



GWINNETT COUNTY
BOARD OF COMMISSIONERS

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Nicole L. Hendrickson, Chairwoman
Kirkland Dion Carden, District 1
Ben Ku, District 2
Jasper Watkins III, District 3
Marlene M. Fosque, District 4

Official

Public Hearing Minutes
Tuesday, March 22, 2022 - 7:00 PM

Present: Nicole L. Hendrickson, Kirkland Carden, Ben Ku, Jasper Watkins III, Marlene M. Fosque

I. Call To Order, Invocation, Pledge to Flag

II. Opening Remarks by Chairwoman

III. Approval of Agenda

{Action: Amend Agenda to add Proclamation Celebrating Trickum Middle School Tigerbots Motion: Ku Second: Carden Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}

{Action: Approval of Amended Agenda Motion: Ku Second: Carden Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}

IV. Approval of Minutes:

- **Invocation:** March 15, 2022
- **Work Session:** March 15, 2022
- **Informal Presentation 11:00 a.m.:** March 15, 2022
- **Informal Business Discussion 12:00 p.m.:** March 15, 2022
- **Executive Session:** March 15, 2022
- **Business Session:** March 15, 2022
- **Informal Presentation 3:00 p.m.:** March 15, 2022
{Action: Approved Motion: Ku Second: Carden Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}

V. Announcements:

- **Proclamation:** Celebrating Volunteer Appreciation Week, April 17-23, 2022
- **Proclamation:** Recognizing Gardening Month, April 2022
- **Proclamation:** Celebrating Trickum Middle School Tigerbots

VI. Public Hearing - Old Business

1. Planning & Development/Susan Canon

2022-0044 CIC2022-00001, Applicant: 6590 Sugarloaf Investments, LLC, c/o Andersen, Tate & Carr, P.C., Owner: Blue Panther Development, LLC., Tax Parcel No. R7122 185; 6590 Sugarloaf Parkway; Change in Conditions of Zoning for Property Zoned C-2, 1.63 acres, District 1/Carden **(Tabled on 3/22/2022) (Tabled to 4/26/2022) (Public hearing was not held)** [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Tabled - Date: 4/11/2022] **{Action: Tabled Motion: Carden Second: Ku Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}**

2022-0138 CIC2022-00002, Applicant: Thomas Eye Medical Properties, LLC c/o Andersen, Tate & Carr, P.C.; Owner: Overlook at Huntcrest, LLC; Tax Parcel No. R7155 518; 1465 Satellite Boulevard; Change in Conditions of Zoning for Property Zoned MU-R; 3.56 acres; District 1/Carden **(Tabled on 3/22/2022) (Tabled to 4/26/2022) (Public hearing was held)** [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Deny] **{Action: Tabled Motion: Carden Second: Ku Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}**

2021-1624 (Formerly GCID 20211158) **RZC2021-00021**, Applicant: Reside Partners, LLC c/o Andersen, Tate & Carr, P.C., Owners: Mansour Properties, LLC, Lifestyle Family, LP, John W. Bailey, Rubin Lansky, et. al., and The Lansky Partnership, LP; Rezoning of Tax Parcel Nos. R7146 050, 031, 001, and 007; 1213 Laurel Crossing Parkway, 2620 Mall of Georgia Boulevard, 2900 Buford Drive, and 2900 Block of Buford Drive; C-2 and RA-200 to MU-R for a Mixed-Use Development; 18.19 acres. District 4/Fosque [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Change Motion: Fosque Second: Ku Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}**

2021-1646 (Formerly GCID 20211461) **RZC2021-00025**, Applicant: JLB Partners, LLC, Owner: Executive Committee-Baptist Convention; Rezoning of Tax Parcel No. R7122 005; 6405 Sugarloaf Parkway; R-100, O-I, and C-2 to MU-R for a Mixed-Use Development; 40.45 acres. District 1/Carden **(Tabled on 3/22/2022) (Tabled to 4/26/2022) (Public hearing was not held)** [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Tabled - Date: 4/11/2022] **{Action: Tabled Motion: Carden Second: Ku Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}**

VI. Public Hearing - Old Business

1. Planning & Development/Susan Canon

2022-0146 RZC2022-00005, Applicant: Ruby Lee; Owners: Lynda Li Trust and Shen Tsou-Han; Rezoning of Tax Parcel Nos. R5016 022, 023, and 068; 2871 and 2885 Lawrenceville Highway; C-2 and R-75 to MU-C for a Mixed-Use Development; 10.68 acres; District 4/Fosque [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Fosque Second: Watkins Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}

2022-0152 RZM2022-00003, Applicant: Fall Leaf Residential, LLC c/o Andersen, Tate & Carr, P.C.; Owners: Paul and Deborah O'Shield; Rezoning of Tax Parcel No. R3001 050; 2978 Hog Mountain Road; RA-200 to R-TH for Townhouses; 6.5 acres; District 3/Watkins (Tabled on 3/22/2022) (Tabled to 4/26/2022) (Public hearing was not held) [Planning Department Recommendation: Approve with Conditions As R-75] [Planning Commission Recommendation: Tabled - Date: 4/11/2022] {Action: Tabled Motion: Watkins Second: Fosque Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}

2022-0153 RZM2022-00005, Applicant: Shelton McNally Real Estate Partners, LLC c/o Andersen, Tate & Carr, P.C.; Owner: Ingles Markets, Inc.; Rezoning of Tax Parcel No. R6040 158; 5100 Annistown Road; C-2 to R-TH for Townhouses; 19.31 acres; District 3/Watkins [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Deny w/out Prejudice] {Action: Denied without Prejudice Motion: Watkins Second: Fosque Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}

2022-0142 RZR2022-00007, Applicants: Stephen and Elaine Sulser; Owners: Stephen and Elaine Sulser; Rezoning of Tax Parcel No. R5188 075; 2981 Berry Road; R-100 to RA-200 for an Equestrian Facility; 2.5 acres; District 3/Watkins [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Deny] {Action: Approved with Change Motion: Watkins Second: Ku Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}

VII. Public Hearing - New Business

1. Support Services/Angelia Parham

2022-0311 Approval/authorization for the Chairwoman to execute any and all documents necessary to abandon 1,784 square feet of right of way formerly used as a public road known as Atkinson Road located in Land Lot 43 of the 7th Land District, Lawrenceville, in accordance with O.C.G.A. § 32-7-2, and to exchange it for 1,784 square feet of real property located at 5390 Sugarloaf Parkway, Lawrenceville, in accordance with O.C.G.A. § 36-9-3. Subject to approval as to form by the Law Department. (Staff Recommendation: Approval) {Action: Approved Motion: Carden Second: Ku Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}

2. Change in Conditions

2022-0280 CIC2022-00003, Applicant: Olufemi Balogun; Owner: Olufemi Balogun; Tax Parcel No. R7117 175; 2237 Staunton Drive; Change in Conditions of Zoning for Property Zoned R-ZT; 0.12 acres; District 1/Carden [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Carden Second: Ku Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}

3. Special Use Permit

2022-0278 SUP2022-00008, Applicant: CW Real Estate Development, LLC; Owners: K&C Plaza Inc. and Daniel D. Lee; Tax Parcel Nos. R7156 006, 007, and 212; 1201 and 1205 Old Peachtree Road; Special Use Permit in a C-2 Zoning District for a Car Wash; 1.6 acres; District 1/Carden [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Carden Second: Ku Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}

2022-0279 SUP2022-00009, Applicant: Ben Istoc; Owner: Ben Istoc; Tax Parcel No. R7090 346; 1992 Azalea Drive; Special Use Permit in a R-100 Zoning District for an Accessory Building; 3.00 acres; District 4/Fosque [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Fosque Second: Watkins Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}

VII. Public Hearing - New Business

3. Special Use Permit

2022-0293 SUP2022-00012, Applicant: Dacula Automotive, LLC; Owner: HJL Enterprises, LLC; Tax Parcel No. R5242 023; 1700 Winder Highway; Special Use Permit in a C-2 Zoning District for Automobile Sales; 1.01 acres; District 4/Fosque [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Deny] {Action: Denied without Prejudice Motion: Fosque Second: Watkins Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}

2022-0294 SUP2022-00014, Applicant: Karla Y. Garcia Otero; Owner: Ashwina Properties, LLC; Tax Parcel No. R5100 113; 2990 Rosebud Road; Special Use Permit in a C-2 Zoning District for a Car Wash; 1.55 acres; District 3/Watkins [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Watkins Second: Fosque Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}

4. Rezonings

2022-0281 RZC2021-00005, Applicant: New Saigon Plaza, LLC c/o Andersen, Tate & Carr, P.C.; Owner: New Saigon Plaza, LLC; Rezoning of Tax Parcel No. R6169 008A; 4773 Jimmy Carter Boulevard; O-I to C-2 for Retail and Self-Storage Facility; 2.85 acres; District 2/Ku (Tabled on 3/22/2022) (Tabled to 4/26/2022) (Public hearing was not held) [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Tabled - Date: 4/11/2022] {Action: Tabled Motion: Ku Second: Carden Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}

2022-0282 SUP2022-00015, Applicant: New Saigon Plaza, LLC c/o Andersen, Tate & Carr, P.C.; Owner: New Saigon Plaza, LLC; Tax Parcel No. R6169 008A; 4773 Jimmy Carter Boulevard; Special Use Permit in a Proposed C-2 Zoning District for a Self-Storage Facility; 2.85 acres; District 2/Ku (Tabled on 3/22/2022) (Tabled to 4/26/2022) (Public hearing was not held) [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Tabled - Date: 4/11/2022] {Action: Tabled Motion: Ku Second: Carden Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}

VII. Public Hearing - New Business

4. Rezonings

2022-0288 RZC2022-00007, Applicant: WF Sugar Hill, LLC c/o Andersen, Tate & Carr, P.C.; Owner: Estate of Jenifer Scott; Rezoning of Tax Parcel No. R7339 014; 5892 Suwanee Dam Road; C-1 to C-2 for a Car Wash; 0.8 acres; District 1/Carden **(Tabled on 3/22/2022) (Tabled to 4/26/2022) (Public hearing was not held)** [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Tabled - Date: 4/11/2022] **{Action: Tabled Motion: Carden Second: Ku Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}**

2022-0289 SUP2022-000010, Applicant: WF Sugar Hill, LLC c/o Andersen, Tate & Carr, P.C.; Owners: Estate of Jenifer Scott, Jennifer Antrobus, Susan Coltman, and Henry Johnson; Tax Parcel Nos. R7339 014 and 085; 5892 Suwanee Dam Road and 5922 Cumming Highway; Special Use Permit in a Proposed C-2 Zoning District for a Car Wash; 1.29 acres; District 1/Carden **(Tabled on 3/22/2022) (Tabled to 4/26/2022) (Public hearing was not held)** [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Tabled - Date: 4/11/2022] **{Action: Tabled Motion: Carden Second: Ku Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}**

2022-0290 RZC2022-00011, Applicant: Antonio Aviles; Owner: Antonio Aviles; Rezoning of Tax Parcel Nos. R6173 154 and 155; 1057 and 1065 Dickens Road; R-75 to C-1 for Retail; 0.68 acres; District 1/Carden [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Change Motion: Carden Second: Ku Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}**

2022-0297 RZC2022-00006, Applicant: Mustaq Moosa; Owners: Arthur Morris and Randolph Schneider; Rezoning of Tax Parcel No. R6050 262; 2600 Highpoint Road; R-100 to C-1 for Retail; 0.69 acres; District 3/Watkins [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Deny] **{Action: Denied Motion: Watkins Second: Ku Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}**

VII. Public Hearing - New Business

4. Rezoning

2022-0298 RZC2022-00008, Applicant: Mustaq Moosa; Owners: Arthur Morris and Randolph Schneider; Rezoning of Tax Parcel No. R6050 262; 2631 Highpoint Road; R-100 to C-1 for a Convenience Store with Fuel Pumps; 0.83 acres; District 3/Watkins [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Deny] {Action: Denied Motion: Watkins Second: Ku Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}

2022-0299 RZC2022-00010, Applicant: Mare Properties, LLC c/o Andersen, Tate & Carr, P.C.; Owner: Mare Properties, LLC; Rezoning of Tax Parcel No. R6204 004; 3404 Sweetwater Road; RM to C-1 for a Convenience Store with Fuel Pumps; 1.63 acres; District 1/Carden [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Carden Second: Ku Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}

2022-0291 RZM2021-00012, Applicant: Senior Design Group, LLC c/o Andersen, Tate, & Carr, P.C.; Owner: Lois Properties, LLC; Rezoning of Tax Parcel No. R6013 014; 3800 Block of Centerville Highway and 3800-4100 Blocks of Egypt Road; R-100 to R-TH for Townhouses; 6.19 acres; District 3/Watkins [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Watkins Second: Ku Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}

2022-0292 RZM2021-00048, Applicant: Ben Istoc; Owner: Ben Istoc; Rezoning of Tax Parcel Nos. R5050 002 and 029; 40 Patterson Road; C-1 and C-2 to R-TH for Townhouses; 2.02 acres; District 4/Fosque (Tabled on 3/22/2022) (Tabled to 4/26/2022) (Public hearing was not held) [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Tabled - Date: 4/11/2022] {Action: Tabled Motion: Fosque Second: Watkins Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}

VII. Public Hearing - New Business

4. Rezonings

2022-0300 RZM2022-00006, Applicant: Rich-West Properties, LLC c/o Mahaffey Pickens Tucker, LLP; Owners: Rich-West Properties, LLC and Timothy Harrison; Rezoning of Tax Parcel Nos. R6153 067, 067A, 096, and 104; 3075, 3079, and 3069 Lawrenceville Highway and 490 James Road; R-75 and R-TH to R-TH for Townhouses; 15.19 acres; District 4/Fosque (Tabled on 3/22/2022) (Tabled to 4/26/2022) (Public hearing was not held) [Planning Department Recommendation: Approve with Conditions As TND] [Planning Commission Recommendation: Approve with Conditions As - Requested (R-TH)] {Action: Tabled Motion: Fosque Second: Watkins Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}

2022-0301 RZM2022-00009, Applicant: Rich-West Properties c/o Mahaffey Pickens Tucker, LLP; Owner: DEESCO, Inc.; Rezoning of Tax Parcel Nos. R5082 218 and R5079 028; 1420 Monfort Way and 1421 Monfort Road; RM, R-75, and C-2 to R-TH for Townhouses; 7.13 acres; District 4/Fosque [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Fosque Second: Watkins Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}

2022-0295 RZR2022-00008, Applicant: Stanley Martin Homes, LLC c/o Andersen, Tate & Carr, P.C.; Owner: The Estate of Elizabeth A. Neustadt; Rezoning of Tax Parcel No. R7104 016; 1414 Old Peachtree Road; R-100 to TND for a Traditional Neighborhood Development; 40.0 acres; District 4/Fosque (Tabled on 3/22/2022) (Tabled to 4/26/2022) (Public hearing was not held) [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Tabled - Date: 4/11/2022] {Action: Tabled Motion: Fosque Second: Watkins Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}

2022-0296 RZR2022-00009, Applicant: H.S. Randall c/o Alliance Engineering and Planning; Owners: Vicki Bowen St Clair, DDW Real Estate Holdings LLC, and James Walton; Rezoning of Tax Parcel Nos. R5182 035, 5183 431, and 5203 221; 1210 New Hope Road; R-100 to TND for a Traditional Neighborhood Development; 53.46 acres; District 3/Watkins (Tabled on 3/22/2022) (Tabled to 4/26/2022) (Public hearing was not held) [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Tabled - Date: 4/11/2022] {Action: Tabled Motion: Watkins Second: Fosque Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}

VIII. New Business

1. Law Department/Michael P. Ludwiczak

2022-0332 Approval/authorization for the Chairwoman to execute a Settlement Agreement and General Release in the matter of Gwinnett County v. Collar Shop Properties, LLLP, et al., Civil Action File No. 21-A-07568-10, Superior Court of Gwinnett County, and a Purchase and Sale Agreement with Collar Shop Properties, LLLP, the Estate of Samuel A. Martin, Jr., the Estate of Elaine S Martin, Samuel A. Martin, III, and William Joseph Martin, providing for the acquisition by Gwinnett County of 30.75 acres of land, more or less, identified as Tax Parcel R2003007B, 15.29 acres of land, more or less, identified as Tax Parcels R7011 011, R7011 024, R7012 002A, R7012 002B, and R7012 002D, 0.17 acres of land, more or less, identified as Tax Parcel R7011 025, and 0.63 acres of land, more or less, identified as Tax Parcel R7011 157, including authority for the Chairwoman to execute any and all documents necessary to complete the transaction. Subject to approval as to form by the Law Department.
{Action: Approved Motion: Fosque Second: Watkins Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}

2022-0333 Approval/authorization for the Chairwoman to execute an Agreement for Ad Valorem Tax Billing and Collection with the City of Berkeley Lake. Subject to approval as to form by the Law Department.
{Action: Approved Motion: Ku Second: Carden Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}

2. Planning & Development/Susan Canon

2022-0302 Ratification of Plat approvals for February 1, 2022 through February 28, 2022. {Action: Approved Motion: Watkins Second: Carden Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}

IX. Comments from Audience

X. Adjournment

{Action: Adjourn Motion: Ku Second: Carden Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Fosque-Yes}