

# Gwinnett County Board of Commissioners

April 26, 2005 – 7:00 P.M.

## A G E N D A

- I. Call to Order, Invocation, Pledge to Flag
- II. Opening Remarks by Chairman
- III. Approval of Agenda
- IV. Approval of Minutes:           April 19, 2005  
  April 26, 2005 - Executive Session
- V. Announcements
  - A. Resolution of Recognition: Duluth Cheerleaders, State Champions
- VI. Old Business
  1. Planning & Development/Michael Williams
    - A. SUP-05-019 – Julia H. Gibriel, Tire Store, LL257, 6<sup>th</sup> District, Parcel 002, 025, and 064, 5000 Block of Buford Highway, District 2/Nasuti  
(Tabled 2/22) (Public hearing was not held)
    - B. RZM-05-001 – Precision Design & Development, Townhomes, M-1 to RM-8, LL59, 6<sup>th</sup> District, Parcel 1B, 2100-2200 Block of West Park Place, District 3/Beaudreau  
(Tabled 3/22) (Public hearing was not held)
    - C. RZR-05-029 – Precision Design & Development, Single-Family Detached Subdivision, M-1 to R-ZT, LL59, 6<sup>th</sup> District, Parcel 1B, 2100-2200 Block of West Park Place, District 3/Beaudreau  
(Tabled 3/22) (Public hearing was not held)

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### VII. Old Business

#### 1. Planning & Development/Michael Williams

- D. **RZM-05-011** – Willie Properties, LLC, Townhomes, R-75 to R-ZT, LL230, 7<sup>th</sup> District, Parcel 004, 0-100 Block of South Side Road, District 4/Kenerly  
**(Tabled 2/22) (Public hearing was not held)**
  
- E. **RZM-05-012** – Willie Properties, LLC, Townhomes, R-75 to R-ZT, LL230, 7<sup>th</sup> District, Parcel 004, 0-100 Block of South Side Road, District 4/Kenerly  
**(Tabled 2/22) (Public hearing was not held)**
  
- F. **RZR-06-001** – Willie Properties, LLC, Single-Family Detached Subdivision, R-75 to R-ZT, LL230, 7<sup>th</sup> District, Parcel 004, 0-100 Block of South Side Road, District 4/Kenerly  
**(Tabled 2/22) (Public hearing was not held)**

### VII. Public Hearing

#### 1. Support Services/Connie Hinson

- A. **Approval** to abandon a portion of a public road known as Old Flowery Branch Road (the old road bed), authorization for Chairman to execute a Quitclaim deed in Land Lot 007 of the 3<sup>rd</sup> district, abandonment in accordance with Georgia Statutes on abandonment found in O.C.G.A. 32-72- HB 1539. District 4/Kenerly

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**VII. Public Hearing**

**2. Transportation/Brian Allen**

- A. Approval** of incorporation into Gwinnett County Speed Hump Program Leigh Kay Drive (#4486-12) Estimated cost \$12,376.00 – 2001 Sales Tax Program – District 4/Kenerly

**3. Buffer Reduction:**

- A. BRD-05-002** - Total Construction, Inc., Buffer Reduction From 50 Ft. to 25 Ft., LL250, 6<sup>TH</sup> District, Parcel 007, 6900 Block of Gilleland Lane, District 2/Nasuti

**4. Change in Conditions:**

- A. CIC-05-007** - Jay York, Change in Conditions (Reduction in Buffers), LL130, 5<sup>th</sup> District, Parcel 005, 400 Block of Athens Highway, District 3/Beaudreau
- B. CIC-05-008** - Klebanoff Properties, Change in Conditions (Reduction in Buffers), LL126, 7<sup>th</sup> District, Parcel 175, 400 Block of Old Peachtree Road, 2600 Block of Whitehead Place Drive N.W., 400 Block of Peachtree Ridge Court, District 1/Green

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**VII. Public Hearing**

**4. Change in Conditions:**

- C. CIC-05-009** - Total Construction, Inc., Change in Conditions (Eliminate Pitched Roof Requirement), LL169, 6<sup>th</sup> District, Parcel 012 and 040, 4800 Block of Jimmy Carter Blvd., 6200 Block of Forest Vale Drive, District 2/Nasuti
  
- D. CIC-05-010** - Hamilton Mill 755, LLC, Buffer Reduction (From 85' to 25'), LL1, 1<sup>st</sup> District, Parcel 023 and 061, LL2, 3<sup>rd</sup> District, Parcel 077, 2500 Block of Hamilton Mill Road, District 4/Kenerly

**5. Special Use Permits:**

- A. SUP-05-026** - Neuvo Mexico Taxi Service, Taxi Cab Service, LL164, 6<sup>th</sup> District, Parcel 253, 273, and 275, 4700 Block of Britt Road, 300 Block of Merchants Drive, 800 Block of Green Hill Lane, District 2/Nasuti
  
- B. SUP-05-027** - Magnolia Pantoja, Restaurant, LL39, 7<sup>th</sup> District, Parcel 848, 2700 Block of Cruse Road, District 1/Green

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### VII. Public Hearing

#### 6. Rezoning:

- A. **RZC-05-015** - Metro Land Investors, LLC, Commercial Retail Uses (Reduction in Buffers), R-75 to C-2, LL84, 5<sup>th</sup> District, Parcel 034, 3400 Block of Sugarloaf Parkway, District 4/Kenerly
  
- B. **RZC-05-016** - Dennis L. Johnson, Commercial Retail Uses (Reduction in Buffers), R-75 to C-1, LL261A, 6<sup>th</sup> District, Parcel 042, 2900 Block of Pleasant Hill Road, District 1/Green
  
- C. **RZC-05-017** - Bolaji Odusing, Medical Offices (Reduction in Buffers), R-100 to O-I, LL70, 7<sup>th</sup> District, Parcel 026, 1700 Block of Lawrenceville-Suwanee Road, District 1/Green
  
- D. **RZC-05-018** - Bramblett Shoals, LTD, Commercial Retail Uses (Reduction in Buffers), R-100 to C-2, LL126, 5<sup>th</sup> District, Parcel 004, 600 Block of Athens Highway, District 3/Beaudreau
  
- E. **RZC-05-019** - D.G. Jenkins Development Corp., Commercial Retail Uses (Reduction in Buffers), R-75 to C-2, LL149, 6<sup>th</sup> District, Parcel 023, 024, and 083, 600 Block of Beaver Run Road, 500 Block of Old Arcadia Road, District 2/Nasuti
  
- F. **RZC-05-020** - Bohannon Holman, LLC, Commercial Retail Uses (Reduction in Buffers), R-100 to C-2, LL2, 3<sup>rd</sup> District, Parcel 035, 3500-3600 Block of Braselton Hwy., District 3/Beaudreau

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**VII. Public Hearing**

**6. Rezoning:**

- G. RZC-05-021 -** Atlanta Metro Partners, LLC, Commercial Retail Uses, MH to C-1, LL162, 5<sup>th</sup> District, Parcel 005 and 058, 200-300 Block of Willow Wind Drive, 3600 Block of Bay Creek Road, 3600 Block of Loganville Highway, District 3/Beaudreau
  
- H. SUP-05-007 -** Atlanta Metro Partners, LLC, Drug Store, LL162, 5<sup>th</sup> District, Parcel 005 and 058, 3600 Block of Bay Creek Road, 200-300 Block of Willow Wind Drive, 3600 Block of Loganville Highway, District 3/Beaudreau
  
- I. SUP-05-008 -** Atlanta Metro Partners, LLC, Restaurant, LL162, 5<sup>th</sup> District, 200-300 Block of Willow Wind Drive, 3600 Block of Bay Creek Road, 3600 Block of Loganville Highway, District 3/Beaudreau
  
- J. RZC-05-022 -** Atlanta Metro Partners, LLC, Office Uses, MH to O-I, LL162, 5<sup>th</sup> District, Parcel 005, 200-300 Block of Willow Wind Drive, 3600 Block of Bay Creek Road, District 3/Beaudreau
  
- K. SUP-05-009 -** Atlanta Metro Partners, LLC, Daycare Center, LL162, 5<sup>th</sup> District, 200-300 Block of Willow Wind Drive, 3600 Block of Bay Creek Road, District 3/Beaudreau

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## VII. Public Hearing

### 6. Rezoning:

- L. RZC-05-023** - J.S.A. Incorporated, Commercial Retail Uses (Reduction in Buffers), RA-200 & R-100 to C-1, LL1, District 1, Parcel 017 and 018, 3500 Block of Sardis Church Road, District 4/Kenerly
  
- M. RZC-05-024** - Benjamin Mitchell, Office Uses (Reduction in Buffers), R-100 to O-I, LL1, 3<sup>rd</sup> District, Parcel 228, 2900 Block of Hog Mountain Road, District 3/Beaudreau
  
- N. RZC-05-025** - Robert Slack, Automobile Sales and Service, M-2 to C-3, LL258, 6<sup>th</sup> District, Parcel 032A and 033, 2700 Block of Simpson Circle, District 2/Nasuti
  
- O. RZC-05-026** - J.T. Future, Inc., Commercial Retail Uses (Reduction in Buffers), C-1 to C-2, LL191, 6<sup>th</sup> District, Parcel 003, 091 and 132, District 2/Nausti
  
- P. RZC-05-027** - James L. McHugh, Commercial Retail Uses (Reduction in Buffers), RA-200 to C-2, LL23, 7<sup>th</sup> District, Parcel 001 and 005, 1800 Block of Old Fountain Road, District 4/Kenerly
  
- Q. RZC-05-028** - Try-La, Inc., Commercial Retail Uses (Reduction in Buffers), RA-200 to C-2, LL1, 1<sup>st</sup> District, Parcel 063 and 064, 3200 Block of Hamilton Mill Road, District 4/Kenerly

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## VII. Public Hearing

### 6. Rezoning:

- R. RZC-05-057** - Alcovy Retail Ventures, LLC, Commercial/Retail Uses, M-1 to C-2, LL240, 5<sup>th</sup> District, Parcel 001, 1400 Block of Hurricane Shoals Road, District 4/Kenerly
  
- S. RZM-05-027** - Alcovy Retail Ventures, LLC, Townhomes, M-1 to R-TH, LL240, 5<sup>th</sup> District, Parcel 001, 1400 Block of Hurricane Shoals Road, District 4/Kenerly
  
- T. RZM-05-028** - 316 Hurricane Partners, LLC, Townhomes, M-1 to R-TH, LL240, 5<sup>th</sup> District, Parcel 001, 1200 Block of Hurricane Shoals Road, District 4/Kenerly
  
- U. RZR-05-059** - Progress Resolution Partners, LLC, Single-Family Subdivision, M-1 TO R-ZT, LL240, 5<sup>th</sup> District, Parcel 003, 1400 Block of Hurricane Shoals Road, District 4/Kenerly
  
- V. RZR-05-060** - Cedars Road Associates II, LLC, Single-Family Subdivision, M-1 to R-ZT, LL239, 5<sup>th</sup> District, Parcel 006, 1600-1700 Block of Cedars Road, 1200-1300 Block of Winder Highway, District 4/Kenerly



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**VII. Public Hearing**

**6. Rezonings:**

- W. RZM-05-002** - Sydney Investments, LLC, Townhomes, R-100 to RM-8, LL3, 7<sup>th</sup> District, Parcel 004A, 005H and 214, 2200 Block of Oakland Drive, District 4/Kenerly
  
- X. RZR-05-061** - Peachtree Corners Baptist Church, Church Recreation Fields, O-I to R-100, LL316, 6<sup>th</sup> District, Parcel 029, 4400 Block of Peachtree Corners Circle, District 2/Nasuti
  
- Y. SUP-05-028** - Peachtree Corners Baptist Church, Church Recreation Field, LL316, 6<sup>th</sup> District, Parcel 029, 4400 Block of Peachtree Corners Circle, District 2/Nasuti

**7. Planning & Development/Michael Williams**

- A. Waiver WVR2005-001** - Allow a subdivision to have private gated internal streets and drainage system. Location is 2895 Camp Branch Road. District 4/Kenerly
  
- B. Waiver WVR2005-002** - Request waiver to eliminate requirement for sidewalks to be installed along street frontage. Location is 5055 Buford Highway. District 2/Nasuti
  
- C. Waiver WVR2005-003** - Allow for an exemption plat increase in the number of allowable lots from 5 to 10 and further division of development regulations 3.4.3. Location is 3465 Pate Road. District 3/Beaudreau

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## **VIII. New Business**

### **1. Law Department/Karen Thomas**

- A. Pursuant** to Gwinnett County Code of Ethics section 1-8004(c), determination by the Gwinnett County Board of Commissioners that it is in the best interest of Gwinnett County to utilize Thompson, O'Brien, Kemp & Nasuti, P.C., as outside legal counsel on a case-by-case basis within the discretion of the County Attorney

### **2. Transportation/Brian Allen**

- A. Award** BL063-0405, Old Peachtree Road Safety and Alignment Program, Department of Transportation, to low bidder Baldwin Paving Company, Inc., amount not to exceed \$834,927.06. Authorization for Chairman to execute contracts subject to approval by the Law Department and proof of authenticity of bonds. Contracts to follow awards.

## **IX. Comments from Audience**

## **X. Adjournment**