



(Bannister, Green, Beaudreau, Kenerly – Nasuti Absent)
Gwinnett County Board of Commissioners

Tuesday, November 22, 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: November 16, 2005
 November 22, 2005 – Executive Session**

V. Announcements

VI. Old Business

1. 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 11/22/2005) (Tabled to 12/6/2005)(Public hearing was held) {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 4-0}

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 11/22/2005) (Tabled to 12/6/2005)(Public hearing was held) {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 4-0}

Gwinnett County Board of Commissioners
Tuesday, November 22, 2005 - 7:00 P. M.
Public Hearing - Minutes
Page 2

VI. Old Business

1. Planning & Development/Michael Williams

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 11/22/2005) (Tabled to 12/6/2005)(Public hearing was held) {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 4-0}

2005-1134 CIC-05-018, William Schroeder, Buffer Reduction for Detention Pond, O-I (Change in Conditions), LL124, 7th District, Parcels 003 & 006, 1400 Block of Satellite Boulevard, District 1/Green(Tabled on 10/25/2005)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Green Second: Kenerly Vote: 4-0}

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/Beaudreau(Tabled on 10/25/2005)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions as C-2 & O-I] {Action: Approved with Stipulations Motion: Beaudreau Second: Kenerly Vote: 4-0}

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 11/22/2005) (Tabled to 1/24/2006)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 1/17/2006] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 4-0}

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 11/22/2005) (Tabled to 1/24/2006)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 1/17/2006] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 4-0}

Gwinnett County Board of Commissioners
Tuesday, November 22, 2005 - 7:00 P. M.
Public Hearing - Minutes
Page 3

VI. Old Business

1. Planning & Development/Michael Williams

2005-0722 RZC-05-035, Melvin Carrol, Daycare Center (Reduction in Buffers) RA-200 to C-1, LL095, 7th District, Parcel 006, 2200 Block of Braselton Highway, District 3/Beaudreau(Tabled on 11/22/2005) (Tabled to 1/24/2006)(Public hearing was not held)[Planning Department Recommendation: Deny] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 4-0}

2005-0832 RZM-05-029, Premier Planning & Development Group, LLC, Townhomes, R-75 to R-TH, LL006, 7th District, Parcels 004C & 017, 1300 Block of Old Norcross Road, District 4/Kenerly(Tabled on 8/23/2005)[Planning Department Recommendation: Deny] {Action: Denied Without Prejudice Motion: Kenerly Second: Beaudreau Vote: 4-0}

2005-1013 RZR-05-037, Premier Planning & Development Group, Single-Family Subdivision, RA-200 to R-ZT, LL003, 3rd District, Parcels 185-187 & 237, 2300 Block of Doc Hughes Road, District 4/Kenerly(Tabled on 11/22/2005) (Tabled to 1/24/2006)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions as R-100 CSO] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 4-0}

2005-1014 RZR-05-038, Premier Planning & Development Group, Single-Family Subdivision, RA-200 to R-ZT, LL002, 1st District, Parcels 131-134, LL002, 3rd District, Parcel 042B, 2400 Block of Doc Hughes Road, 2400 Block of West Rock Quarry Road, District 4/Kenerly(Tabled on 11/22/2005) (Tabled to 1/24/2006)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions as] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 4-0}

Gwinnett County Board of Commissioners
Tuesday, November 22, 2005 - 7:00 P. M.
Public Hearing - Minutes
Page 4

VII. Public Hearing

1. Support Services/Connie Hinson

2005-1251 Approval to abandon a portion of a public road known as Suwanee Dam Road at Settles Bridge Road, authorization for Chairman to execute a Quitclaim Deed in land lot 277 of the 7th land district, abandonment in accordance with Georgia Statutes on abandonment found in O.C.G.A. 32-7-2 HB 1539. Commission District 1/Green {Action: Approved Motion: Green Second: Kenerly Vote: 4-0}

2005-1252 Approval to abandon a portion of a public road known as Old Givens Road, authorization for Chairman to execute a Quitclaim Deed in land lot 265 of the 5th land district, abandonment in accordance with Georgia Statutes on abandonment found in O.C.G.A. 32-7-2 HB 1539. Commission District 3/Beaudreau {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 4-0}

2. Mixed Use Redevelopment:

2005-1269 MUR-05-001, Emory Morseberger, Mixed-Use Redevelopment, LL068, 6th District, Parcels 001A, 009 & 106, 1900-2000 Block of Highpoint Road, 2000 Block of Britt Drive, 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}

3. Moved In House:

2005-1267 MIH-05-005, Dennis Molina, Moved-In-House, LL137, 6th District, Parcel 240, 5579 Lions Club Drive, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Green Second: Beaudreau Vote: 4-0}

Gwinnett County Board of Commissioners
Tuesday, November 22, 2005 - 7:00 P. M.
Public Hearing - Minutes
Page 5

VII. Public Hearing

3. Moved In House:

2005-1268 MIH-05-006, Dennis Molina, Moved-In-House, LL137, 6th District, Parcel 239, 5581 Lions Club Drive, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Green Second: Beaudreau Vote: 4-0}

4. Special Use Permit:

2005-1260 SUP-05-062, Yellow River Collision, Automobile Body Repair Shop, LL056, 6th District, Parcel 006, 4700 Block of Stone Mountain Hwy, 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}

2005-1261 SUP-05-064, Shadowbrooke Development, Inc, Single-Family Conservation Subdivision, LL159, 5th District, Parcels 003 & 004, 3700 Block of Oak Grove 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}

2005-1262 SUP-05-065, Centex Homes, Inc, Single-Family Conservation Subdivision, LL 88 & 89, 6th District, Parcels 012, 001 & 002, 3500-3600 Block of Five Forks Trickum, District 3/Beaudreau(Tabled on 11/22/2005) (Tabled to 12/13/2005)(Public hearing was held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions as R-100 MOD.] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 4-0}

Gwinnett County Board of Commissioners
Tuesday, November 22, 2005 - 7:00 P. M.
Public Hearing - Minutes
Page 6

VII. Public Hearing

4. Special Use Permit:

2005-1263 SUP-05-066, J.C.D. Enterprises, Single-Family Conservation Subdivision, LL301, 4th District, Parcels 005, 006, 014, 025, 099, 104, 107, 109 & 118, 2900 Block of Lee Road, 5000 Block of Whispering Pines Lane, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions] {Action: Denied Motion: Beaudreau Second: Kenerly Vote: 4-0}

2005-1264 SUP-05-067, Rev. Chimiste Doriscar, Church, LL090, 5th District, Parcel 045, 1200 Block of Pinehurst Road, District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Denied Motion: Beaudreau Second: Kenerly Vote: 4-0}

2005-1265 SUP-05-068, Oluseyi Ajayi, Daycare Center, LL012, 7th District, Parcel 031, 500 Block of Swanson Drive, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny] {Action: Denied Motion: Kenerly Second: Green Vote: 4-0}

2005-1266 SUP-05-069, Noble Village Gwinnett, Retirement Community, LL124, 7th District, Parcel 006, 1300 Block of Satellite Boulevard, District 1/Green(Tabled on 11/22/2005) (Tabled to 12/13/2005)(Public hearing was held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Green Second: Kenerly Vote: 4-0}

5. Rezoning:

2005-1245 RZM-05-042, Contract Development, LLC, Townhomes, C-1 to R-TH, LL181, 6th District, Parcel 290, 3300 Block of Club Drive, 3300 Block of Rolling Ridge Road, District 1/Green(Tabled on 11/22/2005) (Tabled to 12/13/2005)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 12/6/05] {Action: Tabled Motion: Green Second: Beaudreau Vote: 4-0}

Gwinnett County Board of Commissioners
Tuesday, November 22, 2005 - 7:00 P. M.
Public Hearing - Minutes
Page 7

VII. Public Hearing

5. Rezonings:

2005-1256 RZM-05-043, James Corcoran, Townhomes, M-1 to R-TH, LL052, 6th District, Parcel 247, 3300 Block of Stone Mountain Hwy, 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}

2005-1257 RZM-05-044, Grandview Land Company, Townhomes, R-100 to R-TH, LL147, 7th District, Parcel 009, 900 Block of Rock Springs Road, District 4/Kenerly(Tabled on 11/22/2005) (Tabled to 12/6/2005)(Public hearing was held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 4-0}

2005-1258 RZM-05-045, Precision Design & Development, Inc, Townhomes (Reduction in Buffers), RM-10 to R-TH, LL031, 7th District, Parcel 282, 900 Block of Walther Blvd, 800 Block of Tree Creek Blvd, District 4/Kenerly(Tabled on 11/22/2005) (Tabled to 1/24/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 1/17/06] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 4-0}

2005-1259 RZM-05-046, Lillian Amoretti, Townhomes (Reduction in Buffers), R-75 to R-TH, LL073, 7th District, Parcel 026, 1600 Block of Duluth Highway, District 1/Green[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Denied Motion: Green Second: Beaudreau Vote: 4-0}

Gwinnett County Board of Commissioners
Tuesday, November 22, 2005 - 7:00 P. M.
Public Hearing - Minutes
Page 8

VII. Public Hearing

6. Planning & Development/Michael Williams

2005-1221 Rezoning The applicant (Vintage Communities) requests waiver of the 12 month lapse requirement for a change-in-conditions (CIC-05-027). The property was originally rezoned to R-100 CSO in June 2005, and the applicant seeks a December 2005 rehearing for R-100. Additionally, it is requested that the hearing date for a second associated case (RZR-06-047) to add 21 acres to the original tract be moved to concurrent hearings in December 2005. The property is located at Braselton Highway and Mt. Moriah Road. Commission District 4 (Kenerly). {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0}

2005-1243 TSP-2005-028 155-ft monopole telecommunications tower with two antennas. Location is 1736 Bramblett Shoals Road. Commission District 3/Beaudreau(Tabled on 11/22/2005) (Tabled to 1/24/2006)(Staff Recommendation: See attached conditions)(Public hearing was not held) {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 4-0}

2005-1242 TSP-2005-032 to approve two silos, 80 X 31-ft round limestone silo, and 60 x 18-ft round silo. Location is 4125 Buford Highway. Commission District 2 / Nasuti(Staff Recommendation: Approval) {Action: Approved with Stipulations Motion: Green Second: Beaudreau Vote: 4-0}

2005-1239 Waiver WVR-2005-017 allowing the development of a private gated community with private streets and private drainage system. Location is 2100 block of New Hope Road. Commission District 3/Beaudreau(Staff Recommendation: See Attachment) {Action: Approved with Stipulations Motion: Beaudreau Second: Kenerly Vote: 4-0}

2005-1233 Waiver WVR-2005-018 requesting the elimination of the requirement for the construction of sidewalks along 100 ft of property adjacent to Braselton Highway. Location is 5152 Braselton Highway, Commission District 4 / Kenerly (Staff Recommendation: See attached conditions) {Action: Approved with Stipulations Motion: Kenerly Second: Beaudreau Vote: 4-0}

Gwinnett County Board of Commissioners
Tuesday, November 22, 2005 - 7:00 P. M.
Public Hearing - Minutes
Page 9

VII. Public Hearing

6. Planning & Development/Michael Williams

2005-1238 Waiver WVR-2005-019 allowing the development of a private gated community with private streets and private drainage system. Location is 2300-2400 blocks of Duluth Highway. Commission District 1/Green(Staff Recommendation: See Attachment) {Action: Approved with Stipulations Motion: Green Second: Beaudreau Vote: 4-0}

2005-1234 Waiver WVR-2005-020 requesting the elimination of the requirement for the construction of a 200-ft taper along Arnold Road. Location is 165 Arnold Road. Commission District 4 / Kenerly(Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0}

2005-1223 Waiver WVR-2005-00021 requesting the elimination of the tie into an existing stub street. (Stub Street is Potomac Court). Location is 2282 Sever Road. Commission District 1/ Green(Staff Recommendation: Approval) {Action: Approved with Stipulations Motion: Green Second: Beaudreau Vote: 4-0}

VIII. New Business

1. Public Utilities/Frank Stephens

2005-1331 Approval of reimbursement to Buford 269, L.P. for construction of Satellite Boulevard Water Main Extension in an amount not to exceed \$475,000.00. Commission District: 4/Kenerly.(Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Green Vote: 3-1 (Bannister Opposed)}

IX. Comments from Audience

X. Adjournment