



# Gwinnett County Board of Commissioners

Tuesday, December 16, 2008 - 7:00 PM

## Public Hearing - Minutes

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

### **II. Opening Remarks by Chairman**

### **III. Approval to Agenda**

Move Items 2008-2771 and 2008-2772 To Beginning of Agenda

{Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Green Absent)}

#### **Approval of Amended Agenda**

{Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Green Absent)}

### **IV. Announcements**

- **Resolution of Recognition:** Commenting Gwinnett County High School Runners Who Placed in the 2008 State Cross County Meet  
{Action: Approved Motion: Bannister Second: Nasuti Vote: 4-0 (Green Absent)}

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**V. Public Hearing – New Business**

**1. Rezoning**

**2008-2771 RZC-09-003**, Applicant: Mahaffey Pickens Tucker, LLP, Owner: Lancaster Enterprises, LLC, M-1 to M-2, Solid Waste Transfer Station, District 6 Land Lot 210 Parcel 010, 4400 Block of Shackleford Road, 9.04 Acres, District 1/Green (Tabled on 12/16/2008) (Tabled to 02/03/2009)(Public hearing was held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 3-0-1 (Nasuti Abstained - Green Absent)}

**2008-2772 SUP-09-002**, Applicant: Mahaffey, Pickens, Tucker LLP, Owner: Lancaster Enterprises, LLC, for a Special Use Permit in a M-2 (Proposed) Zoning District to Allow a Solid Waste Transfer Station, District 6 Land Lot 210 Parcel 010, 4400 Block of Shackleford Road, 9.04 Acres, District 1/Green (Tabled on 12/16/2008) (Tabled to 02/03/2009)(Public hearing was held) [Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 3-0-1 (Nasuti Abstained - Green Absent)}

**VI. Public Hearing – Old Business**

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

**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 12/16/2008) (Tabled to 01/27/2009)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 1/20/2009] {Action: Tabled Motion: Nasuti Second: Kenerly Vote: 4-0 (Green Absent)}

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**VI. Public Hearing – Old Business**

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

**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 12/16/2008) (Tabled to 02/24/2009)(Public hearing was not held)**[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 2/17/2009] **{ Action: Tabled Motion: Nasuti Second: Beaudreau Vote: 4-0 (Green 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 12/16/2008) (Tabled to 02/24/2009)(Public hearing was not held)**[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 2/17/2009] **{ Action: Tabled Motion: Nasuti Second: Beaudreau Vote: 4-0 (Green 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 12/16/2008) (Tabled to 02/24/2009)(Public hearing was not held)**[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 2/17/2009] **{ Action: Tabled Motion: Nasuti Second: Beaudreau Vote: 4-0 (Green Absent) }**

**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 12/16/2008) (Tabled to 02/24/2009)(Public hearing was not held)**[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 2/17/2009] **{ Action: Tabled Motion: Nasuti Second: Beaudreau Vote: 4-0 (Green Absent) }**

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**VI. Public Hearing – Old Business**

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

**2008-2672 SUP-08-089**, Applicant: Don Woo, Owner: Pleasant Hill Forum, LLC, for a Special Use Permit in a C-2 Zoning District to Allow an Automotive Car Wash (Full Service), District 6 Land Lot 013 Parcels 302, 303, 304, 305, and 306, 3600 Block of Centerville Highway and the 3600 Block of Campbell Road, 7.24 Acres, District 3/Beaudreau (**Tabled on 12/16/2008**) (**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: Beaudreau Second: Kenerly Vote: 4-0 (Green Absent)** }

**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 12/16/2008**) (**Tabled to 03/24/2009**)(**Public hearing was not held**)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] { **Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 4-0 (Green 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 12/16/2008**) (**Tabled to 03/24/2009**)(**Public hearing was not held**)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] { **Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 4-0 (Green Absent)** }

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**VI. Public Hearing – Old Business**

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

**2008-2681 RZC-07-009** (Reheard by Consent Order), Applicant: Peggy Slappey Properties, Owner: Jack Burel, et al, RA-200 to O-I, Office Uses, District 1 Land Lot 001 Parcels 009 and 045, 2900 Block of Hamilton Mill Road, 9.01 Acres, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Kenerly Second: Beaudreau Vote: 4-0 (Green Absent)}

**VII. Public Hearing – New Business**

**1. Transportation/Brian Allen**

**2008-2810 Approval** of incorporation into the Gwinnett County Speed Hump Program Longmont (Broomfield Way) at Sugarloaf (M-0092-58) - estimated cost: \$4,920.00 - 2001 Sales Tax Program - Commission District 4/Kenerly (Staff Recommendation: Approval ) {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Green Absent)}

**2. Change in Conditions**

**2008-2773 CIC-08-023**, Applicant: Waste Management, Owner: Georgia Waste Systems, to Change Conditions of Zoning for Property Zoned M-1 (Reduction in Buffers), District 6 Land Lot 252 Parcel 071, 6400 Block of Corley Road, 15.78 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Nasuti Second: Beaudreau Vote: 4-0 (Green Absent)}

**2008-2774 CIC-08-024**, Applicant: Tuscany Park Homes, LLC, Owner: Tuscany Park Homes, LLC, to Change Conditions of Zoning for Property Zoned R-ZT (Remove Age Restricted Housing Requirement), District 7 Land Lot 148 Parcels 423 thru 439 and District 7 Land Lot 149 Parcels 323 thru 355, 500 Block of Rock Springs Road, 12.97 Acres, 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 Absent)}

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**3. Special Use Permit**

**2008-2775 SUP-08-094**, Applicant: Burkat-Group, LLC, Owner: Rees 394.LLC, for a Special Use Permit in a C-2 Zoning District to Allow a Coin Laundry, District 6 Land Lot 177 Parcel 001C, 900 Block of Pleasant Hill Road, 2.32 Acres, District 1/Green[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Kenerly Second: Beaudreau Vote: 4-0 (Green Absent)}

**2008-2776 SUP-08-095**, Applicant: Cashmax, Owner: Rees 394. LLC, for a Special Use Permit in a C-2 Zoning District to Allow a Pawn Shop/Title Loan, District 6 Land Lot 177 Parcel 001C, 900 Block of Pleasant Hill Road, 2.32 Acres, District 1/Green[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Kenerly Second: Beaudreau Vote: 4-0 (Green Absent)}

**2008-2777 SUP-08-097**, Applicant: Your Extra Attic Hamilton Mill, LLC, Owner: Your Extra Attic Hamilton Mill, LLC, for a Special Use Permit in a C-2 Zoning District to Allow Truck Rental, District 3 Land Lot 001 Parcel 432, 2000 Block of Gravel Springs Road and the 2500 Block of Braselton Highway, 5.22 Acres, 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 Absent)}

**2008-2778 RZC-08-064**, Applicant: Dagpau, Inc, Owner: Dagpau, Inc, R-100 to C-1, Commercial Retail Uses, District 5 Land Lot 013 Parcel 058, 2800 Block of Hutchins Road, 1.81 Acres, District 3/Beaudreau (Tabled on 12/16/2008) (Tabled to 03/24/2009)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 4-0 (Green Absent)}

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**4. Rezonings**

**2008-2768 RZR-08-004**, Applicant: Forest Valley Homes, LLC, Owner: Carolyn Forrester, RA-200 to R-75, Single Family Residential, District 6 Land Lot 245 Parcel 056, 5800 Block of Pine Road, 1.63 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] { Action: Approved with Change Motion: Nasuti Second: Kenerly Vote: 4-0 (Green Absent) }

**2008-2769 RZR-08-005**, Applicant: Sts. Constantine and Helen Romanian Orthodox Church, Owner Sts. Constantine and Helen Romanian Orthodox Church, R-75 to RA-200, Cemetery (Reduction in Buffers), District 6 Land Lot 162 Parcel 010, 600 Block of Dickens Road, 11.0 Acres, District 2/Nasuti (Tabled on 12/16/2008) (Tabled to 01/27/2009)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 1/20/2009] { Action: Tabled Motion: Nasuti Second: Beaudreau Vote: 4-0 (Green Absent) }

**2008-2770 SUP-08-096**, Applicant: Sts. Constantine and Helen Romanian Orthodox Church, Owner: Sts. Constantine and Helen Romanian Orthodox, for a Special Use Permit in a RA-200 (Proposed) Zoning District to Allow a Cemetery (Reduction in Buffers), District 6 Land Lot 162 Parcel 010, 600 Block of Dickens Road, 11.0 Acres, District 2/Nasuti (Tabled on 12/16/2008) (Tabled to 01/27/2009)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 1/20/2009] { Action: Tabled Motion: Nasuti Second: Beaudreau Vote: 4-0 (Green Absent) }

**VIII. Comments from Audience**

**IX. Adjournment**