for sidewalks to be installed along street frontage. Location is 5055 Buford Highway. District 2/Nasuti

**C. Waiver WVR2005-003 -** Allow for an exemption plat increase in the number of allowable lots from 5 to 10 and further division of development regulations 3.4.3. Location is 3465 Pate Road. District 3/Beaudreau

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**VIII. New Business**

**1. Law Department/Karen Thomas**

**A. Pursuant to Gwinnett County Code of Ethics section 1-8004(c), determination by the Gwinnett County Board of Commissioners that it is in the best interest of Gwinnett County to utilize Thompson, O'Brien, Kemp & Nasuti, P.C., as outside legal counsel on a case-by-case basis within the discretion of the County Attorney**

**2. Transportation/Brian Allen**

**A. Award BL063-0405, Old Peachtree Road Safety and Alignment Program, Department of Transportation, to low bidder Baldwin Paving Company, Inc., amount not to exceed \$834,927.06. Authorization for Chairman to execute contracts subject to approval by the Law Department and proof of authenticity of bonds. Contracts to follow awards.**

**IX. Comments from Audience**

**X. Adjournment**