

Board of Commissioners

75 Langley Drive • Lawrenceville, GA 30046-6935
770.822.7000 • www.gwinnettcounty.com

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, September 26, 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: Howard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

IV. Approval of Minutes:

- **Work Session:** September 19, 2017
- **Briefing 10:30 a.m.:** September 19, 2017
- **Informal Business Discussion 12:00 p.m.:** September 19, 2017
- **Executive Session:** September 19, 2017
- **Business Session:** September 19, 2017
- **Briefing 3:00 p.m.:** September 19, 2017

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

V. Announcements:

- **Proclamation:** Hispanic Heritage Month, September 15-October 15, 2017

VI. Public Hearing - Old Business**I. Planning & Development/Kathy S. Holland**

2017-5013 SUP2017-00027, Formerly 20170544, Applicant: Veronica llenre, Owner: Veronica llenre, Tax Parcel No. R5052 023, Application for a Special Use Permit in a R-100 Zoning District for a Personal Care Home (Family), 400 Block of Patterson Road, 1.05 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}

Public Hearing Official Minutes
Tuesday, September 26, 2017 - 7:00 PM
Page 2

VI. Public Hearing - Old Business

I. Planning & Development/Kathy S. Holland

2017-5025 RZR2017-00010, Formerly 20170532 Applicant: Justin Brady, Owner: Justin Brady, Rezoning of Tax Parcel Nos. R5089 006, 016, 018, 020, 070, and 072, R-100 to TND; Traditional Neighborhood Development (Buffer Reduction), 1200-1300 Blocks of Lakeview Road, 27.65 Acres. District 3/Hunter (Tabled on 09/26/2017) (Tabled to 10/03/2017)(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}

2017-5031 SUP2017-00036, Formerly 20170702 Applicant: Bryan Gaylor, Owner: James William Dooner et al, Tax Parcel No. R6218 018, Application for a Special Use Permit in a M-1 Zoning District for Conversion of Billboard to Electronic Sign, 6700 Block of Crescent Drive and Interstate 85 (Southbound), 0.12 Acre. District 2/Howard[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Howard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2017-5015 SUP2017-00030, Formerly 20170654 Applicant: Jacqueline Huley, Owner: Joe Gargiulo, Tax Parcel No. R5042 012, Application for a Special Use Permit in a R-100 Zoning District for Personal Care Home, 1300 Block of Tree Lane, 1.89 Acres. District 3/Hunter (Tabled on 09/26/2017) (Tabled to 10/24/2017)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 10/3/2017] {Action: Tabled Motion: Hunter Second: Heard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

VI. Public Hearing - Old Business

I. Planning & Development/Kathy S. Holland

2017-5017 RZC2017-00016, Formerly 20170640 Applicant: Montecito Development LLC, Owner: Annie C. Rawlins, Rezoning of Tax Parcel No. R7117 024, RA-200 to C-2; Convenience Store with Fuel Pumps, 2300 Block of Duluth Highway, 2.6 Acres. District 1/Brooks[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny without Prejudice] {Action: Denied without Prejudice Motion: Brooks Second: Howard Vote: 4-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Out of Room}

2017-5022 RZM2017-00006, Formerly 20170648 Applicant: Rocklyn Homes, Inc. c/o Mahaffey Pickens Tucker, LLP, Owners: Grid Properties, LLC, Gloria Rawlins Still, and Still Lake Nursery, Inc. c/o Mahaffey Pickens Tucker, LLP, Rezoning of Tax Parcel Nos. R5108 002, 014, and 077, C-2 and RM to R-TH; Townhouses (Buffer Reduction), 700 Block of Scenic Highway and 600 Block of Old Snellville Highway, 15.5 Acres. District 3/Hunter (Tabled on 09/26/2017) (Tabled to 10/24/2017)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 10/3/2017] {Action: Tabled Motion: Hunter Second: Heard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2017-5026 RZR2017-00011, Formerly 20170652 Applicant: Home South Communities, LLC c/o Mahaffey Pickens Tucker, LLP, Owner: John T. Lamb, Rezoning of Tax Parcel No. R7136 001, RA-200 to OSC; Single-Family Subdivision, 2400 Block of Sunny Hill Road and 2500 Block of Morgan Road, 86.15 Acres. District 4/Heard (Tabled on 09/26/2017) (Tabled to 10/24/2017)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 10/3/2017] {Action: Tabled Motion: Heard Second: Hunter Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

VI. Public Hearing - Old Business

I. Planning & Development/Kathy S. Holland

2017-5035 RZR2017-00013, Formerly 20170700 Applicant: Comfort Homes of Georgia, LLC, Owner: Mary Frances Capehart, Rezoning of Tax Parcel No. R7180 016, RA-200 to R-100; Single-Family Subdivision, 3200 Block of Camp Branch Road and 3200 Block of Camp Branch Circle, 13.14 Acres. District 4/Heard (**Tabled on 09/26/2017**) (**Tabled to 10/03/2017**)(**Public hearing was held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {**Action: Tabled Motion: Heard Second: Hunter Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes**}

2017-5038 RZC2017-00012, Formerly 20170400 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 I/Brooks (**Tabled on 09/26/2017**) (**Tabled to 11/28/2017**)(**Public hearing was not held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 11/7/2017] {**Action: Tabled Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes**}

2017-5010 SUP2017-00016, Formerly 20170401 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 I/Brooks (**Tabled on 09/26/2017**) (**Tabled to 11/28/2017**)(**Public hearing was not held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 11/7/2017] {**Action: Tabled Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes**}

VI. Public Hearing - Old Business

I. Planning & Development/Kathy S. Holland

2017-5037 SUP2017-00018, Formerly 20170402 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 I/Brooks (**Tabled on 09/26/2017**) (**Tabled to 11/28/2017**)(**Public hearing was not held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 11/7/2017] **{Action: Tabled Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}**

2017-5030 SUP2017-00033, Formerly 20170701 Applicant: Yen Trinh, Owner: Vietnamese Buddhist Zen Center Inc., Tax Parcel No. R6171 318, Application for a Special Use Permit in a R-75 Zoning District for Place of Worship, 1000 Block of Harbins Road, 3.95 Acres. District 2/Howard[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Howard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}**

2017-5034 SUP2017-00041, Formerly 20170708 Applicant: Pep Boys Auto Sales, Owner: KSP, LLC, Tax Parcel No. R6057 009, Application for a Special Use Permit in a C-2 Zoning District for Automobile Sales and Related Service, 4900 Block of Stone Mountain Highway, 2.48 Acres. District 3/Hunter[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny without Prejudice] **{Action: Denied without Prejudice Motion: Hunter Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}**

2017-5063 RZM2017-00002, Formerly 20170144 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 I/Brooks[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny without Prejudice] **{Action: Denied without Prejudice Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}**

VI. Public Hearing - Old Business

I. Planning & Development/Kathy S. Holland

2017-5228 CIC2017-00017, Formerly 20170653 Applicant: James L. Mark, Owner: Dr. Heather Allen, Tax Parcel No. R6054 026B, Change in Conditions of Zoning for Property Zoned O-I, 3900 Block of Stone Mountain Highway, 1.91 Acres. District 2/Howard (**Tabled on 09/26/2017**) (**Tabled to 11/28/2017**)(**Public hearing was not held**)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 9/5/2017] {**Action: Tabled Motion: Howard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes**}

VII. Public Hearing - New Business

I. Transportation/Alan Chapman

2017-5186 Approval/authorization of a public hearing and abandonment of 7.96 acres (346,762 square feet) of prescriptive right-of-way known as Level Creek Road from Sugar Creek Drive to Broad Street, authorization for Chairman to effectuate transaction in Land Lot 289, 290 & 291 of the 7th Land District, and abandonment in accordance with Georgia Statutes on abandonment found in O.C.G.A. 32-7-2. District 1/Brooks (**Tabled on 09/26/2017**) (**Tabled to 10/24/2017**) (Staff Recommendation: Approval) {**Action: Tabled Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes**}

2. Change in Conditions

2017-5105 CIC2017-00019, Applicant: Donny Mui, Owner: Pancel Belle Meade 223, LLC, Tax Parcel Nos. R7035 011 and 045, Change in Conditions of Zoning for Property Zoned M-I, 1700 Block of Belle Meade Court, 11.23 Acres. District 1/Brooks (**Tabled on 09/26/2017**) (**Tabled to 10/24/2017**)(**Public hearing was not held**)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 10/3/2017] {**Action: Tabled Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes**}

VII. Public Hearing - New Business

3. Special Use Permit

2017-5106 SUP2017-00042, Applicant: United Seafood, LLC, Owner: Jimmy Nguyen, Tax Parcel No. R6194 272, Application for a Special Use Permit in a M-1 Zoning District for Seafood Processing Plant, 6300 Block of McDonough Drive, 1.28 Acres. District 2/Howard[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Howard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}**

2017-5107 SUP2017-00043, Applicant: Dinh Phan, Owner: Tung Le, Tax Parcel No. R6195A027, Application for a Special Use Permit in a C-2 Zoning District for Trade/Vocational School (Beauty School), 6000 Block of Oakbrook Parkway, 0.09 Acre. District 2/Howard[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Howard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}**

2017-5108 SUP2017-00044, Applicant: Chung C. Chang, Owner: Daniel W. Chung, Tax Parcel No. R1001 460, Application for a Special Use Permit in a R-100 Zoning District for Place of Worship (Expansion), 2800 Block of W. Rock Quarry Road, 4.1 Acres. District 4/Heard[Planning Department Recommendation: Approve with Conditions][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}**

2017-5109 SUP2017-00045, Applicant: Vivene L.M. Holley, Owner: Vivene L.M. Holley, Tax Parcel No. R6047 382, Application for a Special Use Permit in a R-100 Zoning District for Customary Home Occupation (Beauty Salon), 3900 Block of Paulownia Drive and 4000 Block of Willowmeade Drive, 0.39 Acre. District 3/Hunter[Planning Department Recommendation: Approve with Conditions][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}**

VII. Public Hearing - New Business

4. Rezoning

2017-5098 RZC2017-00021, Applicant: McBride Dale Clarion, Owner: Speedway, Rezoning of Tax Parcel Nos. R6182 465, 467, and 474, C-2 to C-2; Convenience Store with Fuel Pumps (Buffer Reduction), 1300 Block of Pleasant Hill Road and 1300 Block of Corley Place, 1.61 Acres. District 1/Brooks (Tabled on 09/26/2017) (Tabled to 10/24/2017)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 10/3/2017] {Action: Tabled Motion: Brooks Second: Hunter Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2017-5099 RZM2017-00009, Applicant: Pedcor Investments, A Limited Liability Company c/o Mahaffey Pickens Tucker, LLP, Owners: Mansour Properties, LLC and Lifestyle Family Group, LLC, Rezoning of Tax Parcel Nos. R7146 002, 029, and 030, O-1 & C-2 to RM-13; Apartments, 1300-1400 Blocks of Laurel Crossing Parkway, 23.2 Acres. District 4/Heard[Planning Department Recommendation: Approve with Conditions][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}

2017-5100 RZR2017-00014, Applicant: RTSB, LLC c/o Advanced Engineering & Planning, Owner: Larry E. Maddox c/o Advanced Engineering & Planning, Rezoning of Tax Parcel Nos. R7095 008 and 019, RA-200 to R-75; Single-Family Subdivision, 2100 Block of Braselton Highway, 19.64 Acres. District 4/Heard[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Heard Second: Hunter Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

VII. Public Hearing - New Business

4. Rezonings

2017-5101 RZR2017-00015, Applicant: Meritage Homes c/o Advanced Engineering & Planning, Owners: Clarice Deaton & Jas Hugh Deaton, Jr., Rezoning of Tax Parcel Nos. R1004 002 and 090, RA-200 to OSC; Single-Family Subdivision (Buffer Reduction), 3800 Block of Thompson Mill Road and 3800 Block of Ridge Road, 53.41 Acres. District 4/Heard (Tabled on 09/26/2017) (Tabled to 10/24/2017)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 10/3/2017] {Action: Tabled Motion: Heard Second: Hunter Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2017-5102 RZR2017-00016, Applicant: DR Horton, Inc., c/o Mahaffey Pickens Tucker, LLP, Owner: United Methodist Children's Home of the North Georgia Conference, Inc., Rezoning of Tax Parcel No. R5098 001, R-100 to OSC; Single-Family Subdivision, 3400 Block of Brushy Fork Road, 51.6 Acres. District 3/Hunter (Tabled on 09/26/2017) (Tabled to 10/24/2017)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 10/3/2017] {Action: Tabled Motion: Hunter Second: Heard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2017-5103 RZR2017-00017, Applicant: DR Horton, Inc., c/o Mahaffey Pickens Tucker, LLP, Owner: United Methodist Children's Home of the North Georgia Conference, Inc., Rezoning of Tax Parcel No. R5098 001, R-100 to R-75; Single-Family Subdivision, 3400 Block of Brushy Fork Road, 35.5 Acres. District 3/Hunter (Tabled on 09/26/2017) (Tabled to 10/24/2017)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 10/3/2017] {Action: Tabled Motion: Hunter Second: Heard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

VII. Public Hearing - New Business

4. Rezonings

2017-5104 RZR2017-00019, Applicant: CKK Development LLC, Owners: John and Lance Marlowe, James Dacus, Susan Zakeri, John Stafford c/o Mike Smith, and Valerie Stafford, Rezoning of Tax Parcel Nos. R3001 021A, 021B, 021D, 028, 039, and 053, R-100 MOD & RA-200 to TND; Traditional Neighborhood District (Buffer Reduction), 1800 Block of Auburn Road and 3000 Block of Hog Mountain Road, 42.33 Acres. District 3/Hunter (Tabled on 09/26/2017) (Tabled to 10/24/2017)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 10/3/2017] {Action: Tabled Motion: Hunter Second: Heard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

5. Planning & Development/Kathy S. Holland

2017-5110 Ratification of Plat approvals for August 01, 2017 thru August 31, 2017. {Action: Approved Motion: Howard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

VIII. Old Business

I. Commissioners

2017-5005 Approval Formerly 20170220, to fill the unexpired term of Anthony Rodriguez to the Arts Facility Authority. Term expires June 30, 2017. District 3/Hunter (Tabled on 09/26/2017) (Tabled to 01/02/2018) {Action: Tabled Motion: Hunter Second: Heard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

IX. Comments from Audience

X. Adjournment

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