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## **Public Hearing Agenda**

### **Tuesday, October 27, 2020 - 7:00 PM**

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

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

#### **III. Approval of Agenda**

#### **IV. Approval of Minutes:**

- **Work Session:** October 20, 2020
- **Briefing 10:30 a.m.:** October 20, 2020
- **Informal Business Discussion 12:00 p.m.:** October 20, 2020
- **Executive Session:** October 20, 2020
- **Business Session:** October 20, 2020
- **Briefing 3:00 p.m.:** October 20, 2020

#### **V. Public Hearing - Old Business**

##### **1. Planning & Development/Kathy S. Holland**

**2020-0453 UDOA2020-00001** - An amendment to the Unified Development Ordinance of Gwinnett County; Title 2 (Land Use & Zoning), Title 3 (Development & Permitting) and the Appendix; to create new residential zoning districts entitled R-100 OSC (Open Space Conservation District) and R-75 OSC (Open Space Conservation District). Subject to approval as to form by the Law Department. (Tabled on 9/22/2020) (Public hearing was not held) [Planning Department Recommendation: Approve] [Planning Commission Recommendation: Approve]

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**V. Public Hearing - Old Business**

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

**2020-0454 UDOA2020-00002** - An amendment to the Unified Development Ordinance of Gwinnett County; Title 1 (Administration) and Title 2 (Land Use & Zoning) to revise The Standards and Requirements of the R-TH (Single-Family Residence Townhouse District). Subject to approval as to form by the Law Department. (Tabled on 9/22/2020) (Public hearing was not held) [Planning Department Recommendation: Approve] [Planning Commission Recommendation: Approve]

**2020-0824 CIC2020-00023**, Applicant: 1630 PIB, LLC, Owner: 1630 PIB, LLC, Tax Parcel No. R7207 085, Change in Conditions of Zoning for Property Zoned RM-24, 1600 Block of Peachtree Industrial Boulevard, 16.07 Acres. District 1/Brooks (Tabled on 9/22/2020) (Public hearing was not held) [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Tabled - Date: 11/4/2020]

**2020-0628 SUP2020-00032**, Applicant: Four Guys Seafood & Bar, Owner: Pleasant Hill Road Plaza, LLC, Tax Parcel No. R6204 030, Application for a Special Use Permit in a C-2 Zoning District for Outdoor Storage, 1600 Block of Pleasant Hill Road, 8.70 Acres. District 1/Brooks (Tabled on 9/22/2020) (Public hearing was not held) [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Tabled - Date: 11/4/2020]

**2020-0827 SUP2020-00045**, Applicant: Babayemi Orimogunje, Owner: Yetunde Orimogunje, Tax Parcel No. R6015 139, Application for a Special Use Permit in a R-100 Zoning District for Family Personal Care Home (Renewal), 3300 Block of Centerville Rosebud Road, 1.71 Acres. District 3/Hunter (Tabled on 9/22/2020) (Public hearing was not held) [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

**2020-0830 SUP2020-00052**, Applicant: Empire Transportation, Owner: Cruse Crossing Partners, LLC, Tax Parcel No. R7038 032, Application for a Special Use Permit in a C-2 Zoning District for Medical Transport (Renewal), 900 Block of Herrington Road and 2700 Block of Cruse Road, 11.89 Acres. District 4/Fosque (Tabled on 9/22/2020) (Public hearing was not held) [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

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

**2020-0838 SUP2020-00046**, Applicant: Carla Bedford-Dixon, MD, Owner: Tony T. Samples, Tax Parcel No. R5253 037, Application for a Special Use Permit in a R-100 Zoning District for Family Personal Care Home, 3000 Block of Callie Still Road, 4.99 Acres. District 3/Hunter (Tabled on 9/22/2020) (Public hearing was not held) [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Deny]

**2020-0440 RZC2020-00013**, Applicant: Nabeel Memon, Owner: Annie Akmakjian, Rezoning of Tax Parcel No. R7054 114, O-I to C-2; Convenience Store and Retail with Fuel Pumps (Buffer Reduction), 1200 Block of Braselton Highway and 1200 Block of Old Fountain Road, 1.60 Acres. District 4/Fosque (Tabled on 9/22/2020) (Public hearing was not held) [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Deny w/out Prejudice]

**2020-0842 RZC2020-00018**, Applicant: Thomas M. Linder, Jr., Owner: Jan M. Linder, Rezoning of Tax Parcel No. R6030 276, C-1 to C-2; Commercial Retail Uses, 3200 Block of Centerville Highway, 2.07 Acres. District 3/Hunter (Tabled on 9/22/2020) (Public hearing was not held) [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

**2020-0843 SUP2020-00051**, Applicant: Thomas M. Linder, Jr., Owner: Jan M. Linder, Tax Parcel No. R6030 276, Application for a Special Use Permit in a C-2 (Proposed) Zoning District for a Self-Storage Facility, 3200 Block of Centerville Highway, 2.07 Acres. District 3/Hunter (Tabled on 9/22/2020) (Public hearing was not held) [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

**2020-0355 RZM2020-00010**, Applicant: GA Land Development Partners, Owners: Karen Jane Strickland and Village at Mulberry Park, LLC, Rezoning of Tax Parcel Nos. R2001 028A, 415 and 417, RA-200, R-100 and R-100 MOD to R-TH; Townhouses, 3100 Block of Fence Road, 29.0 Acres. District 3/Hunter (Tabled on 9/22/2020) (Public hearing was not held) [Planning Department Recommendation: Approve with Conditions As OSC] [Planning Commission Recommendation: Approve with Conditions As - TND]

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

**2020-0433 RZC2020-00008**, Applicant: MFT, LLC, Owners: MFT LLC, BHP Development, LLC, and Martha June Britt Revocable Living Trust, Rezoning of Tax Parcel Nos. R3002 044 and R3003 048, 104 and 171, RA-200 and R-75 MOD to C-2; Commercial Retail Uses (Buffer Reduction), 3800-4000 Blocks of Braselton Highway and 4100 Block of Spout Springs Road, 14.77 Acres. District 3/Hunter (Tabled on 9/22/2020) (Public hearing was not held) [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Tabled - Date: 11/4/2020]

**2020-0434 RZM2020-00012**, Applicant: MFT, LLC, Owners: MFT LLC and BHP Development, LLC, Rezoning of Tax Parcel Nos. R3002 044 and R3003 171 and 104, RA-200 and R-75 MOD to RM-24; Apartments (Buffer Reduction), 3800-4000 Blocks of Braselton Highway and 4100 Block of Spout Springs Road, 16.96 Acres. District 3/Hunter (Tabled on 9/22/2020) (Public hearing was not held) [Planning Department Recommendation: Approve with Conditions As TND] [Planning Commission Recommendation: Tabled - Date: 11/4/2020]

**2020-0435 RZR2020-00013**, Applicant: MFT, LLC, Owners: MFT LLC and BHP Development, LLC, Rezoning of Tax Parcel No. R3002 044 and R3003 104, RA-200 and R-75 MOD to TND; Traditional Neighborhood Development (Buffer Reduction), 3800 Block of Braselton Highway, 46.19 Acres. District 3/Hunter (Tabled on 9/22/2020) (Public hearing was not held) [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Tabled - Date: 11/4/2020]

**2020-0621 RZR2020-00025**, Applicant: Old Norcross Investments, Inc., Owner: P G Land, LLC, Rezoning of Tax Parcel Nos. R2003 029, 079, 089 and 093, RA-200 to TND; Traditional Neighborhood Development, 3700-3800 Blocks of Bailey Road and 100-200 Blocks of West Union Grove Circle, 35.00 Acres. District 3/Hunter (Tabled on 9/22/2020) (Public hearing was not held) [Planning Department Recommendation: Approve with Conditions As OSC] [Planning Commission Recommendation: Approve with Conditions As OSC]

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

**2020-0849 RZR2020-00029**, Applicant: Embry Development Company, LLC, Owners: Mary Johnson Pharr and Joel Pharr, Executor of the Estate of Leighton D. Pharr., Rezoning of Tax Parcel Nos. R7104 009 and 018, R-100 to TND; Traditional Neighborhood Development, 1300 Block of Old Peachtree Road, 27.68 Acres. District 4/Fosque (Tabled on 9/22/2020) (Public hearing was not held) [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

**2020-0850 RZR2020-00032**, Applicant: Capkey Real Estate Advisors, Owner: Halpern Enterprises, Inc., Rezoning of Tax Parcel No. 4336 189, C-2 and O-I to TND; Traditional Neighborhood Development, 3600 Block of Lee Road and 4600 Block of Mink Livsey Road, 29.88 Acres. District 3/Hunter (Tabled on 9/22/2020) (Public hearing was not held) [Planning Department Recommendation: Approve with Conditions As OSC] [Planning Commission Recommendation: Tabled - Date: 11/4/2020]

**VI. Public Hearing - New Business**

**1. Transportation/Alan Chapman**

**2020-1017 Approval** of incorporation into the Gwinnett County Speed Hump Program, Ivy Mill Drive. Total estimated cost is \$23,032.00. This project is funded by the 2014 SPLOST Program. (Staff Recommendation: Approval)

**2. Change in Conditions**

**2020-0971 CIC2020-00025**, Applicant: GMR Auto Repairs & Services, LLC, Owner: YH Properties, LLC, Tax Parcel No. R5210 162, Change in Conditions of Zoning for Property Zoned C-2, 1200 Block of Winder Highway, 1.59 Acres. District 4/Fosque [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

**2020-0972 SUP2020-00053**, Applicant: GMR Auto Repairs & Services, LLC, Owner: YH Properties, LLC, Tax Parcel No. R5210 162, Application for a Special Use Permit in a C-2 Zoning District for an Automobile Repair Shop and Tire Store, 1200 Block of Winder Highway, 1.59 Acres. District 4/Fosque [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

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**2. Change in Conditions**

**2020-0973 CIC2020-00026**, Applicant: SAP Associates, LLC, Owner: SAP Associates, LLC, Tax Parcel No. R5012 011, Change in Conditions of Zoning (Buffer Reduction) for Property Zoned C-2, 2800 Block of Five Forks Trickum Road, 1.43 Acres. District 2/Ku [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

**3. Special Use Permit**

**2020-0974 SUP2020-00054**, Applicant: Recycled Products of Georgia, Owner: RBD Holdings, LLC, Tax Parcel No. R5242 026, Application for a Special Use Permit in a M-2 Zoning District for a Salvage Operation, 100 Block of Alcovy Industrial Boulevard, 5.3 Acres. District 4/Fosque [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Tabled - Date: 11/4/2020]

**2020-0975 SUP2020-00055**, Applicant: Nikolaos D. Milis, Owner: William E. Abrams, IV, Tax Parcel No. R6181 047, Application for a Special Use Permit in a C-2 Zoning District for Automobile Sales and Related Service (Renewal), 1300 Block of Pleasant Hill Road, 0.67 Acre. District 1/Brooks [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

**2020-0976 SUP2020-00056**, Applicant: Missionaries of St. Francis De Sales, Owner: Missionaries of St. Francis De Sales, Tax Parcel Nos. R5066 002 and 008, Application for a Special Use Permit in a R-100 Zoning District for an Exception From the Definition of the Term Family, 1600 Block of Old Loganville Road, 6.06 Acres. District 3/Hunter [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

**4. Rezoning**

**2020-0977 RZC2020-00016**, Applicant: Brand Road Center, LLC, Owner: Saundra Marie Johnson, Rezoning of Tax Parcel Nos. R5162 020 and 021, R-100 to C-2; Convenience Store with Fuel Pumps (Buffer Reduction), 3800 Block of Loganville Highway and 200 Block of Brand Road, 2.98 Acres. District 3/Hunter [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Tabled - Date: 11/5/2020]

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**VI. Public Hearing - New Business**

**4. Rezonings**

**2020-0978 RZC2020-00020**, Applicant: Anita Mithwani, Owners: Lexie Kreckman and Linda Shulin, Rezoning of Tax Parcel No. R5018 046, R-75 to C-2; Convenience Store with Fuel Pumps/Restaurant (Buffer Reduction), 2600 Block of Lawrenceville Highway and 200 Block of Gloster Road, 2.97 Acres. District 4/Fosque [Planning Department Recommendation: Approve with Conditions As C-1] [Planning Commission Recommendation: Approve with Conditions As - C-2]

**2020-0979 RZC2020-00021**, Applicant: Ray Diyanni, Owners: Nicholas A. McLean and Lynette McLean, Rezoning of Tax Parcel No. R7105 027, C-2 to O-I; Professional Office (Buffer Reduction), 1000 Block of Old Peachtree Road, 0.87 Acre. District 4/Fosque [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Tabled - Date: 11/5/2020]

**2020-0980 RZM2020-00030**, Applicant: 4RNJ2, LLC, Owner: Redeemed Christian Church of God, Inc., Rezoning of Tax Parcel No. R6259 035, R-75 and C-2 to R-TH; Townhouses, 4300 Block of Buford Highway, 7.33 Acres. District 2/Ku [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

**2020-0981 RZM2020-00031**, Applicant: Action Technology Solutions, LLC, Owner: Sherry Lynn Gardner, Rezoning of Tax Parcel No. R6175 063, R-75 to R-TH; Townhouses, 1000 Block of Beaver Ruin Road, 7.11 Acres. District 1/Brooks [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

**2020-0982 RZR2020-00033**, Applicant: Forestar Real Estate Group, Inc., Owner: Forestar Real Estate Group, Inc., Rezoning of Tax Parcel No. R5164 002, R-100 to R-75; Single-Family Subdivision, 3000-3100 Blocks of Loganville Highway, 75.73 Acres. District 3/Hunter [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

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**VI. Public Hearing - New Business**

**4. Rezonings**

**2020-0983 RZR2020-00034**, Applicant: Franklin Dee and Jan G. Bryson, Jr., Owner: Franklin Dee and Jan G. Bryson, Jr., Rezoning of Tax Parcel No. R5345 006, R-100 to RA-200; Single-Family Residence, 3300 Block of Indian Shoals Road, 7.66 Acres. District 3/Hunter [Planning Department Recommendation: Approve] [Planning Commission Recommendation: Approve]

**2020-0984 RZR2020-00035**, Applicant: Roque Marquez, Owner: Roque Marquez, Rezoning of Tax Parcel No. R6040 010, MH to R-100; Single-Family Residence, 2900 Block of South Rockbridge Road, 1.94 Acres. District 3/Hunter [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

**2020-0985 RZR2020-00036**, Applicant: Brand Properties, LLC, Owner: Pointebrand III, LLC, Rezoning of Tax Parcel Nos. R7172 009 and 019, R7149 011B and R7173 004, R-ZT, O-I and M-1 to TND; Traditional Neighborhood Development, 3000 Block of Spriggs Road, 38.41 Acres. District 1/Brooks [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Tabled - Date: 11/5/2020]

**2020-0986 RZR2020-00037**, Applicant: Caballero Holdings, LLC, Owners: Andrew J. Watson Jr. and Karen Watson, Rezoning of Tax Parcel No. R5066 004, R-100 to OSC; Open Space Conservation Subdivision, 3800 Block of Rosebud Road, 44.05 Acres. District 3/Hunter [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

**2020-0987 RZR2020-00038**, Applicant: JLCS Enterprises, Inc., Owner: Francis Louise Williams Trust, Rezoning of Tax Parcel No. R7017 005, RA-200 to R-60; Single-Family Subdivision, 2000 Block of Rabbit Hill Circle and 1900 Block of Hood Road, 38.53 Acres. District 3/Hunter [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Tabled - Date: 11/5/2020]



## **VI. Public Hearing - New Business**

### **4. Rezonings**

**2020-0988 RZR2020-00039**, Applicant: Beazer Homes, LLC, Owner: W.J. Herrin, Jr., Rezoning of Tax Parcel No. R2002 065, RA-200 to OSC; Open Space Conservation Subdivision, 3900 Block of Fence Road and 700 Block of West Union Grove Circle, 29.32 Acres. District 3/Hunter [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

## **VII. Old Business**

### **1. Water Resources/Tyler Richards**

**2020-1020 Approval/authorization** for the Chairman to execute the Gwinnett County 2021 Water and Sewer Rate Resolution. Subject to approval as to form by the Law Department. (Tabled on 10/20/2020) (Staff Recommendation: Approval)

## **VIII. New Business**

### **1. Financial Services/Buffy Alexzulian**

**2020-1104 Approval** of Change Order No. 1 to OS020-20, administration of the Small Business Assistance Program, with W. Frank Newton, Inc., increasing the contract by \$1,000,000.00. The contract base amount is adjusted from \$2,700,000.00 to \$3,700,000.00. Change order to follow. Subject to approval as to form by the Law Department. This contract is funded by the CARES Act funding. (Staff Recommendation: Approval)

### **2. Law Department/Michael P. Ludwiczak**

**2020-1096 Approval** of the settlement of a condemnation action, Gwinnett County, Georgia v. K.K.C., et al, Civil Action File No. 19-A-01134-2, Superior Court of Gwinnett County, for the total amount of \$1,600,000.00, Harbins Road Interchange Project, Parcel 23.

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**VIII. New Business**

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

**2020-0989 Ratification** of Plat approvals for September 1, 2020 through September 30, 2020.

**IX. Comments from Audience**

**X. Adjournment**