



Gwinnett County Board of Commissioners

Tuesday, January 23, 2007 - 7:00 PM

Public Hearing - Agenda

I. Call To Order, Invocation, Pledge to Flag

II. Opening Remarks by Chairman

III. Approval of Agenda

IV. Approval of Minutes:

V. Announcements

Resolution – Peachtree Ridge High School Varsity Football Team and Varsity Competition Squad Championship Titles

VI. Old Business

1. Planning & Development/Glenn Stephens

2006-1586 Approval/authorization to transmit the Community Assessment and Community Participation Plan of the 2030 Comprehensive Plan to the Atlanta Regional Commission.(Tabled on 11/28/2006)(Staff Recommendation: Approval)(Public hearing was not held). Planning Commission tabled to 02/20/07.

2006-1190 CIC-06-025, Asian Village Atlanta, Commercial Retail Uses, C-2 (Change in Conditions), LL276, 6th District, Parcel 057, 3000 Block of Governors Lake Drive, 6800 Block of Peachtree Industrial Boulevard, District 2/Nasuti(Tabled on 8/22/2006)(Public hearing was not held)[Planning Commission Recommendation: Tabled - Date: 5/15/2007]

2006-1189 RZM-06-015, Asian Village Atlanta, Townhomes & Villas, M-1 to R-TH, LL251, 6th District, Parcel 002, 6600 Block of Governors Lake Parkway, 2700-2800 Block of Jones Mill Road, District 2/Nasuti(Tabled on 8/22/2006)(Public hearing was not held)[Planning Commission Recommendation: Tabled - Date: 05/15/2007]

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1. Planning & Development/Glenn Stephens

2006-1511 CIC-06-034, Jim Suddes, Allow a Restaurant With Drive-Thru, C-2 (Change in Conditions), LL270, 6th District, Parcel 082, LL270, 6th District, Parcel 082, 4800 Block of Peachtree Industrial Boulevard, 4900 Block of South Old Peachtree Road, District 2/Nasuti(Tabled on 11/28/2006)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

2006-1512 CIC-06-035, Newell Recycling of Atlanta, Inc, Change Hours Of Operation, Change Type And Height Of Materials Allowed And Eliminate Tree Save Areas, M-2 (Change in Conditions), LL250, 6th District, Parcel 004, 2800 Block of Amwiler Road, District 2/Nasuti(Tabled on 11/28/2006)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 02/20/2007]

2006-1679 CIC-06-042, O. David Denard, Buffer Reduction, M-1 (Change in Conditions), LL246A, 6th District, Parcel 237, 6400 Block of Pleasantdale Road, District 2/Nasuti(Tabled on 11/28/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2006-1683 SUP-06-121, Sang Le, Outdoor Recreation (Soccer Field), C-2 & O-I, LL195, 6th District, Parcel 181, 6100 Block of Live Oak Parkway, 1500-1600 Block of Thompson Parkway, District 1/Green(Tabled on 11/28/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2006-1811 SUP-06-135, 20 Sugarloaf Partners, LLC, Single-Family Conservation Subdivision, R-100, LL244, 5th District, Parcel 001, 1500 Block of Sir Knights Way, District 4/Kenerly(Tabled on 12/12/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

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2006-1491 RZC-06-055, Ruby Forest, Inc, Commercial Retail Uses (Reduction in Buffers), RA-200 to C-2, LL142, 7th District, Parcel 006, 2400 Block of Ivy Church Road, 2800 Block of Gravel Springs Road, District 4/Kenerly(Tabled on 12/12/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2006-1489 RZM-06-010, Ruby Forest, Inc, Townhomes (Reduction in Buffers), RA-200 to R-TH, LL143, 7th District, Parcels 004 &005, 2900 Block of Gravel Springs Road, District 4/Kenerly(Tabled on 12/12/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions as R-ZT][Planning Commission Recommendation: Approve with Conditions]

2006-1495 SUP-06-072, Ruby Forest, Inc, Modified Single-Family Subdivision, R-100 MOD (Proposed), LL142 & 179, 7th District, Parcels 023, 168 & 016, District 4/Kenerly(Tabled on 12/12/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2006-1490 RZM-06-013, Ruby Forest, Inc, Townhomes (Reduction in Buffers), RA-200 to R-TH, LL142, 7th District, Parcel 006, 2500 Block of Ivy Creek Road, District 4/Kenerly(Tabled on 12/12/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2006-1492 RZR-06-055, Ruby Forest, Inc, Single-Family Subdivision, RA-200 to R-60, LL142, 143 & 170, 7th District, Parcels 023, 004 & 016, 2900 Block of Gravel Springs Road, 2600 Block of Ivy Creek Road, District 4/Kenerly(Tabled on 12/12/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions as R-100 MOD][Planning Commission Recommendation: Approve with Conditions as R-75 MOD]

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1. Planning & Development/Glenn Stephens

2006-1493 RZR-06-056, Ruby Forest, Inc, Single-Family Subdivision, RA-200 to R-ZT, LL143, 7th District, Parcels 004 & 005, 2900 Block of Gravel Springs Road, District 4/Kenerly(Tabled on 12/12/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions as R-100 MOD][Planning Commission Recommendation: Approve with Conditions as R-ZT]

2006-1494 RZR-06-057, Ruby Forest, Inc, Modified Single-Family Subdivision, RA-200 to R-100 MOD, LL142 & 179, 7th District, Parcels 023, 168 & 016, 2500-2600 Block of Ivy Creek Road, District 4/Kenerly(Tabled on 10/24/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2006-1497 RZC-06-044, Jay C. Farmer, Et Al, Commercial Retail Uses (Reduction in Buffers), RA-200 to C-2, LL182, 7th District, Parcel 063 & 065, 3300 Block of Hamilton Mill Road, District 4/Kenerly(Tabled on 11/28/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions as O-I][Planning Commission Recommendation: Approve with Conditions as C-2]

2006-1506 RZC-06-051, Peachstate Partners, LLC, Office Park, R-100 to O-I, LL012, 5th District, Parcel 010, 2800 Block of Five Forks Trickum Road, 2800 Block of Jo Beth Drive, District 3/Beaudreau(Tabled on 12/12/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 02/20/2007]

2006-1496 RZM-06-029, The Place at Gwinnett, LLC, High-Rise Residential, C-3 to HRR, LL207, 6th District, Parcel 023, 3400 Block of Gwinnett Place Drive, District 1/Green(Tabled on 10/24/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny]

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1. Planning & Development/Glenn Stephens

2006-1667 RZM-06-027, Mill Creek Associates, Townhomes (Reduction in Buffers), C-2, M-1 & R-75 to R-TH, LL256, 7th District, Parcel 011, 700 Block of Buford Highway, District 4/Kenerly(Tabled on 12/12/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 03/20/2007]

2006-1668 RZM-06-028, Gwinnett Development Corporation, Townhomes, M-1 & R-100 to R-TH, LL042, 7th District, Parcel 003B & 023, 1300 Block of Herrington Road, District 1/Green(Tabled on 11/28/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2006-1670 RZM-06-033, John Wieland Homes & Neighborhoods, Inc, Townhomes, R-100 to R-TH, LL114, 7th District, Parcels 001, 170 & 173, 1700 Block of North Brown Road, District 1/Green(Tabled on 11/28/2006)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 02/20/2007]

2006-1672 RZM-06-035, Beazer Homes Georgia, Townhomes (Reduction in Buffers), OBP to R-TH, LL301, 6th District, Parcels 128 & 141, 3700 Block of Davinci Court, 3700 Block of Spalding Terrace, District 2/Nasuti(Tabled on 11/28/2006)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny without Prejudice]

2006-0847 RZR-06-015, YDI, Inc, Single-Family Subdivision, R-100, RA-200 & C-2 to R-ZT, LL125, 5th District, Parcels 023 & 028, 700-800 Block of Athens Highway, District 3/Beaudreau(Tabled on 10/24/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions as R-75 MOD][Planning Commission Recommendation: Approve with Conditions as R-SR]

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2006-1379 RZR-06-041, Cecil Breedlove, Single-Family Subdivision (Reduction in Buffers), RA-200 to R-ZT, LL142, 7th District, Parcels 001, 016 & 017, 2700-2800 Block of Gravel Springs Road, District 4/Kenerly(Tabled on 12/12/2006)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions]

2006-1790 RZR-06-044, Cedars Road Associates II, LLC, Single-Family Conservation Subdivision, RA-200 to R-100 CSO, LL231, 5th District, Parcel 004, 2200 Block of New Hope Road, District 3/Beaudreau(Tabled on 12/12/2006)(Public hearing was held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions as R-100]

2006-1791 SUP-06-011, Cedars Road Associates II, LLC, Single-Family Conservation Subdivision, R-100 CSO (Proposed), LL231, 5th District, Parcel 004, 2200 Block of New Hope Road, District 3/Beaudreau(Tabled on 12/12/2006)(Public hearing was held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny]

2006-1796 RZR-06-052, Paul Fekete, Single-Family Conservation Subdivision, RA-200 to R-100 CSO, LL317, 5th District, Parcels 016, 021 & 052, 3000 Block of Luther Wages Road, District 3/Beaudreau(Tabled on 12/12/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 02/20/2007]

2006-1797 SUP-06-056, Paul Fekete, Single-Family Conservation Subdivision, R-100 CSO (Proposed), LL317, 5th District, Parcels 016, 021 & 052, 3000 Block of Luther Wages Road, District 3/Beaudreau(Tabled on 12/12/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 02/20/2007]

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2006-1798 RZR-06-053, JEM Development, LLC, Single-Family Conservation Subdivision, RA-200 to R-60, LL001, 1st District, Parcels 020, 158 & 364, 3600 Block of Sardis Church Road, District 4/Kenerly(Tabled on 12/12/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions as R-75 MOD][Planning Commission Recommendation: Tabled - Date: 03/20/2007]

2006-1799 RZR-06-054, DMH Homes, LLC, Single-Family Subdivision, RA-200 to R-75, LL004, 1st District, Parcels 134, 151 & 152, 3900 to 4000 Block of Ridge Road, District 4/Kenerly(Tabled on 12/12/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions as R-100][Planning Commission Recommendation: Approve with Conditions as R-100]

VII. Public Hearing

1. Support Services/Connie Hinson

2007-0152 Approval/authorization of a public hearing and abandonment of a portion of a public road known as South Scales Road, authorization for Chairman to execute the quitclaim deeds in land lot 207 of the 7th land district, abandonment in accordance with Georgia statutes on abandonment found in O.C.G.A 32-7-2 HB 1539. District 1/Green(Staff Recommendation: Approval)

2007-0155 Approval/authorization of a public hearing and abandonment of a portion of a public road known as South Pucketts Mill Road, authorization for Chairman to execute the Quitclaim Deeds in land lots 099 and 138 of the 7th land district, abandonment in accordance with Georgia statutes on abandonment found in O.C.G.A. 32-7-2 HB 1539. District 4/Kenerly(Staff Recommendation: Approval)

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1. Support Services/Connie Hinson

2007-0159 Approval/authorization of a public hearing and abandonment of a portion of a public road known as Boggs Road, authorization for Chairman to execute a quit claim deed in land lot 117 of the 7th land district, abandonment in accordance with Georgia statutes on abandonment found in O.C.G.A. 32-7-2 HB 1539. District 1/Green(Staff Recommendation: Approval)

2. Change in Conditions:

2007-0177 CIC-07-003, George Flanigan, Revise Subdivision Layout, R-100 Modified, (Change in Conditions), LL003, 3rd District, Parcel 028, 4300 Block of Hog Mountain Road, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2007-0175 CIC-07-001, Roberto S. Torres, Allow Additional Subdivision Lot, R-ZT, (Change in Conditions), LL192G, 6th District, Parcel 001, 6400 Block of South Norcross-Tucker Road, 1200 Block of Cornerstone Place, District 2/Nasuti[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

2007-0176 CIC-07-002, T-Mobile South, LLC, Allow for Cellular Tower, R-100 (Change in Conditions) LL093, 6th District, Parcel 217, 900-1000 Block of Cole Drive, 1100 Block of Chartley Drive, District 2/Nasuti (Northeast of Creek), District 3/Beaudreau (Southwest of Creek)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

2007-0178 CIC-07-004, Grace and Trust Gospel Hall, Allow Church Use, O-I, (Change in Conditions), LL114, 6th District, Parcel 015, 500 Block of Rockbridge Road, District 2/Nasuti[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

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2. Change in Conditions:

2007-0179 CIC-07-005, Vintage Communities, Remove Greenway Requirements, R-100, (Change in Conditions), LL003, 3rd District, Parcels 024 & 245, 4600 Block of Braselton Highway, 6100 Block of Mount Moriah Road, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions]

3. Special Use Permit:

2007-0157 SUP-07-023, Dawson Nixon, Daycare Center Playground Addition, R-100, LL023, 5th District, Parcel 015, 2400 Block of Webb Gin House Road, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2007-0161 SUP-07-024, El Gomazo, Inc., Tire Store, C-2, LL211, 6th District, Parcel 008, 1800 Block of Beaver Ruin Road, District 1/Green[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

2007-0162 SUP-07-026, Kersha Thompson, Daycare Center (Group), R-100, LL001, 6th District, Parcel 018, 3000 Block of Centerville-Rosebud Road, District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

2007-0163 SUP-07-030, Erma J. Belin, Daycare Center (Group), R-100, LL029, 6th District, Parcel 017, 4000 Block of Zoar Church Road, 3200 Block of Malvern Drive, District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

2007-0164 SUP-07-031, Hill & Foss, Inc., Outdoor Storage, C-2, LL215, 6th District, Parcel 211, 5900 Block of Financial Drive, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

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3. Special Use Permit:

2007-0165 SUP-07-032, Amer Habib, Automobile Sales, C-2, LL156, 6th District, Parcel 150, 800 Block of Pleasant Hill Road, District 2/Nasuti[Planning Department Recommendation: Deny without Prejudice][Planning Commission Recommendation: Deny without Prejudice]

4. Rezonings:

2007-0145 RZC-07-002, Phillip Heil, Office Uses, HS to O-I, LL127, 7th District, Parcel 005, 2500 Block of Lawrenceville-Suwanee Road, District 1/Green[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2007-0146 RZC-07-003, Crown Properties Group, LLC, Commercial /Retail Uses (Reduction in Buffers), R-100 to C-2, LL091, 7th District, Parcels 009, 013, 016, & 324, 1800 Block of Buford Drive, 1800 Block of Azalea Drive, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

2007-0147 SUP-07-002, Crown Properties Group, LLC, Mini-Warehouse Storage Facility, C-2 (Proposed), LL091, 7th District, Parcels 009, 013, 016, & 324, 1800 Block of Buford Drive, 1800 Block of Azalea Drive, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

2007-0148 RZC-07-004, Richard Boatright, Commercial Retail Uses (Reduction in Buffers), R-100 to C-2, LL185, 5th District, Parcel 107, 300 Block of Grayson-New Hope Road, 1900 Block of Chandler Road, District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 2/20/2007]

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4. Rezonings:

2007-0149 RZC-07-007, Dr. Heather Allen, Office Uses, R-100 to O-I, LL054, 6th District, Parcel 026B, 3900 Block of Stone Mountain Highway, 2100 Block of Monterey Drive, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2007-0150 RZC-07-008, Peggy Slappey Properties, Commercial Retail Uses, RA-200 to C-2, LL001, 3rd District, Parcels 008B, 008C, 008K, 109, & 110, 1800 Block of Auburn Road, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 2/20/2007]

2007-0172 RZC-07-009, Peggy Slappey Properties, Office Uses, RA-200 to O-I, LL001, 1st District, Parcels 009 & 045, 2900 Block of Hamilton Mill Road, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

2007-0151 RZC-07-010, C. K. Homes, Inc., Office Uses (Reduction in Buffers), R-75 to O-I, LL255, 7th District, Parcels 019 & 029, 4200 Block of Westbrook Road, District 1/Green[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2007-0168 RZC-07-001, Joseph Asher, Automobile Sales, C-1 & R-75 to C-2, LL247, 6th District, Parcel 179A, 6900 Block of Buford Highway, 100 Block of Lake Drive, 100 Block of East Lake Drive, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 02/20/2007]

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4. Rezonings:

2007-0169 SUP-07-001, Joseph Asher, Automobile Sales, C-2 (Proposed), LL 247, 6th District, Parcel 179A, 6900 Block of Buford Highway, 100 Block of Lake Drive, 100 Block of East Lake Drive, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 02/20/2007]

2007-0173 RZC-07-013, Vincent Garofola, Office Uses, R-75 to O-I (Reduction in Buffers), LL195, 6th District, Parcel 025, 6000 Block of Singleton Road, 1500 Block of Dawn Way, District 1/Green[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2007-0174 RZC-07-014, Fortis Partners, LLC, Commercial Retail Uses (Reduction in Buffers), RM to C-2, LL007, 7th District, Parcel 031, 800 Block of Legacy Park Drive, District 1/Green[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

VIII. New Business

1. Commissioners

2007-0214 Approval/authorization For the Chairman to execute a Resolution Urging the Gwinnett County Legislative Delegation to Review and Revise the Statewide Funding Formula for County Boards of Health, subject to review and approval by the Law Department.

2007-0215 Approval/authorization For the Chairman to execute a Resolution Calling for New State Legislation to Reform the Annexation Process, subject to review and approval by the Law Department.

IX. Comments from Audience

X. Adjournment