



# Gwinnett County Board of Commissioners

Tuesday, October 28, 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: Green Second: Nasuti Vote: 3-0 (Kenerly & Beaudreau Absent)}

### IV. Approval of Minutes: Business Session: October 21, 2008

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

### V. Announcements

**Resolution of Recognition:** Family Month in Gwinnett County – November 2008

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

### VI. 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 10/28/2008) (Tabled to 11/18/2008) (Staff Recommendation: Approval with conditions)(Public hearing was not held) {Action: Tabled Motion: Nasuti Second: Green Vote: 3-0 (Kenerly & Beaudreau Absent)}

**2008-2400 CIC-08-020**, Applicant: Land Solutions Group, Owner: Watkins Associated Developers, Inc., to Change Conditions of Zoning for Property Zoned C-2 (Reduction in Buffers), District 2 Land Lot 001 Parcel 443, 3300 Block of Fence Road, 2.0 Acres, District 3/Beaudreau (Tabled on 09/23/2008)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny without Prejudice] {Action: Denied without Prejudice Motion: Beaudreau Second: Green Vote: 4-0 (Kenerly Absent)}

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**VI. Public Hearing - Old Business**

**1. Planning & Development/Glenn Stephens**

**2008-2162 SUP-08-062**, Applicant: Bingrui Xu, Owners: Bingrui Xu and Zhiling Zhang, for a Special Use Permit in a C-2 Zoning District to Allow a Pool or Billiards Hall, District 6 Land Lot 151 Parcel 181, 500 Block of Pleasant Hill Road, 4.01 Acres, District 2/Nasuti (Tabled on 09/23/2008)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny without Prejudice] {Action: Denied without Prejudice Motion: Nasuti Second: Green Vote: 4-0 (Kenerly Absent)}

**2008-2164 SUP-08-064**, Applicant: Jong H. Heo, Owner: Jong H. Heo, for a Special Use Permit in a C-2 Zoning District to Allow Automobile Service (Reduction in Buffers), District 6 Land Lot 245 Parcels 293 and 294, 6500 Block of Buford Highway and the 1000 Block of Hillside Drive. 0.66 Acres, District 2/Nasuti (Tabled on 09/23/2008)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny without Prejudice] {Action: Denied without Prejudice Motion: Nasuti Second: Green Vote: 4-0 (Kenerly Absent)}

**2008-2266 SUP-08-065**, Applicant: Kelly Scott, Owner: Prime Option Development Company, LLC, for a Special Use Permit in a C-2 Zoning District to Allow a Recreation Facility - Outdoor (Reduction in Buffers), District 6 Land Lot 259 Parcel 033, 4300 Block of Buford Highway, 4.90 Acres, District 2/Nasuti (Tabled on 10/28/2008) (Tabled to 12/16/2008)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 12/3/2008] {Action: Tabled Motion: Nasuti Second: Green Vote: 3-0 (Kenerly & Beaudreau Absent)}

**2008-2272 SUP-08-074**, Applicant: JC Properties of Georgia, LLC., Owner: JC Properties of Georgia LLC., for a Special Use Permit in a C-2 Zoning District to Allow a Billiard Hall, District 7 Land Lot 152 Parcel 263, 2700 Block of Lawrenceville-Suwanee Road, 3.56 Acres, District 1/Green (Tabled on 10/28/2008) (Tabled to 11/18/2008)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 11/5/2008] {Action: Tabled Motion: Green Second: Nasuti Vote: 3-0 (Kenerly & Beaudreau Absent)}

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**1. Planning & Development/Glenn Stephens**

**2008-2404 SUP-08-076**, Applicant: Navid Yazdanpanah, Owner: Karen Maclaurin for a Special Use Permit in a C-2 Zoning District to Allow Automobile Sales and Service, District 6 Land Lot 055 Parcel 124, 4300 Block of Stone Mountain Highway, 4.11 Acres, District 3/Beaudreau (Tabled on 10/28/2008) (Tabled to 11/18/2008)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 11/5/2008] {Action: Tabled Motion: Nasuti Second: Green Vote: 3-0 (Kenerly & Beaudreau Absent)}

**2008-2405 SUP-08-077**, Applicant: Meridian Development, Owner: The Landing at Creekside, LLC., for a Special Use Permit in a C-2 Zoning District to Allow Automotive Car Wash (Full Service) and Oil Change Facility, District 5 Land Lot 131 Parcel 254, 500 Block of Athens Highway and the 3200 Block of Krisam Creek Drive, 1.46 Acres, District 3/Beaudreau (Tabled on 09/23/2008)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Beaudreau Second: Nasuti Vote: 4-0 Kenerly Absent}

**2008-2556 SUP-08-043**, Formerly 2008-0566, 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 09/23/2008)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny] {Action: Denied without Prejudice Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

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**1. Planning & Development/Glenn Stephens**

**2008-2557 SUP-08-049**, Formerly 2008-0568, 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 09/23/2008)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny] {Action: Denied without Prejudice Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

**2008-2150 RZC-08-080**, Applicant: G-T Grading - Tae Yong Kang: Owner: Rickard Baker, RA-200 to O-I, Retirement Community (Reduction in Buffers), District 7 Land Lot 094 Parcel 005B, 2000 Block of Sunny Hill Road, 3.89 Acres, District 4/Kenerly (Tabled on 09/23/2008)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny without Prejudice] {Action: Denied without Prejudice Motion: Nasuti Second: Beaudreau Vote: 4-0 (Kenerly Absent)}

**2008-2151 SUP-08-052**, Applicant: G-T Grading - Tae Yong Kang, Owner: Richard Baker, for a Special Use Permit in an O-I (Proposed) Zoning District to Allow a Retirement Community, District 7 Land Lot 094 Parcel 005B, 2000 Block of Sunny Hill Road, 3.89 Acres, District 4/Kenerly (Tabled on 09/23/2008)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny without Prejudice] {Action: Denied without Prejudice Motion: Nasuti Second: Beaudreau Vote: 4-0 (Kenerly Absent)}

**VII. Public Hearing – New Business**

**1. Support Services/Steve North**

**2008-2601 Approval/authorization** of a public hearing and abandonment of a public road known as Remaining portion of Pruett Road, authorization for Chairman to execute the quitclaim deed in land lot 122 of the 7th 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: Green Second: Nasuti Vote: 4-0 (Kenerly Absent)}

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**2. Change in Conditions**

**2008-2508 CIC-08-021**, Applicant: Quail Hollow Capital, Inc., Owner: Roberts Properties Peachtree Retail, LLC, to Change Conditions of Zoning for Property Zoned C-2, District 6 Land Lot 301 Parcel 031, 4900-5000 Block of Peachtree Corners Circle and the 5200 Block of Peachtree Parkway, 7.50 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Nasuti Second: Green Vote: 4-0 (Kenerly Absent)}

**3. Mixed Use Overlay**

**2008-2498 MUO-08-003**, Applicant: Vintage Communities, Owner: Vintage Communities, M-1 to MUO, Mixed-Use Overlay, District 7 Land Lot 044 Parcels 009 and 225, 1700 Block of Lakes Parkway, 11.58 Acres, District 1/Green (Tabled on 10/28/2008) (Tabled to 11/18/2008)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 11/5/2008] {Action: Tabled Motion: Green Second: Nasuti Vote: 3-0 (Kenerly & Beaudreau Absent)}

**4. Moved In House**

**2008-2515 MIH-08-001**, Applicant: Kent Coleman, Owner: Kent Coleman, R-100, Moved-In-House, District 7 Land Lot 334 Parcel 013, 2000 Block of Buford Dam Road, 0.35 Acres, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Nasuti Second: Green Vote: 4-0 (Kenerly Absent)}

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**5. Special Use Permit**

**2008-2499 RZC-08-084**, Applicant: Mahaffey, Pickens, Tucker, LLP, Owner: Mount Paran East Church of God, R-100 to O-I (Reduction in Buffers), Daycare Center and Senior Assisted Living Facility, District 6 Land Lot 303 Parcel 195, 5700 Block of Spalding Drive, 8.96 Acres, District 2/Nasuti (Tabled on 10/28/2008) (Tabled to 12/16/2008)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 12/3/2008] {Action: Tabled Motion: Nasuti Second: Green Vote: 3-0 (Kenerly & Beaudreau Absent)}

**2008-2500 SUP-08-066**, Applicant: Mahaffey, Pickens, Tucker, LLP, Owner: Mount Paran East Church of God, for a Special Use Permit in an O-I (Proposed) Zoning District to Allow a Senior Assisted Living Facility, District 6 Land Lot 303 Parcel 195, 5700 Block of Spalding Drive, 8.96 Acres, District 2/Nasuti (Tabled on 10/28/2008) (Tabled to 12/16/2008)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 12/3/2008] {Action: Tabled Motion: Nasuti Second: Green Vote: 3-0 (Kenerly & Beaudreau Absent)}

**2008-2502 SUP-08-067**, Applicant: Mahaffey, Pickens, Tucker, LLP, Owner: Mount Paran East Church of God, for a Special Use Permit in an O-I (Proposed) Zoning District to Allow a Daycare Center, District 6 Land Lot 303 Parcel 195, 5700 Block of Spalding Drive, 8.96 Acres, District 2/Nasuti (Tabled on 10/28/2008) (Tabled to 12/16/2008)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 12/3/2008] {Action: Tabled Motion: Nasuti Second: Green Vote: 3-0 (Kenerly & Beaudreau Absent)}

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**5. Special Use Permit**

**2008-2503 SUP-08-068**, Applicant: Mahaffey, Pickens, Tucker, LLP, Owner: Mount Paran East Church of God, for a Special Use Permit in an O-I (Proposed) Zoning District to Allow a Building Height Increase to Four Stories, District 6 Land Lot 303 Parcel 195, 5700 Block of Spalding Drive, 8.96 Acres, District 2/Nasuti (**Tabled on 10/28/2008**) (**Tabled to 12/16/2008**)(**Public hearing was not held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 12/3/2008] {**Action: Tabled Motion: Nasuti Second: Green Vote: 3-0 (Kenerly & Beaudreau Absent)**}

**2008-2509 SUP-08-079**, Applicant: Hui M. Yang, Owner: Hui M. Yang, for a Special Use Permit in a C-2 Zoning District to Allow a Coin Laundry, District 6 Land Lot 158 Parcel 006A, 700 Block of Beaver Ruin Road and the 4300 Block of Shady Drive, 4.62 Acres, District 2, Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {**Action: Approved with Stipulations Motion: Nasuti Second: Green Vote: 4-0 (Kenerly Absent)**}

**2008-2510 SUP-08-080**, Applicant: Discovery Development, Inc., Owner: LG Atlanta Investment Company, LLC, for a Special Use Permit in an O-I Zoning District to Allow a Daycare Center, District 7 Land Lot 113 Parcel 646, 2300 Block of Huntcrest Way and the 1400 Block of North Brown Road, 2.40 Acres, District 1/Green (**Tabled on 10/28/2008**) (**Tabled to 11/04/2008**)(**Public hearing was held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {**Action: Tabled Motion: Green Second: Nasuti Vote: 4-0 (Kenerly Absent)**}

**2008-2511 SUP-08-081**, Applicant: New Mercies Christian Church, Owner: Jesse Curney III, Senior Pastor, for a Special Use Permit in a R-75 Zoning District to Allow a Daycare Center (Accessory), District 6 Land Lot 162 Parcels 002 and 405, 600 Block of Rockbridge Road, 11.38 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny without Prejudice] {**Action: Denied without Prejudice Motion: Nasuti Second: Green Vote: 4-0 (Kenerly Absent)**}

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**5. Special Use Permit**

**2008-2512 SUP-08-085**, Applicant: Title Dollars, LLC, Owner: P3 Properties, LLC, for a Special Use Permit in a C-2 Zoning District to Allow a Title Loan/Pawn Facility, District 6 Land Lot 173 Parcel 503, 1100 Block of Indian Trail Road and the 5000 Block of Singleton Road, 0.64 Acres, District 2/Nasuti (**Tabled on 10/28/2008**) (**Tabled to 11/18/2008**)(**Public hearing was held**)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] **{ Action: Tabled Motion: Nasuti Second: Green Vote: 4-0 (Kenerly Absent)}**

**2008-2513 SUP-08-086**, Applicant: Kent Puckett, Owner: Kent Puckett, for a Special Use Permit in a RA-200 Zoning District to Allow a Mobile Home (Renewal), District 3 Land Lot 002 Parcel 127, 3900 Block of Braselton Highway, 6.38 Acres, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{ Action: Approved with Stipulations Motion: Nasuti Second: Beaudreau Vote: 4-0 (Kenerly Absent)}**

**2008-2514 SUP-08-087**, Applicant: Susanne Cundiff, Owner: Susanne and Robert Sean Cundiff, for a Special Use Permit in a R-100 Zoning District to Allow a Home Occupation (Hair Salon) Renewal, District 7 Land Lot 085 Parcel 040, 1800 Block of Suwanee Roberts Court, 0.41 Acres, District 1/Green[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{ Action: Approved with Stipulations Motion: Green Second: Beaudreau Vote: 4-0 (Kenerly Absent)}**



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**6. Rezoning**

**2008-2504 RZC-08-085**, Applicant: Discovery Development, Inc., Owner: Dennis Wayne Wilson, R-100 to O-I, Daycare Center (Reduction in Buffers), District 4 Land Lot 321 Parcel 013, 4500-4600 Block of Mink Livsey Road and the 4500 Block of Rosebud Drive, 2.45 Acres, District 3/Beaudreau **(Tabled on 10/28/2008) (Tabled to 12/16/2008)(Public hearing was not held)**[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 12/3/2008] **{Action: Tabled Motion: Nasuti Second: Green Vote: 3-0 (Kenerly & Beaudreau Absent)}**

**2008-2505 SUP-08-078**, Applicant: Discovery Development, Inc., Owner: Dennis Wayne Wilson, for a Special Use Permit in an O-I (Proposed) Zoning District to Allow a Daycare Center, District 4 Land Lot 321 Parcel 013, 4500-4600 Block of Mink Livsey Road and the 4500 Block of Rosebud Drive, 2.45 Acres, District 3/Beaudreau **(Tabled on 10/28/2008) (Tabled to 12/16/2008)(Public hearing was not held)**[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 12/3/2008] **{Action: Tabled Motion: Nasuti Second: Green Vote: 3-0 (Kenerly & Beaudreau Absent)}**

**2008-2506 RZC-08-087**, Applicant: ARI, LLC, Owner: Idell R. Burke Estate, R-100 to O-I, Daycare Center, District 7 Land Lot 147 Parcel 003, 1000-1100 Block of Rock Springs Road and the 1000 Block of Laurel Drive, 2.55 Acres, District 4/Kenerly **(Tabled on 10/28/2008) (Tabled to 01/27/2009)(Public hearing was not held)**[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 1/20/2009] **{Action: Tabled Motion: Nasuti Second: Green Vote: 3-0 (Kenerly & Beaudreau Absent)}**

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**6. Rezonings**

**2008-2507 SUP-08-082**, Applicant: ARI, LLC, Owner: Idell R. Burke Estate, for a Special Use Permit in an O-I (Proposed) Zoning District to Allow a Daycare Center, District 7 Land Lot 147 Parcel 003, 1000-1100 Block of Rock Springs Road and the 1000 Block of Laurel Drive, 2.55 Acres, District 4/Kenerly **(Tabled on 10/28/2008) (Tabled to 01/27/2009)(Public hearing was not held)**[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 1/20/2009] **{Action: Tabled Motion: Nasuti Second: Green Vote: 3-0 (Kenerly & Beaudreau Absent)}**

**VIII. New Business**

**1. Planning & Development/Glenn Stephens**

**2008-2654 TSP-2007-00074** Formerly heard as 2008-0129 (Reconsidered by Consent Order) requesting the construction of 199-ft tall monopole telecommunication tower with ground equipment. Location is 1600 block of Prospect Church Road. Commission District 4/Kenerly **{Action: Approved Motion: Nasuti Second: Beaudreau Vote: 4-0 (Kenerly Absent)}**

**IX. Comments from Audience**

**X. Adjournment**