

BUFORD CITY COMMISSION MEETING

May 1, 2017

1. Pledge to the Flag.
2. Approve the agenda as presented.
3. Approve the minutes from the April 11, 2017 meeting.

4. Zoning

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 Commissioner 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

II. Z-17-01:

Brad Weeks

345 West Moreno Street

7-294D-145

Zoning from C-2 to R-100

P & Z Recommendation

#Z-17-01: Brad Weeks requested rezoning for the property located at 345 West Moreno Street from C-2 to R-100. The applicant was present and explained the request to the Board stating that the existing house was previously used for residential and the adjacent properties are all residential uses. There were no objections from the audience. Motion by Homer Whiting and seconded by Wayne Johnson to recommend approval of the rezoning to R-100.

Ayes – 3
Nays – 0

5. Special Use Permit

I. SUP-17-03:

Glenn Hamilton

6699 & 6673 McEver Road

Parcel: 08-160-001023 & 08-160-001025

Zoning: M-1 & C-2

P & Z Recommendation

#SUP-17-03: Glenn Hamilton requested a special use permit for the property located at 6699 & 6673 McEver Road. The special use permit requested is to allow an inert landfill. The applicant was not present. Chairman asked if anyone in the audience was in opposition of the proposed request. One gentlemen that lives on Blackberry Lane spoke against the request with concerns of cock roaches and rodents coming from the site. Dale Caldwell with the Chattahoochee Riverkeeper spoke about the impacts this proposed project would have on streams, creeks, and rivers with the close proximity to Big Creek and Lake Lanier. The owner of the bed and breakfast, Whitworth Inn, on McEver Road spoke with concerns of the increase in truck traffic on a two lane road and expressed his view on the impact on his business. Art Waaland, representative for the commercial tract across McEver Road also spoke in opposition of the request with the same concerns. Chairman stated that this was not the proper location for an inert landfill due to the adverse impact to the nearby properties with traffic, odor, dust, erosion, methane mitigation, noise and rodents. Motion by Wayne Johnson and seconded by Homer Whiting to recommend denial of the request.

Ayes – 3
Nays – 0

II. SUP-17-04:

Milton Morera

5022 B.U. Bowman Drive, Suite 100

Parcel: 08-157A-00004

Zoning: M-1

P & Z Recommendation

#SUP-17-04: Milton Morera requested a special use permit for the property located at 5022 B.U. Bowman Drive, Suite 100. The special use permit requested is to allow an automotive repair shop. The applicant was present and explained the request to the Board. The Board stated there were several vehicles in front of the building that would not be allowed. The applicant stated he would have those moved. There were no objections from the audience. The owner of the building was present and was in favor of the request. Motion by Homer Whiting and seconded by Wayne Johnson to recommend approval of the special use permit as requested with the following conditions:

1. Outdoor storage of automotive parts, junk vehicles or automotive repair related equipment shall be prohibited.
2. All automotive repair shall take place within the building. Outdoor repair operations shall be prohibited.

Ayes – 3

Nays – 0

III. SUP-17-05:

George Grob & Robert Grob

5022 B. U. Bowman Drive, Suite 800

Parcel: 08-157A-0000

Zoning: M-1

P & Z Recommendation

#SUP-17-05: George Grob & Ronald Grob requested a special use permit for the property located at 5022 B.U. Bowman Drive, Suite 800. The special use permit requested is to allow an automotive repair shop. Mitch Peevy spoke on behalf of the applicant and explained the request to the Board. There were no objections from the audience. The owner of the building was present and was in favor of the request. Motion by Wayne Johnson and seconded by Homer Whiting to recommend approval of the special use permit as requested with the following conditions:

1. Outdoor storage of automotive parts, junk vehicles or automotive repair related equipment shall be prohibited.
2. All automotive repair shall take place within the building. Outdoor repair operations shall be prohibited.

Ayes – 3
Nays – 0

IV. SUP-17-06:

Roy Choates
4952 Austin Park Avenue
Parcel: 7-293-181
Zoning: C-2

P & Z Recommendation

#SUP-17-06: Roy Choates requested a special use permit for the property located at 4952 Austin Park Avenue. The special use permit requested is to allow indoor car sales. The applicant was present and explained the request to the Board. The applicant stated that sales are primarily done online with inventory consisting of classic and other high end cars. Briggs Allen was also present and spoke in favor of the request. There were no objections from the audience. City Manager Kerlin noted that this permit is only issued to this applicant and will not transfer. Motion by Homer Whiting and seconded by Wayne Johnson to recommend approval of the special use permit as requested with the following conditions:

1. Outdoor storage of inventory, junk vehicles or automotive repair related equipment shall be prohibited.
2. Automotive showcase and sales shall take place within the building.
3. Special Use Permit SUP-17-06 is attached to the applicant of the Special Use Permit case. Any future change of occupancy to a different business or owner shall cause this Special Use Permit application to expire.

Ayes – 3
Nays – 0

V. SUP-17-07:

David Dell
5044 B.U. Bowman Drive
Parcel: 08-157A-000011
Zoning: M-1

P & Z Recommendation

#SUP-17-07: David Dell requested a special use permit for the property located at 5044 B.U. Bowman Drive. The special use permit requested is to allow a condominium association with 6 units. Caroline Dell spoke on behalf of the applicant. The Board stated that there were several vehicles, buses and parts stored on the property and that this would not be allowed. The applicant was in agreement. There were no objections from the audience. City Manager Kerlin noted that the HOA documents shall include language stating tenant shall comply with City codes. Motion by Wayne Johnson and seconded by Homer Whiting to recommend approval of the special use permit as requested with the following conditions:

1. The applicant shall provide the City of Buford with recorded copies of the Condominium Associations By-Laws and Covenants for its records. The By-Laws and Covenants shall include contact and responsibility of stormwater system maintenance, site and building code compliance.
2. Outdoor storage of automotive parts, junk vehicles, vehicles for repair, or automotive repair related equipment shall be prohibited.

Ayes – 3

Nays – 0

6. Approve dedication of Gravel Springs Road extension serving Liberty Development.
7. Consider amendment to water and sewer master meter rate schedule.
8. Consider amendment to Industrial/Commercial Multi-Family water rate schedule.
9. Approve release of pledged funds with Peoples Bank & Trust.
10. Authorize payments #3 and 4 for new Buford City Gymnasium.
11. Authorize payment #4 and Change Order #1 for SR 324/Auburn Road gas relocation project.
12. Authorize payment #1 for S. Bogan Road/Kilgore Road gas relocation project.
13. City Manager's report.
14. City Attorney's report.