

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, October 24, 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:** October 17, 2017
- **Briefing 10:30 a.m.:** October 17, 2017
- **Informal Business Discussion 12:00 p.m.:** October 17, 2017
- **Executive Session:** October 17, 2017
- **Business Session:** October 17, 2017
- **Briefing 3:00 p.m.:** October 17, 2017

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

V. Announcements

VI. Public Hearing - Old Business

I. Planning & Development/Kathy S. Holland

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 Community Living Arrangement, 1300 Block of Tree Lane, 1.89 Acres. District 3/Hunter
 [Planning Department Recommendation: Approve with Conditions]
 [Planning Commission Recommendation: Approve with Conditions]
 {Action: Denied without Prejudice Motion: Hunter Second: Howard
 Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

Public Hearing Official Minutes
Tuesday, October 24, 2017 - 7:00 PM
Page 2

VI. Public Hearing - Old Business

I. Planning & Development/Kathy S. Holland

2017-5022 RZM2017-00006, Formerly 20170648 Applicant: Spartan Investors I, LLC 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 [Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Denied without Prejudice 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 10/24/2017) (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: Heard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

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 [Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Brooks 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

2017-5101 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 [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}

2017-5102 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 [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}

2017-5103 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 [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}

VI. Public Hearing - Old Business

I. Planning & Development/Kathy S. Holland

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 [Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Brooks Second: Howard Vote: 3-1-1; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Abstained and Out of Room; Heard-No}

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-1, 1700 Block of Belle Meade Court, 11.23 Acres. District 1/Brooks [Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Denied without Prejudice Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2. 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 (Staff Recommendation: Approval) {Action: Approved Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

VII. Public Hearing - New Business

I. Change in Conditions

2017-5277 CIC2017-00020, Applicant: MF Georgia I, LLC c/o Mahaffey Pickens Tucker, LLP; MF Georgia I, LLC, Tax Parcel Nos. R5248 004, 014, 015 and 017, Change in Conditions of Zoning for Property Zoned R-100, 1500-1600 Blocks of Ewing Chapel Road, 110.62 Acres. District 3/Hunter (Tabled on 10/24/2017) (Tabled to 11/28/2017) (Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 11/7/2017] {Action: Tabled Motion: Hunter Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2. Special Use Permit

2017-5266 SUP2017-00046, Applicant: Annette Sprewer, Owner: Annette Sprewer, Tax Parcel No. R6037 273, Application for a Special Use Permit in a R-100 CLU Zoning District for Customary Home Occupation (Beauty Salon), 4400 Block of Saddle Bend Trail and 2800 Block of Ross Road, 0.79 Acre. District 3/Hunter (Tabled on 10/24/2017)(Tabled to 11/28/2017)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Hunter Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2017-5278 SUP2017-00048, Applicant: Pertita Matasar, Owner: Sara Matasar, Tax Parcel No. R5129 032, Application for a Special Use Permit in a R-100 Zoning District for Personal Care Home (Family), 5200 Block of Lake Carlton Road, 1.96 Acres. District 3/Hunter [Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Hunter Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

VII. Public Hearing - New Business

3. Rezonings

2017-5267 RZC2017-00022, Applicant: Keyona Investment, LLC, Owner: Keyona Investment, LLC, Rezoning of Tax Parcel No. R7073 143, R-100, C-1, and C-2 to C-1; Retail Center (Buffer Reduction), 1700 Block of Duluth Highway and 1700 Block of Racquet Club Drive, 1.63 Acres. District 1/Brooks **(Tabled on 10/24/2017)(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}**

2017-5268 RZC2017-00023, Applicant: QuikTrip Corporation c/o Andersen Tate & Carr, P.C., Owners: F.A. Sims Properties, Inc., and Lige K. Sims, Rezoning of Tax Parcel Nos. R6195 095, 095L, 067, and 068, R-75, C-1, and C-2 to C-1; Convenience Store with Fuel Pumps, 5300 Block of Jimmy Carter Boulevard, 6200 Block of Joseph Way, and 6200 Block of Hayes Drive, 3.37 Acres. District 2/Howard **(Tabled on 10/24/2017)(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: Howard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}**

2017-5271 RZC2017-00024, Applicant: OFS Brightwave Solutions Inc., Owner: OFS Brightwave Solutions Inc., Rezoning of Tax Parcel No. R6216 018, MU-R to M-2; Manufacturing Building (Buffer Reduction), 6300 Block of Crescent Drive, 5600-5800 Blocks of Jimmy Carter Boulevard, and 6100 Block of Brook Hollow Parkway, 0.82 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}**

Public Hearing Official Minutes
Tuesday, October 24, 2017 - 7:00 PM
Page 7

VII. Public Hearing - New Business

3. Rezonings

2017-5272 SUP2017-00047, Applicant: OFS Brightwave Solutions Inc., Owner: OFS Brightwave Solutions Inc., Tax Parcel No. R6216 018, Application for a Special Use Permit in a M-2 (Proposed) Zoning District for Building Height Increase (Buffer Reduction), 6300 Block of Crescent Drive, 5600-5800 Blocks of Jimmy Carter Boulevard, and 6100 Block of Brook Hollow Parkway, 0.82 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}

2017-5273 RZM2017-00010, Applicant: Capkey Gates at Sugarloaf Partners LLC, Owners: Capkey Gates at Sugarloaf Partners LLC and The Gates at Sugarloaf Unit Owners Association, Inc., Rezoning of Tax Parcel Nos. R7155 550, 551 and 552, O-I to R-TH; Townhouses, 1300 Block of Satellite Boulevard, 3.55 Acres. District 1/Brooks (Tabled on 10/24/2017)(Tabled to 11/28/2017)(Public hearing was not held)[Planning Department Recommendation: Deny][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}

2017-5274 RZR2017-00020, Applicant: Bulk Buys Corporation, Owners: Sarah and Peggy Brodnax, Rezoning of Tax Parcel No. R6036 004, R-100 to R-60; Single-Family Subdivision, 2900 Block of Bethany Church Road, 33.74 Acres. District 3/Hunter (Tabled on 10/24/2017)(Tabled to 11/28/2017)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 11/7/2017] {Action: Tabled Motion: Hunter Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

VII. Public Hearing - New Business

3. Rezoning

2017-5275 RZR2017-00021, Applicant: CKK Development, Owners: Bettie Brooks and Mary B. Harmon, Rezoning of Tax Parcel Nos. R6066 003 and 252, R-100 to R-60; Single-Family Subdivision, 1900 Block of Hewatt Road and McDaniel Connector, 14.74 Acres. District 2/Howard (Tabled on 10/24/2017)(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: Howard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2017-5276 RZR2017-00022, Applicant: CKK Development, Owners: Nooruddin Panjwani and Shereza Tajuddin, Rezoning of Tax Parcel Nos. R5021 006C and 072, R-100 to R-60; Single-Family Subdivision, 500 Block of Arnold Road and 2400-2500 Blocks of Five Forks Trickum Road, 10.42 Acres. District 2/Howard (Tabled on 10/24/2017)(Tabled to 11/28/2017) (Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 11/7/2017] {Action: Tabled Motion: Howard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

4. Planning & Development/Kathy S. Holland

2017-5180 SNC2017-00002 – Street Name Change from Barkwood Place to Espeut Place. Applicant: Daniel Espeut. District 7, Land Lot 046. District 4/Heard (Tabled to 11/28/2017)(Public hearing was held) {Action: Tabled Motion: Heard Second: Hunter Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

VIII. Old Business

I. Law Department/William J. Linkous III

2017-5039 Approval/authorization Formerly, 20170606 for the Chairman to execute a resolution approving the exercise of eminent domain by use of the Special Master Method, O.C.G.A. Section 22-2-100 et seq., to acquire property owned by Dillard Worthington Corporation, consisting of 4.28 acres, more or less, Property Tax ID R5113 003, and 40.24 acres, more or less, Property Tax ID 5113 009, located at the intersection of Lawrenceville-Suwanee Road and Old Norcross Road, in Lawrenceville, Georgia, for Discovery High School Cluster Park, including authority to execute any and all documents required to acquire the property, all documents being subject to review as to form by the Law Department. (Tabled on 10/24/2017)(Tabled to 12/19/2017 Public Hearing) {Action: Tabled Motion: Heard Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

IX. New Business

I. County Administration

2017-5378 Ratification of employment agreement with Sheryl Dallas, Director of Human Resources, for recording purposes. {Action: Approved Motion: Hunter Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2. Planning & Development/Kathy S. Holland

2017-5112 Approval/authorization of a Resolution supporting the 15-year update to the Gwinnett Livable Centers Initiative Study of Gwinnett Place Activity Center. Subject to approval as to form by the Law Department. District I/Brooks {Action: Approved Motion: Heard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2017-5279 Ratification of Plat approvals for September 01, 2017 thru September 30, 2017. {Action: Approved Motion: Heard Second: Hunter Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

IX. New Business

3. Support Services/Angelia Parham

2017-5331 Approval/authorization for the Chairman to execute an Intergovernmental Agreement with the Gwinnett County School District for the temporary storage of Gwinnett County records at the Gwinnett County School District's Environmental and Supply Services Facility, located at 610 West Crogan Street in Lawrenceville. Subject to approval as to form by the Law Department. (Staff Recommendation: Approval)
{Action: Approved Motion: Heard Second: Hunter Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

4. Financial Services/Maria Woods

2017-5394 Approval/authorization of a Resolution amending the Fiscal Year 2017 Budget to reflect adjustments in Personal Services Appropriations necessary to fund pay increases for sworn law enforcement officers who work in the areas of Sheriff, Corrections, and Police and for E911 communications officers and to fund a market adjustment for all eligible Gwinnett County employees; and to approve adjustments in revenue budgets in tax-related funds to reflect anticipated property tax collections for 2017. (Staff Recommendation: Approval)
{Action: Approved Motion: Howard Second: Hunter Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

X. Comments from Audience

XI. Adjournment

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