



Gwinnett County Board of Commissioners

Tuesday, March 25, 2008 - 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: 4-0 (Green Out of Room)}

IV. Approval of Minutes:

Business Session: March 18, 2008

Executive Session: March 25, 2008

{Action: Approved Motion: Beaudreau Second:
Kenerly Vote: 4-0 (Green Out of Room)}

V. Announcements

- Resolution of Recognition: Commending Brookwood Boys Swim Team – 2008 State Champions
{Action: Approved Motion: Bannister Second: Kenerly Vote: 5-0}
- Resolution of Recognition: Commending 2007 Miss Dacula Representatives
{Action: Approved Motion: Bannister Second: Kenerly Vote: 5-0}

VI. Old Business

1. Financial Services/Lisa Johnsa

2008-0344 Approval/authorization for the Gwinnett County Board of Commissioners to execute agreements for residential solid waste collection and disposal with Quality Waste Disposal, Inc. and Red Oak Sanitation, Inc. for unincorporated Gwinnett County. Additionally requires the execution by the companies of a supplemental agreement to provide services to all customers in their designated service areas and to reinstate any customers desiring to resume service. Subject to approval by the Law Department. The term of these agreements will expire December 31, 2008. {Action: Approved Red Oak Sanitation, Inc. and Denied Quality Waste Disposal, Inc. Motion: Nasuti Second: Green Vote: 5-0}

Gwinnett County Board of Commissioners
Tuesday, March 25, 2008 - 7:00 P. M.
Public Hearing - Minutes
Page 2

VII. New Business

1. Police Services/Charlie Walters

2008-0388 Approval/authorization for the Chairman to execute an Intergovernmental Agreement for Law Enforcement Services between the City of Berkeley Lake, Georgia and Gwinnett County, Georgia, a political subdivision of the State of Georgia, acting through the Board of Commissioners of Gwinnett County.(Staff Recommendation: Approve)
{Action: Approved Motion: Green Second: Beaudreau Vote: 5-0}

VIII. Public Hearing - Old Business

1. Planning & Development/Glenn Stephens

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)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Denied 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 3/25/2008) (Tabled to 4/22/2008)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 04/15/2008] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0}

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 3/25/2008) (Tabled to 4/22/2008)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Tabled Motion: Green Second: Nasuti Vote: 5-0}

Gwinnett County Board of Commissioners
Tuesday, March 25, 2008 - 7:00 P. M.
Public Hearing - Minutes
Page 3

VIII. 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 3/25/2008**) (**Tabled to 4/22/2008**)(**Public hearing was not held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 04/15/2008] { **Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0** }

2007-1202 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 3/25/2008**) (**Tabled to 4/22/2008**)(**Public hearing was not held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 04/15/2008] { **Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0** }

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**)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions as C-1] { **Action: Denied Without Prejudice Motion: Nasuti Second: Green Vote: 5-0** }

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 3/25/2008**) (**Tabled to 4/22/2008**)(**Public hearing was not held**)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 04/01/2008] { **Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0** }

Gwinnett County Board of Commissioners
Tuesday, March 25, 2008 - 7:00 P. M.
Public Hearing - Minutes
Page 4

VIII. Public Hearing – Old Business

1. Planning & Development/Glenn Stephens

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 3/25/2008**) (**Tabled to 4/22/2008**)(**Public hearing was not held**)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 04/01/2008] {**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 3/25/2008**) (**Tabled to 4/22/2008**)(**Public hearing was not held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 04/15/2008] {**Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0**}

IX. Public Hearing – New Business

1. Support Services/Steve North

2008-0337 Approval/authorization of a public hearing and abandonment of public roads known as Essex Dr. and Essex Ct. , authorization for Chairman to execute the quitclaim deed in land lot 087 of the 5th land district, abandonment in accordance with Georgia Statues on abandonment found in O.C.G.A. 32-7-2 HB 1539. District 4/Kenerly(Staff Recommendation: Approval) {**Action: Approved Motion: Kenerly Second: Beaudreau Vote: 5-0**}

Gwinnett County Board of Commissioners
Tuesday, March 25, 2008 - 7:00 P. M.
Public Hearing - Minutes
Page 5

IX. Public Hearing – New Business

2. Change in Conditions:

2008-0325 CIC-08-008, Applicant: Yelizaveta Kusayeva, Owner: Yelizaveta Kusayeva, to Change Conditions of Zoning for Property Zoned O-I, District 6 Land Lot 212A Parcel 051, 1900 Block of Beaver Ruin Road, 0.41 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}

2008-0326 CIC-08-009, Applicant: Integrity Development, Inc., Owner: New Mercies Christian Church, to Change Conditions of Zoning for Property Zoned M-1 (Reduction in Buffers), (Parking Lot), District 6 Land Lot 090 Parcel 109, 3900-4000 Block of Darling Court, 6.18 Acres, District 3/Beaudreau(Tabled on 3/25/2008) (Tabled to 4/22/2008)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0}

2008-0327 SUP-08-026, Applicant: Integrity Development, Inc., Owner: New Mercies Christian Church, for a Special Use Permit in an M-1 Zoning District to Allow a Church (Parking Lot), District 6 Land Lot 090 Parcel 109, 3900-4000 Block of Darling Court, 6.18 Acres, District 3/Beaudreau(Tabled on 3/25/2008) (Tabled to 4/22/2008)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0}

Gwinnett County Board of Commissioners
Tuesday, March 25, 2008 - 7:00 P. M.
Public Hearing - Minutes
Page 6

IX. Public Hearing – New Business

3. Special Use Permit:

2008-0329 SUP-07-085, Applicant: Amazing Cars, Inc., Owner: Roman International, for a Special Use Permit in a C-2 Zoning District to Allow Automobile Sales and Service, District 6 Land Lot 052 Parcel 006C, 3500 Block of Stone Mountain Highway, 1.70 Acres, District 3/Beaudreau(Tabled on 3/25/2008) (Tabled to 4/22/2008)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 04/15/2008] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0}

2008-0330 SUP-08-022, Applicant: Brandsmart USA of Georgia, LLC, Owner: Twentieth Century Land Corporation, for a Special Use Permit in a C-2 Zoning District to Allow a Building Height Increase, District 7 Land Lot 146 Parcels 005A and 034, 2900-3000 Block of Buford Drive, 30.87 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: 5-0}

2008-0331 SUP-08-023, Applicant: Cornerstone Investments, LLC, Owner: Cornerstone Investments, LLC, for a Special Use Permit in a C-2 Zoning District to Allow a Recreation Facility with Alcohol Sales (Bowling Alley), District 6 Land Lot 211 Parcel 223, 4500 Block of Satellite Boulevard, 10.57 Acres, District 1/Green[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Green Second: Nasuti Vote: 4-0-1 (Bannister Abstained)}

2008-0332 SUP-08-024, Applicant: Cornerstone Investments, LLC, Owner: Cornerstone Investments, LLC, for a Special Use Permit in a C-2 Zoning District to Allow a Building Height Increase to Six Stories or 75 Feet (Hotel), District 6 Land Lot 211 Parcel 224, 4500 Block of Satellite Boulevard, 4.49 Acres, District 1/Green(Tabled on 3/25/2008) (Tabled to 4/1/2008)(Public hearing was held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Green Second: Nasuti Vote: 5-0}

Gwinnett County Board of Commissioners
Tuesday, March 25, 2008 - 7:00 P. M.
Public Hearing - Minutes
Page 7

IX. Public Hearing – New Business

4. Rezoning:

2008-0323 RZC-08-062, Applicant: Hamilton Ridge Ventures, LLC, Owner: Jackson EMC, RA-200 to C-2, Restaurant (Reduction in Buffers), District 1 Land Lot 001 Parcel 368, 2600 Block of Hamilton Mill Road and the 3200 Block of Old Sardis Church Road, 1.27 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 (Green Out of Room)}

2008-0324 CIC-08-007, Applicant: Hamilton Ridge Ventures, LLC, Owner: Hamilton Ridge Ventures, LLC, to Change Conditions of Zoning for Property Zoned C-2, District 1 Land Lot 001 Parcel 784, 3200 Block of Old Sardis Church Road and the 3200 Block of Sardis Church Road, 2.38 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 (Green Out of Room)}

2008-0328 RZC-08-068, Applicant: Tahoe Development Group, LLC, Owner: Tahoe Development Group, LLC, R-ZT to C-2, Office and Retail Uses (Reduction in Buffers), District 5 Land Lot 084 Parcels 010 and 011, 3400 Block of Sugarloaf Parkway, 6.06 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 (Green Out of Room)}

2007-1459 RZR-07-040, Applicant: Tahoe Development Group, LLC, Owner: Louis Cancilla, et al, R-140 to R-ZT, Single-Family Subdivision (Reduction in Buffers), District 5 Land Lot 077 Parcels 026, 027, 028, 029 and 030, 300 Block of Rack Road, 11.45 Acres, District 4/Kenerly(Tabled on 1/22/2008)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Denied Motion: Kenerly Second: Beaudreau Vote: 4-0 (Green Out of Room)}

Gwinnett County Board of Commissioners
Tuesday, March 25, 2008 - 7:00 P. M.
Public Hearing - Minutes
Page 8

IX. Public Hearing – New Business

4. Rezonings:

2008-0321 RZR-08-001, Applicant: Mahaffey Pickens Tucker, LLP,
Owner: Mark Wages, RA-200 to R-75 Modified, Modified Single-Family
Subdivision, District 5 Land Lot 265 Parcel 001, 1900-2100 Block of
Givens Road, 33.20 Acres, District 3/Beaudreau(**Tabled on 3/25/2008**)
(**Tabled to 6/24/2008**)(**Public hearing was not held**)[Planning Department
Recommendation: Approve with Conditions as R-100][Planning
Commission Recommendation: Approve with Conditions as R-100]
{**Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0**}

2008-0322 SUP-08-010, Applicant: Mahaffey Pickens Tucker, LLP,
Owner: Mark Wages, for a Special Use Permit in an R-75 (Proposed)
Zoning District to Allow a Modified Single-Family Subdivision, District 5
Land Lot 265 Parcel 001, 1900-2100 Block of Givens Road, 33.20 Acres,
District 3/Beaudreau(**Tabled on 3/25/2008**) (**Tabled to 6/24/2008**)(**Public**
hearing was not held)[Planning Department Recommendation:
Deny][Planning Commission Recommendation: Deny] {**Action: Tabled**
Motion: Beaudreau Second: Kenerly Vote: 5-0}

5. Planning & Development/Glenn Stephens

2008-0335 TSP-2008-00005 - Allow an increase in the height of a flag
pole from 50 to 83. Location is 1630 Distribution Drive. Commission
District 1 (Green)(Staff Recommendation: Recommendation to be made a
Public Hearing) {**Action: Approved Motion: Beaudreau Second: Nasuti**
Vote: 3-0 (Green & Kenerly Out of Room)}

Gwinnett County Board of Commissioners
Tuesday, March 25, 2008 - 7:00 P. M.
Public Hearing - Minutes
Page 9

IX. Public Hearing – New Business

5. Planning & Development/Glenn Stephens

2008-0356 Amendment-SOA2008-001, An amendment to the Gwinnett County Sign Ordinance adopted by the Board of Commissioners on August 28, 2001 and amended on May 27, 2003 and September 20, 2005, Chapter 86, Article V, Sections 86-101, 86-109, and 86-111 to allow the display of graduation banners on residentially zoned property for certain periods of time **{Action: Approved with Change Motion: Beaudreau
Second: Kenerly Vote: 4-0 (Green Out of Room)}**

X. Comments from Audience

XI. Adjournment