



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

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**AMENDED**  
**Public Hearing Agenda**  
**Tuesday, May 24, 2022 - 7:00 PM**

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

**II. Opening Remarks by Chairwoman**

**III. Approval of Agenda**

**IV. Approval of Minutes:**

- **Invocation:** May 17, 2022
- **Work Session:** May 17, 2022
- **Informal Presentation 11:00 a.m.:** May 17, 2022
- **Informal Business Discussion 12:00 p.m.:** May 17, 2022
- **Executive Session:** May 17, 2022
- **Business Session:** May 17, 2022
- **Informal Presentation 3:00 p.m.:** May 17, 2022

**V. Announcements:**

- **Award Presentation:** ACCG Youth Leadership Award
- **Proclamation:** Recognizing Trails Day, June 4, 2022
- **Proclamation:** Recognizing World No Tobacco Day, May 31, 2022

## **VI. Old Business**

### **1. Planning & Development/Susan Canon**

**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 4/26/2022) (Public hearing was held on 03/22/22) [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Deny]

**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, R5183 431, and R5203 221; 1210 New Hope Road; R-100 to TND for a Traditional Neighborhood Development; 53.46 acres; District 3/Watkins (Tabled on 4/26/2022) (Public hearing was held) [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Deny]

## **VII. Public Hearing – New Business**

### **1. Law Department**

**2022-0543 Approval/authorization** to amend the Code of Ordinances of Gwinnett County by repealing Article V of Chapter 38, entitled Clean Indoor Air, in its entirety, and replacing it with a new Article V of Chapter 38, entitled Smoke-free Air. Subject to approval as to form by the Law Department. (Staff Recommendation: Approval)

**2022-0517 Approval of UDOA2022-00001** an amendment to the Unified Development Ordinance of Gwinnett County, section 110-40, entitled “General Definitions”, to add new definitions for Cigar Bar or Lounge and Hookah/Vapor Bar or Lounge, section 230-100, Table 230.4, entitled “Table of Permitted and Special Uses”, to add a new use to the table for Cigar Bar or Lounge, and section 230-130, entitled Supplemental Use Standards, to add new standards for Cigar Bar or Lounge and amend existing standards for Hookah/Vapor Bar or Lounge. [Planning Department Recommendation: Approve] [Planning Commission Recommendation: Approve]

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

### **1. Planning & Development/Susan Canon**

**2021-1622** (Formerly GCID 2021-0454) **CIC2021-00008**, Applicant: Childress Klein Properties, Inc.; Owner: CK Stone Mountain Parking Lot, LLC; Tax Parcel Nos. R6060 053 and 080; Change in Conditions of Zoning for Property Zoned C-2; 1900 Block of West Park Place Boulevard and 2000 Block of Bermuda Road; 13.57 acres; District 2/Ku and 3/Watkins (Tabled on 4/26/2022) (Public hearing was not held) [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Deny]

**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 4/26/2022) (Public hearing was not held) [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Deny]

**2022-0407 CIC2022-00010**, Applicant: The Davis Group c/o Mahaffey Pickens Tucker, LLP; Owner: SBR Properties, LLC; Tax Parcel Nos. R7132 002 and 026; 2465 Buford Drive and 2500 Block of Buford Drive; Change in Conditions of Zoning for Property Zoned C-2; 10.25 acres; District 4/Fosque (Tabled on 4/26/2022) (Public hearing was not held) [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Tabled - Date: 6/7/2022]

**2022-0408 SUP2022-00017**, Applicant: The Davis Group c/o Mahaffey Pickens Tucker, LLP; Owner: SBR Properties, LLC; Tax Parcel Nos. R7132 002 and 026; 2465 Buford Drive and 2500 Block of Buford Drive; Special Use Permit in a C-2 Zoning District for a Self-Storage Facility; 10.25 acres; District 4/Fosque (Tabled on 4/26/2022) (Public hearing was not held) [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Tabled - Date: 6/7/2022]

**2021-1646 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; 40.46 acres; District 1/Carden (Tabled on 4/26/2022) (Public hearing was not held) [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Deny]

**2022-0410 RZC2022-00012**, Applicant: 105 PIB Group, LLC c/o Mahaffey Pickens Tucker, LLP; Owner: Paul M. Caudill; Rezoning of Tax Parcel No. R6158 008; 851 Beaver Ruin Road; O-I to C-2 for a Self-Storage Facility; 4.30 acres; District 1/Carden (Tabled on 4/26/2022) (Public hearing was not held) [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Deny]

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

### **1. Planning & Development/Susan Canon**

**2022-0411 SUP2022-00018**, Applicant: 105 PIB Group, LLC c/o Mahaffey Pickens Tucker, LLP; Owner: Paul M. Caudill; Tax Parcel No. R6158 008; 851 Beaver Ruin Road; Special Use Permit in a Proposed C-2 Zoning District for a Self-Storage Facility; 4.30 acres; District 1/Carden (Tabled on 4/26/2022) (Public hearing was not held) [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Deny]

**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 4/26/2022) (Public hearing to be continued) [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

**2022-0412 RZM2022-00007**, Applicant: Middleburg Communities, LLC c/o Mahaffey Pickens Tucker, LLP; Owner: Rita G. Knowlton; Rezoning of Tax Parcel No. R7103 006; 1558 Old Peachtree Road; R-100 to R-TH for a Single-Family Detached Subdivision and Townhouses; 13.41 acres; District 4/Fosque (Tabled on 4/26/2022) (Public hearing was not held) [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Tabled - Date: 6/7/2022]

**2022-0413 RZR2022-00006**, Applicant: Middleburg Communities, LLC c/o Mahaffey Pickens Tucker, LLP; Owner: Rita G. Knowlton; Rezoning of Tax Parcel No. R7103 006; 1558 Old Peachtree Road; R-100 to TND for a Traditional Neighborhood Development; 31.31 acres; District 4/Fosque (Tabled on 4/26/2022) (Public hearing was not held) [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Tabled - Date: 6/7/2022]

**2022-0415 RZM2022-00010**, Applicant: Crogan Street, LLC; Owner: Marta A. Sosa; Rezoning of Tax Parcel No. R5100 014; 3132 Rosebud Road; O-I to R-TH for Townhouses; 4.27 acres; District 3/Watkins (Tabled on 4/26/2022) (Public hearing was not held) [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Approve with Conditions as R-75]

**2021-1621** (Formerly GCID 2021-1359) **RZR2021-00046**, Applicant: CasGwyn Construction, LLC c/o Andersen, Tate & Carr, P.C.; Owner: James P. Baskin; Rezoning of Tax Parcel No. R5188 006; 2766 Camp Mitchell Road; R-100 to R-75 for a Single-Family Detached Subdivision; 13.47 acres; District 3/Watkins (Tabled on 4/26/2022) (Public hearing was not held) [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Deny w/out Prejudice]

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

### **1. Change in Conditions**

**2022-0499 CIC2022-00011**, Applicant: The Kroger Co.; Owner: The Kroger Company; Tax Parcel Nos. R5214 030 and R5235 001; 990 and 1006 Martins Chapel Road; Change in Conditions of Zoning for Property Zoned C-2; 35.34 acres; District 4/Fosque [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

**2022-0500 CIC2022-00014**, Applicant: Pioli PSG, LLC; Owner: Pioli PSG, LLC; Tax Parcel Nos. R7124 107 and 110; 1000 Block of Old Peachtree Road; Change in Conditions of Zoning for Property Zoned MU-R; 18.65 acres; District 1/Carden [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Deny]

**2022-0508 CIC2022-00009**, Applicant: Chris C. Moon; Owner: Chris C. Moon; Tax Parcel No. R5131 202; 539 Athens Highway; Change in Conditions of Zoning for Property Zoned C-2; 1.96 acres; District 3/Watkins [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

### **2. Special Use Permit**

**2022-0506 SUP2022-00024**, Applicant: Daniela Luca; Owner: Ionut Cosmin and Daniela Luca; Tax Parcel No. R7027 161; 778 Braselton Highway; Special Use Permit in a R-100 Zoning District for a Personal Care Home (Renewal); 2.91 acres; District 4/Fosque [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

**2022-0507 SUP2022-00025**, Applicant: Gheorghe Chis; Owner: Gheorghe Chis; Tax Parcel No. R2001 211; 2845 Old Fountain Road; Special Use Permit in a RA-200 Zoning District for a Family Personal Care Home; 2.00 acres; District 4/Fosque [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

### **3. Rezoning**

**2022-0502 RZC2022-00013**, Applicant: Vulcan Lands, Inc. c/o Andersen, Tate & Carr, P.C.; Owners: Souter Holdings II, LLC, Green Implementation Group, LLC, Read-Norcross, LLC, QuikTrip Corporation, and Vulcan Lands, Inc.; Rezoning of Tax Parcel Nos. R6184 266, R6200 004, and R6201 007, 008B, and 016; 1500 and 1700 Block of Beaver Ruin Road and 4200 Block of Steve Reynolds Boulevard; M-1 and C-2 to M-2 for a Quarry and Borrow Pit; 19.26 acres; District 1/Carden [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

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

### **3. Rezonings**

**2022-0503 CIC2022-00012**, Applicant: Vulcan Lands, Inc. c/o Andersen, Tate & Carr, P.C.; Owner: Read-Norcross, LLC; Tax Parcel Nos. R6201 007A and 051; 1500 Block of Beaver Ruin Road; Change in Conditions of Zoning for Property Zoned M-2; 7.90 acres; District 1/Carden [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

**2022-0504 SUP2022-00020**, Applicant: Vulcan Lands, Inc. c/o Andersen, Tate & Carr, P.C.; Owner: Souter Holdings II, LLC, Green Implementation Group, LLC, Read-Norcross, LLC, QuikTrip Corporation, and Vulcan Lands, Inc.; Tax Parcel Nos. R6184 266, R6200 004, and R6201 007, 007A, 008B, 016, and 051; 1500 and 1700 Block of Beaver Ruin Road and 4200 Block of Steve Reynolds Boulevard; Special Use Permit in a M-1, M-2, and C-2 Zoning District for a Quarry and Borrow Pit; 27.16 acres; District 1/Carden [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

**2022-0510 RZC2022-00015**, Applicant: Biniam Geremew; Owner: Timothy S. Landers; Rezoning of Tax Parcel No. R5138 005B; 1461 Grayson Highway; C-1 to C-2 for a Locksmith; 0.83 acres; District 3/Watkins [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

**2022-0511 RZC2022-00016**, Applicant: Just Construction, LLC; Owner: Tina Partridge for the Estate of Linda Phrampus; Rezoning of Tax Parcel No. R3003 018A; 4688 Braselton Highway; RA-200 to C-1 for a Convenience Store with Fuel Pumps; 1.02 acres; District 3/Watkins [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Deny]

**2022-0505 RZM2022-00016**, Applicant: The Residential Group, LLC c/o Mahaffey Pickens Tucker, LLP; Owners: Edward Sudderth, John and Julia Jay, Timothy and Kristen Doane, Domingo Uribe, Natalie Ishee, Austin Lolley, and Jesse Gormsen; Rezoning of Tax Parcel Nos. R7339 001, 002, 003, 004A, 004B, 040, 073, 077, and 116; 5800 Block of Henry Bailey Road, 300 Block of Kendrix Road, and 5700 Block of Cumming Highway; R-100 to RM-24 for Apartments; 20.37 acres; District 1/Carden [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Deny]

**2022-0512 RZM2022-00013**, Applicant: Rosebud 78 Land, LLC; Owners: Rosebud 78 Land, LLC and Christ United Church of Gwinnett Inc.; Rezoning of Tax Parcel Nos. R5124 017 and 021; 2864 and 2872 Rosebud Road; R-100 to R-TH for a Townhouses; 6.18 acres; District 3/Watkins [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

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

### **3. Rezonings**

**2022-0513 CIC2022-00013**, Applicant: Rosebud 78 Land, LLC; Owner: Rosebud 78 Land, LLC; Tax Parcel No. R5124 366; 2882 Rosebud Road; Change in Conditions of Zoning for Property Zoned R-TH; 25.37 acres; District 3/Watkins [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Deny w/out Prejudice]

**2022-0514 RZM2022-00015**, Applicant: Brand Properties; Owner: Diplomat Infraprop Sugarloaf, LLC; Rezoning of Tax Parcel Nos. R7121 013, 014, 093, and 174; 2534, 2540, 2549 Meadow Church Road, and 2500 Block of Meadow Church Road; O-I to RM-24 for Apartments; 7.56 acres; District 1/Carden [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Deny]

**2022-0515 RZM2022-00017**, Applicant: Parkland Communities, Inc. c/o Alliance Engineering and Planning; Owners: Douglas L. and Dawn B. Rainwater; Rezoning of Tax Parcel No. R7003 310; 2176 Cruse Road; R-100 and R-ZT to R-TH for Townhouses; 4.62 acres; District 4/Fosque [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

**2022-0501 RZR2022-00012**, Applicant: The Macallan Group c/o Mahaffey Pickens Tucker, LLP; Owner: Mary Diane Wilkins; Rezoning of Tax Parcel No. R5245 008; 1563 Alcovy Road; RA-200 to R-75 for a Single-Family Detached Subdivision; 10.57 acres; District 3/Watkins [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

**2022-0509 RZR2022-00013**, Applicant: Joseph Hahn c/o Alliance Engineering and Planning; Owners: Don L. Brock Jr. and Sheila Ann Delong; Rezoning of Tax Parcel Nos. R7156 010 and 164; 1365 Old Peachtree Road and 1400 Block of Old Peachtree Road; R-60 and R-100 to R-75 for a Single-Family Detached Subdivision; 2.10 acres; District 1/Carden [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

### **4. Amendments**

**2022-0518 Approval of UDOA2022-00002** an amendment to the Unified Development Ordinance of Gwinnett County, section 270-20, entitled "Zoning Ordinance Text and Map Amendments" and section 270-30, entitled "Special Use Permits", to add provisions for concurrent variances. [Planning Department Recommendation: Approve] [Planning Commission Recommendation: Approve]

**X. New Business**

**1. Planning & Development/Susan Canon**

**2022-0516 Ratification** of Plat approvals for April 1, 2022 through April 30, 2022.

**XI. Comments from Audience**

**XII. Adjournment**