



# Gwinnett County Board of Commissioners

Tuesday, April 24, 2007 - 7:00 PM

## Public Hearing - Minutes

### I. Call To Order, Invocation, Pledge to Flag

### II. Opening Remarks by Chairman

### III. Amend Agenda {Action: Approved Motion: Kenerly Second: Green Vote: 5-0} {Action: Approved Motion: Green Second: Nasuti Vote: 5-0}

**Approval of Amended Agenda** {Action: Approved Motion: Green Second:  
Nasuti Vote: 5-0}

### IV. Approval of Minutes: Business Session: April 17, 2007 {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 5-0}

### V. Announcements

Resolution of Recognition - Duluth High School Varsity Cheerleading Team  
{Action: Approved Motion: Nasuti Second: Beaudreau Vote: 5-0}

Resolution of Recognition - May is Foster Children Support Month  
{Action: Approved Motion: Bannister Second: Beaudreau Vote: 5-0}

### VI. New Business

#### 1. County Administration

**2007-0636 Approval** of Intergovernmental Agreement for additional  
Police Protection Services with Gwinnett Village Community  
Improvement District. {Action: Approved Motion: Green Second: Nasuti  
Vote: 5-0}

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**VII. Old Business**

**1. Planning & Development/Glenn Stephens**

**2007-0303 RZC-07-056**, Cintract Development Group, LLC, Office Uses, R-100 To O-I, District 7, Land Lot 132, Parcel 001C, 2400 Block of Buford Drive. District 4/Kenerly(Tabled on 2/27/2007)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Denied Without Prejudice Motion: Kenerly Second: Beaudreau Vote: 5-0}

**2007-0302 RZM-07-004** Cintract Development Group, LLC, Townhomes (Reduction In Buffers), R-100 to R-TH, District 7, Land Lot 105, Parcel 044 and Land Lot 132, Parcel 001, 1000 Block of Old Peachtree Road. District 4/Kenerly(Tabled on 2/27/2007)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions as O-I] {Action: Denied Without Prejudice Motion: Kenerly Second: Beaudreau Vote: 5-0}

**2007-0306 RZM-07-007** (Amended), Applicant: Mahaffey Pickens Tucker, LLP, Owner: Larry Thompson, Herman & Frances Lee, Cheryl Thompson, and Julie Wasmund (fka: Julie Sower), R-75 and C-2 to R-TH, Townhomes, District 6 Land Lot 153 Parcels 057, 058, 160 and 161, 3200-3300 Block of Hamilton Road and 3200 Block of Lawrenceville Highway, 17.68 Acres, District 4/Kenerly(Tabled on 2/27/2007)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions as R-ZT] {Action: Approved with Stipulations as R-ZT Motion: Kenerly Second: Beaudreau Vote: 5-0}

**2007-0629 RZC-08-012**, Applicant: Mahaffey Pickens Tucker, LLP, Owners: Larry Thompson, Herman and Frances Lee, Cheryl Thompson, and Julia Wasmund (fka: Julie Sower), R-75 to C-2, Commercial Retail Uses (Reduction in Buffers), District 6 Land Lot 153 Parcel 058, 3200 Block of Lawrenceville Highway and 3200 Block of Hamilton Road, 2.93 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}

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**VII. Old Business**

**1. Planning & Development/Glenn Stephens**

**2006-1371 RZR-06-033**, Premier Planning & Development Group, LLC, Single-Family Subdivision, RA-200 to R-ZT, LL185, 7th District, Parcel 005, 2200 Block of Kilgore Road, 3400 Block of Cross Road, District 4/Kenerly(Tabled on 4/24/2007) (Tabled to 5/15/2007)(Public hearing was held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny without Prejudice] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0}

**2006-1796 RZR-06-052**, Applicant: Paul Fekete, Owner: Paul Fekete, RA-200 to R-100 CSO, Single-Family Conservation Subdivision, District 5 Land Lot 317 Parcels 016, 021, and 052, 3000 Block of Luther Wages Road, 49.64 Acres, District 3/Beaudreau(Tabled on 4/24/2007) (Tabled to 5/22/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 05/15/2007] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0}

**2006-1797 SUP-06-056**, Applicant: Paul Fekete, Owner: Paul Fekete, R-100 CSO (Proposed) Single-Family Conservation Subdivision, District 5 Land Lot 317, Parcels 016, 021 & 052, 3000 Block of Luther Wages Road, 49.64 Acres, District 3/Beaudreau(Tabled on 4/24/2007) (Tabled to 5/22/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 05/15/2007] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0}

**2007-0420 RZR-07-002**, Applicant: JEM Development, LLC, Owners: Constance Hunkin and Mark Nabors, RA-200 to R-60, Single-Family Subdivision, District 3, Land Lot 007, Parcels 042 and 193, 4800 Block of Sprout Springs Road, 14.6 Acres, District 4/Kenerly(Tabled on 3/27/2007)[Planning Department Recommendation: Approve with Conditions as R-75 CSO][Planning Commission Recommendation: Approve with Conditions as R-75 Mod] {Action: Approved with Stipulations as R-75 Modified Motion: Kenerly Second: Beaudreau Vote: 5-0}

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**1. Planning & Development/Glenn Stephens**

**2007-0421 RZR-07-013**, Applicant: Michael Chunta, Owner: Barbara Ruhl, RA-200 to R-100, Single-Family Subdivision, District 1, Land Lot 003, Parcels 029 and 031, 3600 Block of Thompson Mill Road, 17.83 Acres, District 4/Kenerly(Tabled on 3/27/2007)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Kenerly Second: Beaudreau Vote: 5-0}

**2007-0432 RZR-07-003**, Applicant: T. K. Moreland, Owner: T.K. Moreland, RA-200 to R-100 CSO, Single-Family Conservation Subdivision, District 5, Land Lot 246, Parcels 006 and 129, 1000 Block of Campbell Road, 21.10 Acres, District 3/Beaudreau(Tabled on 4/24/2007) (Tabled to 5/22/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 05/15/2007] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0}

**2007-0433 SUP-07-004**, Applicant: T. K. Moreland, Owner: T.K. Moreland, for a Special Use Permit in an R-100 CSO (Proposed), District 5, Land Lot 246, Parcels 006 and 129, 1000 Block of Campbell Road, 21.10 Acres, District 3/Beaudreau(Tabled on 4/24/2007) (Tabled to 5/22/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 05/15/2007] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0}

**2007-0436 RZR-07-012**, Home Crafters, Inc., Modified Single-Family Subdivision, RA-200 to R-100 Modified, LL003, 2nd District, Parcels 023 and 209, 400 Block of Auburn Road. District 3/Beaudreau(Tabled on 4/24/2007) (Tabled to 5/22/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions as R-100] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0}

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**1. Planning & Development/Glenn Stephens**

**2007-0437 SUP-07-015**, Home Crafters, Inc., Modified Single-Family Subdivision, R-100 (Proposed), LL003, 2nd District, Parcels 023 and 209, 400 Block of Auburn Road. District 3/Beaudreau(**Tabled on 4/24/2007**) (**Tabled to 5/22/2007**)(**Public hearing was not held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny] {**Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0**}

**VIII. Public Hearing**

**1. Change in Conditions:**

**2007-0611 CIC-07-013**, Applicant: Tawana Gray, Owner: Tawana Gray, to Change Conditions of Zoning for Property Zoned O-I, District 6 Land Lot 058 Parcel 257, 2400 Block of West Park Place Boulevard, 0.93 Acres, District 3/Beaudreau(**Tabled on 4/24/2007**) (**Tabled to 5/22/2007**)(**Public hearing was not held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 05/15/2007] {**Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0**}

**2007-0612 CIC-07-014**, Applicant: Kids R Kids International, Inc., Owner: Antonio Q. Banguilan, to Change Conditions of Zoning for Property Zoned C-2 (Reduction in Buffers), District 3 Land Lot 002 Parcel 121, 4200 Block of Jim Moore Road, 2.4 Acres, District 3/Beaudreau(**Tabled on 4/24/2007**) (**Tabled to 5/22/2007**)(**Public hearing was not held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 05/15/2007] {**Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0**}

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**2. Mixed Use Redevelopment:**

**2007-0613 MUR-07-001**, Applicant: Trinity Real Estate Advisors, Owner: Gwinnett Station, LLC, Mixed Use Redevelopment, District 6 Land Lot 232 Parcels 035, 037, 053, 089 and 225, 2100 - 2300 Block of Pleasant Hill Road, 3000 Block of Old Norcross Road, 3000 Block of Satellite Boulevard, 42.50 Acres, District 1/Green(**Tabled on 4/24/2007**) (**Tabled to 7/24/2007**)(**Public hearing was not held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 07/03/2007] {**Action: Tabled Motion: Green Second: Nasuti Vote: 5-0**}

**2007-0615 MUR-07-002**, Applicant: Satellite Realty Holdings, LLC, Owners: Satellite Realty Holdings, LLC and Singleton Creek, Inc., Mixed-Use Redevelopment, District 7 Land Lot 079 Parcel 008 and District 7 Land Lot 118 Parcel 002, 2600 - 2700 Block of Satellite Boulevard and 2000 Block of Boggs Road, 84.87 Acres, District 1/Green(**Tabled on 4/24/2007**) (**Tabled to 5/22/2007**)(**Public hearing was not held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 05/15/2007] {**Action: Tabled Motion: Green Second: Nasuti Vote: 5-0**}

**3. Special Use Permit:**

**2007-0624 SUP-07-044**, Applicant: Annette Little, Owner: Annette and Gerald Little, For a Special Use Permit in R-75 Zoning District to Allow a Daycare Center (Group), District 6 Land Lot 190 Parcel 102, 6100 Block of Tracy Valley Drive, 0.51 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**}

**2007-0625 SUP-07-045**, Applicant: Michael McClure, Owner: Michael McClure, for a Special Use Permit in a C-2 Zoning District to Allow for Outdoor Storage (Contractors Office), District 6 Land Lot 247 Parcel 182B, 7100 Block of Buford Highway, 0.99 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. Special Use Permit:**

**2007-0627 SUP-07-046**, Applicant: Independent Church of God of Atlanta, Owner: Greg P. Kametches and Bengt Nilsson, for a Special Use Permit in an M-1 Zoning District to Allow a Church, District 6 Land Lot 220 Parcels 008 and 060, 2300 Block of Pleasantdale Road, 1.56 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}

**2007-0628 SUP-07-048**, Applicant: The Church of Gwinnett, Owner: Endicott Company, LLC, for a Special Use Permit in an M-1 Zoning District to Allow a Church, District 6 Land Lot 202 Parcel 038, 1700 Block of Corporate Drive, 6.8 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: 5-0}

**4. Rezonings:**

**2007-0618 RZC-07-020**, Applicant: Diversified Development Co., Inc., Owner: Diversified Development Co., Inc., R-100 & C-1 to C-2, Restaurant, District 5 Land Lot 126 Parcels 005 and 055, 600 Block of Athens Highway, 3200 Block of Lake Carlton Road, and 3400 Block of Palmer Drive, 0.88 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}

**2007-0620 RZC-07-022**, Applicant: Diversified Development Co., Inc., Owner: Diversified Development Co., Inc., R-100 to M-1, Business Park, District 5 Land Lot 126 Parcel 005, 600 Block of Midway Road, 3400 Block of Palmer Drive, and 3200 Block of Lake Carlton Road, 7.26 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}



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**4. Rezoning:**

**2007-0619 RZC-07-021**, Applicant: Diversified Development Co., Inc., Owner: Diversified Development Co., Inc., R-100 to C-2, Commercial Retail Uses, District 5 Land Lot 126 Parcel 005, 600 Block of Athens Highway and 3200J Block of Lake Carlton Road, 1.26 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}

**2007-0621 RZC-07-023**, Applicant: Diversified Development Co., Inc., Owner: Diversified Development Co., Inc., R-100 to M-1, Business Park (Reduction in Buffers), District 5 Land Lot 126 Parcel 005, 700 Block of Midway Road and 3200 Block of Lake Carlton Road, 3.3 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}

**2007-0601 RZC-07-015**, Applicant: 3-D Innovative Properties, LLC, Owners: Adejia Boutte and Windell Boutte, O-I to C-1, Medical Office, District 6 Land Lot 063 Parcel 003, 4600 Block of Stone Mountain Highway, 1.2 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}



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**4. Rezonings:**

**2007-0602 SUP-07-007**, Applicant: 3-D Innovative Properties, LLC, Owners: Adejia Boutte and Windell Boutte, For a Special Use Permit in C-1 (Proposed) Zoning District to Allow a Restaurant, District 6 Land Lot 063 Parcel 003, 4600 Block of Stone Mountain Highway, 1.2 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}

**2007-0603 RZC-07-017**, Applicant: Spout Springs Self Storage, Owner: Holly Hinman, LLC, RA-200 to C-2, Mini-Warehouse Storage Facility (Reduction in Buffers), District 3 Land Lot 007 Parcel 138, 5000 Block of Spout Springs Road, 8.88 Acres, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Denied Without Prejudice Motion: Kenerly Second: Beaudreau Vote: 5-0}

**2007-0604 SUP-07-009**, Applicant: Spout Springs Self Storage, Owner: Holly Hinman, LLC, for a Special Use Permit in a C-2 (Proposed) Zoning District to Allow a Mini-Warehouse Storage Facility (Reduction in Buffers), District 3 Land Lot 007 Parcel 138, 5000 Block of Spout Springs Road, 8.88 Acres, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Denied Without Prejudice Motion: Kenerly Second: Beaudreau Vote: 5-0}

**2007-0605 RZC-07-018**, Applicant: Buster Kilpatrick, Owners: Kapil D. Bhandari, Buster Kilpatrick, Hung Thanh Troung, William Blalock, Anton Loris, Christy Kilpatrick, Kayleen Blalock, and Billie Jo Willis , R-100 to O-I, Office Uses (Reduction in Buffers), District 7 Land Lot 039 Parcels 016, 017, 018, 019 and 020, 2800 Block of Club Drive and 2800 Block of Old Shackleford Road, 2.4 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: 5-0}

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**4. Rezonings:**

**2007-0606 RZC-07-019**, Applicant: Peter Henrickson, Owner: Peter Henrickson, RA-200 to M-1, Mini-Warehouse Storage Facility, District 2 Land Lot 001 Parcel 019, 900 Block of Auburn Road, 3.66 Acres, District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] { Action: Denied Without Prejudice Motion: Beaudreau Second: Kenerly Vote: 5-0}

**2007-0607 SUP-07-010**, Applicant: Peter Henrickson, Owner: Peter Henrickson, for a Special Use Permit in an M-1 (Proposed) Zoning District to Allow a Mini-Warehouse Storage Facility, District 2 Land Lot 001 Parcel 019, 900 Block of Auburn Road, 3.66 Acres, District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] { Action: Denied Without Prejudice Motion: Beaudreau Second: Kenerly Vote: 5-0}

**2007-0608 RZC-07-024**, Applicant: David and Maria Giang, Owner: David Giang , R-75 to O-I, Office Uses (Reduction in Buffers), District 6 Land Lot 188 Parcel 360, 5600 Block of Singleton Road, 0.39 Acres, District 2/Nasuti(Tabled on 4/24/2007) (Tabled to 6/5/2007)(Public hearing was held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] { Action: Tabled Motion: Green Second: Kenerly Vote: 4-0-1 (Nasuti Out of Room)}

**2007-0622 RZC-07-026**, Applicant: Capitol Renovations Investors, Owner: Capitol Renovations Investors, C-2 & RA-200 to C-2, Commercial Retail Uses (Reduction in Buffers), District 5 Land Lot 216 Parcels 007, 008, 009, and 010, 1700 Block of New Hope Road and 900 Block of Grayson New Hope Road, 10.22 Acres, District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny without Prejudice] { Action: Denied Without Prejudice Motion: Beaudreau Second: Kenerly Vote: 5-0}

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**4. Rezonings:**

**2007-0609 RZR-07-035**, Applicant: Vintage Communities, Owner: Vintage Communities, RA-200 to R-100 CSO, Single-Family Conservation Subdivision, District 3 Land Lot 005 Parcel 011, 5400 Block of Wheeler Road, 0.47 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}

**2007-0610 SUP-07-047**, Applicant: Vintage Communities, Owner: Vintage Communities, for a Special Use Permit in R-100 CSO (Proposed) Zoning District for Single-Family Conservation Subdivision, District 3 Land Lot 005 Parcel 011, 5400 Block of Wheeler Road, 0.47 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}

**2007-0623 RZR-07-032**, Applicant: Richardson Housing Group, Owner: Judy Meeks/Richardson Housing Group, R-75 to R-ZT, Single-Family Subdivision, District 6 Land Lot 158 Parcel C046, 4400 Block of Casco Lane, 0.86 Acres, District 1/Green(Tabled on 4/24/2007) (Tabled to 6/26/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 06/05/2007] {Action: Tabled Motion: Green Second: Nasuti Vote: 5-0}

**5. Planning & Development/Glenn Stephens**

**2007-0561 Amendment-07-002** - An Amendment To The 1985 Zoning Resolution of Gwinnett County to Article XV Section 1500 Zoning Enforcement Officer. To designate the Director of the Department of Planning and Development as the Zoning Enforcement Officer. {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

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**5. Planning & Development/Glenn Stephens**

**2007-0554 TSP-2007-005** for the construction of three 80-ft tall storage silos for a concrete plant. Location is 2825 Humphries Way. Commission District 2/Nasuti(Staff Recommendation: Approval with conditions - See attachment) {Action: Approved Motion: Nasuti Second: Green Vote: 5-0}

**2007-0551 Rezoning** The applicant, Knoll Construction, LLC, requests that RZC-08-027 (currently scheduled for October 2007 public hearings) be re-scheduled for concurrent public hearings with its associated case, RZM-07-010, in May 2007. The property is located at Buford Highway and Sugarloaf Parkway. The proposal is for townhomes and a commercial/retail development. Commission District 1 (Green) {Action: Approved Motion: Green Second: Nasuti Vote: 5-0}

**IX. Comments from Audience**

**X. Adjournment**