

BUFORD CITY COMMISSION MEETING

January 9, 2017

1. Pledge to the Flag.
2. Approve the agenda as presented.
3. Approve the minutes from the December 5, 2016 meeting.
4. Elect Commission Chairman for 2017.
5. Elect Vice Chairman for 2017.
6. Appoint Department Heads for 2017.
7. Reappoint Robert Perkins to the Planning & Zoning Board.
8. **Rezoning**

I. #Z-16-17: Ed Breedlove, SMC Properties, Cheeley Investments
 c/o Mill Creek Consulting
 Peachtree Industrial Boulevard
 Parcel: 7-304-007
 Zoning from C-2 to M-1
 Acres: 54.83

P & Z Recommendation

#Z-16-17: Ed Breedlove, SMC Properties and Cheeley Investment requested a rezoning for the property located on Peachtree Industrial Boulevard, being parcel 7-304-007 and containing 54.83 acres, from C-2 to M-1. Mitch Peevy spoke on behalf of the applicant and explained the request to the Board. Several homeowners from Maplecliff Subdivision spoke in opposition of the request with concerns of increased traffic, noise and safety concerns with the increase of big trucks from this project. They also asked if a traffic light would be installed. One neighbor that lives on Little Mill Road spoke with the same concerns. One adjoining property owner that lives on Hillcrest Drive asked about buffers against residential property. The Board stated the buffer would be a 50 foot undisturbed buffer abutting residential zoned property. Mr. Peevy stated that trucks are restricted on Little Mill Road on both sides of Peachtree Industrial Boulevard and would use Peachtree Industrial for their route to the Interstate. Mr. Peevy also stated that a traffic study would be required with the DRI review. After a brief discussion, motion was made by Homer Whiting and seconded by James Reed to recommend approval of the rezoning request to M-1 with the following conditions:

1. The height of any building shall be a maximum of five (5) stories.
2. Construction of the industrial buildings shall be tilt up concrete.
3. Any building along or adjacent to the residential property line which is over two (2) stories tall shall be reviewed and approved by the City Commission prior to any permitting.
4. DRI approval is required prior to any permitting.
5. The lighting shall be contained on the property.

Ayes – 5

Nays – 0

9. **Special Use Permit**

I. #SUP-16-17: Atlanta Best Cars, Inc.
Highway 324 & Cross Road
Parcel: 7-177-003/007/012
C-2 & RA-200
Acres: 1.570

P & Z Recommendation

#SUP-16-17: Atlanta Best Cars, Inc. requested a special use permit for the property located on Highway 324 and Cross Road, being parcels 7-177-003/007/012. The special use permit requested is to allow an auto dealership with stream and zoning buffer reductions. Mitch Peevy spoke on behalf of the applicant and explained the request to the Board. Adjoining property owner Norman Groves spoke in opposition of the request with concerns of increased traffic and noise. He was also opposed to reducing the stream and zoning buffers that adjoin his property. Sharon Spalone that lives on Cross Road spoke in opposition of the request and stated she thought the property was more suitable for office use. John Hanna, owner of the property, spoke and said this was a family owned car business and he would make sure that the business would not have a negative impact on the surrounding residential properties. After a brief discussion, motion was made by Harley Bennett and seconded by Wayne Johnson to deny the request.

Ayes – 5

Nays – 0

10. **Annexation**

I. Plat #542
Gwinnett County

7-177-003 Marty Orr
c/o Mill Creek Consulting
Property: Highway 324 and Cross Road
Acres: 0.093
Zoned from: RA-200 Zoned to: C-2

P & Z Recommendation

Plat #542: Marty Orr requests annexation and rezoning for the property located on Gravel Springs Road, being parcel 7-177-003, from RA-200 to C-2 with a special use permit for an auto dealership (see #SUP-16-17). The applicant was present. There were no objections from Gwinnett County concerning the annexation and rezoning. Motion by Wayne Johnson and seconded by Homer Whiting to recommend approval of the annexation and rezoning to C-2 and to deny the special use permit as requested for an auto dealership.

Ayes – 5

Nays – 0

II. Plat #543
Gwinnett County

7-326-080

Charles & Gail Smith
191 Roberts Street
Buford, Georgia 30518

Property: 2145 Shoal Creek Road

Acres: 4.450

Zoned from: R-100

Zoned to: R-100

P & Z Recommendation

Plat #543: Charles E. Smith and Gail P. Smith requests annexation and zoning for the property located at 2145 Shoal Creek Road, being parcel 7-326-080, from R-100 to R-100. The applicant was present. There were no objections from Gwinnett County and no objections from the audience. Motion was made by Homer Whiting and seconded by Harley Bennett to recommend approval of the annexation and zoning to R-100.

Ayes – 5

Nays – 0

11. **Zoning Amendment**

I. #ZA-16-05

Article XIII, Section 1315 subsection 5 and Section 1316 subsection 2 of zoning ordinance.

P & Z Recommendation

#ZA-16-05: Motion by Wayne Johnson and seconded by Homer Whiting to recommend approval of an amendment to the 2000 City of Buford Zoning Ordinance, Article XIII, Section 1315, subsection 5 and Section 1316, subsection 2 concerning architectural design requirements with the addition of “subject to the approval of the Planning Director” in Section 1315.2.5A(7) and 1316.1.2A(6).

Ayes – 5

Nays – 0

II. #ZA-16-05

Section 8 of Development Regulations

P & Z Recommendation

#ZA-16-05: Motion by Homer Whiting and seconded by James Reed to recommend approval of an amendment to the 2000 City of Buford Development Regulations, Article 8 to update the referenced stormwater design manual from the Gwinnett County Stormwater Design Manual to the latest edition of the Georgia Stormwater Management Manual.

Ayes – 5

Nays – 0

12. **Zoning Modification**

- I. ZM-17-01 Donald Jason Sartain
 430 Apple Tree Way – Lot #26
 Sweet Apple Subdivision

To modify condition #7 from the Commission Meeting of June 6, 2006 to encroach into the 75 foot undisturbed buffer by 35 feet to build a swimming pool with a privacy fence.

13. **Wastewater Allocation Appeal**

- I. Wade Orr Tract Subdivision – 5941 Atlanta Hwy & 6031/ 6049 Wade Orr Rd.
- II. THB Partners – 4831 Bryant Road

14. Authorize Chairman to sign agreement with MEAG Power for purchase of excess reserve capacity from City of Griffin.

15. Adopt amendment to City of Buford’s Distributed Generation Tariff.

16. Authorize Chairman to enter into special counsel fee agreement with Smith, Welch, Webb & White, LLC for Hall County Service Delivery Strategy negotiations.

17. Consider renewal of 2017-2018 workers comp policy.
18. Authorize City Manager to sign amended fee agreement with City Auditor for single audit reporting for compliance with uniform grant compliance audit requirements.
19. Authorize City Manager to enter into an agreement with Phillips Partnership, PC for professional design services for City of Buford downtown parking deck, subject to approval of City Attorney.
20. Set qualifying fee for November 7, 2017 election.
21. Consider applications for special events to be held at Buford Youth Sports Complex.
22. Consider acceptance of quit-claim and dedication of strip of land comprising extension of Blue Ridge Drive.
23. Consider approval of waiver request from Shoal Vision, LLC (South Lee Street) to waive 12 month bar to file an application for rezoning and/or Special Use permit and allow application in six (6) months.
24. Authorize City Manager to proceed with design and construction of sewer line in proximity to 347 and east of I-985 in the Hall County sewer service district utilizing Hall County SPLOST, Enterprise and General Funds as necessary
25. Authorize payment #1 for SR/13 & Sawnee Avenue signal installation.
26. Authorize payment #1 for 2016 paving project.
27. Authorize payment #1 for Garnett Street sidewalk project.
28. City Manager's report.
29. City Attorney's report.