



Gwinnett County Board of Commissioners

Tuesday, October 23, 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: October 16, 2007
Executive Session: October 23, 2007

V. Announcements

VI. New Business

1. Support Services/Connie Hinson

2007-1586 Approval/authorization to declare surplus a tract of land that consist of 0.218 acres which abuts Peachtree Industrial Boulevard and dispose of in accordance with O.C.G.A 32-7-4 for a price not less than the appraised value of \$21,000.00; authorization for the Chairman to execute any and all documents to effectuate said transaction. Land lot 253 of the 7th district. District 1/Green(Staff Recommendation: Approval)

VII. Public Hearing – Old Business

1. Planning & Development/Glenn Stephens

2007-0613 MUR-07-001, Applicant: Trinity Real Estate Advisors, Owner: Gwinnett Station LLC, Mixed-Use Redevelopment Overlay, District 6 Land Lot 232 Parcel 035, 037, 053, 089, and 225, 2100-2300 Block of Pleasant Hill Road, the 3000 Block of Old Norcross Road and the 3000 Block of Satellite Boulevard, 42.50 Acres, District 1/Green - ADMINISTRATIVELY WITHDRAWN(Tabled on 7/24/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 11/06/2007]

Gwinnett County Board of Commissioners
Tuesday, October 23, 2007 - 7:00 P. M.
Public Hearing - Agenda
Page 2

VII. Public Hearing – Old Business

1. Planning & Development/Glenn Stephens

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(Tabled on 9/25/2007)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

2007-1473 SUP-07-080, Applicant: Charlie C. Cannon, Owner: Charles Cannon, for a Special Use Permit in a C-2 Zoning District to Allow Automobile Sales, District 6 Land Lot 056 Parcels 030 and 118, 4500 Block of Stone Mountain Highway, 6.66 Acres, District 3/Beaudreau(Tabled on 9/25/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2007-1476 SUP-07-084, Applicant: Vintage Communities, Inc., Owner: Vintage Communities, Inc., for a Special Use Permit in a C-2 Zoning District to Allow Automobile Repair, District 5 Land Lot 156 Parcel 002, 0-100 Block of Ozora Road, 0.42 Acres, District 3/Beaudreau(Tabled on 9/25/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

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 - ADMINISTRATIVELY WITHDRAWN(Tabled on 9/25/2007)(Public hearing was not held)

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 - ADMINISTRATIVELY WITHDRAWN(Tabled on 9/25/2007)(Public hearing was not held)

Gwinnett County Board of Commissioners
Tuesday, October 23, 2007 - 7:00 P. M.
Public Hearing - Agenda
Page 3

VII. Public Hearing – Old Business

1. Planning & Development/Glenn Stephens

2007-1201 RZC-07-057, Applicant: Mahaffey Pickens Tucker, LLP, Owner: Robert M. Cain, et al, R-100 & C-1 to O-I, Retirement Community (Reduction in Buffers), District 5 Land Lot 013 Parcels 129, 130, 136, 143, 144, 164, and 181, 2800 Block of Hutchins Road and the 2800-2900 Block of Brittney Place, 34.16 Acres, District 3/Beaudreau(Tabled on 8/28/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 11/13/2007]

2007-1202 SUP-07-029, Applicant: Mahaffey Pickens Tucker, LLP, Owner: Robert M. Cain, et al, for a Special Use Permit in an O-I (Proposed) Zoning District to Allow a Retirement Community, District 5 Land Lot 013 Parcels 129, 130, 136, 143, 144, 164, and 181, 2800 Block of Hutchins Road and the 2800-2900 Block of Brittney Place, 34.16 Acres, District 3/Beaudreau(Tabled on 8/28/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 11/13/2007]

2007-1216 RZC-08-013, Applicant: Ben Skaggs, Owner: Yong Suk Choi, R-75 to C-2, Commercial Retail Uses (Reduction in Buffers), District 6 Land Lot 177 Parcels 026 and 011, 1000 Block of Pleasant Hill Road, 1.73 Acres, District 1/Green(Tabled on 8/28/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions as C-1][Planning Commission Recommendation: Deny]

2007-1219 RZC-08-015, Applicant: Lian Cong Zhang, Owner: Lian Cong Zhang, M-2 to C-2, Commercial Retail Uses, District 6 Land Lot 261 Parcels 061 and 054, 2900 Block of Pleasant Hill Road and the 3800 Block of Bank Street, 4.91 Acres, District 1/Green(Tabled on 9/25/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 11/13/2007]

Gwinnett County Board of Commissioners
Tuesday, October 23, 2007 - 7:00 P. M.
Public Hearing - Agenda
Page 4

VII. Public Hearing – Old Business

1. Planning & Development/Glenn Stephens

2007-1459 RZR-07-040, Applicant: Tahoe Development Group, LLC, Owner: Louis Cancilla, et al, R-140 to R-ZT, Single-Family Subdivision (Reduction in Buffers), District 5 Land Lot 077 Parcels 026, 027, 028, 029 and 030, 300 Block of Rack Road, 11.45 Acres, District 4/Kenerly(Tabled on 9/25/2007)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 01/15/2008]

2007-1460 RZM-07-013, Applicant: Tahoe Development Group, LLC, Owner: Louis Cancilla, et al, R-ZT to R-TH, Townhomes (Reduction in Buffers), District 5 Land Lot 084 Parcels 011, 012 and 013, 3400 Block of Sugarloaf Parkway, 6.23 Acres, District 4/Kenerly(Tabled on 9/25/2007)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 01/15/2008]

2007-1446 RZR-07-034, Applicant: Hemlock Holdings, LLC, Owner: Hulon L. Minor, R-75 to R-ZT, Single-Family Subdivision, District 6 Land Lot 227 Parcel 004, 2200 Block of Ingram Road, 5.62 Acres, District 2/Nasuti(Tabled on 9/25/2007)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 11/13/2007]

VIII. Public Hearing – New Business

1. Support Services/Connie Hinson

2007-1584 Approval/authorization of a public hearing and abandonment of a portion of a public road known as Peachtree Industrial Boulevard Road, authorization for Chairman to execute the quitclaim deeds in land lot 253 of the 7th 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)

Gwinnett County Board of Commissioners
Tuesday, October 23, 2007 - 7:00 P. M.
Public Hearing - Agenda
Page 5

VIII. Public Hearing – New Business

1. Support Services/Connie Hinson

2007-1585 Approval/authorization of a public hearing and abandonment of a portion of a public road known as May Road a/k/a/ Berkeley Lake Road, authorization for Chairman to execute the quitclaim deeds in land lots 261 and 266 of the 6th land district, abandonment in accordance with Georgia statutes on abandonment found in O.C.G.A. 32-7-2HB 1539. District 1/Green(Staff Recommendation: Approval)

2. Transportation/Brian Allen

2007-1466 Approval of incorporation into the Gwinnett County Speed Hump Program - Judean Hills (M-0092-41) estimated cost: \$11,480.00 - 2001 Sales Tax Program - Commission District 1/Green(Staff Recommendation: Approval)

2007-1467 Approval of incorporation into the Gwinnett County Speed Hump Program - Plantation Woods (M-0092-42) estimated cost: \$8,200.00 - 2001 Sales Tax Program - Commission District 4/Kenerly(Staff Recommendation: Approval)

3. Special Use Permit:

2007-1565 SUP-07-087, Applicant: Rosario Estrada, Owner: Rosario Estrada, for a Special Use Permit in a RA-200 Zoning District to Allow a Mobile Home (Accessory), District 5 Land Lot 270 Parcel 002A, 100 Block of Pipeline Road, 0.84 Acres, District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

Gwinnett County Board of Commissioners
Tuesday, October 23, 2007 - 7:00 P. M.
Public Hearing - Agenda
Page 6

VIII. Public Hearing – New Business

3. Special Use Permit:

2007-1566 SUP-07-089, Applicant: A-1 International Taxi Services, Inc., Owner Rafat Shaikh, for a Special Use Permit in an M-1 Zoning District to Allow a Taxi Cab Office, District 6 Land Lot 277 Parcel 031, 6900 Block of Peachtree Industrial Boulevard, 0.71 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2007-1567 SUP-07-091, Applicant: New Bethel AME Church, Owner: New Bethel AME Church, for a Special Use Permit in a R-100 Zoning District to Allow a Private School (Reduction in Buffers), District 4 Land Lot 348 Parcel 004, 4700 Block of Centerville Highway, 4.83 Acres, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2007-1568 SUP-07-092, Applicant: Song H. Fike Owner: Song H. Fike, for a Special Use Permit in a R-100 Zoning District to Allow a Home Occupation (Alterations Shop), District 1 Land Lot 001 Parcel 472, 3300 Block of Wallace Road, 0.98 Acres, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2007-1569 SUP-07-093, Applicant: Valerie Sobotta, Owner: Sookraj Persaud, For a Special Use Permit in a R-100 Zoning District to Allow A Church (Reduction in Buffers), District 5 Land Lot 189 Parcel 028, 3200 Block of Briscoe Road, 6.74 Acres, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny]

Gwinnett County Board of Commissioners
Tuesday, October 23, 2007 - 7:00 P. M.
Public Hearing - Agenda
Page 7

VIII. Public Hearing – New Business

3. Special Use Permit:

2007-1570 SUP-07-094, Applicant: Paris J. Sanders, Jr., Owner: Trustees for the Dacula Congregation of Jehovah Witnesses, for a Special Use Permit in a RA-200 Zoning District to Allow a Church, District 5 Land Lot 280 Parcel 002, 1500 Block of Ace McMillian Road, 5.66 Acres, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny]

4. Rezonings:

2007-1546 RZC-08-016, Applicant: Roberts Properties Peachtree Parkway LP, Owner: Roberts Properties Peachtree Parkway LP, O-I to C-2, Commercial Retail Uses (Reduction in Buffers), District 6 Land Lot 301 Parcel 031, 5200 Block of Peachtree Parkway and the 4900 Block of Peachtree Corners Circle, 7.50 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2007-1547 RZC-08-017, Applicant: Martins Chapel, LLC, Owner: Martins Chapel, LLC, et al, R-75 to C-2, Commercial Retail Uses (Reduction in Buffers), District 5 Land Lot 213 Parcels 002, 003, 015, and 016, 700 Block of Martins Chapel Road and the 1000 Block of Simonton Road, 9.33 Acres, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 11/13/2007]

2007-1549 RZC-08-019, Applicant: Richard B. Jones, Owner: Richard B. Jones, RA-200 to C-1, Commercial Retail Uses, District 3 Land Lot 004 Parcels 006, 085, and 116, 5100-5200 Block of Braselton Highway, 6.53 Acres, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 04/15/2008]

Gwinnett County Board of Commissioners
Tuesday, October 23, 2007 - 7:00 P. M.
Public Hearing - Agenda
Page 8

VIII. Public Hearing – New Business

4. Rezonings:

2007-1550 RZC-08-020, Applicant: Harry L. Swilley, Owner: Harry L. Swilley, R-75 to M-1, Outdoor Storage Yard, District 6 Land Lot 257 Parcel 003A, 2700 Block of Hamrick Road, NW, 4.36 Acres, District 2/Nasuti[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 11/13/2007]

2007-1551 RZC-08-021, Applicant: Chul Soo Kim, Owner: Chul Soo Kim, R-100 to O-I, Office Uses (Reduction in Buffers), District 7 Land Lot 165 Parcel 013, 1600 Block of Old Peachtree Road, 0.46 Acres, District 1/Green[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

2007-1552 RZC-08-022, Applicant: Arrow, Inc., Owner: Harold L. Humphries, M-1 to M-2, Solid Waste Transfer Station, District 6 Land Lot 250 Parcel 058, 2800 Block of Humphries Way, 2.30 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny without Prejudice]

2007-1553 SUP-08-005, Applicant: Arrow, Inc., Owner: Harold L. Humphries, for a Special Use Permit in a M-2 (Proposed) Zoning District to Allow a Solid Waste Transfer Station, District 6 Land Lot 250 Parcel 058, 2800 Block of Humphries Way, 2.30 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny without Prejudice]

2007-1554 RZC-08-023, Applicant: Sugarloaf Office Park, Owner: Sudhir Malhota, R-100 to O-I, Office Uses (Reduction in Buffers), District 7 Land Lot 005 Parcels 003 and 021, 4600-4700 Block of Sugarloaf Parkway, 2.32 Acres, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny without Prejudice]

Gwinnett County Board of Commissioners
Tuesday, October 23, 2007 - 7:00 P. M.
Public Hearing - Agenda
Page 9

VIII. Public Hearing – New Business

4. Rezonings:

2007-1555 RZC-08-025, Applicant: Cedars Road Associates, LLC, Owner: D. H. Davis Properties, M-1 to C-2, Commercial Retail Uses, District 5 Land Lot 210 Parcel 162, 1200 Block of Winder Highway and the 1600 Block of Cedars Road, 7.08 Acres, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2007-1557 RZC-08-026, Applicant: Kourieh Investments, LLC, Owner: Kourieh Investments, LLC, O-I to C-2, Commercial Retail Uses, District 7 Land Lot 206 Parcels 008 and 010, 1800 Block of Buford Highway, 1.40 Acres, District 1/Green[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions]

2007-1558 RZC-08-028, Applicant: William Youngblood, Owner: William Youngblood, et al, R-60 to O-I (Reduction in Buffers), District 7 Land Lot 070 Parcel 012, 1700 Block of Lawrenceville-Suwanee Road, 0.90 Acres, District 1/Green[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 11/06/2007]

2007-1559 RZC-08-029, Applicant: Darji and Parma Consultants, LLC, Owner: Fence Road Properties, LLC, RA-200 to C-2, Commercial Retail Uses (Reduction in Buffers), District 2 Land Lot 002 Parcels 043 and 084, 800 Block of Auburn Road and the 3500 Block of Fence Road, 3.46 Acres, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions as C-2 and O-I][Planning Commission Recommendation: Tabled - Date: 11/13/2007]

2007-1564 RZC-08-030, Applicant: Luis Mario Ramirez, Owner: Luis Mario Ramirez, R-75 to O-I, Office Uses (Reduction in Buffers), District 6 Land Lot 196 Parcel 020, 5800 Block of Singleton Road, 0.38 Acres, District 1/Green[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

Gwinnett County Board of Commissioners
Tuesday, October 23, 2007 - 7:00 P. M.
Public Hearing - Agenda
Page 10

VIII. Public Hearing – New Business

4. Rezonings:

2007-1545 RZR-07-038, Applicant: Mahaffey Pickens Tucker, LLP,
Owner: Neal C. Britt et al, RA-200 and R-75 to R-ZT, Single-Family
Subdivision (Reduction in Buffers), District 6 Land Lot 159 Parcels 001,
102, and 372, District 6 Land Lot 158B Parcels 021 and 025, 4500 Block
of Burns Road and the 700 Block of West Johns Road, 9.6 Acres, District
2/Nasuti[Planning Department Recommendation: Approve with
Conditions as R-75][Planning Commission Recommendation: Tabled -
Date: 11/13/2007]

5. Planning & Development/Glenn Stephens

2007-1575 SNC-07-001, Applicant: Cross Pointe Church of Gwinnett,
Location: Distribution Drive from Old Peachtree to end of Roadway,
Street Name Change: From Distribution Drive to Cross Pointe Way,
District 7 Land Lot 123 Parcels 003, 004, 011, 014, 015, 020, 039, and
054, District 1/Green[Planning Department Recommendation:
Approve][Planning Commission Recommendation: Deny]

IX. Comments from Audience

X. Adjournment