



Bannister, Green, Nasuti, Beaudreau, Kenerly Gwinnett County Board of Commissioners

Tuesday, October 25, 2005 - 7:00 PM

Public Hearing - Minutes

I. Call To Order, Invocation, Pledge to Flag

II. Opening Remarks by Chairman

III. Approval of Agenda

IV. Approval of Minutes: October 18, 2005

V. Announcements

VI. Old Business

1. Planning & Development/Michael Williams

2005-1022 CIC-05-020, Danny Herrmann, Automobile Body Repair Shop, Change in Conditions, LL126, 5th District, Parcels 002 & 010, 600 Block of Athens Highway, 3400 Block of Palmer Drive, 600 Block of Midway Road, District 3/Beaudreau(Tabled on 9/27/2005)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Approved with Stipulations Motion: Beaudreau Second: Kenerly Vote: 5-0}

2005-1021 SUP-05-054, Danny Herrmann, Automobile Body Repair Shop, LL126, 5th District, Parcels 002 & 010, 600 Block of Athens Highway, 3400 Block of Palmer Drive, 600 Block of Midway Road, District 3/Beaudreau(Tabled on 9/27/2005)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Approved with Stipulations Motion: Beaudreau Second: Kenerly Vote: 5-0}

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VI. Old Business

1. Planning & Development/Michael Williams

2005-0595 RZM-05-018, Plunketts Mill Partners, LLC, Apartments, R-100 to RM-13, LL188 & 190, 7th District, Parcels 001, 013 & 005, 1200 Block of Plunketts Road, 3400 Block of Woodward Mill Road, District 4/Kenerly(Tabled on 10/25/2005) (Tabled to 11/16/2005)(Public hearing was held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] { Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0}

2005-0598 RZM-05-019, Plunketts Mill Partners, LLC, Townhomes, R-100 to R-TH, LL188&190, 7th District, Parcel 005, 1200 Block of Plunketts Road, District 4/Kenerly(Tabled on 10/25/2005) (Tabled to 11/16/2005) (Public hearing was held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] { Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0}

2005-1015 RZR-05-040, Parkwood Partners, LLC, Single-Family Conservation Subdivision, RA-200 to R-100 CSO, LL247, 5th District, Parcels 001, 008, 015 & 019, 1600 Block of Brooks Road, District 3/Beaudreau(Tabled on 9/27/2005)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] { Action: Approved with Stipulations Motion: Beaudreau Second: Kenerly Vote: 5-0}

2005-1016 RZR-05-043, S.F. Properties, Inc, Single-Family Subdivision, R-75 to R-ZT, LL240, 6th District, Parcel 004, 5000 Block of Old Norcross Road, 5000 Block of Marilyn Road, District 2/Nasuti(Tabled on 9/27/2005)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions as R-60] { Action: Approved with Stipulations Motion: Nasuti Second: Green Vote: 5-0}

2005-1017 RZR-05-044, S.F. Properties, Inc, Single-Family Subdivision, R-75 to R-ZT, LL240, 6th District, Parcel 004, 5000 Block of Old Norcross Road, 2500 Block of Ingram Road, District 2/Nasuti(Tabled on 9/27/2005)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions as R-ZT] { Action: Approved with Stipulations Motion: Nasuti Second: Green Vote: 5-0}

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1. Change in Conditions:

2005-1143 CIC-05-017, Dr. Robert Eaves, Jr, Single-Family Conservation Subdivision, R-100 & R-100 Mod to R-100 CSO, LL014 & 019, 6th District, Parcels 004, 006 & 012, 3700 Block of Centerville Rosebud Road, 3800 Block of Laurel Falls Drive, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions as R-100 Mod.][Planning Commission Recommendation: Approve with Conditions as R-100 CSO] {Action: Approved with Stipulations Motion: Beaudreau Second: Kenerly Vote: 5-0}

2005-1134 CIC-05-018, William Schroeder, Buffer Reduction for Detention Pond, C-2 (Change in Conditions), LL124, 7th District, Parcels 003 & 006, 1400 Block of Satellite Boulevard, District 1/Green(Tabled on 10/25/2005) (Tabled to 11/22/2005)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 11/15/2005] {Action: Tabled Motion: Green Second: Nasuti Vote: 5-0}

2005-1133 CIC-05-019, Duncan Creek Academy, Buffer Reduction to Accommodate Ground Sign, C-1 (Change in Conditions), LL002, 3rd District, Parcel 126, 2100 Block of Pine Road, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Beaudreau Second: Green Vote: 4-0 (Kenerly Out of Room)}

2. Special Use Permit:

2005-1145 SUP-05-055, Crescent Development, Bank Drive-Through, LL124 & 155, 7th District, Parcels 006 & 065, 1100 Block of Satellite Boulevard, District 1/Green[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Green Second: Nasuti Vote: 4-0 (Kenerly Out of Room)}

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2. Special Use Permit:

2005-1146 SUP-05-057, Scot Hollub, Metal Building Greater than 550 sq. ft., LL227, 5th District, Parcel 449, 3400 Block of Bulloch Lake Road, 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 Out of Room)}

2005-1147 SUP-05-058, Kye Fike, Home Occupation (Clothing Alterations), LL001, 1st District, Parcel 472, 3300 Block of Wallace Road, 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 Out of Room)}

2005-1148 SUP-05-059, W. Kenneth Russell, Truck Sales and Service, LL246A, 6th District, Parcel 256, 2500 Block of Button Gwinnett Drive, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Nasuti Second: Green Vote: 5-0}

2005-1149 SUP-05-060, American Engineers, Inc, Mini-Warehouse Storage Facility, LL054, 6th District, Parcel 023, 2100 Block of Killian Hill Road, 4100 Block of Paxton Lane, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Beaudreau Second: Kenerly Vote: 5-0}

2005-1150 SUP-05-061, William J. Cripps, Adult Daycare Center, LL001, 1st District, Parcel 623, 3300 Block of Hamilton Mill Road, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Denied Motion: Kenerly Second: Beaudreau Vote: 5-0}

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3. Rezonings:

2005-1110 RZC-05-043, E.G.B.P. Development, Commercial Retail Uses (Reduction in Buffers), R-100 to C-2, LL10, 6th District, Parcel 004, 8000 Block of South Rockbridge Road, District 3/Beaudreau [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approved with Conditions] {Action: Approved with Stipulations Motion: Beaudreau Second: Kenerly Vote: 5-0}

2005-1116 RZC-05-044, Easlan Capital of Atlanta, Inc, Commercial Retail Uses (Reduction in Buffers), O-I to C-2, LL205 & 206, 6th District, Parcels 102, 005 & 183, 3000 Block of Breckinridge Boulevard, 1800 Block of Executive Drive North, District 1/Green[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Green Second: Nasuti Vote: 5-0}

2005-1117 RZC-05-045, James Hogan, Commercial Retail Uses (Reduction in Buffers), R-100 to C-1, LL31, 6th District, Parcel 024, 3000 Block of Centerville Highway, District 3/Beaudreau[Planning Department Recommendation: Deny] {Action: Denied Motion: Beaudreau Second: Kenerly Vote: 5-0}

2005-1118 RZC-05-046, Crescent Development, Commercial Retail Uses (Reduction in Buffers), R-75 & C-2 to C-2, LL016, 5th District, Parcels 014, 015, 018, 019, 020 & 029, 2900 Block of Lawrenceville Highway, 400 Block of Bethesda School Road, 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. Rezoning:

2005-1119 RZC-05-047, Suna Om, Commercial Retail Uses, M-1 to C-2, LL259, 6th District, Parcel 047, 4400 Block of Buford Highway, 4400 Block of Freedom Lane, District 2/Nasuti(Tabled on 10/25/2005) (Tabled to 11/16/2005)(Public hearing was held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Nasuti Second: Green Vote: 5-0}

2005-1140 RZC-05-048, Sonic Automotive, Inc, Automobile Sales and Service (Reduction in Buffers), M-1 & R-100 to C-2, LL062, 6th District, Parcels 005 & 216, 2000 Block of Parker Court, 1900 Block of Pucketts Drive, 5000 Block of Parker Pucketts Way, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions as Tract 2 only][Planning Commission Recommendation: Approve with Conditions as Tract 2 only] {Action: Approved with Stipulations Motion: Beaudreau Second: Kenerly Vote: 5-0}

2005-1141 SUP-05-021, Sonic Automotive, Inc, Automobile Sales and Service (Reduction in Buffers), LL062, 6th District, Parcels 005 & 216, 2000 Block of Parker Court, 1900 Block of Pucketts Drive, 5000 Block of Parker Pucketts Way, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions as Tract 2 Only][Planning Commission Recommendation: Approve with Conditions as Tract 2 Only] {Action: Approved with Stipulations Motion: Beaudreau Second: Kenerly Vote: 5-0}

2005-1120 RZC-05-049, Dray Investments, Commercial Retail Uses, RA-200 to C-2, LL001, 1st District, Parcel 048, 2700 Block of Hamilton Mill Road, District 4/Kenerly [Planning Department Recommendation: Approved with Conditions] [Planning Commission Recommendation: Approved with Conditions] {Action: Approved with Stipulations Motion: Beaudreau Second: Kenerly Vote: 5-0}

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3. Rezonings:

2005-1121 RZC-05-050, Legacy Academy, Daycare Center (Reduction in Buffers), RA-200 to O-I, LL003, 3rd District, Parcel 173, 4300 Block of Braselton Highway, District 4/Kenerly(Tabled on 10/25/2005) (Tabled to 11/16/2005)(Public hearing was held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0}

2005-1122 SUP-05-023, Legacy Academy, Daycare Center (Reduction in Buffers), LL003, 3rd District, Parcel 173, 4300 Block of Braselton Highway, District 4/Kenerly (Tabled on 10/25/2005) (Tabled to 11/16/2005) (Public hearing was held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0}

2005-1123 RZR-06-013, Legacy Academy, Single-Family Subdivision (Reduction in Buffers), RA-200 to R-ZT, LL003, 3rd District, Parcel 173, 4300 Block of Braselton Highway, District 4/Kenerly(Tabled on 10/25/2005) (Tabled to 11/16/2005) (Public hearing was held)[Planning Department Recommendation: Approve with Conditions as R-100][Planning Commission Recommendation: Approve with Conditions as R-100] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0}

2005-1124 RZC-05-052, Young Choi, Commercial Retail Uses (Reduction in Buffers), R-100 to C-2, LL156, 7th District, Parcel 006, 1200 Block of Old Peachtree Road, District 1/Green[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Green Second: Nasuti Vote: 5-0}

2005-1125 RZC-05-053, Sydney Investments, LLC, Commercial Retail Uses, RA-200 to C-2, LL002, 3rd District, Parcel 044, 4000 Block of Braselton Highway, District 3/Beaudreau(Tabled on 10/25/2005) (Tabled to 11/22/2005)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 11/15/05] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0}

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3. Rezonings:

2005-1126 RZR-06-005, Sydney Investments, LLC, Single-Family Subdivision (Reduction in Buffers), RA-200 to R-ZT, LL002, 3rd District, Parcel 044, 4000 Block of Braselton Highway, District 3/Beaudreau(Tabled on 10/25/2005) (Tabled to 11/22/2005) (Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 11/15/2005] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0}

2005-1127 RZC-05-054, M.M. Holdings, LLC, Medical Office (Reduction in Buffers), RA-200 to C-2, LL001, 1st District, Parcel 032, 2700 Block of Hamilton Mill Road, 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}

2005-1142 RZC-05-055, Foothills Development Group, LLC, Commercial Retail Uses (Reduction in Buffers), R-100 to C-2, LL054, 6th District, Parcel 026, 3900 Block of Stone Mountain Highway, 2100 Block of Monterey Drive, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions as O-I] {Action: Approved with Stipulations Motion: Beaudreau Second: Kenerly Vote: 5-0}

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3. Rezonings:

2005-1128 RZC-05-056, Community Development Corporation, Indoor Rec Facility/Bowling Center (Reduction in Buffers), C-2 & O-I to C-2, LL116, 7th District, Parcel 062, 2200 Block of Satellite Boulevard, District 1/Green(Tabled on 10/25/2005) (Tabled to 11/16/2005)(Public hearing was held)[Planning Department Recommendation: Approve with Conditions] {Action: Tabled Motion: Green Second: Beaudreau Vote: 5-0}

2005-1129 RZR-06-018, Johnson/Neel Investments, LLC, Modified Single-Family Subdivision, RA-200 & R-100 Mod to R-100 Mod, LL003, 004 & 005, 3rd District, Parcels 016, 033, 420 & 003, 4900-5000 Block of Braselton Highway, 4900-5000 Block of Bill Cheek Road, 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}

2005-1130 SUP-06-004, Johnson/Neel Investments, LLC, Modified Single-Family Subdivision, LL003, 004 & 005, 3rd District, Parcels 016, 033, 420 & 003, 4900-5000 Block of Braselton Highway, 4900-5000 Block of Bill Cheek Road, 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}

2005-1132 SUP-06-005, Hwy 124, LLC, Modified Single-Family Subdivision, LL004, 3rd District, Parcels 033 & 077, 4900-5000 Block of Braselton Highway, 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. Rezoning:

2005-1144 RZC-03-009 (Reconsidered by Consent Order), H&B Hog Mountain, LLC, Shopping Center (Reduction In Buffers), RA-200 to C-2, LL001, 2nd District, Parcels 001,004,044,123,254 & 287, 1300 Block of Auburn Road, 3000 Block of Jim Moore Road, District 3/Beauderau(Tabled on 10/25/2005) (Tabled to 11/22/2005)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions as C-2 & O-I] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0}

4. Planning & Development/Michael Williams

2005-1055 Amendment-A-05-005 An Amendment to the 1985 Zoning Resolution of Gwinnett County to Article VI General Provisions Section 606.7. Minimum Buffer Requirements; Article XIII Section 1303; and Article XIV Minimum Area, Yard and Height Requirements, Section 1400 and Section 1401; to create a new zoning district entitled HRR (High-Rise Residential District). (Tabled on 10/25/2005) (Tabled to 11/22/2005)(Public hearing was not held) {Action: Tabled Motion: Green Second: Nasuti Vote: 5-0}

2005-1111 Rezoning A-05-006 - An Amendment to the 1985 Zoning Resolution of Gwinnett County to Article III Definitions and Article XIII Use Provisions to create a Mixed-Use Development District, entitled Section 1318. Mixed-Use Development (MUD) District, providing design standards for planned developments integrating commercial and/or office with residential land uses within unincorporated Gwinnett County. (Tabled on 10/25/2005) (Tabled to 11/22/2005)(Public hearing was not held) {Action: Tabled Motion: Green Second: Nasuti Vote: 5-0}

2005-1113 Rezoning Amendment to Gwinnett 2020 Comprehensive Plan - An Amendment to revise the definition of Major Activity Centers, provide revised policies to guide their development and revise the boundaries of Major Activity Centers. (Tabled on 10/25/2005) (Tabled to 11/22/2005)(Public hearing was not held) {Action: Tabled Motion: Green Second: Nasuti Vote: 5-0}

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4. Planning & Development/Michael Williams

20051007 Rezoning The applicant (Bramblett Shoals, Ltd.) requests waiver of the one-year time lapse requirement for rezoning. The prior case RZC-05-018 was acted on by the Board on April 26, 2005. The applicant seeks December 2005 Public Hearings for a Change-In-Conditions (CIC-05-021) of the prior rezoning case. Property is located on Athens Highway at Wellbrook Road. Commission District 3 (Beaudreau)(Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

IX. Comments from Audience

X. Adjournment