

**Board of Commissioners**

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Charlotte J. Nash, Chairman  
Jace W. Brooks, District 1  
Lynette Howard, District 2  
Tommy Hunter, District 3  
John Heard, District 4



**Official**  
**Public Hearing Minutes**  
**Tuesday, May 23, 2017 - 7:00 PM**

Present: Charlotte J. Nash, Jace Brooks, Lynette Howard, Tommy Hunter, John Heard

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

**II. Opening Remarks by Chairman**

**III. Approval of Agenda**

{Action: Approved Motion: Hunter Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**IV. Approval of Minutes:**

- **Work Session:** May 16, 2017
  - **Briefing 10:30 a.m.:** May 16, 2017
  - **Informal Business Discussion 12:00 p.m.:** May 16, 2017
  - **Executive Session:** May 16, 2017
  - **Business Session:** May 16, 2017
  - **Informal Business Discussion 3:00 p.m.:** May 16, 2017
- {Action: Approved Motion: Hunter Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**V. Announcements:**

- **Proclamation:** May is Asian Pacific American Heritage Month

**VI. Public Hearing – Old Business**

**I. Planning & Development/Kathy S. Holland**

**2017-0341 CIC2017-00012**, Applicant: AME Architect, Inc., Owner: Vincent Duta, Tax Parcel No. R7256 035, Change in Conditions of Zoning for Property Zoned O-I, 800 Block of Buford Highway, 0.73 Acre. District 1/Brooks [Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

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**VI. Public Hearing – Old Business**

**I. Planning & Development/Kathy S. Holland**

**2017-0142 RZC2017-00006**, Applicant: Peachtree Hotel Group c/o Mahaffey Pickens Tucker, LLP, Owner: Mary Virginia Mimms, Rezoning of Tax Parcel No. R7114 175, R-100 to C-2; Hotel (Buffer Reduction), 1700 Block of North Brown Road, 4.43 Acres. District 1/Brooks (Tabled on 05/23/2017) (Tabled to 06/27/2017) (Public hearing was not held) [Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 6/6/2017] {Action: Tabled Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**2017-0240 RZC2017-00009**, Applicant: Barbara Banks and Rene Banks Seawell c/o Advanced Engineering & Planning, Owner: Barbara Banks and Rene Banks Seawell c/o Advanced Engineering & Planning, Rezoning of Tax Parcel No. R1001 452, RA-200 to C-1; Restaurant (Drive-in or Drive-thru Fast Food) (Buffer Reduction), 2800 Block of Hamilton Mill Road, 4.24 Acres. District 4/Heard [Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Nash Second: Howard Vote: 3-2; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-No; Heard-No}

**2017-0241 SUP2017-00011**, Applicant: Barbara Banks and Rene Banks Seawell c/o Advanced Engineering & Planning, Owner: Barbara Banks and Rene Banks Seawell c/o Advanced Engineering & Planning, Tax Parcel No. R1001 452, Application for a Special Use Permit in a C-1 (Proposed) Zoning District for Restaurant (Drive-in or Drive-thru Fast Food) (Buffer Reduction), 2800 Block of Hamilton Mill Road, 4.24 Acres. District 4/Heard [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Nash Second: Howard Vote: 3-2; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-No; Heard-No}

**VI. Public Hearing – Old Business**

**I. Planning & Development/Kathy S. Holland**

**2017-0144 RZM2017-00002**, Applicant: NDI Development, LLC c/o Andersen, Tate & Carr, PC, Owner: Paragon Town Center, LLC c/o Andersen, Tate & Carr, PC, Rezoning of Tax Parcel Nos. R6211 224 and 225, C-2 to R-TH; Townhomes, 4500 Block of Satellite Boulevard, 4.49 Acres. District 1/Brooks (Tabled on 05/23/2017) (Tabled to 06/27/2017) (Public hearing was not held) [Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 6/6/2017] {Action: Tabled Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**2017-0145 RZM2017-00003**, Applicant: US Land Investments, LLC c/o Andersen, Tate & Carr, PC, Owner: REO Funding Solutions V, LLC, Rezoning of Tax Parcel No. R6062 017B, C-2 and O-I to R-TH; Townhomes, 4900 Block of Stone Mountain Highway, 26.62 Acres. District 2/Howard (Tabled on 05/23/2017) (Tabled to 06/06/2017) (Public hearing was held) [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Howard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**2017-0244 RZR2017-00005**, Applicant: Michael J. Caswell, Owners: Otis P. and Sandra Jones, Rezoning of Tax Parcel Nos. R7053 009 and 068, R-100 to R-75; Single-Family Subdivision, 1400 Block of Azalea Drive, 18.46 Acres. District 4/Heard[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Heard Second: Hunter Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

## **VII. Public Hearing – New Business**

### **I. Support Services/Angelia Parham**

**2017-0467 Approval/authorization** for the Chairman to execute any and all documents necessary to abandon 0.032 acres (1,405 square feet) of right-of-way formerly used for a public road known as Britt Drive, located in Land Lots 51 and 52 of the 6th Land District, in accordance with O.C.G.A. 32-7-2. Subject to approval as to form by the Law Department. District 3/Hunter (Staff Recommendation: Approval) {Action: Approved Motion: Hunter Second: Nash Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**2017-0468 Approval/authorization** for the Chairman to execute any and all documents necessary to declare as surplus and to authorize disposition of 0.032 acres (1,405 square feet) of right-of-way formerly needed for a public road known as Britt Drive, located in Land Lots 51 and 52 of the 6th Land District, in accordance with O.C.G.A. 32-7-4, with disposition in the amount of \$2,318.00. Subject to approval as to form by the Law Department. District 3/Hunter (Staff Recommendation: Approval) {Action: Approved Motion: Hunter Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

### **2. Change in Conditions**

**2017-0405 CIC2017-00013**, Applicant: Logistics & Engineering Solutions, Inc., Owner: Logistics & Engineering Solutions, Inc., Tax Parcel No. R5155 029, Change in Conditions of Zoning for Property Zoned O-R, 2500 Block of Loganville Highway, 5.48 Acres. District 3/Hunter (Tabled on 05/23/2017) (Tabled to 06/27/2017) (Public hearing was held) [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Hunter Second: Heard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

## **VII. Public Hearing – New Business**

### **3. Special Use Permit**

**2017-0406 SUP2017-00014**, Applicant: 78 Carwash LLC, Owner: Ramesh Naik, Tax Parcel No. R6063B008F, Application for a Special Use Permit in a C-2 Zoning District for Automobile Service (Renewal), 4700 Block of Stone Mountain Highway, 1.28 Acres. District 2/Howard (Tabled on 05/23/2017) (Tabled to 06/27/2017) (Public hearing was not held) [Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 6/6/2017] {Action: Tabled Motion: Howard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**2017-0407 SUP2017-00017**, Applicant: Enterprise Leasing Company of Georgia, LLC c/o Andersen, Tate & Carr, P.C., Owner: Tenants in Common, Tax Parcel No. R6198 055, Application for a Special Use Permit in a M-I Zoning District for a Maintenance Shop (Renewal), 1700 Block of Jeurgens Court and 5300 Block of Goshen Springs Road, 23.55 Acres. District 2/Howard (Tabled on 05/23/2017) (Tabled to 06/27/2017) (Public hearing was not held) [Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Howard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

### **4. Rezonings**

**2017-0403 RZM2017-00005**, Applicant: Gwinn-Lidell Associates, LLC c/o Philip Weener, Esq., Weener & Nathan, LLP, Owner: Gwinn-Lidell Associates, LLC, Rezoning of Tax Parcel No. R6209 001A, M-I to RM-24; Apartments, 4100 Block of Satellite Boulevard, 2000 Block of Satellite Pointe, and Interstate 85 South, 20.12 Acres. District 1/Brooks (Tabled on 05/23/2017) (Tabled to 06/27/2017) (Public hearing was not held) [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Tabled - Date: 6/6/2017] {Action: Tabled Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**VII. Public Hearing – New Business**

**4. Rezoning**

**2017-0404 RZR2017-00009**, Applicant: Jose Ramos, Owner: John Steven Taylor, Rezoning of Tax Parcel No. R3007 187, RA-200 to R-100; Single-Family Subdivision, 4800 Block of Spout Springs Road and 2100 Block of Old Flowery Branch Road, 2.44 Acres. District 3/Hunter [Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Hunter Second: Heard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**2017-0400 RZC2017-00012**, Applicant: Georgia Senior Living, LLC c/o Advanced Engineering & Planning, Owner: Meadow Church Real Estate, LLC, Rezoning of Tax Parcel Nos. R7121 093, 174, 013, & 014, R-100 to O-I; Senior Living Facility (Buffer Reduction), 2500 Block of Meadow Church Road, 7.68 Acres. District 1/Brooks (Tabled on 05/23/2017) (Tabled to 07/25/2017) (Public hearing was not held) [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Tabled - Date: 7/10/2017] {Action: Tabled Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**2017-0401 SUP2017-00016**, Applicant: Georgia Senior Living, LLC c/o Advanced Engineering & Planning, Owner: Meadow Church Real Estate, LLC, Tax Parcel Nos. R7121 093, 174, 013, & 014, Application for a Special Use Permit in an O-I (Proposed) Zoning District for Building Height Increase (Buffer Reduction), 2500 Block of Meadow Church Road, 7.68 Acres. District 1/Brooks (Tabled on 05/23/2017) (Tabled to 07/25/2017) (Public hearing was not held) [Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 7/10/2017] {Action: Tabled Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

## **VII. Public Hearing – New Business**

### **4. Rezoning**

**2017-0402 SUP2017-00018**, Applicant: Georgia Senior Living, LLC c/o Advanced Engineering & Planning, Owner: Meadow Church Real Estate, LLC, Tax Parcel Nos. R7121 093, 174, 013, & 014, Application for a Special Use Permit in an O-I (Proposed) Zoning District for Senior Living Facility (Buffer Reduction), 2500 Block of Meadow Church Road, 7.68 Acres. District 1/Brooks **(Tabled on 05/23/2017) (Tabled to 07/25/2017) (Public hearing was not held)** [Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 7/10/2017] **{Action: Tabled Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}**

## **VIII. Old Business**

### **I. Commissioners**

**2016-1213 Approval** of appointment to the Gwinnett Animal Advisory Council, Incumbent Solveig Evans. Term expires December 31, 2018. District 2/Howard **(Tabled on 05/23/2017) (Tabled to 06/06/2017) {Action: Tabled Motion: Howard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}**

### **2. Law Department/William J. Linkous III**

**2017-0425 Approval/authorization** for Harbins Road at Jackson Creek Bridge Replacement from US 29/SR 8 Lawrenceville Highway to Dickens Road for Declaration of Taking Condemnation proceedings regarding the property of Octavio A. Solis Ortiz, Yeny Lucinda Montalvan, as joint tenants with rights of survivorship, Brand Mortgage Group, LLC and 999.80 square feet of Permanent Easement for Construction and Maintenance of Slopes for Tax Map No. R6146 072, Parcel 4, Zoning R-1, amount \$1,850.00. Subject to approval as to form by the Law Department. This project is funded by the 2014 SPLOST Program. District 2/Howard **{Action: Approved Motion: Howard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}**

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**IX. New Business**

**I. Planning & Development/Kathy S. Holland**

**2017-0408 Ratification** of Plat approvals for April 01, 2017 thru April 30, 2017. {Action: Approved Motion: Howard Second: Heard Vote: 3-0; Nash-Yes; Brooks-Out of Room; Howard-Yes; Hunter-Out of Room; Heard-Yes}

**X. Comments from Audience**

**XI. Adjournment**

{Action: Adjourn Motion: Howard Second: Brooks Vote: 4-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Out of Room; Heard-Yes}