

# BUFORD CITY COMMISSION MEETING

October 1, 2018

1. Pledge to the Flag.
2. Approve the agenda as presented.
3. Approve the minutes from the September 4, 2018 meeting.
4. Recognize Clyde Black for his twenty (20) years of service with the City of Buford.
5. **Rezoning**

## **I. #Z-18-08:**

**Gary Brown**

**2715 Brown Road**

**Parcel: 7-143-057**

**Zoning from RA-200 to C-2**

**Acres: 1.92**

## **P & Z Recommendation**

#Z-18-08: Gary Brown requested rezoning for the property located at 2715 Brown Road, parcel 7-143-057 from RA-200 to C-2. Les Johnson and Carl Burnette spoke on behalf of the applicant. Mr. Burnette stated the proposal for this tract is a high-end convenient store with a carwash. The City has not seen this proposal and has not had a chance to review the concept plan and also stated that a carwash would require a special use permit. Tony Shelfler, 2363 Brown Road, spoke against the proposed use with concerns of traffic, drainage issues and utilities. He stated this is mainly a residential area. The Board stated that only the rezoning will be considered tonight and not the proposed use. Motion by Wayne Johnson and seconded by Homer Whiting to recommend approval of the rezoning request to C-2 with the following conditions:

1. Prior to the approval of any subsequent land disturbance permit or building permit the applicant shall submit a concept plan for review and approval by the Planning Director. The Planning Director shall determine the appropriateness of the concept plan and, if warranted, send the applicant back through the rezoning process for review and approval by the City Commission.
2. The approval of this rezoning application does not provide variances or waivers to the requirements of the City's zoning and development regulations.

Ayes – 5

Nays – 0

**II. #Z-18-09:**

**Archon Homes**

**Wade Orr Road**

**Parcel: 08-138-002014**

**Zoning from C-2 to R-100**

**Acres: 4.59**

**P & Z Recommendation**

#Z-18-09: Archon Homes requested rezoning for the property located on Wade Orr Road, being parcel 08-138-002014, from C-2 to R-100. Mitch Peevy spoke on behalf of the applicant and explained the request to the Board. He stated the area is predominantly residential uses and a retail use at this location is not viable. They are proposing 8 residential lots with price point around \$700,000. The developer is proposing a landscape screening at the back property line that abuts Wynfield Subdivision. Mr. Peevy asked that condition #5 be eliminated in McFarland-Dyer's staff report and to use condition #7 concerning architectural treatments of the homes. Dave Nixon, HOA President of Wynfield Subdivision, spoke concerning the landscape screening the developer would provide to screen their homes from the proposed development. He stated he would rather have a residential development instead of a commercial development on this site. No one spoke against the request. Motion by Homer Whiting and seconded by Wayne Johnson to recommend approval of the rezoning request to R-100 with the following conditions:

1. Parcel 08-138-002014 shall be rezoned from C-2 to R-100 for single family homes and accessory uses. The approval of this application is not approval of non-conformities shown on the site plan provided with the rezoning case.
2. The maximum number of lots shall not exceed eight (8) and each lot shall meet or exceed the minimum width and area of the R-100 zoning category.
3. All front and rear yards shall be sodded and shall have (1) 3-inch caliper canopy tree planted in the front yard.
4. Exceeding five (5) lots shall require submittal and review of construction documents that are in conformance with all improvements required by the City of Buford's Development Regulations.
5. All homes shall have three car garages and a minimum gross heated floor area of 3400 square feet exclusive of garages or basements.
6. Architectural treatments of the homes are to be four (4) sides brick or stone with accents not to exceed 60% on the front elevation and accents not to exceed 40% on the side and rear elevations. Accents shall include brick, stone, rock, stucco, cedar shakes, fiber cement siding and hardiplank. Architectural elevation designs to be approved by the Planning Director.
7. Developer shall comply with the City of Buford Sewer Use Ordinance.
8. The developer shall provide a landscape screening of evergreen trees on the back property line to screen the adjacent residential properties. The landscape plan shall be approved by the Planning Director.

Ayes – 5  
Nays – 0

## **6. Special Use Permit**

### **I. #SUP-18-16:**

**Wilson Development Group  
4803 Golden Parkway  
Parcel: 08-157-000031**

**Requesting special use permit to allow a drive through window.**

### **Planning & Zoning Recommendation:**

#SUP-18-16: Wilson Development Group requested a special use permit for the property located at 4803 Golden Parkway, being parcel 08-157-000031. The special use permit requested is to allow a drive through window for Dunkin Donut. Mitch Peevy spoke on behalf of the applicant and explain the request to the Board. Mr. Peevy stated that the developer will provide enhanced landscaping on the front to screen the drive through lanes. He also stated that they have a cross easement agreement with Circle K for parking. No one spoke against the request. Motion by Homer Whiting and seconded by Bobby Davis to recommend approval of the special use permit as requested with the following conditions:

1. Parking requirements shall be reduced from 27 spaces to 12 spaces with a parking access agreement with the owner of the adjacent convenience store. The applicant shall provide the Planning Director a copy of the agreement prior to the approval of any subsequent permits.
2. Architectural treatments and landscaping shall meet the minimal standards of the City of Buford Zoning Ordinance Section 1316, including the requirements for a flat roof for buildings under 5000 square feet and shall allow the corporate color orange as accents. Final landscape plan and architectural elevations shall be approved by the Planning Director.
3. The encroachment into the 50-foot front building setback line adjacent to Lanier Islands Parkway shall not exceed 20 feet. The final placement of the building shall be approved by the Planning Director.
4. The required landscape strips shall be reduced from 10-foot to 5-foot excluding the area adjacent to Lanier Islands Parkway. The applicant shall provide a final landscape plan for the review and approval of the Planning Director that meets the tree density requirements as a 10-foot landscape strip.
5. The rear building setback line shall be reduced from 15 feet to 9 feet.
6. The side building setback line shall be reduced from 20 feet to 15 feet.
7. The applicant shall provide a signage concept plan for the review and approval by the Planning Director. Additional ground signage shall not be placed in a manner that adds to the clutter at the intersection.

Ayes – 5  
Nays – 0

7. Consider exemption plat on 410 Thunder Road for Jason Jackson adding one (1) lot from August 2018 approving four (4) lots 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 along the entire property frontage.
  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.
  7. Developer shall install sewer service to all lots and dedicate to City.
8. Consider exemption plat on Lawson Street for Zachary Hutchins with the following conditions:
  1. The minimum heated floor area shall be 1800 square feet excluding garage or basement.
  2. The front elevation shall be 40% brick with 60% accents. Accents shall be brick, stucco, rock, concrete siding or hardiplank.
9. Consider exemption plat on South Garnett Street for Ricky Patterson.
10. Authorize City Manager to participate in membership of Georgia Pipeline Emergency Response Initiative as part of City’s requirement for firefighters liaison with emergency responders.
11. Approve payment #1 for 2014 City/Gwinnett County SPLOST joint project – widening of SR20 from South Lee Street to Buford Highway.
12. Authorize Chairman to sign Intergovernmental Agreement with Hall County for participation in Hall County E-911 Emergency Communication Center.
13. Consider approval of extension for hardship request for one year for Faith Free Full Gospel Church to allow one modular trailer for children’s classroom use at 539 Washington Street.

14. Consider approval of wastewater allocation appeal by Gwinnett Swim for an additional 400 gallons per day.
15. Consider approval of wastewater allocation appeal by Jason Jackson for 410 Thunder Road development.
16. Authorize payment #2 for streetscape improvements at the corner of South Lee Street and West Moreno Street.
17. Authorize payment #2 for SR13/Heraeus Boulevard signal installation and intersection improvements.
18. City Manager's report.
19. City Attorney's report.

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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.