

Bannister, Green, Nasuti, Beaudreau, Kenerly 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**
- 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, 6th District, Parcel 002, 025, and 064, 5000 Block of Buford Highway, District 2/Nasuti
(Tabled 2/22) (Public hearing was not held)
Approved with conditions NA/G 5-0
 - B. RZM-05-001 –** Precision Design & Development, Townhomes, M-1 to RM-8, LL59, 6th District, Parcel 1B, 2100-2200 Block of West Park Place, District 3/Beaudreau
(Tabled 3/22) (Public hearing was not held)
Denied w/out prejudice BE/K 5-0
 - C. RZR-05-029 –** Precision Design & Development, Single-Family Detached Subdivision, M-1 to R-ZT, LL59, 6th District, Parcel 1B, 2100-2200 Block of West Park Place, District 3/Beaudreau
(Tabled 3/22) (Public hearing was not held)
Denied w/out prejudice BE/K 5-0

Gwinnett County Board of Commissioners

April 26, 2005 - 7:00 P.M.

Agenda

Page 2

VII. Old Business

1. Planning & Development/Michael Williams

- D. **RZM-05-011** – Willie Properties, LLC, Townhomes, R-75 to R-ZT, LL230, 7th District, Parcel 004, 0-100 Block of South Side Road, District 4/Kenerly
(Tabled 2/22) (Public hearing was not held)
Tabled 7/26 Public hearing was not held

- E. **RZM-05-012** – Willie Properties, LLC, Townhomes, R-75 to R-ZT, LL230, 7th District, Parcel 004, 0-100 Block of South Side Road, District 4/Kenerly
(Tabled 2/22) (Public hearing was not held)
Tabled 7/26 Public hearing was not held

- F. **RZR-06-001** – Willie Properties, LLC, Single-Family Detached Subdivision, R-75 to R-ZT, LL230, 7th District, Parcel 004, 0-100 Block of South Side Road, District 4/Kenerly
(Tabled 2/22) (Public hearing was not held)
Tabled 7/26 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 3rd district, abandonment in accordance with Georgia Statutes on abandonment found in O.C.G.A. 32-72- HB 1539. District 4/Kenerly
Approved K/BE 5-0

Gwinnett County Board of Commissioners
April 26, 2005 - 7:00 P.M.
Agenda
Page 3

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
Approved K/BE 5-0

3. Buffer Reduction:

- A. BRD-05-002 -** Total Construction, Inc., Buffer Reduction From 50 Ft. to 25 Ft., LL250, 6TH District, Parcel 007, 6900 Block of Gilleland Lane, District 2/Nasuti
Approved with conditions NA/K 5-0

4. Change in Conditions:

- A. CIC-05-007 -** Jay York, Change in Conditions (Reduction in Buffers), LL130, 5th District, Parcel 005, 400 Block of Athens Highway, District 3/Beaudreau
Tabled 5/24 Public hearing was held
- B. CIC-05-008 -** Klebanoff Properties, Change in Conditions (Reduction in Buffers), LL126, 7th 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
Approved with conditions G/NA 5-0

Gwinnett County Board of Commissioners
April 26, 2005 - 7:00 P.M.
Agenda
Page 4

VII. Public Hearing

4. Change in Conditions:

- C. CIC-05-009** - Total Construction, Inc., Change in Conditions (Eliminate Pitched Roof Requirement), LL169, 6th District, Parcel 012 and 040, 4800 Block of Jimmy Carter Blvd., 6200 Block of Forest Vale Drive, District 2/Nasuti
Approved with conditions NA/G 5-0
- D. CIC-05-010** - Hamilton Mill 755, LLC, Buffer Reduction (From 85' to 25'), LL1, 1st District, Parcel 023 and 061, LL2, 3rd District, Parcel 077, 2500 Block of Hamilton Mill Road, District 4/Kenerly
Approved with conditions K/G & BE 5-0

5. Special Use Permits:

- A. SUP-05-026** - Neuvo Mexico Taxi Service, Taxi Cab Service, LL164, 6th 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
Approved with conditions NA/G 5-0
- B. SUP-05-027** - Magnolia Pantoja, Restaurant, LL39, 7th District, Parcel 848, 2700 Block of Cruse Road, District 1/Green
Approved with conditions G/NA 5-0

Gwinnett County Board of Commissioners

April 26, 2005 - 7:00 P.M.

Agenda

Page 5

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, 5th District, Parcel 034, 3400 Block of Sugarloaf Parkway, District 4/Kenerly
Approved with conditions K/G 5-0
- B. RZC-05-016** - Dennis L. Johnson, Commercial Retail Uses (Reduction in Buffers), R-75 to C-1, LL261A, 6th District, Parcel 042, 2900 Block of Pleasant Hill Road, District 1/Green
Denied w/out prejudice G/K 5-0
- C. RZC-05-017** - Bolaji Odusing, Medical Offices (Reduction in Buffers), R-100 to O-I, LL70, 7th District, Parcel 026, 1700 Block of Lawrenceville-Suwanee Road, District 1/Green
Approved with conditions G/NA 5-0
- D. RZC-05-018** - Bramblett Shoals, LTD, Commercial Retail Uses (Reduction in Buffers), R-100 to C-2, LL126, 5th District, Parcel 004, 600 Block of Athens Highway, District 3/Beaudreau
Approved with conditions BE/K 5-0
- E. RZC-05-019** - D.G. Jenkins Development Corp., Commercial Retail Uses (Reduction in Buffers), R-75 to C-2, LL149, 6th District, Parcel 023, 024, and 083, 600 Block of Beaver Run Road, 500 Block of Old Arcadia Road, District 2/Nasuti
Tabled 5/3 Public hearing was held
- F. RZC-05-020** - Bohannon Holman, LLC, Commercial Retail Uses (Reduction in Buffers), R-100 to C-2, LL2, 3rd District, Parcel 035, 3500-3600 Block of Braselton Hwy., District 3/Beaudreau
Approved with conditions BE/K 5-0

Gwinnett County Board of Commissioners
April 26, 2005 - 7:00 P.M.
Agenda
Page 6

VII. Public Hearing

6. Rezoning:

- G. RZC-05-021 -** Atlanta Metro Partners, LLC, Commercial Retail Uses, MH to C-1, LL162, 5th 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 **Denied w/out prejudice BE/K 5-0**
- H. SUP-05-007 -** Atlanta Metro Partners, LLC, Drug Store, LL162, 5th 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 **Denied w/out prejudice BE/K 5-0**
- I. SUP-05-008 -** Atlanta Metro Partners, LLC, Restaurant, LL162, 5th District, 200-300 Block of Willow Wind Drive, 3600 Block of Bay Creek Road, 3600 Block of Loganville Highway, District 3/Beaudreau **Denied w/out prejudice BE/K 5-0**
- J. RZC-05-022 -** Atlanta Metro Partners, LLC, Office Uses, MH to O-I, LL162, 5th District, Parcel 005, 200-300 Block of Willow Wind Drive, 3600 Block of Bay Creek Road, District 3/Beaudreau **Denied w/out prejudice BE/K 5-0**
- K. SUP-05-009 -** Atlanta Metro Partners, LLC, Daycare Center, LL162, 5th District, 200-300 Block of Willow Wind Drive, 3600 Block of Bay Creek Road, District 3/Beaudreau **Denied w/out prejudice BE/K 5-0**

Gwinnett County Board of Commissioners

April 26, 2005 - 7:00 P.M.

Agenda

Page 7

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
Approved with conditions K/BE 5-0
- M. RZC-05-024** - Benjamin Mitchell, Office Uses (Reduction in Buffers), R-100 to O-I, LL1, 3rd District, Parcel 228, 2900 Block of Hog Mountain Road, District 3/Beaudreau
Denied BE/K 5-0
- N. RZC-05-025** - Robert Slack, Automobile Sales and Service, M-2 to C-3, LL258, 6th District, Parcel 032A and 033, 2700 Block of Simpson Circle, District 2/Nasuti
Approved with conditions NA/BE 5-0
- O. RZC-05-026** - J.T. Future, Inc., Commercial Retail Uses (Reduction in Buffers), C-1 to C-2, LL191, 6th District, Parcel 003, 091 and 132, District 2/Nausti
Approved with conditions NA/G 5-0
- P. RZC-05-027** - James L. McHugh, Commercial Retail Uses (Reduction in Buffers), RA-200 to C-2, LL23, 7th District, Parcel 001 and 005, 1800 Block of Old Fountain Road, District 4/Kenerly
Denied w/out prejudice K/BE 5-0
- Q. RZC-05-028** - Try-La, Inc., Commercial Retail Uses (Reduction in Buffers), RA-200 to C-2, LL1, 1st District, Parcel 063 and 064, 3200 Block of Hamilton Mill Road, District 4/Kenerly
Tabled 5/24 Public hearing was not held

Gwinnett County Board of Commissioners

April 26, 2005 - 7:00 P.M.

Agenda

Page 8

VII. Public Hearing

6. Rezoning:

- R. RZC-05-057** - Alcovy Retail Ventures, LLC, Commercial/Retail Uses, M-1 to C-2, LL240, 5th District, Parcel 001, 1400 Block of Hurricane Shoals Road, District 4/Kenerly
Tabled 5/17 Public hearing was held
- S. RZM-05-027** - Alcovy Retail Ventures, LLC, Townhomes, M-1 to R-TH, LL240, 5th District, Parcel 001, 1400 Block of Hurricane Shoals Road, District 4/Kenerly
Tabled 5/17 Public hearing was held
- T. RZM-05-028** - 316 Hurricane Partners, LLC, Townhomes, M-1 to R-TH, LL240, 5th District, Parcel 001, 1200 Block of Hurricane Shoals Road, District 4/Kenerly
Tabled 5/17 Public hearing was held
- U. RZR-05-059** - Progress Resolution Partners, LLC, Single-Family Subdivision, M-1 TO R-ZT, LL240, 5th District, Parcel 003, 1400 Block of Hurricane Shoals Road, District 4/Kenerly
Tabled 5/17 Public hearing was held
- V. RZR-05-060** - Cedars Road Associates II, LLC, Single-Family Subdivision, M-1 to R-ZT, LL239, 5th District, Parcel 006, 1600-1700 Block of Cedars Road, 1200-1300 Block of Winder Highway, District 4/Kenerly
Tabled 5/17 Public hearing was held

Gwinnett County Board of Commissioners

April 26, 2005 - 7:00 P.M.

Agenda

Page 9

VII. Public Hearing

6. Rezoning:

- W. RZM-05-002** - Sydney Investments, LLC, Townhomes, R-100 to RM-8, LL3, 7th District, Parcel 004A, 005H and 214, 2200 Block of Oakland Drive, District 4/Kenerly
Approved with conditions K/G 4-1 (Bannister opposed)
- X. RZR-05-061** - Peachtree Corners Baptist Church, Church Recreation Fields, O-I to R-100, LL316, 6th District, Parcel 029, 4400 Block of Peachtree Corners Circle, District 2/Nasuti
Tabled 5/3 Public hearing was held
- Y. SUP-05-028** - Peachtree Corners Baptist Church, Church Recreation Field, LL316, 6th District, Parcel 029, 4400 Block of Peachtree Corners Circle, District 2/Nasuti
Tabled 5/3 Public hearing was held

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
Approved with staff conditions K/BE & G 5-0
- 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
Approved with conditions NA/G 5-0
- 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
Approved with staff stipulations BE/K 5-0

Gwinnett County Board of Commissioners
April 26, 2005 - 7:00 P.M.
Agenda
Page 10

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
Approved K/G 4-0 (Nasuti absent)

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.
Approved G/BE&K 5-0

IX. Comments from Audience

X. Adjournment