



Gwinnett County Board of Commissioners

Tuesday, February 26, 2008 - 7:00 PM

Public Hearing - Minutes

I. Call To Order, Invocation, Pledge to Flag

II. Opening Remarks by Chairman

III. Approval to Amend Agenda

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

Approval of Agenda

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

IV. Approval of Minutes:

Business Session: February 19, 2008

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

V. Announcements

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

VI. Public Hearing – Old Business

1. Planning & Development/Glenn Stephens

2008-0125 SUP-08-015, Applicant: SRI Real Estate Properties, Owner: Flash Foods, Inc., for a Special Use Permit in a C-1 Zoning District to Allow a Drive-In Restaurant, District 6 Land Lot 030 Parcel 091, 3200 Block of Centerville Highway and the 3800 Block of Zoar Road, 0.98 Acres, District 3/Beaudreau(Tabled on 1/22/2008)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Denied Motion: Beaudreau Second: Kenerly Vote: 5-0}

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VI. Public Hearing – Old Business

1. Planning & Development/Glenn Stephens

2007-1201 RZC-07-057, Applicant: Mahaffey Pickens Tucker, LLP, Owner: Robert M. Cain, et al, R-100 & C-1 to O-I, Retirement Community (Reduction in Buffers), District 5 Land Lot 013 Parcels 129, 130, 136, 143, 144, 164, and 181, 2800 Block of Hutchins Road and the 2800-2900 Block of Brittney Place, 34.16 Acres, District 3/Beaudreau(Tabled on 2/26/2008) (Tabled to 3/25/2008)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 03/18/2008] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0}

20071202 SUP-07-029, Applicant: Mahaffey Pickens Tucker, LLP, Owner: Robert M. Cain, et al, for a Special Use Permit in an O-I (Proposed) Zoning District to Allow a Retirement Community, District 5 Land Lot 013 Parcels 129, 130, 136, 143, 144, 164, and 181, 2800 Block of Hutchins Road and the 2800-2900 Block of Brittney Place, 34.16 Acres, District 3/Beaudreau(Tabled on 2/26/2008) (Tabled to 3/25/2008)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 03/18/2008] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0}

2007-1212 RZC-08-007, Applicant: Terry Rathmann, Owner: Terry Rathmann, et al, R-75 to C-2, Contractors Office (Reduction in Buffers), District 7 Land Lot 255 Parcel 054, 4200 Block of Westbrook Road, 0.64 Acres, District 1/Green(Tabled on 8/28/2007)[Planning Department Recommendation: Approve with Conditions as O-I][Planning Commission Recommendation: Deny] {Action: Denied Motion: Green Second: Nasuti Vote: 5-0}

2007-1219 RZC-08-015, Applicant: Lian Cong Zhang, Owner: Lian Cong Zhang, M-2 to C-2, Commercial Retail Uses, District 6 Land Lot 261 Parcels 054 and 061, 2900 Block of Pleasant Hill Road and the 3800 Block of Bank Street, 4.91 Acres, District 1/Green(Tabled on 12/11/2007)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny] {Action: Denied Motion: Green Second: Beaudreau Vote: 5-0}

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1. Planning & Development/Glenn Stephens

2007-1667 RZC-08-040, Applicant: Tung Q. Le, Owner: New Saigon Plaza, LLC, O-I to C-2, Commercial Retail Uses (Reduction in Buffers), District 6 Land Lot 169 Parcel 008A, 4700 Block of Jimmy Carter Boulevard, 2.85 Acres, District 2/Nasuti(**Tabled on 2/26/2008**) (**Tabled to 3/25/2008**)(**Public hearing was not held**)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 03/18/2008] {**Action: Tabled Motion: Nasuti Second: Green Vote: 5-0**}

2008-0104 RZC-08-042, Applicant: Urvish Patel, Owner: Patron Development Group, LLC, R-100 to C-1, Commercial Retail Uses (Reduction in Buffers), District 6 Land Lot 098 Parcel 023, 600 Block of Rockbridge Road and the 5300 Block of Lilburn Stone Mountain Road, 1.09 Acres, District 2/Nasuti(**Tabled on 1/22/2008**)[Planning Department Recommendation: Approve with Conditions as O-I][Planning Commission Recommendation: Approve with Conditions as O-I] {**Action: Approved with Stipulations Motion: Nasuti Second: Green Vote: 5-0**}

2008-0109 RZC-08-048, Applicants: Billy and Brenda Ewing, Owners: Billy and Brenda Ewing, R-100 to C-2, Commercial Retail Uses (Reduction in Buffers), District 6 Land Lot 033 Parcels 012 and 058, 2900 Block of Parkwood Road, 1.47 Acres, District 3/Beaudreau(**Tabled on 2/26/2008**) (**Tabled to 4/22/2008**)(**Public hearing was not held**)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 04/15/2008] {**Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0**}

VII. Public Hearing – New Business

1. Financial Services/Lisa Johnsa

2008-0258 Approval of revision to Gwinnett County Purchasing Ordinance (5th Revision), 1st reading - February 26, 2008, 2nd reading - March 04, 2008. Approval on March 04, 2008. Authorization for Chairman to sign the ordinance subject to Law Department approval.(Staff Recommendation: Approval)

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2. Transportation/Brian Allen

2008-0250 Approval of incorporation into the Gwinnett County Speed Hump Program - The Forest (M-0092-48) estimated cost: \$8,200.00 - 2001 Sales Tax Program - Commission District 3/Beaudreau(Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

3. Change in Conditions:

2008-0238 CIC-08-001, Applicant: Danny Herrmann, Owner: Diversified Development, to Change Conditions of Zoning for Property Zoned M-1 (Reduction in Buffers), District 5 Land Lot 126 Parcel 005, 3200-3300 Block of Lake Carlton Road, 700 Block of Midway Road, 4.56 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}

2008-0239 CIC-08-002, Applicant: Danny Herrmann, Owner: Diversified Development, to Change Conditions of Zoning for Property Zoned M-1, District 5 Land Lot 126 Parcel 005, 3400 Block of Palmer Drive, 3200-3300 Block of Lake Carlton Road, 600 Block of Midway Road, 8.03 Acres, District 3/Beauderau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Beaudreau Second: Kenerly Vote: 5-0}

2008-0240 CIC-08-005, Applicant: J-Squared, Inc., Owner: J-Squared, Inc., et al, to Change Conditions of Zoning for Property Zoned R-TH, District 6 Land Lot 190 (Multiple Parcels), 1200 Block of Commercial Court, 10.22 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Nasuti Second: Green Vote: 5-0}

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3. Change in Conditions:

2008-0241 CIC-08-006, Applicant: Chuck Warbington, Owner: Hayes Road Development, to Change Conditions of Zoning for Property Zoned R-100, District 2 Land Lot 002 Parcels 098, 099, and 194, 500 Block of Hayes Road, 20.45 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}**

4. Special Use Permit:

2008-0282 SUP-08-016, Applicant: Martin Ibeawuchi, Owner: Martin Ibeawuchi, for a Special Use Permit in a C-2 Zoning District to Allow a Tire Store, District 6 Land Lot 190 Parcel 037, 6200 Block of Oakwood Circle, 0.35 Acres, District 2/Nasuti(**Tabled on 2/26/2008**) (**Tabled to 3/25/2008**)(**Public hearing was not held**)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 03/18/2008] **{Action: Tabled Motion: Nasuti Second: Green Vote: 5-0}**

2008-0283 SUP-08-017 - Applicant: Pleasant Hill Forum, LLC., Owner: Pleasant Hill Forum, LLC., for a Special Use Permit in a C-2 Zoning District to Allow Automotive Car Wash (Full Service), District 6 Land Lot 013 Parcel 008, 3600 Block of Centerville Highway, 0.76 Acres, District 3/Beaudreau (**Tabled on 2/26/2008**) (**Tabled to 3/25/2008**)(**Public hearing was not held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 03/18/2008] **{Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0}**

2008-0284 SUP-08-018, Applicant: Philomene Awuah, Owner: Philomene Awuah, for a Special Use Permit in a R-75 Zoning District to Allow a Daycare Center (Group), District 6 Land Lot 173 Parcel 187, 1100 Block of Dickens Road, 0.28 Acres, District 1/Green[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] **{Action: Denied Motion: Green Second: Nasuti Vote: 5-0}**

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4. Special Use Permit:

2008-0285 SUP-08-019, Applicant: T.J.R. - V Corp., Owner Timothy Roe, for a Special Use Permit in a C-2 Zoning District to Allow Truck Rental, District 7 Land Lot 048 Parcel 432, 1300 Block of Lawrenceville Suwanee Road, 0.51 Acres, District 1/Green(**Tabled on 2/26/2008**) (**Tabled to 3/25/2008**)(**Public hearing was not held**)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {**Action: Tabled Motion: Green Second: Nasuti Vote: 5-0**}

2008-0286 SUP-08-020, Applicant: Joseph Miller, Owner: Joseph Miller, for a Special Use Permit in a C-2 Zoning District to Allow a Kennel (with Outdoor Facilities), District 5 Land Lot 125 Parcel 004, 800 Block of Athens Highway, 2.70 Acres, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny without Prejudice] {**Action: Denied Without Prejudice Motion: Beaudreau Second: Kenerly Vote: 5-0**}

5. Rezonings:

2008-0211 RZC-08-055, Applicant: Corridor Property Group, LLC., Owner: Corridor Property Group, LLC., R-100 to C-2, Commercial Retail Uses (Reduction in Buffers), District 7 Land Lot 067 Parcels 008 and 009, 1700 Block of Collins Hill Road, 0-100 Block of Russell Road, 3.20 Acres, District 4/Kenerly(**Tabled on 2/26/2008**) (**Tabled to 3/25/2008**)(**Public hearing was not held**)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 03/18/2008] {**Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0**}

2008-0212 RZC-04-068 (Reconsidered by Consent Order), Applicant: CDI Russell, LLC, Owner: CDI Russell, LLC., R-100 to C-2, Commercial Retail Uses (Reduction in Buffers), District 7 Land Lot 067 Parcel 004, 1700 Block of Collins Hill Road and the 0-100 Block of Russell Road, 1.58 Acres, District 4/Kenerly(**Tabled on 2/26/2008**) (**Tabled to 3/25/2008**)(**Public hearing was not held**)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 03/18/2008] {**Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0**}

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5. Rezonings:

2008-0213 RZM-08-002, Applicant: Corridor Property Group, LLC., Owner: Corridor Property Group, LLC, R-75 to R-TH, Townhomes, District 5 Land Lot 018 Parcel 403, 100 Block of Huff Drive, 1.92 Acres, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] { **Action: Approved with Stipulations Motion: Kenerly Second: Beaudreau Vote: 4-0-1 (Bannister Abstained)** }

2008-0236 RZM-08-003, Applicant: Davis Development, Owner: George Vincent West, R-100 to RM-13, Apartments (Reduction in Buffers) District 7 Land Lot 216 Parcel 003, 900-1200 Block of Satellite Boulevard, 29.72 Acres, District 4/Kenerly(**Tabled on 2/26/2008**) (**Tabled to 4/22/2008**)(**Public hearing was not held**)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 04/15/2008] { **Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0** }

2008-0237 RZM-08-005, Applicant: Christopher Albright, Owner: Albright Hershel Development, R-100 to R-SR, Senior Oriented Residences, District 5 Land Lot 212 Parcels 033, 038, 282, 283, and 284, 1100 Block of Alcovy Road, 8.76 Acres, District 4/Kenerly(**Tabled on 2/26/2008**) (**Tabled to 3/25/2008**)(**Public hearing was not held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 03/04/2008] { **Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0** }

6. Planning & Development/Glenn Stephens

2008-0254 Amendment-08-001 - An Amendment to the 1985 Zoning Resolution of Gwinnett County to Article XIII Use Provisions, Section 1317 Mixed Use Redevelopment (MUR) Overlay District, to provide revised standards for designation of MUR Mixed Use projects. { **Action: Approved Motion: Green Second: Nasuti Vote: 5-0** }

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6. Planning & Development/Glenn Stephens

2008-0174 Rezoning Mixed Use Redevelopment Overlay (MUR)
Designation - Request to initiate consideration of a Mixed Use Redevelopment Overlay designation for property located in the 6000 block of Thompson Mill Road adjacent to the Hall County line. The applicant, Vintage Communities, intends to construct a mixed use development (Thompson Mills Village) including retail, office, condominiums, live/work units and townhomes. Commission District 4 (Kenerly) {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 5-0}

7. Commissioners

2008-0310 Approval of a resolution of the Gwinnett County Board of Commissioners urging the Gwinnett County Sheriff to participate in the 287(g) Immigration Enforcement Program.(Tabled on 2/26/2008) (Tabled to 4/1/2008) {Action: Tabled Motion: Beaudreau Second: Green Vote: 4-1 (Green Opposed)}

VIII. Comments from Audience

IX. Adjournment