

BUFORD CITY COMMISSION MEETING

August 6, 2018

1. Pledge to the Flag.
2. Approve the agenda as presented.
3. Approve the minutes from the July 16, 2018 meeting.
4. Change September meeting to September 4, 2018.

5. **Rezoning:**

**I. Z-18-05 & SUP-18-10: Southern Heritage Homebuilders, LLC
 2066 Pine Tree Drive
 Parcels: 7-352-058 & 7-352-168
 Acres: 1.214**

Request rezoning from C-2 (Commercial) to RL (Residential Lakeside) with a special use permit to allow townhomes.

P & Z Recommendation

#Z-18-05/#SUP-18-10: Southern Heritage Home Builders, LLC requested rezoning for the property located at 2066 Pine Tree Drive, being parcels 7-352-058/168, from C-2 to RL with a special use permit to allow townhomes. Mitch Peevy also represented the applicant for this request. The same property owners had the same concerns as set forth in application #SUP-18-11. Motion was made by Bobby Davis and seconded by Harley Bennett to recommend approval of the rezoning to RL with the special use permit as requested with the following conditions:

1. The approval of the Zoning and Special Use Permits does not relieve the applicant from compliance to the Buford City Codes or any non-compliances shown on the Site Plan unless specified in the following conditions:
 - a. The Side and Rear Building Setbacks are reduced from 40' to 20'. The 20' yard area shall be landscaped with a replanted buffer using evergreen trees and shrubs to provide an effective year round screen. Final buffer replanting design shall be approved by the Director of Planning and Zoning.
 - b. The Front Building Setbacks are reduced from 50' to 35'. Within the 35' Front Yard, a 10' Landscape Strip shall be provided with a tree density of

- one tree (hardwood or ornamental) per 25 linear feet on center and 6' high at the time of planting. Final replanting plan shall be approved by the Director of Planning and Zoning.
- c. The extension of Pine Tree Road shall not include a dedicated left turn lane or deceleration lane. All other public street components and standards are required.
 - d. To allow a dead-end street on the easterly side of the site plan as proposed and to allow an eyebrow cul-de-sac at the beginning of the immediate pedestrian pathway to the Corp property as per the site plan submitted with the application.
2. The following uses shall not be permitted: automotive car washes, automotive part stores, automotive repair shop or tire stores, automobile service stations, automotive sales lots, equipment rental, mobile buildings, machine, welding, radiator or muffler repair shops, mini-warehouse facilities, boat storage, adult entertainment, log splitting and storage lots and convenient stores and gas stations.
 3. The City finds that the proposed project will place a large burden on the existing sewer infrastructure and that the project is not feasible given the existing pump station condition at Lanier Harbor. Developer shall fulfill all obligations with the City of Buford for the sewer requirements subject to policies, regulations and ordinances adopted by the City of Buford and shall furnish infrastructure upgrades which include:
 - a. Existing sewage pumping station shall be modified and improved to comply with Gwinnett County, Georgia Department of Water Resources Developer Pump Station Standards. Improvements shall be reviewed and approved by the City Engineer. Improvements shall include, but not be limited to:
 - i. A bypass pipe with plug valve connection to the existing force main leaving the station to permit use of a temporary emergency pump to transfer flows to the force main when the existing pumps are out of service.
 - ii. A permanent, emergency, standby engine driven pump or a standby power generator as a backup onsite in the event that the existing pumps and equipment fail to operate due to power outages or other reasons. Include security fencing with gate to protect standby pump or generator. If a generator is proposed and it is 125 KW or less, it shall be powered by natural gas and an associated gas line connection rather than use diesel fuel.
 - iii. Replace the existing auto-dialer alarm system with a new cellular based SCADA system for pump stations such as the Mission Communications system in use at the City's existing Southside wastewater plant.
 - iv. Have a representative of the pump station manufacturer conduct a site visit and inspection to verify component operations, recommend replacement of any worn or inoperable parts, check motor and electrical services, and provide recommended spare

- parts for the station. Complete any recommended repair or replacement work and furnish recommended spare parts.
- b. Prepare and submit to the City a plan to inspect the existing force main from the existing pump station to its discharge manhole point along Little Mill Road. The inspection procedure, as well as recommended repairs, shall be approved by the City Engineer.
 - c. All new utilities internal to the development shall be placed underground.
4. The following site and architectural considerations are approved as conditions to the applications:
- a. Internal roadway street trees are required at a rate of one tree per housing unit. The trees shall be ornamental trees. These trees are in addition to the minimal requirements of the City of Buford's Tree Protection and Replacement Ordinance.
 - b. Townhome dwellings shall be a minimum of 1,800 SF of heated floor area with a minimum of two (2) bedrooms and two (2) bathrooms.
 - c. The gross density of the project shall not exceed 7.44 Units per Acre.
 - d. The development shall allow for fee simple attached ownership in the RL zoning district.
 - e. The development shall be limited to a maximum 120 units.
 - f. All units shall have a minimum length of 18-foot-wide driveways and include a 2-car garage. Each driveway shall be a minimum length of 18-foot from the back of the sidewalk to the front of the dwelling unit.
 - g. Units fronting Pine Tree Drive shall have a finished floor elevation greater than approximately 2 feet above the curb (measured at the high side of the lot).
 - h. Property shall be conveyed to the individual homeowners' fee simple. Individual homeowners' lots will consist of the property directly beneath their unit. All remaining property will be conveyed to the mandatory homeowners' association (HOA).
 - i. Garages that will be accessed from the rear of the unit will be incorporated into the project along Pine Tree Drive and other areas of the site to create a pedestrian friendly community. Masonry pedestrian stoops or stairs shall be incorporated in all units.
 - j. Building exteriors shall be constructed of a combination of brick, stucco, stone or cement-based siding. The unit fronts shall contain brick or stone substantially similar to the zoning exhibits. Architectural elevations shall be submitted for review and approval by the Planning Director prior to issuance of Building Permit.
 - k. A street lighting plan shall be provided in the planted strip along Pine Tree Drive to the project entrance and throughout the project to be approved by the Planning Director.
 - l. Four foot sidewalks shall be provided on the developer's side of all publicly dedicated rights-of-ways to the entrance of the development. Minimum four foot sidewalks shall also be constructed throughout the project's pocket parks, open space, private roads and alleys to create a pedestrian friendly community. A Pedestrian Access Plan shall be

- reviewed and approved by the Planning Director prior to the issuance of a Land Disturbance Permit.
- m. Utilities shall be placed under ground excluding stormwater detention which shall meet minimum requirements of Buford City Stormwater Regulations.
 - n. Pine Tree Drive shall be widened to 20 feet with curb and gutter and four (4) foot sidewalks on the developer's side to the entrance of the townhome project. Beyond the entrance Pine Tree Drive shall be widened to 20 feet to the Corp property with an eyebrow cul-de-sac at the proposed gate to the Corp property. (Engineer completing detail plans for Pine Tree Drive) All internal private roads and alleys shall be a minimum of 24 feet back of curb to back of curb. The private roads and alleys shall be constructed to City of Buford paving specifications. Alternately, if the alleys are constructed using concrete, the concrete aggregate base and subgrade specifications shall be submitted to the City of Buford for review and approval. Concrete alleys shall also be a minimum of 24 feet wide back of curb to back of curb.
 - o. Residential trash service shall be provided by the City of Buford. Residents living in front-entry units shall place trash receptacles at the curb on trash pickup days. Residents living in rear-entry units shall place trash receptacles at the curb or alleyway on trash pickup days. The HOA covenants and restrictions shall require homeowners to keep the trash receptacles inside the garages or other approved locations by the City.
 - p. The HOA covenants shall prohibit the renting or leasing of units to no more than 20%.
 - q. All roofs shall be Architectural type and have a minimum usable life of 30 years, per manufacturer's warranty.
 - r. Porches for rear entry units shall meet the following requirements, if applicable:
 - i. Shall have a minimum depth of eight feet and five feet on the side.
 - ii. Shall be raised a minimum of two feet and maximum of four feet from grade to the top of the stairs.
 - iii. Shall not have unpainted, unstained or otherwise untreated or exposed pressure treated lumber.
 - iv. Shall provide enclosed masonry foundations of brick or stone.
 - v. Shall not be enclosed with screens, plastic or other materials that hinder visibility and / or natural air flow.
 - vi. Shall provide columns spaced a maximum distance of eight feet on-center and with a minimum width of eight inches.
 - vii. Shall provide stairs with enclosed risers.
 - s. Mechanical features, such as air conditioning condensers and dumpsters, shall be screened from view along a public street with plantings, walls or fences of equal or greater height. Acceptable building materials included those permitted on the principal building.
 - t. Front and side windows shall meet the following requirements:
 - i. Window trim shall not be flush with the exterior façade and shall

- provide a minimum relief of one-quarter (0.25) inch.
 - ii. Where provided, individual shutters shall be one-half the width of the adjacent window opening, and
 - iii. Mirrored or painted windows or door glass is prohibited.
 - u. A mandatory homeowners' association (HOA) with protective covenants shall be provided and shall be responsible for maintenance of common grounds, water quality / detention facilities and open spaces. The operation and enforcement of the covenants shall be operated by a licensed property management company.
 - v. Prior to issuance of a Development Permit, the applicant shall submit architectural elevations in the form of a "Plan Book" for structures for review and approval by the Planning Director. At a minimum, the "Plan Book" shall include allowed building elevations, exterior colors, materials and other pertinent information. Said "Plan Book" shall become a binding restriction on the structures within the development and may be amended or supplemented only by approval of the City.
- 5. The following conditions concern the redevelopment and operation of the City of Buford / US Army Corps of Engineers property for the purposes of boat and vehicular parking, boat ramps and common spaces / green spaces and pursuant to the lease between the City of Buford and Secretary of the Army (Corps of Engineers).
 - a. The developer shall be responsible for the design of a Concept and a Redevelopment Plan for operations and maintenance as acceptable to the Corps of Engineers. All subsequent approval of implementation plans, permits or variances shall be approved by the City of Buford and Army Corps of Engineers, as necessary prior to the issuance of a Development Permit.
 - b. The costs associated with the development of the boat ramp area, including but not limited to, any docks, paving, striping, concrete work, amenities, signage, lighting, gates and landscaping shall be the full responsibility of the developer.
 - c. Access and use of the boat ramp area is for Public access and shall not be gated, blocked or denied during normal operational hours.

Ayes – 5

Nays – 0

II. SUP-18-11:

**Southern Heritage Homebuilders, LLC
2066 Pine Tree Drive
Parcels: 7-352-058 & 7-352-168
Acres 16.12**

Requesting special use permit to allow townhomes.

P & Z Recommendation

#SUP-18-11: Southern Heritage Home Builders, LLC requested a special use permit for the property located at 2066 Pine Tree Drive. The special use permit requested is to allow townhomes. Mitch Peevy spoke on behalf of the applicant and explained the request to the Board. Mr. Peevy stated this was a townhome development with a maximum of 120 units. He stated the developer would like to request 2 dead-end streets as per the site, rear yard setbacks to be reduced to 20 feet, and pump station will be renovated and upgraded, but not to Gwinnett County standards. He also stated that Pine Tree Drive has varied widths and the developer proposes to widen the road to 20 feet with curb and gutter and 4 foot sidewalks on the developer's side to the townhome entrance and then just 20 foot widen to the Corp property. They also propose a mixture of materials on the front elevations as per the exhibits with the application. Richard Pickering, President of Lanier Pointe HOA spoke with questions about the road improvements, water line, drainage, boat ramp improvements, security, bathrooms and would like to be involved with any City and developer meetings concerning this project. Dever Greg, President of Lanier Harbor Condominiums asked about the utilities to the development. Several other property owners in the area had questions about the boat ramp hours, operations and maintenance, number of townhomes allowed, improvements to the Corp property and detention pond requirements. City Manager Kerlin discussed Mr. Peevy's requests that differ from staff's recommendations with the Board. After discussion, motion was made by Wayne Johnson and seconded by Harley Bennett to recommend approval of the special use permit as requested with the following conditions:

1. The approval of the Zoning and Special Use Permits does not relieve the applicant from compliance to the Buford City Codes or any non-compliances shown on the Site Plan unless specified in the following conditions:
 - a. The Side and Rear Building Setbacks are reduced from 40' to 20'. The 20' yard area shall be landscaped with a replanted buffer using evergreen trees and shrubs to provide an effective year round screen. Final buffer replanting design shall be approved by the Director of Planning and Zoning.
 - b. The Front Building Setbacks are reduced from 50' to 35'. Within the 35' Front Yard, a 10' Landscape Strip shall be provided with a tree density of one tree (hardwood or ornamental) per 25 linear feet on center and 6' high at the time of planting. Final replanting plan shall be approved by the Director of Planning and Zoning.
 - c. The extension of Pine Tree Drive shall not include a dedicated left turn lane or deceleration lane. All other public street components and standards

are required.

- d. To allow a dead-end street on the easterly side of the site plan as proposed and to allow an eyebrow cul-de-sac at the beginning of the immediate pedestrian pathway to the Corp property as per the site plan submitted with the application.
2. The following uses shall not be permitted: automotive car washes, automotive part stores, automotive repair shop or tire stores, automobile service stations, automotive sales lots, equipment rental, mobile buildings, machine, welding, radiator or muffler repair shops, mini-warehouse facilities, boat storage, adult entertainment, log splitting and storage lots and convenient stores and gas stations.
 3. The City finds that the proposed project will place a large burden on the existing sewer infrastructure and that the project is not feasible given the existing pump station condition at Lanier Harbor. Developer shall fulfill all obligations with the City of Buford for the sewer requirements subject to policies, regulations and ordinances adopted by the City of Buford and shall furnish infrastructure upgrades which include:
 - a. Existing sewage pumping station shall be modified and improved to comply with Gwinnett County, Georgia Department of Water Resources Developer Pump Station Standards. Improvements shall be reviewed and approved by the City Engineer. Improvements shall include, but not be limited to:
 - i. A bypass pipe with plug valve connection to the existing force main leaving the station to permit use of a temporary emergency pump to transfer flows to the force main when the existing pumps are out of service.
 - ii. A permanent, emergency, standby engine driven pump or a standby power generator as a backup onsite in the event that the existing pumps and equipment fail to operate due to power outages or other reasons. Include security fencing with gate to protect standby pump or generator. If a generator is proposed and it is 125 KW or less, it shall be powered by natural gas and an associated gas line connection rather than use diesel fuel.
 - iii. Replace the existing auto-dialer alarm system with a new cellular based SCADA system for pump stations such as the Mission Communications system in use at the City's existing Southside wastewater plant.
 - iv. Have a representative of the pump station manufacturer conduct a site visit and inspection to verify component operations, recommend replacement of any worn or inoperable parts, check motor and electrical services, and provide recommended spare parts for the station. Complete any recommended repair or replacement work and furnish recommended spare parts.
 - b. Prepare and submit to the City a plan to inspect the existing force main from the existing pump station to its discharge manhole point along Little Mill Road. The inspection procedure, as well as recommended repairs,

shall be approved by the City Engineer.

- c. All new utilities internal to the development shall be placed underground.
4. The following site and architectural considerations are approved as conditions to the applications:
- a. Internal roadway street trees are required at a rate of one tree per housing unit. The trees shall be ornamental trees. These trees are in addition to the minimal requirements of the City of Buford's Tree Protection and Replacement Ordinance.
 - b. Townhome dwellings shall be a minimum of 1,800 SF of heated floor area with a minimum of two (2) bedrooms and two (2) bathrooms.
 - c. The gross density of the project shall not exceed 7.44 Units per Acre.
 - d. The development shall allow for fee simple attached ownership in the RL zoning district.
 - e. The development shall be limited to a maximum 120 units.
 - f. All units shall have a minimum length of 18-foot-wide driveways and include a 2-car garage. Each driveway shall be a minimum length of 18-foot from the back of the sidewalk to the front of the dwelling unit.
 - g. Units fronting Pine Tree Drive shall have a finished floor elevation greater than approximately 2 feet above the curb (measured at the high side of the lot).
 - h. Property shall be conveyed to the individual homeowners' fee simple. Individual homeowners' lots will consist of the property directly beneath their unit. All remaining property will be conveyed to the mandatory homeowners' association (HOA).
 - i. Garages that will be accessed from the rear of the unit will be incorporated into the project along Pine Tree Drive and other areas of the site to create a pedestrian friendly community. Masonry pedestrian stoops or stairs shall be incorporated in all units.
 - j. Building exteriors shall be constructed of a combination of brick, stucco, stone or cement-based siding. The unit fronts shall contain brick or stone substantially similar to the zoning exhibits. Architectural elevations shall be submitted for review and approval by the Planning Director prior to issuance of Building Permit.
 - k. A street lighting plan shall be provided in the planted strip along Pine Tree Drive to the project entrance and throughout the project to be approved by the Planning Director.
 - l. Four foot sidewalks shall be provided on the developer's side of all publicly dedicated rights-of-ways to the entrance of the development. Minimum four foot sidewalks shall also be constructed throughout the project's pocket parks, open space, private roads and alleys to create a pedestrian friendly community. A Pedestrian Access Plan shall be reviewed and approved by the Planning Director prior to the issuance of a Land Disturbance Permit.
 - m. Utilities shall be placed under ground excluding stormwater detention which shall meet minimum requirements of Buford City Stormwater Regulations.

- n. Pine Tree Drive shall be widened to 20 feet with curb and gutter and four (4) foot sidewalks on the developer's side to the entrance of the townhome project. Beyond the entrance Pine Tree Drive shall be widened to 20 feet to the Corp property with an eyebrow cul-de-sac at the proposed gate to the Corp property. (Engineer completing detail plans for Pine Tree Drive) All internal private roads and alleys shall be a minimum of 24 feet back of curb to back of curb. The private roads and alleys shall be constructed to City of Buford paving specifications. Alternately, if the alleys are constructed using concrete, the concrete aggregate base and subgrade specifications shall be submitted to the City of Buford for review and approval. Concrete alleys shall also be a minimum of 24 feet wide back of curb to back of curb.
- o. Residential trash service shall be provided by the City of Buford. Residents living in front-entry units shall place trash receptacles at the curb on trash pickup days. Residents living in rear-entry units shall place trash receptacles at the curb or alleyway on trash pickup days. The HOA covenants and restrictions shall require homeowners to keep the trash receptacles inside the garages or other approved locations by the City.
- p. The HOA covenants shall prohibit the renting or leasing of units to no more than 20%.
- q. All roofs shall be Architectural type and have a minimum usable life of 30 years, per manufacturer's warranty.
- r. Porches for rear entry units shall meet the following requirements, if applicable:
 - i. Shall have a minimum depth of eight feet and five feet on the side.
 - ii. Shall be raised a minimum of two feet and maximum of four feet from grade to the top of the stairs.
 - iii. Shall not have unpainted, unstained or otherwise untreated or exposed pressure treated lumber.
 - iv. Shall provide enclosed masonry foundations of brick or stone.
 - v. Shall not be enclosed with screens, plastic or other materials that hinder visibility and / or natural air flow.
 - vi. Shall provide columns spaced a maximum distance of eight feet on-center and with a minimum width of eight inches.
 - vii. Shall provide stairs with enclosed risers.
- s. Mechanical features, such as air conditioning condensers and dumpsters, shall be screened from view along a public street with plantings, walls or fences of equal or greater height. Acceptable building materials included those permitted on the principal building.
- t. Front and side windows shall meet the following requirements:
 - i. Window trim shall not be flush with the exterior façade and shall provide a minimum relief of one-quarter (0.25) inch.
 - ii. Where provided, individual shutters shall be one-half the width of the adjacent window opening, and
 - iii. Mirrored or painted windows or door glass is prohibited.
- u. A mandatory homeowners' association (HOA) with protective covenants

shall be provided and shall be responsible for maintenance of common grounds, water quality / detention facilities and open spaces. The operation and enforcement of the covenants shall be operated by a licensed property management company.

- v. Prior to issuance of a Development Permit, the applicant shall submit architectural elevations in the form of a "Plan Book" for structures for review and approval by the Planning Director. At a minimum, the "Plan Book" shall include allowed building elevations, exterior colors, materials and other pertinent information. Said "Plan Book" shall become a binding restriction on the structures within the development and may be amended or supplemented only by approval of the City.
5. The following conditions concern the redevelopment and operation of the City of Buford / US Army Corps of Engineers property for the purposes of boat and vehicular parking, boat ramps and common spaces / green spaces and pursuant to the lease between the City of Buford and Secretary of the Army (Corps of Engineers).
- a. The developer shall be responsible for the design of a Concept and a Redevelopment Plan for operations and maintenance as acceptable to the Corps of Engineers. All subsequent approval of implementation plans, permits or variances shall be approved by the City of Buford and Army Corps of Engineers, as necessary prior to the issuance of a Development Permit.
 - b. The costs associated with the development of the boat ramp area, including but not limited to, any docks, paving, striping, concrete work, amenities, signage, lighting, gates and landscaping shall be the full responsibility of the developer.
 - c. Access and use of the boat ramp area is for Public access and shall not be gated, blocked or denied during normal operational hours.

Ayes – 5
Nays – 0

III. Z-18-06:

**EpiCity, Inc.
South Lee Street & Buford Highway
Parcels: 7-268-122, 7-269-104, 7-269-105
Acres: 22.415**

Requesting rezoning from O&I (Office Institutional)/C-2 (Commercial) to M-1 (Industrial).

P & Z Recommendation

#Z-18-06: EpiCity, Inc. requested rezoning for the property located on South Lee Street and Buford Highway, being 22.415 acres out of parcels 7-268-122, 7-269-104 and 7-269-105 from O-I/C-2 to M-1. Jeff Pruitt and Jay Mitchell spoke on behalf of the applicant

and explained the request to the Board. They stated that the truck entrance and exit would be off Buford Highway and there would be no access around the building and that the employee vehicle access would be off South Lee Street. Mr. Kerlin stated there would be access easements to the remaining lot on South Lee Street and a traffic signal installed on Buford Highway and South Church Street. John Zwald, attorney representing Brookdale Senior Living Center, spoke in opposition of the request. He stated the senior housing development had been there over 20 years and has 75 residents. He stated this was not a compatible zoning for the area. This zoning change would be a threat to Brookdale with increased noise from the trucks, increased traffic, large building and health issues to the residents. After a brief discussion, motion was made by Homer Whiting and seconded by Harley Bennett to recommend approval of the rezoning to M-1 with the following conditions:

1. The subject property is rezoned to M-1 for light industrial uses substantially similar to the site plan submitted with the application including the sizes and heights of the proposed buildings and associated site improvements. However, approval of the rezoning case does not relieve the owner from conformity to the Development Regulations and Zoning Ordinance.
2. The owner is to install the fourth leg of the traffic signal at the entrance on South Lee Street and to install a deceleration lane on South Lee Street. If right-of-way is not available, then the installation of the deceleration lane will not be applicable.
3. The owner shall install a left turn lane exit onto South Lee Street with appropriate dedication of right-of-way as needed for implementation. Final design to be reviewed and approved by the City Engineer.
4. The construction entrance for the project shall be located on Creekside Drive.
5. An enhanced landscape planting plan shall be required along the entrance drive adjacent to the assisted living facility. The plan shall include a mixture of canopy trees, understory trees, shrubs and ground covers. Final plan is to be reviewed and approved by the Planning Director.
6. Buildings shall be substantially similar to the building rendering that was submitted with the application and may include tilt-up construction as approved by the Planning Director.
7. Outdoor lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to reflect into adjacent properties or rights-of-way.
8. The owner shall place a security gate at the private drive off of Creekside Drive and provide a cul-de-sac for turnaround before the security gate. Final design to be approved by the City Engineer.

9. Auto only entrance shall include access easements for use by the remaining lot fronting South Lee Street.
10. Traffic signal to be installed at the intersection of Buford Highway and South Lee Street and shall have an approved permit for the signal from Georgia Department of Transportation before a development permit will be issued.

Ayes – 4
Nays – 0

6. **Special Use Permit:**

**I. SUP-18-12: Heather Brown
4977 Lanier Islands Parkway, Suite 107
Parcel: 08-157A-000020**

Requesting special use permit to allow a tattoo business.

Planning & Zoning Recommendation:

#SUP-18-12: Heather Brown requested a special use permit for the property located at 4977 Lanier Islands Parkway, Suite 107. The special use permit requested is to allow a tattoo business. The applicant was present and explained the request to the Board. There were no objections from the audience. Motion by Homer Whiting and seconded by Bobby Davis to recommend approval of the special use permit as requested with the following conditions:

1. The proposed use shall be required to meet State Health codes for tattoo/body art and piercing prior to the issuance of a business license/occupancy.
2. The approval of the special use permit runs concurrent with the applicant. Should the applicant cease the operation of the tattoo business the special use permit is no longer valid for another business entity.

Ayes – 4
Nays – 0

**II. SUP-18-13: SAIA LTL Freight
Plunkett Road
Parcel: 7-218-009**

Requesting special use permit to allow a truck terminal.

Planning & Zoning Recommendation:

#SUP-18-13: SAIA LTL Freight requested a special use permit for the property located on Plunkett Road, being parcel 7-218-009. The special use permit requested is to allow a

truck terminal. Mitch Peevy spoke on behalf of the applicant and explained the request to the Board. Mr. Peevy explained that this would be a cross dock facility where truck would be bringing in produce, breaking down the product and then shipping it back out from this facility. The trucks would entry and exit the facility from the access road along I-985 off Blue Ridge Drive and there would be no access from the site onto Plunkett Road. The development would be in two (2) phases with a fence installed at the first phase line until phase 2 would be developed. The site will be mass graded. Several property owners along Plunkett Road were against the development because of increased truck traffic, noise, buffers, big trucks, and decrease property values. One lady had concerns with the industrial zoning being placed on this property in the middle of residential properties. One gentlemen spoke with concerns about the transporting of hazardous materials with safety issues being so close to the residential homes. Mr. Kerlin stated that would not be handled at this meeting and that GDOT would be the governing authority. After brief discussion, motion by Wayne Johnson and seconded by Harley Bennett to recommend approval of the special use permit as requested with the following conditions:

1. The development permit construction plans, shall be substantially similar to the concept plan provided with the special use permit application.
2. The development shall provide a standard cul-de-sac terminus to Blue Ridge Drive at the entrance to the proposed truck terminal. The final roadway extension design shall be reviewed and approved by the Planning Director.
3. The proposed development shall include construction documents prepared and sealed by a Georgia registered civil engineer for the redevelopment of the existing stormwater management system at 3750 Blue Ridge Drive. The civil site plans and hydrology analysis shall be reviewed and approved by the City Engineer.
4. The owner shall obtain all required offsite construction agreements for the proposed improvements leading to the subject property. All recorded construction easements and right-of-way dedication shall be executed prior to the issuance of any development permits.
5. The Developer's engineer shall provide analysis and opinion as to the subject requiring a Development of Regional Impact (DRI) study as administered by the Atlanta Regional Commission (ARC).
6. The applicant shall provide a replanted buffer offset 25' from the existing 50' Atlanta Gas Light easement. The replanting plan shall include 8' tall berms within the buffer including a black vinyl coated chain link fence with slats and planted with Leyland Cypress for screening from residential properties. The replanting plan shall include 4 rows of hardwood trees with no one species exceeding 25%. The replanting plan shall also incorporate various evergreen shrub species and a mesh fabric over the security fencing. The final replanting, fencing and screening plan shall be reviewed and approved by the Planning Director. Such plans may be phased at Development permit.
7. The proposed building can be of a tilt-up construction as approved by the Planning Director.
8. No access from the site shall be allowed on Plunkett Road. No right turn shall be allowed onto Plunkett Road from Blue Ridge Drive.

Ayes – 5
Nays – 0

III. SUP-18-14:

**W & A Engineering
Buford Drive
Parcel: 7-259-263**

Requesting special use permit to allow a drive-thru window for a restaurant.

Planning & Zoning Recommendation:

#SUP-18-14: W & A Engineering requested a special use permit for the property located on Buford Drive, being parcel 7-259-263 containing 1.02 acres. The special use permit requested is to allow a drive through window for a restaurant. Scott Haines spoke on behalf of the applicant and explained the request to the Board. He stated that they are requesting to reduce the parking spaces from 36 to 23 spaces, to allow more than 20% parking on the side yards and to allow a flat parapet roof instead of a pitched roof. Kirk Farrelly, developer of the property, explained the operations and stated the business hours would be 10 a.m. to 10 p.m., would have approximately 40 to 50 employees and that drive through lane would hold up to 11 cars. He stated that most of the business are drive through customers and they would not need as many parking spaces as required by the ordinance. He also noted that this example with reduced parking spaces has been used numerous times at Popeye’s locations. After a brief discussion, motion was made by Homer Whiting and seconded by Bobby Davis to recommend approval of the special use permit as requested with the following conditions:

1. The approval of the special use permit does not relieve the owner from the requirements of the Buford City Development Regulations and Zoning Ordinance. The land disturbance permit shall be similar to the concept plan with revisions made to comply with Buford City Codes.
2. Parking is approved to be reduced from 36 parking spaces to 23 parking spaces and the parking configuration is approved allowing more than 20% in the side yards. The parking configuration shall be similar to the site plan submitted with the application.
3. Architectural treatments and site design shall meet the minimal standards of the City of Buford Code Section 1315, including the requirements for a flat roof for buildings under 5000 square feet. Final landscape plan and architectural elevations shall be approved by the Planning Director.

Ayes – 4
Nays – 0

7. Annexation:

I. Tract #1 – Plat #558

Gwinnett County
7-298-001

Jason Jackson
3215 Lee Drive
Buford, GA 30518

Property: 410 Thunder Road
Acres: 2.844
Zoned From: R-100
Zoned To: R-100

Planning & Zoning Recommendation:

Plat #558: Jason Jackson requests annexation and zoning for the property located at 410 Thunder Road from R-100 to R-100. The applicant was present and explained the request to the Board. Mr. Jackson stated that the tract would be divided into 4 lots with the existing house to remain on Lot #1. Gwinnett County did not object to this annexation and zoning and there were no objections from the audience. Motion by Homer Whiting and seconded by Bobby Davis to recommend approval of the annexation and zoning to R-100 with the following conditions:

1. All one-story homes shall have a minimum gross heated floor area of 2800 square feet, which shall exclude the basement, both finished and unfinished. All two-story homes shall have a minimum gross heated floor area of 3200 square feet, which shall exclude the basement, both finished and unfinished. All homes shall have a 3-car garage.
2. Front elevations shall be constructed with a minimum of 40% brick or stone with 60% accents. Accents shall include brick, stucco, rock, shakes, hardiplank and concrete siding. A 42" water table shall be provided on the sides and rear. Elevations shall be provided to the City for review and approval by the Planning Director prior to the approval of a building permit.
3. A five (5) foot sidewalk with a two (2) foot landscape strip with curb and gutter shall be provided, except on Lot #1.
4. Each dwelling's driveway shall be a minimum of 18 feet wide.
5. Each lot shall be required to have two (2) shade trees installed with the front yard.
6. Each lot shall be sodded front yards.

Ayes – 4
Nays – 0

II. Tract #2 – Plat #559
Gwinnett County
7-143-004 & 7-143-059

Lula Nell Wallace Richardson
2961 Gravel Springs Road
Buford, GA 30519

Property: 2961 Gravel Springs Road
Acres: 35.166
Zoned From: RA-200
Zoned To: RA-200

Planning & Zoning Recommendation:

Plat #559: Lula Nell Wallace Richardson requests annexation and zoning for the property located at 2961 Gravel Springs Road from RA-200 to RA-200. The applicant was present and explained the request to the Board. Gwinnett County did not object to this annexation and zoning request and there were no objections from the audience. Motion by Bobby Davis and seconded by Homer Whiting to recommend approval of the annexation and zoning to RA-200.

Ayes – 4
Nays – 0

8. Zoning Amendment:

Amendments to Development Regulations Article 4, Section 4.1.1, Article 6, Section 6.8.1 and 6.8.2

Planning & Zoning Recommendation:

#ZA-18-01: Motion by Homer Whiting and seconded by Harley Bennett to recommend approval of the amendment to the City of Buford Development Regulations, Article 4, Section 4.1.1 providing for curb and gutter, sidewalks and widening of sub-standard streets for construction on an individual single-family detached or duplex residence on a buildable lot of record.

Ayes – 4
Nays – 0

#ZA-18-01: Motion by Harley Bennett and seconded by Bobby Davis to recommend approval of the amendment to the City of Buford Development Regulations, Article 6, Section 6.8.1 and 6.8.2 providing for curb and gutter, sidewalks and widening of sub-standard streets for construction on an individual single-family detached or duplex residence on a buildable lot of record.

Ayes – 4
Nays – 0

9. Consider exemption plat on Poplar Street for Diamond Hill Properties.
10. Approve resolution calling for a special municipal election for a referendum to allow citizens of the City of Buford, Georgia to vote on whether Buford is authorized to permit and regulate Sunday sales of distilled spirits or alcoholic beverages by the drink from 11:00 a.m. to 12:30 p.m.; and other purposes.
11. Conduct public hearing for Fiscal Year 2019 operating budget.
12. Conduct public hearing for 2018 property tax millage rate rollback and proposed tax increase.
13. Approve Fiscal Year 2019 Budget Appropriations Resolution and Operating Budget.
14. Approve 2018 property tax millage rate for Buford City Schools in Gwinnett County of 12.75 mills and 13.362 mills for Hall County with a Local Option Sales Tax rollback of .612 mills. The 2018 net millage rate for property taxes in both counties will be 12.75 mills.
15. Consider renewal of medical, dental and vision insurance policy for 2018-2019.
16. Consider renewal of agreement with City of Buford and Proof of the Pudding by MGR, Inc.
17. Appoint City Manager as City of Buford Americans with Disabilities Act (ADA) Coordinator.
18. Consider adoption of ordinance for moratorium on issuance of permits for tattoo businesses through December 31, 2018.
19. Consider approval of parking deck bids and authorize Charles Black Construction as city construction manager.
20. Approve subrecipient agreement for use of CDBG funds between Gwinnett County and City of Buford.
21. Consider approval of Jackson Street stormwater improvements using CDBG funding and general funds.
22. Authorize City Manager and City Attorney to purchase properties and authorize City Manager to accept donation of real property concerning the difference in purchase price and fair market value of the property and to sign any and all documents relating to transaction.
23. Consider acceptance of donation to City for museum operations.

24. Authorize payment #14 for South Lee Street LCI project.
25. City Manager's report.
26. City Attorney's report.

NOTE: The City of Buford does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs or activities per the Americans with Disabilities Act of 1992. Bryan Kerlin, City Manager, 770-945-6761, has been designated to coordinate compliance with the non-discrimination requirements contained in Section 35.107 of the Department of Justice Regulations. Information concerning the provisions of the Americans with Disabilities Act, and the rights provided thereunder, are available from the ADA coordinator. The City of Buford will assist citizens with special needs given proper advance notice. Any requests for reasonable accommodations required by individuals to fully participate in any open meeting, program, or activity of the City should be directed to the ADA Coordinator, Bryan Kerlin, 2300 Buford Highway, Buford, Georgia, 770-945-6761.