



Gwinnett County Board of Commissioners

Tuesday, May 20, 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 Absent) }

IV. Announcements

- Resolution of Recognition: Commending Christa Kelly – Girl Scouts Gold Award Recipient
{ Action: Approved Motion: Bannister Second: Kenerly Vote: 4-0 (Green Absent) }

V. Public Hearing – Old Business

1. Planning & Development/Glenn Stephens

2008-0435 TSP-2008-00010 - Request for construction of a 126 ft tall Monopole Telecommunication Tower and ground equipment. Location is 3052 Centerville Rosebud Road. Commission District 3 (Beaudreau).(Tabled on 4/22/2008)(Staff Recommendation: Approval with conditions) { Action: Denied Motion: Beaudreau Second: Kenerly Vote: 4-0 (Green Absent) }

2008-0460 SUP-08-027, Applicant: Gregory H. Stephens, Owner: Gregory H. Stephens, for a Special Use Permit in a C-2 Zoning District to Allow a Tire Store, District 7 Land Lot 094 Parcel 157, 1900 Block of Braselton Highway, 0.73 Acres, District 3/Beaudreau(Tabled on 5/20/2008) (Tabled to 6/24/2008)(Public hearing was not held)[Planning Department Recommendation: Deny] { Action: Tabled Motion: Beaudreau Second: Nasuti Vote: 4-0 (Green Absent) }

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1. Planning & Development/Glenn Stephens

2008-0458 CIC-08-013, Applicant: Your Extra Attic, Owner: Davis Terry, LP, to Change Conditions of Zoning for Property Zoned C-2, District 7 Land Lot 073 Parcel 358, 1500 Block of Duluth Highway and the 1500 Block of Stone Path Way, 2.86 Acres, District 1/Green(**Tabled on 5/20/2008**) (**Tabled to 6/24/2008**)(**Public hearing was not held**)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 06/17/2008] {**Action: Tabled Motion: Nasuti Second: Kenerly Vote: 4-0 (Green Absent)**}

2008-0459 SUP-08-032, Applicant: Your Extra Attic, Owner: Davis Terry, LP, for a Special Use Permit in a C-2 Zoning District to Allow a Self-Storage Facility (Climate Controlled), District 7 Land Lot 073 Parcel 358, 1500 Block of Duluth Highway and the 1500 Block of Stone Path Way, 2.86 Acres, District 1/Green(**Tabled on 5/20/2008**) (**Tabled to 6/24/2008**)(**Public hearing was not held**)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 06/17/2008] {**Action: Tabled Motion: Nasuti Second: Kenerly Vote: 4-0 (Green Absent)**}

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 4/22/2008**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny without Prejudice] {**Action: Denied Without Prejudice Motion: Beaudreau Second: Kenerly Vote: 4-0 (Green Absent)**}

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1. Planning & Development/Glenn Stephens

2008-0463 SUP-08-033, Applicant: The Widewaters Group, Inc., Owner: The Widewaters Group, Inc., for a Special Use Permit in a C-1 Zoning District to Allow a Grocery Store, District 4 Land Lot 321 Parcels 002, 003, 004, 046, and 500, 3500 Block of Lee Road, 4500 Block of Mink Livsey Road and the 4500 Block of Rosebud Drive, 9.93 Acres, District 3/Beaudreau(Tabled on 5/20/2008) (Tabled to 6/24/2008)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 06/17/2008] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 4-0 (Green Absent)}

2008-0464 SUP-08-034, Applicant: The Widewaters Group, Inc., Owner: The Widewaters Group, Inc., for a Special Use Permit in a C-1 Zoning District to Allow a Restaurant, District 4 Land Lot 321 Parcels 002, 003, 004, 046 and 500, 3500 Block of Lee Road, 4500 Block of Mink Livsey Road and the 4500 Block of Rosebud Drive, 9.93 Acres, District 3/Beaudreau(Tabled on 5/20/2008) (Tabled to 6/24/2008)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 06/17/2008] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 4-0 (Green Absent)}

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 5/20/2008) (Tabled to 8/26/2008)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions as O-I w/SUP] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 4-0 (Green Absent)}

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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 5/20/2008**) (**Tabled to 8/26/2008**)(**Public hearing was not held**)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions as R-100 CSO] {**Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 4-0 (Green Absent)**}

2008-0440 RZC-08-056, Applicant: Stanley Green, Owner: Stanley Green, R-100 to C-1, Commercial Retail Uses (Reduction in Buffers), District 7 Land Lot 156 Parcel 004, 1300 Block of Old Peachtree Road and the 2900 Block of Meadow Church Road, 1.82 Acres, District 1/Green(**Tabled on 5/20/2008**) (**Tabled to 6/24/2008**)(**Public hearing was not held**)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 06/17/2008] {**Action: Tabled Motion: Nasuti Second: Kenerly Vote: 4-0 (Green Absent)**}

2008-0441 RZC-08-058, Applicant: A. Omotayo Idowu, Owner: A. Omotayo Idowu, O-I to C-2, Commercial Retail Uses (Reduction in Buffers), District 6 Land Lot 058 Parcel 018, 2400 Block of West Park Place Boulevard and the 2200 Block of Rockbridge Road, 4.54 Acres, District 3/Beaudreau(**Tabled on 5/20/2008**) (**Tabled to 6/24/2008**)(**Public hearing was not held**)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 06/17/2008] {**Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 4-0 (Green Absent)**}

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1. Planning & Development/Glenn Stephens

2008-0447 RZC-08-065, Applicant: Azalea Drive Family Partners, Owner: Owner: Azalea Drive Family Partners, R-100 to C-1, Commercial Retail Uses, District 7 Land Lot 106 Parcels 002 and 002A, 2100 Block of Azalea Drive and the 800-900 Block of Camp Perrin Road, 5.19 Acres, District 4/Kenerly(**Tabled on 5/20/2008**) (**Tabled to 6/24/2008**)(**Public hearing was not held**)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 06/17/2008] {**Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 4-0 (Green Absent)**}

2008-0236 RZM-08-003, Applicant: Davis Development, Owner: George Vincent West, R-100 to RM-13, Apartments (Reduction in Buffers) District 7 Land Lot 216 Parcel 003, 900-1200 Block of Satellite Boulevard, 29.72 Acres, District 4/Kenerly(**Tabled on 5/20/2008**) (**Tabled to 6/3/2008**)(**Public hearing was held**)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny without Prejudice] {**Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 4-0 (Green Absent)**}

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 5/20/2008**) (**Tabled to 6/24/2008**)(**Public hearing was not held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny] {**Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 4-0 (Green Absent)**}

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VI. Public Hearing – New Business

1. Support Services/Steve North

2008-0577 Approval/authorization of a public hearing and abandonment of a portion of a public road known as McDaniel Road, authorization for Chairman to execute any and all documents to effectuate said abandonment in land lot 233 of the 6th land district, abandonment in accordance with Georgia Statutes on abandonment found in O.C.G.A 32-7-2 HB 1539. District 1/Green(Staff Recommendation: Approval) **{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 4-0 (Green Absent)}**

2. Transportation/Brian Allen

2008-0531 Approval to incorporate into the Gwinnett County Speed Hump Program Kenion Forest (M-0092-52) - estimated cost: \$6,560.00 - Commission District 2/Nasuti(Staff Recommendation: Approval) **{Action: Approved Motion: Nasuti Second: Beaudreau Vote: 4-0 (Green Absent)}**

3. Change in Conditions:

2008-0552 CIC-08-014, Applicant: Bokeun Oh, Owner: Bokeun Oh, to Change Conditions of Zoning for Property Zoned C-2, District 6 Land Lot 150 Parcel 129, 3900 Block of Burns Road and the 400-500 Block of East Johns Road, 1.07 Acres, District 2/Nasuti[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny without Prejudice] **{Action: Denied Motion: Nasuti Second: Beaudreau Vote: 4-0 (Green Absent)}**

2008-0554 CIC-08-015, Applicant: Wilwat Properties, Inc, Owner: Wilwat Properties, Inc, to Change Conditions of Zoning for Property Zoned C-2 for Commercial Retail and Tire Store (Reduction in Buffers), District 2 Land Lot 001 Parcel 018, 800 Block of Auburn Road, 3.26 Acres, District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Beaudreau Second: Kenerly Vote: 4-0 (Green Absent)}**

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3. Change in Conditions:

2008-0557 SUP-08-038, Applicant: Wilwat Properties, Inc, Owner: Wilwat Properties, Inc, for a Special Use Permit in a C-2 Zoning District to Allow a Tire Store, District 2 Land Lot 001 Parcel 018, 800 Block of Auburn Road, 3.26 Acres, District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Beaudreau Second: Kenerly Vote: 4-0 (Green Absent)}

2008-0558 CIC-08-016, Applicant: Vesmont Nash Preserve, LLC, Owner: Vesmont Nash Preserve, LLC, to Change Conditions of Zoning for Property Zoned R-100 CSO, District 6 Land Lot 089 Parcels 001 and 002, 3600 Block of Five Forks Trickum Road, 74.88 Acres, District 3/Beaudreau(Tabled on 5/20/2008) (Tabled to 6/3/2008)(Public hearing was held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 4-0 (Green Absent)}

2008-0559 SUP-08-050, Applicant: Vesmont Nash Preserve, LLC, Owner: Vesmont Nash Preserve, LLC, for a Special Use Permit in a R-100 Zoning District to Allow a Single-Family Conservation Subdivision, District 6 Land Lot 088 Parcel 101, 3600 Block of Five Forks Trickum Road, 3.0 Acres, District 3/Beaudreau(Tabled on 5/20/2008) (Tabled to 6/3/2008)(Public hearing was held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 4-0 (Green Absent)}

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4. Mixed Use Overlay:

2008-0618 MUO-08-001, Applicant: Vintage Communities, Owner: Vintage Communities, to Allow a Mixed Use Overlay for Property Zoned RA-200 (Reduction in Buffers), District 3 Land Lot 006 Parcels 009A and 150, 5900-6000 Block of Thompson Mill Road, 43.61 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 Absent)** }

5. Special Use Permit:

2008-0562 SUP-08-039, Applicant: Pawnmart, Inc, Owner: Rehan and Saima Syed, for a Special Use Permit in a C-2 Zoning District to Allow a Pawn Shop, District 6 Land Lot 053 Parcel 123, 3700 Block of Stone Mountain Highway, 0.58 Acres, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny] { **Action: Denied Motion: Beaudreau Second: Kenerly Vote: 4-0 (Green Absent)** }

2008-0563 SUP-08-041, Applicant: TP Land, LLC, Owner: Donald H. Bohne, for a Special Use Permit in a C-2 Zoning District to Allow a Kennel/Pet Daycare (with Outdoor Facilities), District 6 Land Lot 052 Parcel 229, 2000 Block of Westside Court, 0.87 Acres, District 3/Beaudreau(**Tabled on 5/20/2008**) (**Tabled to 6/24/2008**)(**Public hearing was not held**)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 06/17/2008] { **Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 4-0 (Green Absent)** }

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5. Special Use Permit:

2008-0564 SUP-08-042, Applicant: Susan Shewbridge, Owner: Eric and Susan Shewbridge, for a Special Use Permit in a R-75 Zoning District to Allow a Home Occupation (Music Lessons), District 7 Land Lot 066 Parcel 087, 2000 Block of Waters Ferry Drive, 0.53 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 Absent)}

2008-0566 SUP-08-043, Applicant: Rockbridge Self Storage, LLC, Owner: Noorallah Alimohammed, for a Special Use Permit in a C-2 Zoning District to Allow a Self-Storage Facility (Climate Controlled), District 6 Land Lot 060 Parcel 009, 5300 Block of Stone Mountain Highway and the 1900 Block of Rockbridge Road, 1.08 Acres, District 3/Beaudreau(Tabled on 5/20/2008) (Tabled to 6/24/2008)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 06/17/2008] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 4-0 (Green Absent)}

2008-0568 SUP-08-049, Applicant: Rockbridge Self Storage, LLC, Owner: Noorallah Alimohammed, for a Special Use Permit in a C-2 Zoning District to Allow a Building Height Increase to Four Stories, District 6 Land Lot 060 Parcel 009, 5300 Block of Stone Mountain Highway and the 1900 Block of Rockbridge Road, 1.08 Acres, District 3/Beaudreau(Tabled on 5/20/2008) (Tabled to 6/24/2008)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 06/17/2008] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 4-0 (Green Absent)}

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5. Special Use Permit:

2008-0571 SUP-08-044, Applicant: JEM Development, LLC, Owner: ATL Land Partners, LLC, for a Special Use Permit in a C-2 Zoning District to Allow an Automotive Car Wash (Full Service), District 3 Land Lot 002 Parcel 038, 3800 Block of Braselton Highway and the 2100 Block of East Rock Quarry Road, 2.24 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: 4-0 (Green Absent)**}

2008-0572 SUP-08-045, Applicant: JEM Development, LLC. Owner: ATL Land Partners, LLC, for a Special Use Permit in a C-2 Zoning District to Allow Automobile Service, District 3 Land Lot 002 Parcel 038, 3800 Block of Braselton Highway, 2100 Block of East Rock Quarry Road, 2.24 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: 4-0 (Green Absent)**}

2008-0573 SUP-08-046, Applicant: JEM Land Development, LLC. Owner M&W Land Development, for a Special Use Permit in a C-2 Zoning District to Allow Recreational Vehicle Sales, Service and Rental, District 3 Land Lot 002 Parcels 042, 078, and 082, 2200 Block of East Rock Quarry Road, 4.50 Acres, District 3/Beaudreau(**Tabled on 5/20/2008) (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: 4-0 (Green Absent)**}

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5. Special Use Permit:

2008-0576 SUP-08-047, Applicant: JEM Land Development, LLC, Owner: M&W Land Development, for a Special Use Permit in a C-2 Zoning District to Allow Automobile Sales (Used), District 3 Land Lot 002 Parcels 042, 078, and 082, 2200 Block of East Rock Quarry Road, 4.50 Acres, District 3/Beaudreau(**Tabled on 5/20/2008**) (**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: 4-0 (Green Absent)**}

2008-0575 SUP-08-048, Applicant: Indus Properties, LLC, Owner: Indus Properties, LLC, for a Special Use Permit in a C-2 Zoning District to Allow Automobile Sales (Used), District 5 Land Lot 047 Parcel 008, 2300 Block of Lawrenceville Highway, 1.04 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 Absent)**}

6. Rezoning:

2007-1550 RZC-08-020 (Amended), Applicant: D & L Properties, Owner: Laura Stern, Mary Moore, Harry L. Swilley, and Joyce D. Swilley, C-1, C-2, M-1 and R-75 to C-2, Retail Sales with an Outdoor Sales and Storage Yard (Reduction in Buffers), District 6 land Lot 257 Parcel 003A, 019, and 020, 5000 Block of Buford Highway and the 2700 Block of Hamrick Road, 7.93 Acres, District 2/Nasuti(**Tabled on 5/20/2008**) (**Tabled to 6/17/2008**)(**Public hearing was held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {**Action: Tabled Motion: Nasuti Second: Beaudreau Vote: 4-0 (Green Absent)**}

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6. Rezoning:

2008-0560 SUP-08-056, Applicant: D&L Properties, Inc, Owners: Laura Stern, Mary Moore, Harry L. Swilley, and Joyce D. Swilley, for a Special Use Permit in a C-2 (Proposed) Zoning District to Allow Retail Sales with an Outdoor Sales and Storage Yard, District 6 Land Lot 257 Parcels 003A, 019, and 020, 5000 Block of Buford Highway and the 2700 Block of Hamrick Road, 7.93 Acres, District 2/Nasuti(**Tabled on 5/20/2008**) (**Tabled to 6/17/2008**)(**Public hearing was held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {**Action: Tabled Motion: Nasuti Second: Beaudreau Vote: 4-0 (Green Absent)**}

2008-0612 RZC-08-060, Applicant: Mukesh R. Tejani, Owner: Tina Partridge, et al, RA-200 to C-2, Commercial Retail Uses (Reduction in Buffers), District 3 Land Lot 003, Parcels 275, 277 and 298, 4100 Block of Braselton Highway, 2000 Block of Holman Road, and the 2000 Block of Mineral Springs Road, 2.02 Acres, District 4/Kenerly(**Tabled on 5/20/2008**) (**Tabled to 6/24/2008**)(**Public hearing was not held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 06/17/2008] {**Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 4-0 (Green Absent)**}

VII. Comments from Audience

VIII. Adjournment