



# Gwinnett County Board of Commissioners

Tuesday, April 28, 2009 - 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: Kenerly Second: Lasseter Vote: 5-0}

### IV. Approval of Minutes:

Business Session: April 21, 2009

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

### V. Announcements

- **Resolution of Recognition:** Commending Grayson Rams Hockey Team-2009 Give Back Program  
{Action: Approved Motion: Bannister Second: Kenerly Vote: 5-0}
- **Resolution of Recognition:** Commending Brookwood Boys Swim Team-2009 State Champions  
{Action: Approved Motion: Bannister Second: Nasuti Vote: 5-0}
- **Resolution of Recognition:** 2009 Law Day  
{Action: Approved Motion: Bannister Second: Nasuti Vote: 5-0}

### VI. Old Business

#### 1. Commissioners

**2009-0407 Approval** of appointment of Doug Stacks as the Gwinnett Comprehensive Plan Coordinating Committee Representative to fill the unexpired term of Jennifer Peterson to the Development Advisory Committee. Term Expires December 31, 2009. {Action: Approved Motion: Bannister Second: Lasseter Vote: 5-0}

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**VII. New Business**

**1. Commissioners**

**2009-0548 Approval/authorization** of Ground Lease between Baseballbrand, LLC and the Gwinnett Convention and Visitors Bureau, Inc. for 2.2721 +/- acres of land for thirty years with two options for additional thirty-year terms. Authorization for Chairman to execute any and all documents to effectuate said transaction subject to approval by the Law Department. {Action: Approved with Change – Brand Partners, LLC Motion: Kenerly Second: Nasuti Vote: 5-0}

**2. County Administration**

**2009-0489 Ratification** of employment agreement with Aaron Bovos, Director of Financial Services, for recording purposes. {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 5-0}

**2009-0526 Ratification** of employment agreement with David Peek, Director of Corrections Department/Warden, for recording purposes. {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 5-0}

**3. Multiple Departments**

**2009-0473 Approval/authorization** to terminate Sublease Agreement ("Master Sublease") between Republic Services of Georgia Limited Partnership and Gwinnett County dated May 31, 2007 for premises located at 535 Seaboard Industrial Drive, Lawrenceville, GA 30045. (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 5-0}

**2009-0474 Approval/authorization** to terminate Sublease Agreement between Gwinnett County and Gwinnett Clean & Beautiful, Inc. dated May 31, 2007 for premises located at 535 Seaboard Industrial Drive, Lawrenceville, GA 30045. (Staff Recommendation: Approval) {Action: Approved with Change – Gwinnett Clean & Beautiful Services, Inc. Motion: Beaudreau Second: Kenerly Vote: 5-0}

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**VIII. Public Hearing – Old Business**

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

**2008-2319 TSP-2008-00027** - Allow construction of a 155 foot tall Monopole Telecommunication Tower with ground equipment. Location is: 2443 Collins Hill Road, Commission District 4 (Kenerly). (Tabled on 04/28/2009) (Tabled to 05/26/2009) (Staff Recommendation: Approval with conditions)(Public hearing was not held) {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0}

**2009-0264 TSP-2008-00044.** Construction of a 154 foot tall Monopine Communication Tower with ground equipment. Location is 1400 Block of Killian Hill Rd. Commission District 3 (Beaudreau). (Staff Recommendation: Approval with conditions) {Action: Approved with Stipulations Motion: Beaudreau Second: Kenerly Vote: 5-0}

**2009-0372 TSP-2008-00046.** Construction of a 150 foot tall Monopole Telecommunication Tower with a 10 foot lightning rod (total overall height of 160 ft.) with ground equipment. Location is 2005 Braselton Hwy. Commission District 3 (Beaudreau). (Staff Recommendation: Denial) {Action: Approved with Stipulations Motion: Beaudreau Second: Kenerly Vote: 5-0}

**2009-0112 SUP-09-007,** Applicant: Transfer East, LLC, Owner: RBD Holdings, LLC, for a Special Use Permit in a M-2 Zoning District to Allow a Solid Waste Transfer Station, District 5 Land Lot 242 Parcel 026, 100 Block of Alcovy Industrial Boulevard, 5.28 Acres, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Lasseter Second: Bannister Vote: 3-1 (Beaudreau Opposed - Kenerly Out of Room)}

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**IX. Public Hearing – New Business**

**1. Change in Conditions**

**2009-0514 CIC-09-009**, Applicant: Sugarloaf Centre Partners, LLC., Owner: Sugarloaf Centre Partners, LLC., to Change Conditions of Zoning for Property Zoned C-2, District 7 Land Lot 122 Parcel 224, 1900 Block of Satellite Boulevard, 2.74 Acres, District 1/Lasseter[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny without Prejudice] **{Action: Denied without Prejudice Motion: Lasseter Second: Nasuti Vote: 5-0}**

**2. Special Use Permit**

**2009-0543 SUP-09-022**, Applicant: Heejin Son, Owner: Heejin Son, For a Special Use Permit in an R-100 Zoning District to allow a Daycare Center (Group), District 7 Land Lot 070 Parcel 121, 1700 Block of Lawrenceville-Suwanee Road, 0.45 Acres, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] **{Action: Denied Motion: Kenerly Second: Beaudreau Vote: 5-0}**

**2009-0544 SUP-09-023**, Applicant: Two Willows Development, Owner: Two Willows Development, for a Special Use Permit in an O-I Zoning District to allow a Daycare Center, District 1 Land Lot 004 Parcel 803, 3600 Block of Ridge Road, 1.66 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}**

**2009-0545 SUP-09-025**, Applicant: The Church of Gwinnett, Owner: Endicott Company, For a Special Use Permit in an M-1 Zoning District to allow a Church (Renewal), District 6 Land Lot 202 Parcel 038, 1700 Block of Corporate Drive, 6.81 Acres, District 1/Lasseter[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Lasseter Second: Nasuti Vote: 5-0}**

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**2. Special Use Permit**

**2009-0546 SUP-09-027**, Applicant: Whitney Adventures, Owner: Carmen Lazar, For a Special Use Permit in an R-100 Zoning District to allow a Summer Day Camp and After School Camp (Group Childcare), District 7 Land Lot 181 Parcel 031, 3000 Block of Wallace Road, 7.93 Acres, District 4/Kenerly (**Tabled on 04/28/2009**) (**Tabled to 05/26/2009**)(**Public hearing was not held**)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 5/19/2009] **{ Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0 }**

**2009-0547 SUP-09-028**, Applicant: Sung Ja Chang, Owner: Sung Ja Chang, For a Special Use Permit in an R-100 Zoning District to allow a Home Occupation (Acupuncture), District 7 Land Lot 201 Parcel 017, 2500 Block of Old Peachtree Road, 0.49 Acres, District 1/Lasseter[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] **{ Action: Denied Motion: Lasseter Second: Nasuti Vote: 5-0 }**

**3. Rezonings**

**2009-0495 RZC-09-013**, Applicant: Curt B. Thompson, Owner: Manoj Kootappilly & Mariete Kootappillil, RM to C-2, Commercial Retail Uses (Reduction in Buffers), District 7 Land Lot 032 Parcels 021, 020, 900 Block of Lawrenceville-Suwanee Road and the 600 Block of Greenvale Road, 1.18 Acres, District 1/Lasseter[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] **{ Action: Denied Motion: Lasseter Second: Nasuti Vote: 5-0 }**

**2009-0501 RZC-09-014**, Applicant: Silvana Endraos, Owner: United Nations Realty, Inc., R-75 to C-2, Landscape Business (Reduction in Buffers), District 5 Land Lot 047 Parcel 007, 2200 Block of Lawrenceville Highway, 4.57 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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**3. Rezonings**

**2009-0502 SUP-09-015**, Applicant: Silvana Endraos, Owner: United Nations Realty, Inc., for a Special Use Permit in a C-2 (Proposed) Zoning District to Allow a Landscape Business (with Outdoor Storage), District 5 Land Lot 047 Parcel 007, 2200 Block of Lawrenceville Highway, 4.57 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**}

**2009-0505 RZC-09-015**, Applicant: Bernard Robertson, Owner: Charles & Trellis Arnold, C-1 to C-2, Automobile Service (Reduction in Buffers), District 6 Land Lot 151 Parcel 054, 500 Block of Pleasant Hill Road, 1.33 Acres, District 2/Nasuti[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: **Approved with Change Motion: Nasuti Second: Lasseter Vote: 5-0**}

**2009-0506 SUP-09-020**, Applicant: Bernard Robertson, Owner: Charles & Trellis Arnold, for a Special Use Permit in a C-2 (Proposed) Zoning District to Allow Automobile Service, District 6 Land Lot 151 Parcel 054, 500 Block of Pleasant Hill Road, 1.33 Acres, District 2/Nasuti[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: **Approved with Change Motion: Nasuti Second: Lasseter Vote: 5-0**}

**2009-0507 RZC-09-016**, Applicant: Darus Salam, Inc., Owner: Darus Salam, Inc., Alam Chowdhury & Henry Chow, C-1, RMD & RM to C-1, Church and Commercial Retail Uses (Reduction in Buffers), District 6 Land Lot 154 Parcels 014, 075, 076, 017, 3000 & 3100 Block of Cruse Road and the 800 Block of Martin Heights Drive, 3.84 Acres, District 4/Kenerly (**Tabled on 04/28/2009**) (**Tabled to 06/23/2009**)(**Public hearing was not held**)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 6/16/2009] {Action: **Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0**}

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**3. Rezoning**

**2009-0508 SUP-09-024**, Applicant: Darus Salam, Inc., Owner: Darus Salam, Inc., Alam Chowdhury, & Henry Chow, for a Special Use Permit in a C-1 (Proposed) Zoning District to Allow a Restaurant, District 6 Land Lot 154 Parcels 014, 075, 076, 017, 3000 & 3100 Block of Cruse Road and the 800 Block of Martin Heights Drive, 3.84 Acres, District 4/Kenerly **(Tabled on 04/28/2009) (Tabled to 06/23/2009)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 6/16/2009] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0}**

**2009-0509 RZC-09-017**, Applicant: Inland, LLC., Owner: DRD Development, Inc., M-1 to M-2, Solid Waste Transfer Station, District 5 Land Lot 210 Parcels 063, 082, 1700 Block of Cedars Road, 3.88 Acres, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Denied without Prejudice Motion: Kenerly Second: Beaudreau Vote: 5-0}**

**2009-0510 SUP-09-026**, Applicant: Inland, LLC., Owner: DRD Development, Inc., for a Special Use Permit in an M-2 (Proposed) Zoning District to Allow a Solid Waste Transfer Station, District 5 Land Lot 210 Parcels 063, 082, 1700 Block of Cedars Road, 3.88 Acres, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Denied without Prejudice Motion: Kenerly Second: Beaudreau Vote: 5-0}**

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**3. Rezonings**

**2009-0511 RZC-09-018**, Applicant: Tilak Raj Sharma, Owner: Albert Livsey, R-100 to C-1, Commercial Retail Uses, District 4 Land Lot 348 Parcel 030, 4500 Block of Centerville Highway and the 4400 Block of Lee Road, 3.62 Acres, District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Denied without Prejudice Motion: Kenerly Second: Beaudreau Vote: 5-0}

**2009-0512 RZC-09-019**, Applicant: Myron Baynes, Owner: Myron Baynes, R-100 to C-2, Real Estate Office (Reduction in Buffers), District 7 Land Lot 043 Parcel 007, 5300 Block of Sugarloaf Parkway, 3.58 Acres, District 1/Lasseter (Tabled on 04/28/2009) (Tabled to 05/26/2009)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions As O-I][Planning Commission Recommendation: Tabled - Date: 5/5/2009] {Action: Tabled Motion: Lasseter Second: Beaudreau Vote: 5-0}

**2009-0513 RZR-09-002**, Applicant: Keith R. Compton, Owner: C.K. Homes, Inc., O-I to R-75, Single-Family Residence, District 7 Land Lot 255 Parcels 029, 019, 4200 Block of Westbrook Road, 2.12 Acres, District 1/Lasseter[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Lasseter Second: Nasuti Vote: 5-0}

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

**2009-0439 CRC-2009-00001**, Application of Robert and Korina Storey for Metropolitan River Protection Act Certificate to construct an attached front porch, single car garage and screened in porch to their single family residence on .92 acres at 4507 Ridgegate Drive, Lot 12, Block D, Unit 3, of Riverview Estates Subdivision located in the Chattahoochee River Corridor, District 6, Land Lot 329, Parcel 051, Commission District 2/Nasuti. {Action: Approved Motion: Nasuti Second: Kenerly Vote: 5-0}

**X. Comments from Audience**

**XI. Adjournment**