



Gwinnett County Board of Commissioners

Tuesday, July 24, 2007 - 7:00 PM

Public Hearing - Agenda

I. Call To Order, Invocation, Pledge to Flag

II. Opening Remarks by Chairman

III. Approval of Agenda

IV. Approval of Minutes:

Business Session: July 17, 2007
Executive Session: July 24, 2007

V. Announcements

VI. Old Business

1. Support Services/Connie Hinson

2007-0948 Approval/authorization for the Chairman to execute a purchase and sale agreement between Bowen Business Interests, LLC, Cape Business Interests, LLC, and Phelps Business Interests, LLC and Gwinnett County, Georgia approving the purchase of 66.635 more or less acres, located in land lot 274 of the 7th district, Gwinnett County, Georgia in the amount of \$13,950,000.00 and authorization to execute all necessary documents to complete closing, subject to approval by the Law Department. Contract to follow. District4/Kenerly(Tabled on 7/17/2007)(Staff Recommendation: Approval)

2. Planning & Development/Glenn Stephens

2007-0613 MUR-07-001, Applicant: Trinity Real Estate Advisors, Owner: Gwinnett Station, LLC, Mixed Use Redevelopment, District 6 Land Lot 232 Parcels 035, 037, 053, 089 and 225, 2100 - 2300 Block of Pleasant Hill Road, 3000 Block of Old Norcross Road, 3000 Block of Satellite Boulevard, 42.50 Acres, District 1/Green(Tabled on 4/24/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 10/02/2007]

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VI. Old Business

2. Planning & Development/Glenn Stephens

2007-0944 SUP-07-067, Applicant: Statewide Wrecker Service, Inc., Owner: Robert Brett Slack, for a Special Use Permit in an M-2 Zoning District to Allow a Towing/Wrecker Service, District 6 Land Lot 258 Parcel 032A, 2700 Block of Simpson Circle, 5.0 Acres, District 2/Nasuti(Tabled on 6/26/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2007-0714 RZC-07-032, Applicant: Mahaffey Pickens Tucker, LLP, Owner: James M. Williams, Jr. Real Estate Company, et al, M-1 to C-2, Commercial Retail Uses, District 6 Land Lot 060 Parcel 064, 2000 Block of West Park Place Boulevard, 6.70 Acres, District 3/Beaudreau(Tabled on 7/17/2007)(Public hearing was held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2007-0715 RZC-07-033, Mahaffey Pickens Tucker, LLP, Owner: James M. Williams, Jr. Real Estate Company, et al, M-1 to C-2, Commercial Retail Uses, District 6 Land Lot 060 Parcel 064, District 6 Land Lot 059 Parcel 015, 2000 Block of West Park Place Boulevard, 2100 Block of West Park Court, 4.10 Acres, District 3/Beaudreau(Tabled on 7/17/2007)(Public hearing was held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2007-0716 RZC-07-034, Applicant: Mahaffey Pickens Tucker, LLP, Owner: James M. Williams, Jr. Real Estate Company, et al, M-1 to C-2, Commercial Retail Uses, District 6 Land Lot 060 Parcel 004, 2000 Block of West Park Place Boulevard, 3.10 Acres, District 3/Beaudreau(Tabled on 7/17/2007)(Public hearing was held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

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2. Planning & Development/Glenn Stephens

2007-0436 RZR-07-012, Home Crafters, Inc., Modified Single-Family Subdivision, RA-200 to R-100 Modified, LL003, 2nd District, Parcels 023 and 209, 400 Block of Auburn Road. District 3/Beaudreau(Tabled on 6/26/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions as R-100]

2007-0437 SUP-07-015, Home Crafters, Inc., Modified Single-Family Subdivision, R-100 (Proposed), LL003, 2nd District, Parcels 023 and 209, 400 Block of Auburn Road. District 3/Beaudreau(Tabled on 6/26/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny]

2007-0915 RZR-07-015, Applicant: Kilgore Road Development LLC, Owner: Jimmy Littlefield, et al, RA-200 to R-75 MOD, Modified Single-Family Subdivision, District 7 Land Lot 184 Parcels 026 and 027, 2400 Block of Kilgore Road, 19.67 Acres, District 4/Kenerly(Tabled on 6/26/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions as R-100 MOD][Planning Commission Recommendation: Approve with Conditions as R-100 Mod]

2007-0916 SUP-07-017, Applicant: Kilgore Road Development, LLC, Owner: Jimmy Littlefield, et al, for a Special Use Permit in an R-75 (Proposed) Zoning District to Allow a Modified Single-Family Subdivision, District 7 Land Lot 184 Parcels 026 and 027, 2400 Block of Kilgore Road, 19.67 Acres, District 4/Kenerly(Tabled on 6/26/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions as R-100 MOD][Planning Commission Recommendation: Approve with Conditions as R-100 Mod]

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2007-0918 RZR-07-017, Applicant: Home Crafters, Inc., Owner: Robert L. Cudger, et al, RA-200 to R-ZT, Single-Family Subdivision (Reduction in Buffers), District 5 Land Lot 274 Parcels 003, 008, 013, 035, 115, 117, and 119, 2100 Block of American Legion Road, 11.38 Acres, District 3/Beaudreau(Tabled on 6/26/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions as R-100 Mod]

2007-0927 RZR-07-025, Applicant: BTS Properties, LLC, Owner Ivo James Lipsey, et al, R-100 to R-ZT, Single-Family Subdivision (Reduction in Buffers), District 7 Land Lot 264 Parcels 024, 025, 027, 053, 055, and 120, 4300 Block of Thompson Mill Road and the 3000 Block of North Bogan Road, 27.43 Acres, District 4/Kenerly(Tabled on 6/26/2007)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions as R-SR]

VII. Public Hearing

1. Change in Conditions:

2007-1101 CIC-07-020, Applicant: TPA Realty Services, LLC, Owner: Jewish Federation of Greater Atlanta, Inc., to Change Conditions of Zoning for Property Zoned OBP, District 6 Land Lot 301 Parcel 141, 3700 Block of Davinci Court, 5.16 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2007-1102 CIC-07-022, PAI Industries, Inc., Owner: HP Properties, to Change Conditions of Zoning for Property Zoned M-1 (Reduction in Buffers), District 7 Land Lot 125 Parcels 174 and 175, 600 Block of Old Peachtree Road, 9.53 Acres, District 1/Green[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

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VII. Public Hearing

2. Special Use Permit:

2007-1110 SUP-07-068, Applicant: N. Hakimi/ACR Cars, Inc., Owner: Capita Land, Inc., for a Special Use Permit in a C-2 Zoning District to Allow Automobile Sales, District 6 Land Lot 244 Parcel 011, 6200 Block of Buford Highway, 1.22 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2007-1111 SUP-07-069, Applicant: Alfred E. Schillaci, Owner: Fereydoun Taslimi, for a Special Use Permit in a C-2 Zoning District to Allow a Tire Store, District 6 Land Lot 190 Parcels 061 and 176, 5000 Block of Jimmy Carter Boulevard, 0.72 Acres, District 2/Nasuti[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

2007-1112 SUP-07-070, Applicant: Chong P. Reiten, Owner: Good Shepherd Baptist Church, for a Special Use Permit in an M-1 Zoning District to Allow a Church, District 6 Land Lot 268 Parcel 048, 4400 Block of Peachtree Lakes Drive, 2.56 Acres, District 2/Nasuti[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

2007-1113 SUP-07-071, Applicant: True Vine Land Planning & Engineering of Braselton, Owner: GCMT2, LLC, for a Special Use Permit in an M-2 Zoning District to Allow a Building Height Increase, District 7 Land Lot 118 Parcel 004, 2200 Block of Northmont Parkway, 6.45 Acres, District 1/Green[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 08/21/2007]

2007-1114 SUP-07-073, Applicant: Keystone Development Services, LLC, Owner: Kelly Square Partnership, for a Special Use Permit in a C-2 Zoning District to Allow a Mini-Warehouse Storage Facility, District 6 Land Lot 152 Parcel 084, 3700 Block of Lawrenceville Highway, 8.79 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

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2. Special Use Permit:

2007-1115 SUP-07-074, Applicant: Imperial Investments Group, Inc., Owner: Dray Investors, LLC, for a Special Use Permit in a C-2 Zoning District to Allow a Building Height Increase, District 1 Land Lot 001 Parcel 048, 2700 Block of Hamilton Mill Road, 3.21 Acres, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 08/21/2007]

3. Rezonings:

2007-1082 RZC-07-030, Applicant: Lenox Residential Development, LLC, Owner: Michael Aaron Lee, R-100 to O-I, Personal Care Home (Congregate), District 6 Land Lot 089 Parcel 004, 3800-3900 Block of Five Forks Trickum Road, 16.01 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 09/04/2007]

2007-1083 SUP-07-014, Applicant: Lenox Residential Development, LLC, Owner: Joann Staples, et al, for a Special Use Permit in an O-I (Proposed) Zoning District to Allow a Personal Care Home (Congregate), District 6 Land Lot 089 Parcel 004, 3800-3900 Block of Five Forks Trickum Road, 16.01 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 09/04/2007]

2007-1084 RZC-07-041, Applicant: Robert & Marilyn Kilby, Owner: Robert Kilby, et al, R-100 to O-I, Office Uses, District 6 Land Lot 058 Parcel 009H, 2100 Block of Rockbridge Road, 2.05 Acres, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 08/21/2007]

2007-1085 RZC-07-042, Applicant: John J. Echeverry, Owner: John J. Echeverry, M-1 to C-2, Automobile Repair, District 6 Land Lot 259 Parcel 059, 4300 Block of Buford Highway, 0.82 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

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3. Rezonings:

2007-1086 SUP-07-018, Applicant: John J. Echeverry, Owner: John J. Echeverry, for a Special Use Permit in a C-2 (Proposed) Zoning District to Allow Automobile Repair, District 6 Land Lot 259 Parcel 059, 4300 Block of Buford Highway, 0.82 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2007-1087 RZC-07-043, Applicant: The Dream House for Kids, Inc., Owner: The Dream House for Kids, Inc., R-100 to O-I Group Home (Reduction in Buffers), District 6 Land Lot 100 Parcel 100, 4800 Block of Miller Road, 2.15 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 08/21/2007]

2007-1088 SUP-07-019, Applicant: The Dream House for Kids, Inc., Owner: The Dream House for Kids, Inc., for a Special Use Permit in an O-I (Proposed) Zoning District to Allow Daycare Center (Group), District 6 Land Lot 100 Parcel 100, 4800 Block of Miller Road, 2.15 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 08/21/2007]

2007-1089 RZC-07-044, Applicant: Strategic Realty Group, LLC, Owner: Sola Fide Church, et al, R-100 to C-2, Commercial Retail Uses (Reduction in Buffers), District 5 Land Lot 086 Parcels 010, 017, 025, and 026 and District 5 Land Lot 087 Parcels 130, 131, 134, 135, 128, 132, 133, 136, 146, 129, 137, 138, 127, 139, 140, 125, 141, 124, 142, 123, 115, and 001, 1200 Block of Scenic Highway, 33.87 Acres, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 08/21/2007]

2007-1090 RZC-07-045, Applicant: Majors Management, LLC, Owner: Terry S. Chaffin, R-100 to C-1, Convenience Store, District 5 Land Lot 066 Parcels 007 and 026, 3800 Block of Rosebud Road and the 1500 Block of Old Loganville Road, 3.34 Acres, District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny without Prejudice]

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3. Rezoning:

2007-1091 RZC-07-047, Applicant: Richard Shin, Owner: Li Yong Rong, RA-200 to C-2, Commercial Retail Uses, District 1 Land Lot 001 Parcel 118, 2800-2900 Block of Hamilton Mill Road, 1.98 Acres, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

2007-1092 RZC-07-048, Applicant: Madrid Chavez Autos, Inc., Owner: Madrid Chavez Autos, Inc., C-2 and R-75 to C-2, Automobile Sales (Reduction in Buffers), District 6 Land Lot 256 Parcels 029A, 028, and 027, 5200 Block of Buford Highway and the 2700 Block of Herrington Drive, 1.12 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2007-1093 SUP-07-020, Applicant: Madrid Chavez Autos, Inc., Owner: Madrid Chavez Autos, Inc., for a Special Use Permit in a C-2 (Proposed) Zoning District to Allow Automobile Sales, District 6 Land Lot 256 Parcels 028, 027, and 029A, 5200 Block of Buford Highway and the 2700 Block of Herrington Drive, 1.12 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2007-1094 RZC-07-049, Applicant: Hai Tung Lai, Owner: Hai Tung Lai, RA-200 and R-100 to C-2, Commercial Retail Uses (Reduction in Buffers), District 2 Land Lot 003C Parcel 032, District 2 Land Lot 003 Parcel 003, 0-100 Block of Auburn Road and the 3500 Block of Bailey Road, 9.51 Acres, District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny without Prejudice]

2007-1095 RZC-07-050, Applicant: Steven Sun, Owner: Steven Sun, RA-200 to C-2, Commercial Retail Uses (Reduction in Buffers), District 1 Land Lot 001 Parcel 028, 2800 Block of Hamilton Mill Road, 4.35 Acres, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

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3. Rezoning:

2007-1096 RZC-07-051, Applicant: Dale Brown, Owner: Dale Brown, R-100 to O-I, Office Uses (Reduction in Buffers), District 3 Land Lot 001A Parcels 101 and 102, 2000-2100 Block of Gravel Springs Road, 2.82 Acres, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2007-1097 RZC-07-052, Applicant: Permit Resource Solutions, Owner: Jose Claros, M-1 to C-2, Restaurant, District 5 Land Lot 176 Parcel 049A, 200 Block of Hurricane Shoals Road, 0.68 Acres, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2007-1098 RZC-07-053, Harold David Ehrman, Owner: Hailu A. Zeleke, Owner: Aster Mamo Gessesse, M-1 to C-2, Automobile Sales (Reduction in Buffers), District 5 Land Lot 125 Parcel 031, 800 Block of Athens Highway, 1.29 Acres, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2007-1099 SUP-07-027, Applicant: Harold David Ehrman, Owner: Hailu A. Zeleke, Owner: Aster Mano Gessesse, for a Special Use Permit in a C-2 (Proposed) Zoning District to Allow Automobile Sales, District 5 Land Lot 125 Parcel 031, 800 Block of Athens Highway, 1.29 Acres, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2007-1100 RZC-07-054, Applicant: George Flanigan, Owner: PIB Development, LLC, M-1 to C-2, Commercial Retail Uses (Reduction in Buffers), District 6 Land 268 Parcels 043 and 044, 4400 Block of Peachtree Industrial Boulevard, 4.99 Acres, District 2/Nasuti[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 08/21/2007]

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3. Rezonings:

2007-0720 RZC-07-038, Applicant: Wilwat Properties, Inc., Owner: Su-Tzu Huang Living Trust, et al, RA-200 to C-2, Commercial Retail Uses (Reduction in Buffers), District 2 Land Lot 002 Parcel 036, District 2 Land Lot 002 Parcel 040, District 2 Land Lot 002 Parcel 041, District 2 Land Lot 002 Parcel 136, District 2 Land Lot 002 Parcel 144, District 2 Land Lot 002 Parcel 190, 700 Block of Auburn Road, 3400 Block of Fence Road, 5.47 Acres, District 3/Beaudreau(Tabled on 6/26/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 08/21/2007]

2007-1108 RZC-08-031, Applicant: Wilwat Properties, Inc., Owner: Telia F. Hanks, Owner: Mark A. Hanks, et al, RA-200 to C-2, Commercial Retail Uses (Reduction in Buffers), District 2 Land Lot 001 Parcel 443, 3400 Block of Fence Road, 2.00 Acres, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 08/21/2007]

2007-1109 RZC-08-032, Applicant: Wilwat Properties, Inc., Owner: Mark A. Hanks, Owner: Telia F. Hanks, et al, RA-200 to C-2, Commercial Retail Uses (Reduction in Buffers), District 2 Land Lot 001 Parcels 018 and 417, 800 Block of Auburn Road, 3.26 Acres, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 08/21/2007]

4. Planning & Development/Glenn Stephens

2007-0958 Amendment-07-005 - An Amendment to the 1985 Zoning Resolution of Gwinnett County to Article XIII Use Provisions, Section 1308. C-2 General Business District, and Section 1308A. C-3 Highway Business District to establish a minimum lot area for automotive sales lots.(Staff Recommendation: 7/17 PC Meeting - Recommend approval)

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4. Planning & Development/Glenn Stephens

2007-1120 Amendment-07-006 - An Amendment to the 1985 Zoning Resolution of Gwinnett County to Article III Definitions, to provide or amend definitions of the terms child care institution, group home, congregate personal care home, family personal care home, group personal care home and personal care home to Article XIII sections 1300, 1300A, 1301, 1306, 1309, 1310 and 1311 to add group homes as a Special Use, to sections 1307, 1308 and 1308A to add group homes as a permitted use, and to section 1303 to amend the permitted use exceptions.(Staff Recommendation: 7/17 PC Meeting - Recommended approval)

2007-1064 TSP-2007-009 requesting the construction of a 199-ft tall monopole telecommunications tower with ground equipment. Address is 900 Block Cole Drive. Commission District 2/Nasuti(Staff Recommendation: Approval with conditions - See Attachment)

VIII. New Business

IX. Comments from Audience

X. Adjournment