



# Gwinnett County Board of Commissioners

Tuesday, December 12, 2006 - 7:00 PM

## Public Hearing - Minutes

### I. Call To Order, Invocation, Pledge to Flag

### II. Opening Remarks by Chairman

III. Motion to Amend Agenda {Action: Approved Motion: Green  
Second: Nasuti Vote: 5-0}

Approval of Agenda {Action: Approved Motion: Green  
Second: Nasuti Vote: 5-0}

### IV. Announcements

Resolution: Peachtree Ridge High School Lion's Day December 16, 2006  
{Action: Approved Motion: Nasuti Second: Beaudreau Vote: 5-0}

### V. Old Business

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

**2006-1688 SUP-06-126**, Philomen B. Awuah, Group Daycare, R-75, LL173, 6th District, Parcel 187, 1100 Block of Dickens Road, District 1/Green(Tabled on 11/28/2006)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny] {Action: Denied Motion: Green Second: Nasuti Vote: 5-0}

**2006-1072 RZC-07-005**, New Trend Developments, LLC, Commercial Retail Uses, M-1 to C-2, LL172, 7th District, Parcel 001, 500 Block of Horizon Drive, 3000 Block of Spriggs Road, District 4/Kenerly(Tabled on 12/12/2006) (Tabled to 1/16/2007)(Public hearing was held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0}

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**V. Old Business**

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

**2006-1070 RZM-06-007**, New Trend Developments, LLC, Townhomes, M-1 to R-TH, LL172, 7th District, Parcel 001, 500 Block of Horizon Drive, 3000 Block of Spriggs Road, District 4/Kenerly(Tabled on 12/12/2006) (Tabled to 1/16/2007)(Public hearing was held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions as R-ZT] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0}

**2006-1071 RZR-06-051**, New Trend Developments, LLC, Single-Family Zero Lot Line Subdivision (Reduction in Buffers), M-1 to R-ZT, LL173, 7th District, Parcel 004, 500 Block of Horizon Drive, 3000 Block of Spriggs Road, District 4/Kenerly(Tabled on 12/12/2006) (Tabled to 1/16/2007)(Public hearing was held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions as R-ZT] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0}

**2006-1491 RZC-06-055**, Ruby Forest, Inc, Commercial Retail Uses (Reduction in Buffers), RA-200 to C-2, LL142, 7th District, Parcel 006, 2400 Block of Ivy Church Road, 2800 Block of Gravel Springs Road, District 4/Kenerly(Tabled on 12/12/2006) (Tabled to 1/23/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 1/16/2007] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0}

**2006-1489 RZM-06-010**, Ruby Forest, Inc, Townhomes (Reduction in Buffers), RA-200 to R-TH, LL143, 7th District, Parcels 004 &005, 2900 Block of Gravel Springs Road, District 4/Kenerly(Tabled on 12/12/2006) (Tabled to 1/23/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions as R-ZT][Planning Commission Recommendation: Tabled - Date: 1/16/2007] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0}

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

**2006-1495 SUP-06-072**, Ruby Forest, Inc, Modified Single-Family Subdivision, R-100 MOD (Proposed), LL142 & 179, 7th District, Parcels 023, 168 & 016, District 4/Kenerly(**Tabled on 12/12/2006**) (**Tabled to 1/23/2007**)(**Public hearing was not held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 1/16/2007] {**Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0**}

**2006-1490 RZM-06-013**, Ruby Forest, Inc, Townhomes (Reduction in Buffers), RA-200 to R-TH, LL142, 7th District, Parcel 006, 2500 Block of Ivy Creek Road, District 4/Kenerly(**Tabled on 12/12/2006**) (**Tabled to 1/23/2007**)(**Public hearing was not held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 1/16/2007] {**Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0**}

**2006-1492 RZR-06-055**, Ruby Forest, Inc, Single-Family Subdivision, RA-200 to R-60, LL142, 143 & 170, 7th District, Parcels 023, 004 & 016, 2900 Block of Gravel Springs Road, 2600 Block of Ivy Creek Road, District 4/Kenerly(**Tabled on 12/12/2006**) (**Tabled to 1/23/2007**)(**Public hearing was not held**)[Planning Department Recommendation: Approve with Conditions as R-100 MOD][Planning Commission Recommendation: Tabled - Date: 1/16/2007] {**Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0**}

**2006-1493 RZR-06-056**, Ruby Forest, Inc, Single-Family Subdivision, RA-200 to R-ZT, LL143, 7th District, Parcels 004 & 005, 2900 Block of Gravel Springs Road, District 4/Kenerly(**Tabled on 12/12/2006**) (**Tabled to 1/23/2007**)(**Public hearing was not held**)[Planning Department Recommendation: Approve with Conditions as R-100 MOD][Planning Commission Recommendation: Tabled - Date: 1/16/2007] {**Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0**}

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

**2006-1494 RZR-06-057**, Ruby Forest, Inc, Modified Single-Family Subdivision, RA-200 to R-100 MOD, LL142 & 179, 7th District, Parcels 023, 168 & 016, 2500-2600 Block of Ivy Creek Road, District 4/Kenerly(Tabled on 12/12/2006) (Tabled to 1/23/2007)(Public hearing was not held) [Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 1/16/2007] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0}

**2006-1506 RZC-06-051**, Peachstate Partners, LLC, Office Park, R-100 to O-I, LL012, 5th District, Parcel 010, 2800 Block of Five Forks Trickum Road, 2800 Block of Jo Beth Drive, District 3/Beaudreau(Tabled on 12/12/2006) (Tabled to 1/23/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 1/16/2007] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0}

**2006-1507 RZC-06-053**, M&W Land Development, LLC, Commercial Retail Uses, R-100 & C-1 to C-2, LL011 & 012, 7th District, Parcels 011, 002A, 002B & 002D, 700 Block of Buford Drive, 2500 Block of University Parkway, 100-200 Block of Forest Way, District 4/Kenerly(Tabled on 12/12/2006) (Tabled to 2/27/2007)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 2/20/2007] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0}

**2006-1667 RZM-06-027**, Mill Creek Associates, Townhomes (Reduction in Buffers), C-2, M-1 & R-75 to R-TH, LL256, 7th District, Parcel 011, 700 Block of Buford Highway, District 4/Kenerly(Tabled on 12/12/2006) (Tabled to 1/23/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 1/16/2007] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0}

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

**2006-1370 RZR-06-032**, Poole Mountain, LLC, Single-Family Conservation Subdivision, RA-200 & R-100 to R-100 CSO, LL002, 2nd District, Parcel 012, 1100-1200 Block of Mineral Springs Road, District 3/Beaudreau(Tabled on 11/28/2006)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Beaudreau Second: Kenerly Vote: 4-0-1 (Bannister Abstained)}

**2006-1379 RZR-06-041**, Cecil Breedlove, Single-Family Subdivision (Reduction in Buffers), RA-200 to R-ZT, LL142, 7th District, Parcels 001, 016 & 017, 2700-2800 Block of Gravel Springs Road, District 4/Kenerly(Tabled on 12/12/2006) (Tabled to 1/23/2007)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 1/16/2007] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0}

**VI. Public Hearing**

**1. Buffer Reduction:**

**2006-1812 BRD-06-006**, Julie Paquin, Buffer Reduction/Change in Conditions, C-2, LL146, 7th District, Parcel 031, 2800 Block of Buford Drive, 1200 Block of Laurel Crossing Parkway, 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}

**2. Change in Conditions:**

**2006-1800 CIC-06-043**, Bokeun Oh, Commercial Retail Uses (Reduction in Buffers), C-2 (Change in Conditions), LL50, 6th District, Parcel 129, 2800 Block of Burns Road, 400 Block of East Johns Road, District 2/Nasuti[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Denied Motion: Nasuti Second: Green Vote: 5-0}

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**2. Change in Conditions:**

**2006-1801 CIC-06-044**, Southeast Investment Properties, Commercial Retail Uses, C-2 (Change in Conditions) LL115, 7th District, Parcel 006, LL122, 7th District, Parcel 019, 1900 Block of Satellite Boulevard, 6200 to 6300 Block of Sugarloaf Parkway, 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}**

**2006-1802 SUP-06-136**, Southeast Investment Properties, Hotel Height Increase (14 stories), C-2 (Proposed), LL122, 7th District, Parcel 019, 1900 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: 5-0}**

**2006-1803 CIC-06-045**, S&D Development, Reduce House Sq Ft, Eliminate Sidewalk, Landscape and Four Sides Brick Requirements, R-ZT (Change in Conditions), LL015, 7th District, Parcel 097, 900 Block of Progress Court, 800 to 1000 Block of Progress Industrial Boulevard, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Kenerly Second: Beaudreau Vote: 5-0}**

**3. Moved In House:**

**2006-1813 MIH-06-003**, Bernice Crowe, Moved-In House, R-75, LL175, 6th District, Parcel 029, 4400 Block of Arcadia Drive, 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}**

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**4. Special Use Permit:**

**2006-1804 SUP-06-127**, Ik Joon Park, Church, RA-100, LL003, 3rd District, Parcel 201, 2200 Block of Doc Hughes Road, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Denied Motion: Kenerly Second: Beaudreau Vote: 5-0}

**2006-1805 SUP-06-128**, Majors Management, LLC, Modified Single-Family Subdivision, R-100, LL120, 5th District, Parcels 013, 024 & 025, 700 Block of Hillside Drive, District 3/Beaudreau(Tabled on 12/12/2006) (Tabled to 2/27/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0}

**2006-1806 SUP-06-129**, P4 Properties, LLC, Restaurant, C-1, LL215, 6th District, Parcel 019, 5800 Block of Jimmy Carter Boulevard, 6000 Block of Lanier Boulevard, 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}

**2006-1807 SUP-06-130**, P4 Properties, Photocopying/Reproduction Services, C-1, LL215, 6th District, Parcel 019, 5800 Block of Jimmy Carter Boulevard, 6000 Block of Lanier Boulevard, 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}

**2006-1808 SUP-06-131**, Song Jae Lee, Church, R-75, LL129, 6th District, Parcel 004, 0 to 100 Block of Bethesda Church Road, 3100 Block of Winn Drive, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Denied Motion: Kenerly Second: Beaudreau Vote: 5-0}

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**4. Special Use Permit:**

**2006-1809 SUP-06-133**, Carmen Matos, Daycare Center, R-100, LL028A, 7th District, Parcel 070, 400 Block of Morningside Drive, 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}

**2006-1810 SUP-06-134**, Zarghuna Tahir, Home Occupation (Beauty Salon Renewal), R-100, LL122, 5th District, Parcel 096, 800 Block of Grayson Parkway, 800 Block of Lakeview 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: 5-0}

**2006-1811 SUP-06-135**, 20 Sugarloaf Partners, LLC, Single-Family Conservation Subdivision, R-100, LL244, 5th District, Parcel 001, 1500 Block of Sir Knights Way, District 4/Kenerly(Tabled on 12/12/2006) (Tabled to 1/23/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 1/16/2007] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0}

**5. Rezonings:**

**2006-1789 RZM-04-008** (Reconsidered By Consent Order), T&B, LLC, Apartments, M-1, R-100 & R-140 to RM-13, LL132, 7th District, Parcels 009, 010 & 032, 800 Block of Old Peachtree Road, 2400 Block of Tech Center Parkway, District 4/Kenerly(Tabled on 12/12/2006) (Tabled to 2/6/2007)(Public hearing was held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0}



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**5. Rezonings:**

**2006-1790 RZR-06-044**, Cedars Road Associates II, LLC, Single-Family Conservation Subdivision, RA-200 to R-100 CSO, LL231, 5th District, Parcel 004, 2200 Block of New Hope Road, District 3/Beaudreau(**Tabled on 12/12/2006**) (**Tabled to 1/23/2007**)(**Public hearing was held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions as R-100] { **Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0** }

**2006-1791 SUP-06-011**, Cedars Road Associates II, LLC, Single-Family Conservation Subdivision, R-100 CSO (Proposed), LL231, 5th District, Parcel 004, 2200 Block of New Hope Road, District 3/Beaudreau(**Tabled on 12/12/2006**) (**Tabled to 1/23/2007**)(**Public hearing was held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny] { **Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0** }

**2006-1792 RZR-06-046**, Pillar Development, Modified Single-Family Subdivision, RA-200 & R-100 MOD to R-100 MOD, LL306, 5th District, Parcel 001, 400 Block of Ballyshannon 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: 5-0** }

**2006-1793 SUP-06-013**, Pillar Development, Modified Single-Family Subdivision, R-100 MOD (Proposed), LL306, 5th District, Parcel 001, 400 Block of Ballyshannon 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: 5-0** }

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**5. Rezonings:**

**2006-1794 RZR-06-049**, Contract Development, LLC, Modified Single-Family Subdivision, RA-200 to R-100 MOD, LL002, 2nd District, Parcels 098, 099 & 194, 500 Block of Hayes Road, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions as R-100] {Action: Approved with Stipulations Motion: Beaudreau Second: Kenerly Vote: 5-0}

**2006-1795 SUP-06-055**, Contract Development, LLC, Modified Single-Family Subdivision, R-100 MOD (Proposed), LL002, 2nd District, Parcels 098, 099 & 194, 500 Block of Hayes Road, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny] {Action: Denied Motion: Beaudreau Second: Kenerly Vote: 5-0}

**2006-1796 RZR-06-052**, Paul Fekete, Single-Family Conservation Subdivision, RA-200 to R-100 CSO, LL317, 5th District, Parcels 016, 021 & 052, 3000 Block of Luther Wages Road, District 3/Beaudreau(Tabled on 12/12/2006) (Tabled to 1/23/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 1/16/2007] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0}

**2006-1797 SUP-06-056**, Paul Fekete, Single-Family Conservation Subdivision, R-100 CSO (Proposed), LL317, 5th District, Parcels 016, 021 & 052, 3000 Block of Luther Wages Road, District 3/Beaudreau(Tabled on 12/12/2006) (Tabled to 1/23/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 1/16/2007] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0}

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**5. Rezoning:**

**2006-1798 RZR-06-053**, JEM Development, LLC, Single-Family Conservation Subdivision, RA-200 to R-60, LL001, 1st District, Parcels 020, 158 & 364, 3600 Block of Sardis Church Road, District 4/Kenerly(**Tabled on 12/12/2006**) (**Tabled to 1/23/2007**)(**Public hearing was not held**)[Planning Department Recommendation: Approve with Conditions as R-75 MOD][Planning Commission Recommendation: Tabled - Date: 1/16/2007] {**Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0**}

**2006-1799 RZR-06-054**, DMH Homes, LLC, Single-Family Subdivision, RA-200 to R-75, LL004, 1st District, Parcels 134, 151 & 152, 3900 to 4000 Block of Ridge Road, District 4/Kenerly(**Tabled on 12/12/2006**) (**Tabled to 1/23/2007**)(**Public hearing was not held**)[Planning Department Recommendation: Approve with Conditions as R-100][Planning Commission Recommendation: Tabled - Date: 1/16/2007] {**Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0**}

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

**2006-1761 Waiver WVR-2006-039** requesting the elimination of the requirement for sidewalks along abutting street (Vista Ridge Drive) but in lieu-post construction funds in escrow. Location is 325 Horizon Drive, Commission District 1/Green(Staff Recommendation: Denial per Recommendation of GC DOT) {**Action: Approved with Stipulations Motion: Green Second: Nasuti Vote: 5-0**}

**2006-1762 Waiver WVR-2006-040** requesting a gated community with private roads and drainage systems. Proposed subdivision is The Manors at Tree Lane. Location is 1347 Tree Lane Road. Commission District 3/Beaudreau(Staff Recommendation: Approval with conditions. See attached conditions.) {**Action: Approved with Stipulations Motion: Beaudreau Second: Kenerly Vote: 5-0**}

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

**2006-1745 Rezoning Waiver of 12 Month** Time Lapse Requirement for Rezoning - The Applicant, Vintage Communities, requests a Waiver of Time Lapse Requirement for a proposed Change In Conditions case near the intersection of Braselton Highway and Mount Moriah Road. A rezoning (RZR-06-047 and CIC-05-027) was approved in March 2006 for an R-100 CSO subdivision. The Applicant seeks January 2007 hearing dates for a condition change (CIC-07-005) to remove the greenway path requirement. Commission District 4 (Kenerly). {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 5-0}

**VII. New Business**

**VIII. Comments from Audience**

**IX. Adjournment**