



Gwinnett County Board of Commissioners

Tuesday, February 24, 2009 - 7:00 PM

Public Hearing - Minutes

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 17, 2009

Executive Session: February 24, 2009

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

V. Announcements

- **Resolution of Recognition:** 2008 Eagle Scouts

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

VI. New Business

1. County Administration

2009-0247 Approval/authorization for the Chairman to sign an Intergovernmental Agreement regulating the inclusion of County ad valorem property taxes in the computation of tax allocation increments of the city of Norcross Tax Allocation District Number 2: Pinnacle Point. (Staff Recommendation: Approval) {Action: Approved Motion: Nasuti Second: Kenerly Vote: 5-0}

Gwinnett County Board of Commissioners
Tuesday, February 24, 2009 - 7:00 P. M.
Public Hearing - Minutes
Page 2

VII. Public Hearing – Old Business

1. Planning & Development/Glenn Stephens

2009-0117 BRD-09-001, Applicant: Professional Design Group, LLC, Owner: Joseph Sofet, Buffer Reduction from 75 Feet to 27.5 Feet for Property Zoned C-2, District 6 Land Lot 061 Parcels 001 and 054, 5100 Block of Stone Mountain Highway, 0.93 Acres, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Beaudreau Second: Kenerly Vote: 5-0}

2008-2499 RZC-08-084, Applicant: Mahaffey, Pickens, Tucker, LLP, Owner: Mount Paran East Church of God, R-100 to O-I (Reduction in Buffers), Daycare Center and Senior Assisted Living Facility, District 6 Land Lot 303 Parcel 195, 5700 Block of Spalding Drive, 8.96 Acres, District 2/Nasuti (Tabled on 02/24/2009) (Tabled to 05/26/2009)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 5/19/2009] {Action: Tabled Motion: Nasuti Second: Beaudreau Vote: 5-0}

2008-2500 SUP-08-066, Applicant: Mahaffey, Pickens, Tucker, LLP, Owner: Mount Paran East Church of God, for a Special Use Permit in an O-I (Proposed) Zoning District to Allow a Senior Assisted Living Facility, District 6 Land Lot 303 Parcel 195, 5700 Block of Spalding Drive, 8.96 Acres, District 2/Nasuti (Tabled on 02/24/2009) (Tabled to 05/26/2009)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 5/19/2009] {Action: Tabled Motion: Nasuti Second: Beaudreau Vote: 5-0}

2008-2502 SUP-08-067, Applicant: Mahaffey, Pickens, Tucker, LLP, Owner: Mount Paran East Church of God, for a Special Use Permit in an O-I (Proposed) Zoning District to Allow a Daycare Center, District 6 Land Lot 303 Parcel 195, 5700 Block of Spalding Drive, 8.96 Acres, District 2/Nasuti (Tabled on 02/24/2009) (Tabled to 05/26/2009)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 5/19/2009] {Action: Tabled Motion: Nasuti Second: Beaudreau Vote: 5-0}

Gwinnett County Board of Commissioners
Tuesday, February 24, 2009 - 7:00 P. M.
Public Hearing - Minutes
Page 3

VII. Public Hearing – Old Business

1. Planning & Development/Glenn Stephens

2008-2503 SUP-08-068, Applicant: Mahaffey, Pickens, Tucker, LLP, Owner: Mount Paran East Church of God, for a Special Use Permit in an O-I (Proposed) Zoning District to Allow a Building Height Increase to Four Stories, District 6 Land Lot 303 Parcel 195, 5700 Block of Spalding Drive, 8.96 Acres, District 2/Nasuti (**Tabled on 02/24/2009**) (**Tabled to 05/26/2009**)(**Public hearing was not held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 5/19/2009] **{Action: Tabled Motion: Nasuti Second: Beaudreau Vote: 5-0}**

2008-2672 SUP-08-089, Applicant: Don Woo, Owner: Pleasant Hill Forum, LLC, for a Special Use Permit in a C-2 Zoning District to Allow an Automotive Car Wash (Full Service), District 6 Land Lot 013 Parcels 302, 303, 304, 305, and 306, 3600 Block of Centerville Highway and the 3600 Block of Campbell Road, 7.24 Acres, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Denied without Prejudice Motion: Beaudreau Second: Kenerly Vote: 5-0}**

2009-0112 SUP-09-007, Applicant: Transfer East, LLC, Owner: RBD Holdings, LLC, for a Special Use Permit in a M-2 Zoning District to Allow a Solid Waste Transfer Station, District 5 Land Lot 242 Parcel 026, 100 Block of Alcovy Industrial Boulevard, 5.28 Acres, District 4/Kenerly (**Tabled on 02/24/2009**) (**Tabled to 03/17/2009**)(**Public hearing was held**)[Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: No Recommendation] **{Action: Tabled Motion: Beaudreau Second: Nasuti Vote: 3-1 (Beaudreau Opposed & Kenerly Out of Room)}**

2009-0114 SUP-09-009, Applicant: Donovan Flowers, Owner: C.E. Smith, for a Special Use Permit in a C-2 Zoning District to Allow Automobile Service (Renewal) District 7 Land Lot 028A Parcel 121, 500 Block of Braselton Highway, 0.58 Acres, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Change Motion: Kenerly Second: Beaudreau Vote: 5-0}**

Gwinnett County Board of Commissioners
Tuesday, February 24, 2009 - 7:00 P. M.
Public Hearing - Minutes
Page 4

VII. Public Hearing – Old Business

1. Planning & Development/Glenn Stephens

2009-0115 SUP-09-010, Applicant: Carl (Skip) Cain, Owner: Nadiya Alibhai, for a Special Use Permit in a C-2 Zoning District to Allow a Coin Laundry, District 6 Land Lot 275 Parcel 039, 6400 Block of Peachtree Industrial Boulevard and the 6900 Block of Jimmy Carter Boulevard, 1.47 Acres, District 2/Nasuti (Tabled on 02/24/2009) (Tabled to 05/26/2009)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 5/19/2009] {Action: Tabled Motion: Nasuti Second: Beaudreau Vote: 5-0}

2009-0094 RZC-09-001, Applicant: Strategic Realty Group, LLC, Owner: Homer and Mary Stark, RM-6 to C-2, Commercial Retail Uses, District 5 Land Lot 086 Parcel 013, 1100 Block of Scenic Highway 9.54 Acres, District 4/Kenerly (Tabled on 02/24/2009) (Tabled to 03/24/2009)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 3/17/2009] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0}

VII. Public Hearing – New Business

1. Financial Services/Maria Woods

2009-0265 Approval/authorization to amend the Gwinnett County Occupation Tax and Business Regulation Ordinance (Article I- Sections 18-3, 18-4, 18-6 and 18-44). Authorization for the Chairman to execute the Resolution subject to Law Department approval. (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 5-0}

Gwinnett County Board of Commissioners
Tuesday, February 24, 2009 - 7:00 P. M.
Public Hearing - Minutes
Page 5

VII. Public Hearing – New Business

2. Support Services/Steve North

2009-0244 Approval/authorization of a public hearing and abandonment of a portion of a public road know as Arnold Road, authorization for Chairman to execute quitclaim deeds in land lot 047 of the 5th district, abandonment in accordance with Georgia Statutes on abandonment found in O.C.G.A. 32-7-2 HB 1539. District 4/Kenerly (**Tabled on 02/24/2009**) (**Tabled to 03/24/2009**) (**Public Hearing Was Held**) (Staff Recommendation: Approval) {**Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0**}

2009-0248 Approval/authorization to declare surplus 0.638 acres of vacant land that was formerly right of way of Arnold Road to dispose of this property in accordance with O.C.G.A 32-7-4 for a price not less that 85% of the appraised value; authorization for the Chairman to execute any and all documents to effectuate said transaction. Land lot 047 of the 5th district. District 4/Kenerly (**Tabled on 02/24/2009**) (**Tabled to 03/24/2009**) (**Public Hearing Was Held**) (Staff Recommendation: Approval) {**Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0**}

2009-0253 Approval/authorization of a public hearing and abandonment of portions of public roads known as Ozora Church Road and Old Monroe Road a/k/a Chandler Road, authorization for Chairman to execute any and all documents to effectuate said abandonment in land lots 198,199 and 219 of the 5th land district. Abandonment is in accordance with Georgia Statutes found in O.C.G.A. 32-7-2 HB 1539. District 3/Beaudreau (Staff Recommendation: Approval) {**Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0**}

2009-0254 Approval/authorization of a public hearing and abandonment of portions of public roads known as Lake Louella Road and Lake Louella Drive, authorization for Chairman to execute any and all documents to effectuate said abandonment in land lot 166 of the 7th land district. Abandonment is in accordance with Georgia Statutes found in O.C.G.A 32-7-2 HB1539. District 1/Lasseter (Staff Recommendation: Approval) {**Action: Approved Motion: Lasseter Second: Nasuti Vote: 5-0**}

Gwinnett County Board of Commissioners
Tuesday, February 24, 2009 - 7:00 P. M.
Public Hearing - Minutes
Page 6

VIII. Public Hearing – New Business

3. Transportation/Brian Allen

2009-0241 Approval of incorporation into the Gwinnett County Speed Hump Program Shannon Road (M-0092-64) - estimated cost: \$16,400.00 - 2001 Sales Tax Program - Commission District 3/Beaudreau (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

4. Change in Conditions

2009-0166 CIC-09-007, Applicant: Inland Group, LLC, Owner: Coliseum Properties, LLC, to Change Conditions of Zoning for Property Zoned C-2, District 6 Land Lot 246A Parcels 013 and 014, 6600 Block of Buford Highway, 0.60 Acres, District 2/Nasuti[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Nasuti Second: Kenerly Vote: 5-0}

5. Mixed Use Overlay

2009-0165 MUO-08-004, Applicant: Brand Properties, Owner: Brand Properties, C-2, M-1 and R-100 to MUO, Mixed-Use Overlay, District 7 Land Lot 147 Parcel 005A, District 7 Land Lot 132 Parcels 001C and 024, District 7 Land Lot 105 Parcel 044, 2400-2600 Block of Buford Drive, 1000 Block of Old Peachtree Road, 1100 Block of Rocksprings Road, 2400 Block of Tech Center Parkway, and the 2400 Block of Tech Center Drive, 73.52 Acres, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Kenerly Second: Beaudreau Vote: 5-0}

6. Special Use Permit

2009-0159 SUP-09-012, Applicant: Monte Sinai, Inc., Owner: Warren P. Hendrix, LLC, for a Special Use Permit in a M-1 Zoning District to Allow a Church, District 6 Land Lot 214 Parcel 003C, 0-100 Block of Micromeritics Drive, 3.75 Acres, District 1/Lasseter[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Lasseter Second: Beaudreau Vote: 5-0}

Gwinnett County Board of Commissioners
Tuesday, February 24, 2009 - 7:00 P. M.
Public Hearing - Minutes
Page 7

VIII. Public Hearing – New Business

6. Special Use Permit

2009-0160 SUP-09-013, Applicant: Larry B. Justice, Owner: Eternal Hills Memory, Inc., for a Special Use Permit in a RA-200 Zoning District to Allow a Cemetery (Construct Mausoleum), District 6 Land Lot 053 Parcels 004 and 004x, 3600-3700 Block of Stone Mountain Highway, 39.97 Acres, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Beaudreau Second: Kenerly Vote: 5-0}**

2009-0161 SUP-09-014, Applicant: Jalsy, LLC, Owner: Jalsy, LLC, for a Special Use Permit in a C-2 Zoning District to Allow Taxi Cab Service, District 6 Land Lot 150 Parcel 153, 400 Block of Pleasant Hill Road and the 3900 Block of Carter Drive, 2.22 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: 5-0}**

2009-0162 SUP-09-016, Applicant: Kyong Sik (Kevin) Hyon, Owner: David M. Banaee, for a Special Use Permit in a C-2 Zoning District to Allow an Automobile Body Repair Shop, District 6 Land Lot 247 Parcel 382, 7100 Block of Buford Highway and the 0-100 Block of Steve Drive, 1.18 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Change Motion: Nasuti Second: Beaudreau Vote: 4-0 (Kenerly Out of Room)}**

2009-0163 SUP-09-017, Applicant: Inland Group, LLC, Owner: Parvin B. Daneshvari, for a Special Use Permit in a C-2 and R-75 Zoning District to Allow Automobile Sales (Used) and Service (Reduction in Buffers), District 6 Land Lot 260 Parcel 012, 4100 Block of Buford Highway, 2.79 Acres, District 2/Nasuti **(Tabled on 02/24/2009) (Tabled to 03/24/2009)(Public hearing was held)**[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] **{Action: Tabled Motion: Nasuti Second: Beaudreau Vote: 4-0 (Kenerly Out of Room)}**

Gwinnett County Board of Commissioners
Tuesday, February 24, 2009 - 7:00 P. M.
Public Hearing - Minutes
Page 8

VIII. Public Hearing – New Business

6. Special Use Permit

2009-0167 SUP-09-018, Applicant: Inland Group, LLC, Owner: Coliseum Properties, LLC, for a Special Use Permit in a C-2 Zoning District to Allow Automobile Service, District 6 Land Lot 246A Parcels 013 and 014, 6600 Block of Buford Highway, 0.60 Acres, District 2/Nasuti[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: **Approved with Change Motion: Nasuti Second: Kenerly Vote: 5-0**}

7. Planning & Development/Glenn Stephens

2009-0264 TSP-2008-00044. Construction of a 154 foot tall Monopine Communication Tower with ground equipment. Location is 1400 Block of Killian Hill Rd. Commission District 3 (Beaudreau). (**Tabled on 02/24/2009**) (**Tabled to 03/24/2009**) (Staff Recommendation: Approval with conditions)(Public hearing was not held) {Action: **Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0**}

IX. Comments from Audience

X. Adjournment