



Gwinnett County Board of Commissioners

Tuesday, June 23, 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: Beaudreau Second: Lasseter Vote: 3-0 (Bannister & Nasuti Absent)}

IV. Approval of Minutes:

Business Session: June 16, 2009

{Action: Approved Motion: Beaudreau Second: Lasseter Vote: 3-0 (Bannister & Nasuti Absent)}

V. Announcements

- **Resolution of Recognition:** 2009 Girl Scout Gold Award Recipients
{Action: Approved Motion: Kenerly Second: Beaudreau Vote: 3-0 (Bannister & Nasuti Absent)}

VI. Old Business

1. Commissioners

2009-0072 Approval of appointment to Tree Advisory Committee - Beaudreau/District 3 Appointment - Term Expires December 31, 2010 (Tabled on 06/23/2009) (Tabled to 07/28/2009) {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 3-0 (Bannister & Nasuti Absent)}

2009-0400 Approval of appointment to the Development Advisory Committee to fill the unexpired term of Carol Hassell. Term expires December 31, 2009. District 1/Lasseter (Tabled on 06/23/2009) (Tabled to 08/18/2009) {Action: Tabled Motion: Lasseter Second: Beaudreau Vote: 3-0 (Bannister & Nasuti Absent)}

Gwinnett County Board of Commissioners
Tuesday, June 23, 2009 - 7:00 P. M.
Public Hearing - Minutes
Page 2

VII. New Business

1. Transportation/Brian Allen

2009-0734 Award RP018-08, public private partnership to pre-develop the Ronald Reagan Pkwy extension, Department of Transportation, to sole bidder, Skanska USA Civil Southeast, Inc., amount not to exceed \$1,461,518.00. Authorization for Chairman to execute contracts subject to approval by the Law Department. Contracts to follow award. (Staff Recommendation: Award) {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 3-0 (Bannister & Nasuti Absent)}

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 06/23/2009) (Tabled to 07/28/2009) (Staff Recommendation: Approval with conditions)(Public hearing was not held) {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 3-0 (Bannister & Nasuti Absent)}

2009-0590 TSP-2009-00004 - Construct a 170 foot tall Telecommunication Tower with a 4 foot lightning rod for a total overall height of 174 feet. Location is: 84 Patterson Road. Commission District 4 (Kenerly). (Staff Recommendation: Approval with conditions) {Action: Approved with Stipulations Motion: Kenerly Second: Beaudreau Vote: 3-0 (Bannister & Nasuti Absent)}

2009-0586 CIC-09-012, Applicant: Anthony Powell, Owner: Newell Recycling, to Change Conditions of Zoning for property zoned M-2 to Expand Hours of Operation; Expansion of Facilities, District 6 Land Lot 250 Parcel 004, 2800 Block of Amwiler Road, 22.90 Acres, District 2/Nasuti[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Kenerly Second: Beaudreau Vote: 3-0 (Bannister & Nasuti Absent)}

Gwinnett County Board of Commissioners
Tuesday, June 23, 2009 - 7:00 P. M.
Public Hearing - Minutes
Page 3

VIII. Public Hearing – Old Business

1. Planning & Development/Glenn Stephens

2009-0587 SUP-09-030, Applicant: Anthony Powell, Owner: Newell Recycling, for a Special Use Permit in a M-2 Zoning District to Allow Metal Salvage and Recycling Facility (Renewal), District 6 Land Lot 250 Parcel 004, 2800 Block of Amwiler Road, 22.90 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Kenerly Second: Beaudreau Vote: 3-0 (Bannister & Nasuti Absent)}

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[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny without Prejudice] {Action: Denied without Prejudice Motion: Kenerly Second: Beaudreau Vote: 3-0 (Bannister & Nasuti Absent)}

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 06/23/2009) (Tabled to 08/25/2009)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 8/18/2009] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 3-0 (Bannister & Nasuti Absent)}

Gwinnett County Board of Commissioners
Tuesday, June 23, 2009 - 7:00 P. M.
Public Hearing - Minutes
Page 4

IX. Public Hearing – Old Business

1. Planning & Development/Glenn Stephens

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 06/23/2009) (Tabled to 08/25/2009)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 8/18/2009] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 3-0 (Bannister & Nasuti Absent)}**

IX. Public Hearing – New Business

1. Change in Conditions

2009-0705 CIC-09-014, Applicant: T & D New Hope, LLC., Owner: Dustin Nguyen, to Change Conditions of zoning to allow a Restaurant and Additional Ground Sign for Property Zoned C-1, District 5 Land Lot 172 Parcel 002, 800 Block of New Hope Road, 0.87 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: 3-0 (Bannister & Nasuti Absent)}**

2009-0706 SUP-09-032, Applicant: T & D New Hope, LLC., Owner: Dustin Nguyen, for a Special Use Permit in a C-1 Zoning District to Allow a Restaurant, District 5 Land Lot 172 Parcel 002, 800 Block of New Hope Road, 0.87 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: 3-0 (Bannister & Nasuti Absent)}**

Gwinnett County Board of Commissioners
Tuesday, June 23, 2009 - 7:00 P. M.
Public Hearing - Minutes
Page 5

IX. Public Hearing – New Business

1. Change in Conditions

2009-0707 CIC-09-015, Applicant: Inland Group, LLC., Owner: Atlanta Best Deals, LLC., to Change Conditions of zoning to Reduce Buffer and Expand Allowable Uses (Reduction In Buffer) for Property Zoned C-2, District 6 Land Lot 256 Parcel 124, 5100 Block of Buford Highway, 1.88 Acres, District 2/Nasuti.[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Kenerly Second: Beaudreau Vote: 3-0 (Bannister & Nasuti Absent)}

2009-0708 SUP-09-039, Applicant: Inland Group, LLC., Owner: Atlanta Best Deals, LLC., for a Special Use Permit in a C-2 Zoning District to Allow Automobile Sales & Service, District 6 Land Lot 256 Parcel 124, 5100 Block of Buford Highway, 1.88 Acres, District 2/Nasuti.[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Kenerly Second: Beaudreau Vote: 3-0 (Bannister & Nasuti Absent)}

2. Special Use Permit

2009-0715 SUP-09-031, Applicant: Good Shepherd Presbyterian Preschool, Owner: Good Shepherd Presbyterian Preschool, for a Special Use Permit in an R-100 Zoning District to Allow a Daycare Center (Accessory), District 6 Land Lot 083 Parcel 004, 1400 Block of Killian Hill Road, 10.46 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: 3-0 (Bannister & Nasuti Absent)}

Gwinnett County Board of Commissioners
Tuesday, June 23, 2009 - 7:00 P. M.
Public Hearing - Minutes
Page 6

IX. Public Hearing – New Business

2. Special Use Permit

2009-0716 SUP-09-034, Applicant: Mercita J. Flippen, Owner: Mercita J. Flippen, for a Special Use Permit in an R-100 CSO Zoning District to Allow a Home Occupation (Hair Salon), District 1 Land Lot 002 Parcel 841, 2700 Block of Sedgeview Lane, 0.14 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: 3-0 (Bannister & Nasuti Absent)}

2009-0717 SUP-09-035, Applicant: Koko Plaza Pawn & Check Cashing c/o Mill Creek Consulting, Owner: R.S. Investment Group, LLC. c/o Mill Creek Consulting, for a Special Use Permit in a C-2 Zoning District to Allow a Pawn Shop and Check Cashing Store, District 6 Land Lot 203 Parcel 083, 3600 Block of Club Drive, 0.63 Acres, District 1/Lasseter. (Tabled on 06/23/2009) (Tabled to 08/25/2009)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 8/18/2009] {Action: Tabled Motion: Lasseter Second: Beaudreau Vote: 3-0 (Bannister & Nasuti Absent)}

2009-0718 SUP-09-036, Applicant: Steve & Elizabeth Lantroop c/o Andersen, Tate and Carr, Owner: Steve & Elizabeth Lantroop c/o Andersen, Tate and Carr, for a Special Use Permit in a C-2 Zoning District to Allow Outdoor Storage and Display, District 5 Land Lot 018 Parcel 024, 2400 Block of Lawrenceville Highway, 1.33 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: 3-0 (Bannister & Nasuti Absent)}

Gwinnett County Board of Commissioners
Tuesday, June 23, 2009 - 7:00 P. M.
Public Hearing - Minutes
Page 7

IX. Public Hearing – New Business

2. Special Use Permit

2009-0719 SUP-09-037, Applicant: Steve & Elizabeth Lantroop c/o Andersen, Tate and Carr, Owner: Steve & Elizabeth Lantroop c/o Andersen, Tate and Carr, for a Special Use Permit in a C-2 Zoning District to Allow Outdoor Storage and Display, District 5 Land Lot 018 Parcel 023, 2400 Block of Lawrenceville Highway, 0.88 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: 3-0 (Bannister & Nasuti Absent)** }

2009-0720 SUP-09-038, Applicant: Land Engineering & Development, Owner: Stock Development #39, LLC., for a Special Use Permit in a C-2 Zoning District to Allow an Automotive Car Wash (Full Service), District 6 Land Lot 020 Parcel 284, 3400 Block of Centerville Highway, 1.36 Acres, District 3/Beaudreau. (**Tabled on 06/23/2009**) (**Tabled to 07/28/2009**)(**Public hearing was not held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 7/21/2009] { **Action: Tabled Motion: Beaudreau Second: Lasseter Vote: 3-0 (Bannister & Nasuti Absent)** }

2009-0722 SUP-09-040, Applicant: Bong Choi, Owner: Sugarloaf Korean Baptist Church, for a Special Use Permit in an R-100 Zoning District to Allow a Daycare Center (Accessory), District 7 Land Lot 165 Parcels 009, 019, 1600 Block of Old Peachtree Road, 5.42 Acres, District 1/Lasseter. (**Tabled on 06/23/2009**) (**Tabled to 07/28/2009**)(**Public hearing was not held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 7/7/2009] { **Action: Tabled Motion: Lasseter Second: Beaudreau Vote: 3-0 (Bannister & Nasuti Absent)** }

Gwinnett County Board of Commissioners
Tuesday, June 23, 2009 - 7:00 P. M.
Public Hearing - Minutes
Page 8

IX. Public Hearing – New Business

3. Rezonings

2009-0697 RZC-09-020, Applicant: Pang Cha Gentry, Owner: Blanco & Janice Pennington, R-75 to O-I, Daycare Center (Reduction in Buffers), District 7 Land Lot 288 Parcel 022, 4900 Block of West Price Road, 2.07 Acres, District 4/Kenerly. (Tabled on 06/23/2009) (Tabled to 07/28/2009)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 3-0 (Bannister & Nasuti Absent)}

2009-0699 SUP-09-033, Applicant: Pang Cha Gentry, Owner: Blanco & Janice Pennington, for a Special Use Permit in an O-I (Proposed) Zoning District to Allow a Daycare Center, District 7 Land Lot 288 Parcel 022, 4900 Block of West Price Road, 2.07 Acres, District 4/Kenerly. (Tabled on 06/23/2009) (Tabled to 07/28/2009)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 3-0 (Bannister & Nasuti Absent)}

2009-0700 RZC-09-021, Applicant: Estate of Garland B. Darracott c/o Mill Creek Consulting, Owner: Estate of Garland B. Darracott c/o Mill Creek Consulting, RA-200 to O-I, Office Uses, District 1 Land Lot 001 Parcel 132, 3000 Block of Hamilton Mill Road, 10.00 Acres, District 4/Kenerly. (Tabled on 06/23/2009) (Tabled to 08/25/2009)(Public hearing was not held)[Planning Commission Recommendation: Tabled - Date: 8/18/2009] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 3-0 (Bannister & Nasuti Absent)}

2009-0701 RZC-09-022, Applicant: Carl (Skip) Cain, Owner: Nadiya Alibhai, C-2 & RM-10 to C-2, Commercial Retail Uses (Reduction in Buffers), District 7 Land Lot 040 Parcel 001, 2700 Block of Boggs Road and the 1300 Block of Old Norcross Road, 19.86 Acres, District 1/Laseter. (Tabled on 06/23/2009) (Tabled to 07/28/2009)(Public hearing was not held)[Planning Commission Recommendation: Tabled - Date: 7/21/2009] {Action: Tabled Motion: Laseter Second: Beaudreau Vote: 3-0 (Bannister & Nasuti Absent)}

Gwinnett County Board of Commissioners
Tuesday, June 23, 2009 - 7:00 P. M.
Public Hearing - Minutes
Page 9

IX. Public Hearing – New Business

3. Rezonings

2009-0702 RZC-09-023, Applicant: Ronald Barnes, Owner: Ronald Barnes, R-100 to C-1, Commercial Retail Uses (Antique Store), District 7 Land Lot 117 Parcel 056, 2300 Block of Meadow Church Way, 0.45 Acres, District 1/Lasseter.[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Lasseter Second: Beaudreau Vote: 3-0 (Bannister & Nasuti Absent)}

2009-0703 RZM-09-001, Applicant: T & B, LLC. c/o Andersen, Tate and Carr, Owner: T & B, LLC. c/o Andersen, Tate and Carr, R-60 to R-TH, Townhomes, District 7 Land Lot 104 Parcel 006A, 1200 Block of Old Peachtree Road and the 1200 Block of Mill Shyre Way, 25.38 Acres, District 4/Kenerly. (Tabled on 06/23/2009) (Tabled to 07/28/2009)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 7/21/2009] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 3-0 (Bannister & Nasuti Absent)}

2009-0704 RZR-09-003, Applicant: Asghar Hossain, Owner: Asghar Hossain, O-I to R-100, Single-Family Residence, District 6 Land Lot 286 Parcel 028, 5100 Block of South Old Peachtree Road, 0.61 Acres, District 2/Nasuti. (Tabled on 06/23/2009) (Tabled to 07/28/2009)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 7/21/2009] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 3-0 (Bannister & Nasuti Absent)}

X. Comments from Audience

XI. Adjournment