

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, April 24, 2018 - 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:** April 17, 2108
 - **Briefing 10:30 a.m.:** April 17, 2018
 - **Informal Business Discussion 12:00 p.m.:** April 17, 2018
 - **Executive Session:** April 17, 2018
 - **Business Session:** April 17, 2018
 - **Informal Business Discussion 3:00 p.m.:** April 17, 2018
- {Action: Approved Motion: Howard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

V. Announcements:

- **Proclamation:** Volunteer Recognition Week, April 15-21, 2018
- **Proclamation:** Celebrating Arbor Day, April 27, 2018

VI. Public Hearing - Old Business

I. Planning & Development/Kathy S. Holland

2018-0234 CIC2018-00002, Applicant: Sonial Patel c/o Mahaffey Pickens Tucker, LLP, Owner: Duluth Capital Investments, LLC, Tax Parcel No. R7080 078, Change in Conditions of Zoning for Property Zoned C-2, 2300 Block of Stephens Center Drive, 2.01 Acres. District I/Brooks **(Tabled on 04/24/2018) (Tabled to 05/22/2018)(Public hearing was not held)**[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny without Prejudice] **{Action: Tabled Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}**

2018-0235 SUP2018-00018, Applicant: Sonial Patel c/o Mahaffey Pickens Tucker, LLP, Owner: Duluth Capital Investments, LLC, Tax Parcel No. R7080 078, Application for a Special Use Permit in a C-2 Zoning District for Building Height Increase, 2300 Block of Stephens Center Drive, 2.01 Acres. District I/Brooks **(Tabled on 04/24/2018) (Tabled to 05/22/2018)(Public hearing was not held)**[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny without Prejudice] **{Action: Tabled Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}**

2018-0024 RZC2018-00001, Applicant: ASC Acquisitions, LLC, Owners: JLC Holdings, LLLP, Vinnie Lucile Clark, Richard L. and Joyce Harrison, Rezoning of Tax Parcel Nos. R5106 003, 067 and 278 and R5087 120, R-100 to O-I; Retirement Community (Independent Living and Continuing Care) (Buffer Reduction), 1100-1200 Blocks of Webb Gin House Road, 56.12 Acres. District 4/Heard **(Tabled on 04/24/2018) (Tabled to 05/22/2018)(Public hearing was not held)**[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 5/1/2018] **{Action: Tabled Motion: Heard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}**

VI. Public Hearing - Old Business

I. Planning & Development/Kathy S. Holland

2018-0025 SUP2018-00003, Applicant: ASC Acquisitions, LLC, Owners: JLC Holdings, LLLP, Vinnie Lucile Clark, Richard L. and Joyce Harrison, Tax Parcel Nos. R5106 003, 067, and 278 and R5087 120, Application for a Special Use Permit in an O-I (Proposed) Zoning District for Retirement Community (Independent Living and Continuing Care) (Buffer Reduction), 1100-1200 Blocks of Webb Gin House Road, 56.12 Acres. District 4/Heard (Tabled on 04/24/2018) (Tabled to 05/22/2018)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 5/1/2018] {Action: Tabled Motion: Heard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2018-0026 SUP2018-00004, Applicant: ASC Acquisitions, LLC, Owners: JLC Holdings, LLLP, Vinnie Lucile Clark, Richard L. and Joyce Harrison, Tax Parcel Nos. R5106 003, 067, and 278 and R5087 120, Application for a Special Use Permit in an O-I (Proposed) Zoning District for Building Height Increase (Buffer Reduction), 1100-1200 Blocks of Webb Gin House Road, 56.12 Acres. District 4/Heard (Tabled on 04/24/2018) (Tabled to 05/22/2018)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 5/1/2018] {Action: Tabled Motion: Heard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2018-0239 SUP2018-00009, Applicant: David M. Jones, Owners: David and Peggy Jones, Tax Parcel No. R6070 074, Application for a Special Use Permit in a R-100 Zoning District for a Bed and Breakfast Inn, 1600 Block of Red Fox Run, 1.04 Acres. District 2/Howard (Tabled on 04/24/2018) (Tabled to 05/22/2018)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 5/1/2018] {Action: Tabled Motion: Howard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

VI. Public Hearing - Old Business

I. Planning & Development/Kathy S. Holland

2018-0231 RZM2018-00002, Applicant: Parkland Communities, Inc., c/o Alliance Engineering and Planning, Owners: Jefferson Real Estate Properties LLC, HWS & LRMS Revocable Trust, Rezoning of Tax Parcel Nos. R6259 368, 377, and 041, R-75 and C-2 to R-TH; Townhouses, 4300 Block of Buford Highway, 39.08 Acres. District 2/Howard[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Howard 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 04/24/2018) (Tabled to 05/22/2018)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 5/1/2018] {Action: Tabled Motion: Heard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2017-5534 RZR2017-00026, Applicant: Smithton Homes LLC, Owners: Dewey J. Bentley, Et al, Jerry W. Bentley, Jeffrey D. Cooper, and Karen Atha Cooper, Rezoning of Tax Parcel No. R4301 001, R-100 to OSC; Single-Family Subdivision, 2800 Block of Centerville Rosebud Road, 25.78 Acres. District 3/Hunter[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny without Prejudice] {Action: Denied without Prejudice Motion: Hunter Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

VII. Public Hearing - New Business

I. Change in Conditions

2018-0460 CIC2018-00003, Applicant: Jose Ramos, Owner: Jose Ramos, Tax Parcel No. R3007 187, Change in Conditions of Zoning for Property Zoned R-100, 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: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2018-0461 CIC2018-00006, Applicant: White Horse 70, LLC, Owner: White Horse 70, LLC, Tax Parcel No. R7334 005, Change in Conditions of Zoning for Property Zoned R-75, 2000 Block of Buford Dam Road, 20.27 Acres. District 4/Heard[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Heard Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2018-0462 CIC2018-00008, Applicant: DR Horton Inc. c/o Mahaffey Pickens Tucker, LLP, Owner: James M. Griner, Tax Parcel No. 5345 001, Change in Conditions of Zoning for Property Zoned R-100 MOD, 3300 Block of Hall Road, 33.02 Acres. District 3/Hunter[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny without Prejudice] {Action: Denied without Prejudice Motion: Hunter Second: Nash Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2. Special Use Permit

2018-0463 SUP2018-00016, Applicant: Akber and Shah LLC, Owner: Min Lee/En Property Solutions LLC, Tax Parcel No. R7077 097, Application for a Special Use Permit in a C-1 Zoning District for Special Events Facility, 2900 Block of Old Norcross Road, 1.5 Acres. District 1/Brooks[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny] {Action: Denied Motion: Brooks Second: Heard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

VII. Public Hearing - New Business

2. Special Use Permit

2018-0464 SUP2018-00017, Applicant: Mohamed Kuyateh, Owner: Mohamed Kuyateh, Tax Parcel No. R6033 028, Application for a Special Use Permit in an O-I Zoning District for Personal Care Home (Congregate), 2800 Block of Centerville Highway, 1.74 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: 4-1; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-No}

3. Rezonings

2018-0456 RZM2018-00003, Applicant: Brand Partners, LP c/o Mahaffey Pickens Tucker, LLP, Owner: Perimeter Group Corporation, Rezoning of Tax Parcel No. R7207 085, M-1 to RM-24; Apartments (Buffer Reduction), 1600 Block of Peachtree Industrial Boulevard, 16.07 Acres. District 1/Brooks (Tabled on 04/24/2018) (Tabled to 06/26/2018)(Public hearing was not held) [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Tabled - Date: 6/5/2018] {Action: Tabled Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2018-0457 RZM2018-00004, Applicant: Mahaffey Pickens Tucker, LLP, Owner: Hillside 20 Tract, LLC, Rezoning of Tax Parcel Nos. R5137 008 and 019, R-100 and C-2 to RM-24; Apartments (Buffer Reduction), 500 Block of Hillside Drive and 1700 Block of Grayson Highway, 12.9 Acres. District 3/Hunter (Tabled on 04/24/2018) (Tabled to 05/22/2018)(Public hearing was not held) [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Tabled - Date: 5/1/2018] {Action: Tabled Motion: Hunter Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

VII. Public Hearing - New Business

3. Rezonings

2018-0458 RZR2018-00006, Applicant: Spartan Investors I, LLC c/o Mahaffey Pickens Tucker, LLP, Owners: Martha J. Stovall and Heritage Land & Development Co., Rezoning of Tax Parcel Nos. R3003 135 and 674, C-2 to TND; Traditional Neighborhood Development, 4200 Block of Braselton Highway, 28.94 Acres. District 3/Hunter (Tabled on 04/24/2018) (Tabled to 05/22/2018)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 5/1/2018] {Action: Tabled Motion: Hunter Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2018-0459 RZR2018-00007, Applicant: Mahaffey Pickens Tucker, LLP, Owners: Louis F. McCann and Steven Robinson, Rezoning of Tax Parcel Nos. R3004 018, 061 and 062, RA-200 to TND; Traditional Neighborhood Development (Buffer Reduction), 1400 Block of Dee Kennedy Road and 5100 Block of Braselton Highway, 13.27 Acres. District 3/Hunter (Tabled on 04/24/2018) (Tabled to 05/22/2018)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 5/1/2018] {Action: Tabled Motion: Hunter Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

VIII. New Business

I. Planning & Development/Kathy S. Holland

2018-0380 Ratification of Plat approvals for March 01, 2018 thru March 31, 2018. {Action: Approved Motion: Howard Second: Hunter Vote: 4-0; Nash-Yes; Brooks-Out of Room; Howard-Yes; Hunter-Yes; Heard-Yes}

IX. Comments from Audience

X. Adjournment

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