

BUFORD CITY COMMISSION MEETING

August 2, 2021
Buford City Arena
7:00 p.m.

1. Pledge to the Flag.
2. Approve the agenda as presented.
3. Approve the minutes from the July 19, 2021 meeting.
4. Change the September meeting to September 7, 2021.

PUBLIC HEARINGS

5. **Rezoning:**

I. **#Z-21-24/#SUP-21-16**

**The Sterling Group
c/o Mitch Peevy
944 Gainesville Highway
8-158-002002
Acres: 5.399**

Requesting rezoning O-I to C-2

Planning & Zoning Recommendation

#Z-21-24/#SUP-21-16: The Sterling Group request rezoning for the property located at 944 Gainesville Highway from O-I to C-2 with a special use permit to allow climate controlled and an exterior access storage facility with outside boat and RV parking. Mitch Peevy spoke on behalf of the applicant and explained the request to the Board. He stated this is a storage facility with boat and RV parking. They would need to request a reduction in the undisturbed buffer from 75 feet to a 50-foot replanted buffer. There were no objections from the audience. Motion by

Wayne Johnson and seconded by Harley Bennett to recommend approval of the rezoning request to C-2 with the special use permit with the following conditions:

1. The subject property is rezoning to C-2 for general business uses substantially similar to the site plan provided with the application including the locations, sizes and heights of the proposed buildings and associated site improvements.
2. Provide 10' landscape strips along the road frontage of Atlanta Highway. The landscape strip is to be planted with a combination of canopy trees, shrubs and ground covers. Final plan is to be reviewed and approved by the Planning Director.
3. Buildings shall be finished with architectural treatments of glass, brick, and/or stone. Architectural renderings shall be submitted for review and approval of the Planning Director prior to the issuance of building permits.
4. Outdoor lighting shall be contained in cut-off type luminaires and shall be directed in toward the property so as not to reflect into adjacent properties or rights-of-way.
5. The 75-foot zoning buffer is to be reduced to a 50 foot replanted buffer. The replanted landscape plan shall include a variety of evergreen trees and shrubs to provide a year round effective screen for the adjacent residentially zoned parcels.
6. Outdoor storage and repair of junk vehicles and/or boats is prohibited.

Ayes – 4

Nays – 0

6. Special Use Permits:

I. #SUP-21-14

**QuikTrip Corporation
4624 Friendship Road
8-156-002021**

**Requesting special use permit to allow a convenience store with gasoline
Automobile fueling station.**

Planning & Zoning Recommendation

#SUP-21-14: QuikTrip Corporation requested a special use permit for the property located at 4624 Friendship Road. The special use permit requested is to allow a

convenient store with automobile fueling station. Mitch Peevy spoke on behalf of the applicant and explained the request to the Board. He stated this would be a vehicle fueling station with a convenient store. There were no objections from the audience. Motion by Harley Bennett and seconded by Wayne Johnson to recommend approval of the special use permit as requested with the following conditions:

1. The site shall be developed substantially similar to the site plan provided with the special use permit application.
2. The site shall be developed with inter-parcel connectivity to future development as shown on the special use permit application.
3. The operation of the proposed development is to service automotive vehicles only and heavy, semi-tractor, or similar commercial truck fueling is prohibited.

Ayes – 4

Nays – 0

7. **Annexations:**

I. **Plat #596/#Z-21-07:**

Darryl Crow Holdings, LLC
6172 Jim Crow Road
Flowery Branch, GA 30542

Property: 6533 McEver Road, Hall County
Parcel: 08-150-002018
Acres: 34.56

Zoned From: AR-III
Zoned To: M-1

P&Z Recommendation:

Plat #596/#Z-21-07: Darryl Crow Holdings, LLC request annexation and rezoning for the property located at 6533 McEver Road, being parcel 08-150-002018, from AR-III to M-1. Steve Rowley, with CA Ventures, spoke on behalf of the applicant and explained the request to the Board. He stated the property is proposed for an industrial development consisting of two (2) warehouse buildings for an approximate total of 396,000 square feet. The buildings would be rear loaded

multi-tenant buildings. There will be three (3) entrances, two (2) for truck traffic and one (1) for vehicle traffic. They are proposing to leave a 100' undisturbed buffer along the southwest side of the property adjacent to the neighboring property owner. This development will create over 200 new jobs for the community. Kathy Cooper, Hall County Commissioner, spoke stating this development is out of character for the area and a very intense use for the surrounding residential area. She stated that the Hall County residents do not have a voice in Buford and that is what is wrong with the annexation process. Hall County is not objecting to the annexation, but objecting to the use and had hoped the City and County could work together to find a suitable use for this property. Teresa Cantrell, 2753 Merritt Drive, spoke in opposition of the request stating the use was not compatible with the comprehensive plan. This development would decrease property values and quality of life. Farley and Susan Barge, owner of adjoining property Lightway Recovery Center, spoke in opposition of the request stating this development would have a negative impact of their non-for profit business and would decrease their property value. One gentlemen from Lake Run spoke in opposition of the request stating this development would create decrease in property values, increased truck traffic and not compatible with the comprehensive plan. Roger Gramlin, professional engineer, stated he lives 1000 feet from this development and is opposed to the industrial use. Motion by Wayne Johnson and seconded by Harley Bennett to recommend approval of the annexation and rezoning to M-1 with the following conditions. Mr. Jay, City Attorney, stated that the Board has made a motion for approval with conditions.

1. The subject property is to be rezoned to M-1 for light industrial uses substantially similar to the site plan provided with the application including the sizes of the proposed buildings and associated site improvements.
2. An enhanced 20' wide landscape planting plan shall be required at McEver Road. Final plan is to be reviewed and approved by the Planning Director.
3. Building elevations shall be submitted to the Planning Director for approval and may include tilt-up construction.
4. Outdoor lighting shall be contained in cut-off type luminaires and shall be directed in toward the property so as not to reflect into adjacent properties or rights-of-way.
5. Improvements to McEver Road and dedication of subsequent right-of-way are required to be provided by the developer to meet development standards of the Department of Transportation and City of Buford Development Regulations. Any required variances attributed to the improvements shall be reviewed and approved under a separate public hearing once the engineering phase is developed.

6. The applicant shall develop the site in full conformance with conditions imposed by the Hall County/City of Buford Dispute Resolution Arbitration Panel to include, but not be limited to a 100-foot vegetative buffer along the common property line with the adjacent parcel to the southwest of the subject property, between the common property line and the driveway. Roadway improvements shall include, but not be limited to entrances, left center turn lane, roadway widening, deceleration lanes and compliance with site distance standards. Buffers and roadway improvements shall be approved by the appropriate permitting agencies.

Ayes – 4

Nays – 0

8. Special Use Permits:

I. #SUP-21-15

Enterprise Leasing Co. of Georgia, LLC

4085 South Lee Street

7-228-007

8-158-002002

Acres: 5.399

Requesting special use permit to allow a car and truck rental business

Planning & Zoning Recommendation

#SUP-21-15: Enterprise Leasing Company of Georgia, LLC requested a special use permit for the property located at 4085 South Lee Street. The special use permit requested is to allow car and truck rental business. Tim Teague spoke on behalf of the applicant and explained the request to the Board. He stated there would be a leasing building up front with an automatic car wash building in the rear. They would be closing two (2) existing locations in Buford to relocate on South Lee Street. He stated that 10% of the vehicles would be big box trucks that would be parked in the rear of the property. The hours of operation would be 8:00 a.m. until 5:00 p.m. Jimmy Dunn, adjoining property owner, asked about a buffer adjacent to his property. Mr. Dunn's property is zoned commercial and a buffer would not be required. Mr. Teague offered a 10-foot landscape strip adjacent to Mr. Dunn's property to screen the commercial development. Mr. Dunn was in agreement. 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 approval of this special use permit does not approve any variance or modification to City of Buford Development Standards or Zoning Ordinance requirements.
2. The undisturbed buffer adjacent to the RM zoned property shall be reduced from 75 feet to 10 feet.
3. Provide a 10-foot enhanced landscape strip with a mix of screening including evergreen trees along the property line adjacent to Jimmy Dunn's property to screen the commercial development.
4. Vehicular rentals shall be limited typical passenger cars, SUV's, trucks and single axle box trucks. Commercial vehicles that require a CDL license to operate shall be prohibited to be stored on-site.
5. Outdoor storage of vehicular parts or junk vehicles shall be prohibited.
6. On-site vehicular repair shall be prohibited.

Ayes – 4

Nays – 0

9. **Annexations:**

I. **Plat #604/#Z-21-19:**

Grant & Christy Pirkle
3575 North Bogan Road
Buford, GA 30519

Property: 3575 North Bogan Road, Hall County
Parcel: 08-155-000021
Acres: 9.07

Zoned From: AR-III
Zoned To: R-100

P&Z Recommendation:

Plat #604/#Z-21-19: Grant and Christy Pirkle request annexation and rezoning for the property located at 3575 North Bogan Road from AR-III to R-100. The applicant was present and explained the request to the Boards. Mrs. Pirkle stated they are proposing five (5) residential estate lots. Hall County did not object to this annexation and rezoning request and there were no objections from the

audience. Motion by Harley Bennett and seconded by Bobby Davis to recommend approval of the annexation and rezoning to R-100 with the following conditions:

1. Prior to the issuance of any subsequent permits, the applicant shall submit a minor subdivision plat for approval by the City of Buford. The minor plat shall be allowed to reduce the required road frontage width from 40 feet to 35 feet for Lot 1, to 30 feet for Lot 4 and 30 feet to Lot 5. The minor plat shall be allowed to reduce the required lot width from 100 feet to 35 feet for Lot 1, 30 feet for Lot 4 and 45.90 feet for Lot 5.
2. All homes shall be constructed with four sides brick or stone with accents not to exceed 40% on the front elevation and accents not to exceed 35% on the side and rear elevations. Accents shall include brick, stucco, rock, shakes, hardiplank and concrete siding as approved by the Planning Director.
3. All front and rear yards shall be sodded and shall have two (2) 3-inch caliper canopy trees planted in the front yard.
4. All homes shall have a minimum gross heated floor area of 3,400 square feet exclusive of garages or basements.
5. All homes to have a minimum two car garage.
6. All homes shall have architectural shingles.
7. A 5-foot sidewalk, curb and gutter and a 2-foot landscape strip shall be required along the frontage of North Bogan Road. All improvements shall meet the standards of the City of Buford and the Gwinnett County Department of Transportation.

Ayes – 4

Nays – 0

II. **Plat #605:**

Justin Grant Pirkle
3363 North Bogan Road
Buford, GA 30519

Property: 3363 North Bogan Road, Hall County
Parcel: 08-155-000031
Acres: 1.19

Zoned From: R-3-RES
Zoned To: R-100

P&Z Recommendation:

Plat #605: Justin Grant Pirkle request annexation and zoning for the property located at 3663 North Bogan Road from R-3 to R-100. Christy Pirkle spoke on behalf of the applicant and stated there is an existing home on the property where the applicant resides. Hall County did not object to this annexation and rezoning request and there were no objections from the audience. Motion by Harley Bennett and seconded by Wayne Johnson to recommend approval of the annexation and zoning to R-100.

Ayes – 4

Nays – 0

III. Plat #606/#Z-21-20:

Triple T Group, Ltd.
2812 Gravel Springs Rd.
Buford, GA 30519

Property: 2812 Gravel Springs Road
Parcel: 7-142-016
Acres: 5.91

Zoned From: RA-200 Agriculture/Res
Zoned To: M-1

P&Z Recommendation:

Plat #606/#Z-21-20: Triple T. Group, Ltd. request annexation and rezoning for the property located at 2812 Gravel Springs Road from RA-200 to M-1. Gary Minor with IDI Logistics, LLC spoke on behalf of the applicant and explained the request to the Board. He stated there were several tracts to be assembled for an industrial development containing two (2) warehouse buildings. The buildings would be tilt-up construction with enhanced landscaping. Nick Fabor also spoke stating they are proposing to assemble several adjacent properties to make the development larger. Mr. Minor also stated they needed to encroach into the City's 50-foot stream buffer. The water feature was next to a pond. Gwinnett County did not object to this annexation and rezoning request and there were no objections from the audience. Motion by Wayne Johnson and seconded by Harley Bennett to recommend approval of the annexation and rezoning to M-1 with the following conditions:

1. The applicant shall provide a traffic impact study and a signal warrant study for the intersection at Gravel Springs Road (SR 324).
2. The subject property is to be developed substantially similar to the site plan provided with the application including the sizes and heights of the proposed tilt-up buildings and associated site improvements. However, approval of the rezoning case does not relieve the owner from conformity to the State Waters Regulations, Development Regulations, roadway improvements and Zoning Ordinances.
3. An enhanced landscape planting plan shall be required with the dissimilar zoning buffers where the existing vegetation does not provide for proper screening. Final plan is to be reviewed and approved by the Planning Director.
4. Building elevations shall be submitted to the Planning Director for review and approval prior to the approval of any permits.
5. 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.
6. To encroach into the City's 50-foot stream buffer subject to the review and approval of the City's engineer.

Ayes – 4

Nays – 0

IV. **Plat #607/#Z-21-21:**

Gravel Springs Group, LLC
2812 Gravel Springs Rd.
Buford, GA 30519

Property: 2792 Gravel Springs Road
Parcel: 7-142-017
Acres: 3.0

Zoned From: RZT-S F R-Zero Lot Line/T
Zoned To: M-1

P&Z Recommendation:

Plat #607/#Z-21-21: Cecil Breedlove request annexation and rezoning for the property located at 2792 Gravel Springs Road from RZT-S F to M-1. Gary Minor

with IDI Logistics, LLC spoke on behalf of the applicant and explained the request to the Board. He stated there were several tracts to be assembled for an industrial development containing two (2) warehouse buildings. The buildings would be tilt-up construction with enhanced landscaping. Nick Fabor also spoke stating they are proposing to assemble several adjacent properties to make the development larger. Mr. Minor also stated they needed to encroach into the City's 50-foot stream buffer. The water feature was next to a pond. Gwinnett County did not object to this annexation and rezoning request and there were no objections from the audience. Motion by Wayne Johnson and seconded by Harley Bennett to recommend approval of the annexation and rezoning to M-1 with the following conditions:

1. The applicant shall provide a traffic impact study and a signal warrant study for the intersection at Gravel Springs Road (SR 324).
2. The subject property is to be developed substantially similar to the site plan provided with the application including the sizes and heights of the proposed tilt-up buildings and associated site improvements. However, approval of the rezoning case does not relieve the owner from conformity to the State Waters Regulations, Development Regulations, roadway improvements and Zoning Ordinances.
3. An enhanced landscape planting plan shall be required with the dissimilar zoning buffers where the existing vegetation does not provide for proper screening. Final plan is to be reviewed and approved by the Planning Director.
4. Building elevations shall be submitted to the Planning Director for review and approval prior to the approval of any permits.
5. 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.
6. To encroach into the City's 50-foot stream buffer subject to the review and approval of the City's engineer.

Ayes – 4

Nays – 0

V. **Plat #608/#Z-21-22:**

Gravel Springs Group, LLC
2812 Gravel Springs Rd.
Buford, GA 30518

Property: 2770 Gravel Springs Road
Parcel: 7-142-021
Acres: 1.83

Zoned From: R60-Single Fam Res
Zoned To: M-1

P&Z Recommendation:

Plat #608/#Z-21-22: Gravel Springs Group, LLC request annexation and rezoning for the property located at 2770 Gravel Springs Road from R-60 to M-1. Gary Minor with IDI Logistics, LLC spoke on behalf of the applicant and explained the request to the Board. He stated there were several tracts to be assembled for an industrial development containing two (2) warehouse buildings. The buildings would be tilt-up construction with enhanced landscaping. Nick Fabor also spoke stating they are proposing to assemble several adjacent properties to make the development larger. Mr. Minor also stated they needed to encroach into the City's 50-foot stream buffer. The water feature was next to a pond. Gwinnett County did not object to this annexation and rezoning request and there were no objections from the audience. Motion by Bobby Davis and seconded by Harley Bennett to recommend approval of the annexation and rezoning to M-1 with the following conditions:

1. The applicant shall provide a traffic impact study and a signal warrant study for the intersection at Gravel Springs Road (SR 324).
2. The subject property is to be developed substantially similar to the site plan provided with the application including the sizes and heights of the proposed tilt-up buildings and associated site improvements. However, approval of the rezoning case does not relieve the owner from conformity to the State Waters Regulations, Development Regulations, roadway improvements and Zoning Ordinances.
3. An enhanced landscape planting plan shall be required with the dissimilar zoning buffers where the existing vegetation does not provide for proper

screening. Final plan is to be reviewed and approved by the Planning Director.

4. Building elevations shall be submitted to the Planning Director for review and approval prior to the approval of any permits.
5. Outdoor lighting shall be contained in cut-off type luminaires and shall be directed in toward the property so as not to reflect into adjacent properties or rights-of-way.
6. To encroach into the City's 50-foot stream buffer subject to the review and approval of the City's engineer.

Ayes – 4

Nays – 0

VI. **Plat #609/#Z-21-23:**

Gravel Springs Group, LLC
2812 Gravel Springs Rd.
Buford, GA 30519

Property: 2782 Gravel Springs Road
Parcel: 7-142-001
Acres: 17.7

Zoned From: RA-200 Agriculture/Res
Zoned To: M-1

P&Z Recommendation:

Plat #609/#Z-21-23: Gravel Springs Group, LLC request annexation and rezoning for the property located at 2782 Gravel Springs Road from RA-200 to M-1. Gary Minor with IDI Logistics, LLC spoke on behalf of the applicant and explained the request to the Board. He stated there were several tracts to be assembled for an industrial development containing two (2) warehouse buildings. The buildings would be tilt-up construction with enhanced landscaping. Nick Fabor also spoke stating they are proposing to assemble several adjacent properties to make the development larger. Mr. Minor also stated they needed to encroach into the City's 50-foot stream buffer. The water feature was next to a pond. Gwinnett County did not object to this annexation and rezoning request and there were no objections from the audience. Motion by Harley Bennett and seconded by Wayne Johnson to recommend approval of the annexation and rezoning to M-1 with the following conditions:

1. The applicant shall provide a traffic impact study and a signal warrant study for the intersection at Gravel Springs Road (SR 324).
2. The subject property is to be developed substantially similar to the site plan provided with the application including the sizes and heights of the proposed tilt-up buildings and associated site improvements. However, approval of the rezoning case does not relieve the owner from conformity to the State Water Regulations, Development Regulations, roadway improvement and Zoning Ordinances.
3. An enhanced landscape planting plan shall be required with the dissimilar zoning buffers where the existing vegetation does not provide for proper screening. Final plan is to be reviewed and approved by the Planning Director.
4. Building elevations shall be submitted to the Planning Director for review and approval prior to the approval of any permits.
5. 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.
6. To encroach into the City's 50-foot stream buffer subject to the review and approval of the City's engineer.

Ayes – 4

Nays – 0

10. Conduct public hearing for 2021 property tax millage rate rollback and proposed tax increase for Gwinnett and Hall Counties.
11. Conduct public hearing for Fiscal Year 2022 operating budget.

END OF PUBLIC HEARINGS

12. Approve 2021 property tax millage rate for Buford City Schools in Gwinnett County of 12.60 mills and 13.167 mills in Hall County with a Local Option Sales Tax rollback of 0.567 mills. The 2021 net millage rate for property taxes in both Gwinnett and Hall counties is 12.60 mills. Property tax bills are due December 20, 2021.
13. Approve Fiscal Year 2022 Operating budget resolution.

14. Approve resolution in support of City of Buford's application to Atlanta Regional Commission for preliminary engineering for Buford Multi Use Trail - Phase 2.
15. Consider donation of parcel R7-268-118 to the City.
16. Authorize release of pledged funds with Peoples Bank & Trust.
17. Consider award of Hamilton Mill Road natural gas relocation to low bidder, CEDS Construction.
18. Consider approval of request by Ozark 54/Blue Cat Productions for filming on Peachtree Industrial Blvd.
19. Consider approval of temporary event application on Moreno Street and in public parking area for First Pentecostal Church of Buford.
20. Authorize payment #2 for 2021 paving project.
21. Authorize payment #4 for Bona Road sidewalk improvements project (CDBG).
22. Authorize payment #2 for Buford Waterworks Replacement project.
23. Authorize payment #21 for the legion fields improvements project.
24. Authorize payment #5 for Tom Riden Stadium 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.