

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 27, 2015 - 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: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

IV. Approval of Minutes:

- **Work Session:** October 20, 2015
- **Briefing 10:30am:** October 20, 2015
- **Informal Business Discussion:** October 20, 2015
- **Executive Session:** October 20, 2015
- **Business Session:** October 20, 2015

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

V. Announcements

VI. Public Hearing – Old Business

I. Planning & Development/Bryan Lackey

2015-0470 CIC2015-00008, Applicant: Mahaffey, Pickens, Tucker, LLP, Owners: Wendell Blount, etal, Change in Conditions of Zoning on Property Zoned R-ZT, District 7 Land Lot 143 Parcels 004 & 005, 2900 Block of Gravel Springs Road, 48 Acres. District 4/Heard (**Tabled on 10/27/2015**) (**Tabled to 11/17/2015**)(**Public hearing was not held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: **Tabled Motion: Heard Second: Hunter Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes**}

VI. Public Hearing – Old Business

I. Planning & Development/Bryan Lackey

2015-0471 RZR2015-00007, Applicant: Mahaffey, Pickens, Tucker, LLP, Owners: Wendell Blount, etal, RA-200 & R-TH to R-60, Single-Family Subdivision, District 7 Land Lot 143 Parcels 004 & 005, 2900 Block of Gravel Springs Road, 19 Acres. District 4/Heard (Tabled on 10/27/2015) (Tabled to 11/17/2015)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Heard Second: Hunter Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2015-0792 SUP2015-00026, Applicant: Development Planning & Engineering, Owner: James Davenport, for a Special Use Permit in C-2 & M-1 Zoning Districts for a Truck Storage Lot, District 7 Land Lot 076 Parcels 002 & 029, 1600 Block of Boggs Road, 2500 Block of Breckinridge Boulevard, 5.11 Acres. District 1/Brooks (Tabled on 10/27/2015) (Tabled to 11/17/2015)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 11/3/2015] {Action: Tabled Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2015-0866 SUP2015-00031, Applicant: TNT Fireworks, Owner: NDI Development, for a Special Use Permit in a C-2 Zoning District for Firework Sales, District 6 Land Lot 060 Parcel 014, 1700-1800 Block of Rockbridge Road, 36.76 Acres. 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}

2015-0867 SUP2015-00032, Applicant: TNT Fireworks, Owner: NDI Development, for a Special Use Permit in a C-2 Zoning District for Firework Sales, District 6 Land Lot 195 Parcel 181, 6100 Block of Live Oak Parkway, 6000 Block of Thompson Parkway, 9.05 Acres. 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}

VI. Public Hearing – Old Business

I. Planning & Development/Bryan Lackey

2015-0868 SUP2015-00033, Applicant: TNT Fireworks, Owner: Kimco, for a Special Use Permit in a C-2 Zoning District for Firework Sales, District 7 Land Lot 008 Parcel 004, 800 Block of Lawrenceville Suwanee Road, 800 Block of Duluth Highway, 900 Block of Walther Boulevard, 35.62 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}

2015-0869 SUP2015-00034, Applicant: TNT Fireworks, Owner: DDRTC Marketplace at Mill Creek, LLC, for a Special Use Permit in a C-2 Zoning District for Firework Sales, District 7 Land Lot 175 Parcel 001, 1600 Block of Mall of Georgia Boulevard, 3000 Block of Financial Center Way, 31.81 Acres. District 1/Brooks[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2015-0873 SUP2015-00038, Applicant: Jun Young Yoo, Owner: Nguyen Hung Van, for a Special Use Permit in a C-2 Zoning District For a Pool or Billiards Hall, District 6 Land Lot 231 Parcel 023, 3700 Block of Satellite Boulevard, 1.30 Acres. District 1/Brooks[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2015-0875 SUP2015-00039, Applicant: Spicer Express, LLC, Owner: Daniel Ragsdale Enterprise, LLC, for a Special Use Permit in a M-1 Zoning District for Heavy Truck Sales, Leasing and Service, District 5 Land Lot 125 Parcel 057, 3200 Block of Brushy Drive, 1.06 Acres. District 3/Hunter[Planning Department Recommendation: Approve with Conditions][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}

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VI. Public Hearing – Old Business

I. Planning & Development/Bryan Lackey

2015-0876 SUP2015-00040, Applicant: Community of Bosniaks Georgia, Inc., Owners: Diane Haney Brownlee & Ferrell Dwight Haney, for a Special Use Permit in a R-100 Zoning District for a Cemetery; District 5 Land Lot 035 Parcel 007, 3300-3400 Block of Skyland Drive, 2100-2400 Block of Temple Johnson Road, 12.59 Acres. District 3/Hunter[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Denied Motion: Hunter Second: Nash Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2015-0878 SUP2015-00042, Applicant: Michael Marietta, Owner: Slate Market Place Holdings, LLC, for a Special Use Permit in a C-2 Zoning District for Firework Sales, District 6 Land Lot 204 Parcel 015, 1500 Block of Pleasant Hill Road, 3500 Block of Club Drive, 0.88 Acre. District 1/Brooks[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Brooks Second: Howard Vote: 4-1; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-No}

2015-0879 SUP2015-00043, Applicant: Ahmad Noori, Owner: Afghan Association, Inc., for a Special Use Permit in a R-100 Zoning District for a Cemetery, District 4 Land Lot 322 Parcel 002, 4900 Block of Rosebud Drive, 5.06 Acres. District 3/Hunter (Tabled on 10/27/2015) (Tabled to 12/15/2015)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny] {Action: Tabled 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/Bryan Lackey

2015-0861 RZM2015-00006, Applicant: JLCS Enterprises, Inc., Owner: The Lansky Partnership, LLLP, R-100 to R-TH, Townhomes (Reduction in Buffers), District 7 Land Lot 094 Parcels 004 & 005A, 1800 Block of Old Peachtree Road, 2000 Block of Sunny Hill Road, 29.69 Acres. District 4/Heard[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions as R-60] {Action: Approved with Stipulations Motion: Heard Second: Hunter Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2014-0869 RZR2014-00019, Applicant: Grey Phoenix, LLC, Owner: Grey Phoenix, LLC, R-100 to R-SR, Senior Oriented Residences (Reduction in Buffers), District 4 Land Lot 318 Parcels 005, 045 & 051, 3000 Block of Lee Road, 3000 Block of Bud Rutledge Drive, 29.0 Acres. District 3/Hunter (Tabled on 10/27/2015) (Tabled to 12/15/2015)(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}

VII. Public Hearing – New Business

I. Support Services/Angelia Parham

2015-0984 Approval/authorization for the Chairman to execute any and all documents necessary to abandon a 0.385 acre (16,761 square foot) section of a prescriptive right-of-way, formerly used as a public road known as Mink Livsey Road, located in Land Lot 335 of the 4th Land District, in accordance with O.C.G.A. 32-7-2. All documents are subject to review and approval by the Law Department. District 3/Hunter (Staff Recommendation: Approval) {Action: Approved Motion: Hunter Second: Heard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

VII. Public Hearing – New Business

2. Change in Conditions

2015-1025 CIC2015-00018, Applicant: Mahaffey, Pickens, Tucker, LLP, Owner: NLA Lawrenceville, LLC, Change in Conditions of Zoning on Property Zoned C-2, District 7 Land Lot 032 Parcel 006, 900 Block of Duluth Highway, 7.91 Acres. District 1/Brooks[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2015-1026 CIC2015-00019, Applicant: Richard & Myrna Blanton, Owners: Richard & Myrna Blanton, Change in Conditions to allow Auto Service on Property Zoned C-2, District 6 Land Lot 190 Parcel 053, 6100 Block of Singleton Road, 0.38 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}

3. Special Use Permit

2015-1027 SUP2015-00046, Applicant: Myung Sook Song, Owner: SVN Gwinnett Park, LLC, for a Special Use Permit in a M-1 Zoning District for an Adult Daycare Center, District 6 Land Lot 201 Parcels 032 & 114, 1500-1600 Blocks of Beaver Ruin Road, 4400 Block of International Boulevard, 12.98 Acres. District 1/Brooks [Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

VII. Public Hearing – New Business

4. Rezonings

2015-1016 RZC2015-00016, Applicant: Charlie L. Cook, Jr., Owner: Gary C. Petty, O-I to M-I, Grading Contractor with Outdoor Storage and Truck & Trailer Storage Lot, District 7 Land Lot 013 Parcel 003, 900 Block of Petty Road, 800 Block of Hi-Hope Road, 0.72 Acre. District 4/Heard (Tabled on 10/27/2015) (Tabled to 11/17/2015)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 11/3/2015] {Action: Tabled Motion: Heard Second: Hunter Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2015-1017 SUP2015-00045, Applicant: Charlie L. Cook, Jr., Owner: Gary C. Petty, for a Special Use Permit in a M-I (Proposed) Zoning District for a Grading Contractor with Outdoor Storage and Truck & Trailer Storage Lot, District 7 Land Lot 013 Parcel 003, 900 Block of Petty Road, 800 Block of Hi-Hope Road, 0.72 Acre. District 4/Heard (Tabled on 10/27/2015) (Tabled to 11/17/2015)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 11/3/2015] {Action: Tabled Motion: Heard Second: Hunter Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2015-1018 RZM2015-00007, Applicant: Lynwood Development Group, Owner: Satellite Boulevard Investors, C-2 & O-I to MU-R, Regional Mixed Use Development, District 7 Land Lot 155 Parcels 518 & 567, 1400 Block of Satellite Boulevard, 23.96 Acres. District 1/Brooks (Tabled on 10/27/2015) (Tabled to 11/17/2015)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 11/3/2015] {Action: Tabled Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

VII. Public Hearing – New Business

4. Rezonings

2015-1019 RZR2015-00017, Applicant: Corridor Property Group, LLC, Owner: October Enterprises, LLC, R-100 to R-75, Single-Family Subdivision, District 5 Land Lot 055 Parcel 003A, District 5 Land Lot 056 Parcels 006 & 077, 1400 -1500 Blocks of Janmar Road, 12.10 Acres. District 3/Hunter[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Hunter Second: Heard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2015-1020 RZR2015-00018, Applicant: Northpointe Communities, LLC, Owner: PG Land, LLC, R-TH & RA-200 to R-60, Single-Family Subdivision, District 7 Land Lot 099 Parcel 005, District 7 Land Lot 100 Parcels 010 & 173, District 7 Land Lot 137 Parcel 024, District 7 Land Lot 138 Parcel 268, 2300 Block of Morgan Farm Drive, 2400 Block of Ashton Ridge Drive, 20.83 Acres. District 4/Heard[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Heard Second: Hunter Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2015-1021 RZR2015-00019, Applicant: Embry Group, LLC, Owners: Reo Funding Solutions V, LLC, Donald Camp & JB Camp, Etal, C-2, O-I, RMD & R-100 to TND, Traditional Neighborhood Development (Reduction in Buffers), District 6 Land Lot 062 Parcels 016D, 017B & 154, 2000 Block of Pucketts Drive, 27.90 Acres. District 2/Howard (Tabled on 10/27/2015) (Tabled to 11/17/2015)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 11/3/2015] {Action: Tabled Motion: Howard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

VII. Public Hearing – New Business

4. Rezonings

2015-1022 RZR2015-00020, Applicant: RPIOM, LLC, Owners: Frances Maner & Vincent Phung, R-75 to TND, Traditional Neighborhood Development (Reduction in Buffers), District 6 Land Lot 265 Parcels 056 & 057B, 3300-3400 Blocks of Pittard Road, 7.01 Acres. District 1/Brooks (Tabled on 10/27/2015) (Tabled to 11/17/2015)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 11/3/2015] {Action: Tabled Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2015-1023 RZR2015-00021, Applicant: Inland, LLC, Owners: Keith R. Connelly Etal, Robert L. & Margaret B. Connelly, Steve A. Johnson Etal & Robert McClure, R-100 to OSC, Open Space Conservation Subdivision (Reduction in Buffers), District 6 Land Lot 073 Parcels 180 & 268, District 6 Land Lot 082 Parcels 004, 034, 087 & 188, 1300-1400 Blocks of Oleander Drive, 93.32 Acres. District 2/Howard[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Howard Second: Hunter Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2015-1024 RZR2015-00022, Applicant: Pulte Group, Inc., Owners: Scott Pfund, David & Stacey Miller, R-100 to R-60, Single-Family Subdivision, District 7 Land Lot 082 Parcels 038 & 093, 2100 Block of Sugar Springs Drive, 2000 Block of Liberty Bell Place, 10.80 Acres. District 1/Brooks (Tabled on 10/27/2015) (Tabled to 11/17/2015)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 11/3/2015] {Action: Tabled Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

VII. Public Hearing – New Business

5. Planning & Development/Bryan Lackey

2015-1086 Approval of an Amendment to Sections 86-70 through 86-99 of the Gwinnett County Code of Ordinances, Adult Entertainment Establishments, adding or amending regulations pertaining to Adult Entertainment Establishments.[Planning Department Recommendation: Approve] {Action: Approved Motion: Hunter Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2015-1087 Approval of UDOA2015-00005, An Amendment to Unified Development Ordinance of Gwinnett County, Title 1: Administration and Title 2: Land Use and Rezoning, to add or amend regulations pertaining to Adult Entertainment Establishments.[Planning Department Recommendation: Approve] {Action: Approved Motion: Hunter Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

VIII. New Business

I. Planning & Development/Bryan Lackey

2015-1082 Approval of an Amendment to Sections 18-291 through 18-310 of the Gwinnett County Code of Ordinances, Adult Entertainment Establishments, adding or amending regulations pertaining to Adult Entertainment Establishments. {Action: Approved Motion: Howard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

2015-1013 Ratification of plat approvals for September 1, 2015 through September 30, 2015. {Action: Approved Motion: Hunter Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

IX. Comments from Audience

X. Adjournment

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