

# BUFORD CITY COMMISSION MEETING

January 4, 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 December 14, 2020 meeting.
4. Elect Commission Chairman for 2021.
5. Elect Vice Chairman for 2021.
6. Appoint Department Heads for 2021.
7. Appoint Robert Perkins to City of Buford Planning & Zoning board.
8. Reappoint Winston Burel, Dwayne Cash and Stanley Reed to City of Buford Zoning Board of Appeals.
9. Set qualifying fee of \$35.00 for November 2, 2021 election.

## **PUBLIC HEARINGS**

### 10. **Rezoning:**

#### I. **Plat #590:**

**ACM Satilla LN V, LLC**  
**Brown Road**  
**Parcel: 7-143-061**  
**Acres: 12.53**

**Requesting annexation into the city with a rezoning from O & I to M-1**

### **P & Z Recommendation**

Plat #590: ACM Satilla LN V, LLC requested annexation and rezoning for the property located on Brown Road, being parcel 7-143-061, containing 12.533 acres from O-I to M-1. 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 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 EPD State Waters Regulations, Development Regulations, Roadway Improvements and Zoning Ordinances.
2. Brown Road shall be improved pursuant to City of Buford Development Regulations to the driveway entrance and dedicate 30 feet of right-of-way from centerline per Gwinnett County's request. Roadway engineering plans shall be reviewed and approved by the City engineer for compliance with roadway improvement standards prior to the issuance of any permits. Sidewalk and curb and gutter shall be installed up to the employee parking entrance only on Brown Road as per the site plan by Urban Engineers, Inc. dated August 10, 2020.
3. An enhanced landscape planting plan shall be required within 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 that include tilt-up concrete construction shall be submitted to the Planning Director for review and approval prior to the approval of any permits. The front building (278,476 +/- square feet) shall have enhanced architectural treatments on all four (4) corners of the building. The back building (680,400 +/- square feet) shall have enhanced architectural treatments on three (3) corners of the building. The rear corner facing the stream/buffer is not required to have enhanced architectural treatments.
5. Outdoor lighting shall be contained in cut-off luminaries and shall be directed in toward the property so as not be reflect into adjacent properties or rights-of-way.
6. Subject to approval of Development of Regional Impact (DRI) and subject conditions.

Ayes – 5

Nays – 0

## **II. Plat #591:**

**Ronald Cropper, Nancy Evans, Cathy Cropper and William Cropper  
2328 Brown Road  
Parcel: 7-143-002  
Acres: 2.80**

**Requesting annexation into the City with a rezoning from RA-200 to M-1**

### **P & Z Recommendation**

Plat #591: Ronald Cropper, Nancy Evans, Cathy Cropper and William Cropper requested annexation and rezoning for the property located at 2328 Brown Road, being parcel 7-143-002 from RA-200 to M-1. Motion by Homer Whiting and seconded by Wayne Johnson to recommend approval of the annexation and rezoning to M-1 with the following conditions:

1. 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 EPD State Waters Regulations, Development Regulations, Roadway Improvements and Zoning Ordinances.
2. Brown Road shall be improved pursuant to City of Buford Development Regulations to the driveway entrance and dedicate 30 feet of right-of-way from centerline per Gwinnett County's request. Roadway engineering plans shall be reviewed and approved by the City engineer for compliance with roadway improvement standards prior to the issuance of any permits. Sidewalk and curb and gutter shall be installed up to the employee parking entrance only on Brown Road as per the site plan by Urban Engineers, Inc. dated August 10, 2020.
3. An enhanced landscape planting plan shall be required within 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 that include tilt-up concrete construction shall be submitted to the Planning Director for review and approval prior to the approval of any permits. The front building (278,476 +/- square feet) shall have enhanced architectural treatments on all four (4) corners of the building. The back building (680,400 +/- square feet) shall have enhanced

architectural treatments on three (3) corners of the building. The rear corner facing the stream/buffer is not required to have enhance architectural treatments.

5. Outdoor lighting shall be contained in cut-off luminaries and shall be directed in toward the property so as not be reflect into adjacent properties or rights-of-way.
6. Subject to approval of Development of Regional Impact (DRI) and subject conditions.

Ayes – 5

Nays – 0

### **III. Plat #592:**

**ACM Satilla LN V, LLC**

**Brown Road**

**Parcel: 7-143-010**

**Acres: 70.58**

**Requesting annexation into the City with a rezoning from RSR to M-1**

### **P & Recommendation**

Plat #592: ACM Satilla LN V, LLC requested annexation and rezoning for the property located on Brown Road, being parcel 7-143-010, containing 70.587 acres from RSR to M-1. Motion by Harley Bennet and seconded by Bobby David to recommend approval of the annexation and rezoning to M-1 with the following conditions:

1. 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 EPD State Waters Regulations, Development Regulations, Roadway Improvements and Zoning Ordinances.
2. Brown Road shall be improved pursuant to City of Buford Development Regulations to the driveway entrance and dedicate 30 feet of right-of-way from centerline per Gwinnett County's request. Roadway engineering plans shall be reviewed and approved by the City engineer for compliance with roadway improvement standards prior to the issuance of any permits. Sidewalk and curb and gutter shall be installed up to the employee parking

entrance only on Brown Road as per the site plan by Urban Engineers, Inc. dated August 10, 2020.

3. An enhanced landscape planting plan shall be required within 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 that include tilt-up concrete construction shall be submitted to the Planning Director for review and approval prior to the approval of any permits. The front building (278,476 +/- square feet) shall have enhanced architectural treatments on all four (4) corners of the building. The back building (680,400 +/- square feet) shall have enhanced architectural treatments on three (3) corners of the building. The rear corner facing the stream/buffer is not required to have enhanced architectural treatments.
5. Outdoor lighting shall be contained in cut-off luminaries and shall be directed in toward the property so as not be reflect into adjacent properties or rights-of-way.
6. Subject to approval of Development of Regional Impact (DRI) and subject conditions.

Ayes – 5

Nays – 0

#### **IV. #Z-20-14:**

**Kilburn Commercial Properties, LLC  
2368 Brown Road  
Parcel: 7-143-046**

**Requesting rezoning from RA-200 to M-1**

#### **P & Z Recommendation**

#Z-20-14: Kilburn Commercial Properties, LLC request rezoning for the property located at 2368 Brown Road, being parcel 7-143-046 from RA-200 to M-1.

Motion by Wayne Johnson and seconded by Homer Whiting to recommend approval of the rezoning request to M-1 with the following conditions:

1. 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

EPD State Waters Regulations, Development Regulations, Roadway Improvements and Zoning Ordinances.

2. Brown Road shall be improved pursuant to City of Buford Development Regulations to the driveway entrance and dedicate 30 feet of right-of-way from centerline per Gwinnett County's request. Roadway engineering plans shall be reviewed and approved by the City engineer for compliance with roadway improvement standards prior to the issuance of any permits. Sidewalk and curb and gutter shall be installed up to the employee parking entrance only on Brown Road as per the site plan by Urban Engineers, Inc. dated August 10, 2020.
3. An enhanced landscape planting plan shall be required within 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 that include tilt-up concrete construction shall be submitted to the Planning Director for review and approval prior to the approval of any permits. The front building (278,476 +/- square feet) shall have enhanced architectural treatments on all four (4) corners of the building. The back building (680,400 +/- square feet) shall have enhanced architectural treatments on three (3) corners of the building. The rear corner facing the stream/buffer is not required to have enhanced architectural treatments.
5. Outdoor lighting shall be contained in cut-off luminaries and shall be directed in toward the property so as not be reflect into adjacent properties or rights-of-way.
6. Subject to approval of Development of Regional Impact (DRI) and subject conditions.

Ayes – 5

Nays – 0

**V. #Z-20-15:**

**Kilburn Commercial Properties, LLC**

**Brown Road**

**Parcel: 7-143-034**

**Requesting rezoning from RA-200 to M-1**

### **P & Z Recommendation**

#Z-20-15: Kilburn Commercial Properties, LLC request rezoning for the property located on Brown Road, being parcel 7-143-034, containing 1.998 acres from RA-200 to M-1. Motion by Harley Bennett and seconded by Bobby Davis to recommend approval of the rezoning request to M-1 with the following conditions:

1. 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 EPD State Waters Regulations, Development Regulations, Roadway Improvements and Zoning Ordinances.
2. Brown Road shall be improved pursuant to City of Buford Development Regulations to the driveway entrance and dedicate 30 feet of right-of-way from centerline per Gwinnett County's request. Roadway engineering plans shall be reviewed and approved by the City engineer for compliance with roadway improvement standards prior to the issuance of any permits. Sidewalk and curb and gutter shall be installed up to the employee parking entrance only on Brown Road as per the site plan by Urban Engineers, Inc. dated August 10, 2020.
3. An enhanced landscape planting plan shall be required within 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 that include tilt-up concrete construction shall be submitted to the Planning Director for review and approval prior to the approval of any permits. The front building (278,476 +/- square feet) shall have enhanced architectural treatments on all four (4) corners of the building. The back building (680,400 +/- square feet) shall have enhanced architectural treatments on three (3) corners of the building. The rear corner facing the stream/buffer is not required to have enhanced architectural treatments.
5. Outdoor lighting shall be contained in cut-off luminaries and shall be directed in toward the property so as not be reflect into adjacent properties or rights-of-way.
6. Subject to approval of Development of Regional Impact (DRI) and subject conditions.

Ayes – 5

Nays – 0

**VI. #Z-20-16:**

**Prime Interest  
South Lee Street  
Parcel: 7-268-122  
Acres: 4.145**

**Requesting rezoning from C-2 to M-1**

**P & Z Recommendation**

#Z-20-16: Prime Interest request rezoning for the property located on South Lee Street, being parcel 7-268-122, containing 4.145 acres from C-2 to M-1. Marty Orr spoke on behalf of the applicant and explained the request to the Board. He stated they are proposing four (4) office-warehouse buildings. He stated the corner building facing South Lee Street and the driveway entrance would have enhanced storefront architectural treatments. Mr. Kerlin stated that the City would like for all four (4) buildings to have the same architectural treatments. There were no objections from the audience. Motion by Homer Whiting and seconded by Bobby Davis to recommend approval of the rezoning request 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 provided. Approval of the rezoning case does not relieve the owner from conformity to the Development Regulations and Zoning Ordinance.
2. All four (4) buildings shall have enhanced storefront architectural treatments and shall be approved by the Planning Director prior to the issuance of any permits.
3. 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.

Ayes – 5  
Nays – 0



**VII. #Z-20-17:**

**Maudlyn Akarue  
5497 North Richland Creek Road  
7-327-024**

**Requesting rezoning from R-100 to O-I**

**P & Z Recommendation**

#Z-20-17/#SUP-20-18: Maudlyn Akarue request rezoning for the property located at 5497 North Richland Creek Road from R-100 to O-I with a special use permit to allow a group personal care home. The applicant was present and explained the request to the Board. She stated this is an existing three (3) bedroom home and the structure would not be changed. There would only be three (3) residents with one (1) caregiver on the property. She stated that she had two (2) others locations in Gwinnett County. Chairman Perkins said to let the record show that Delsie Puckett, 5490 North Richland Creek Road and Sue Nash, 5470 North Richland Creek Road submitted letters objecting to the request. Joye Merritt, resident on North Richland Creek Road, spoke in opposition of the request with concerns of traffic, noise, parking on the street. She stated this is a small street with a nice residential area and would like to see it stay that way. Phillip Perkins submitted a petition to the Board with signatures from the residents along North Richland Creek Road in opposition of the request. Martha Sue Conley, 5513 North Richland Creek Road, spoke in opposition of the request stating this is a residential area and felt the integrity of the area would be jeopardized with a commercial use located on that street. One lady spoke in favor of the request and stated it was not a commercial use and was intended for residents to live with a caregiver. Chairman Perkins stated that is has been a residential area for a long time and rezoning the property to O-I with a group care home would not be compatible with the area. Motion by Harley Bennett and seconded by Wayne Johnson to recommend denial. Chairman Perkins abstained.

Ayes – 4  
Nays – 0  
Abstain – 1

11. **Special Use Permits:**

I. **#SUP-20-17:**

**Rose L. McLeod  
2709 Faith Industrial Drive, Suite 100  
Parcel: 7-266-369**

**Requesting a special use permit to allow a church**

**P & Z Recommendation**

#SUP-20-17: Rose L. McLeod requested a special use permit for the property located at 2709 Faith Industrial Drive, Suite 100. The special use permit requested is to allow a church. The applicant was present and explained the request to the Board. She stated that the church meets on Sunday and some Wednesday nights. They have 30 to 50 members and they meet when the other businesses are closed, so parking would not be an issue. Motion by Harley Bennett and seconded by Homer Whiting to recommend approval of the special use permit as requested with the following conditions:

1. Prior to the issuance to any needed permits or certificate of occupancy, the applicant shall provide a parking analysis detailing the expected peak demands on parking to support the proposed church, the peak demands of the existing uses within the complex and demonstrate that demands do not exceed the available parking at the subject parcel.
2. Parking on the rights-of-way shall be prohibited.

Ayes – 5

Nays – 0

12. **Zoning Amendment:**

I. **#ZA-20-03:**

Amend 2000 City of Buford Zoning Ordinance  
Amend 2000 City of Buford Development Regulations

**P & Z Recommendation**

#ZA-20-03: Motion by Homer Whiting and seconded by Harley Bennett to approved an amendment to the 2000 City of Buford Zoning Ordinance, Article XIII, Section 1308 C-2 General Business District Permitted Uses and Special Uses, Section 1310 M-1 Light Industry District Special Uses and the 2000 City of Buford Development Regulations, Article 6, Section 6.3, Table 6B Street Classifications and Article 9, Section 9.10.

Ayes – 5

Nays – 0

**END OF PUBLIC HEARINGS**

13. Authorize payment #3 for Moreno Street water improvements project.
14. Authorize payment #27 for the Buford parking deck project.
15. Authorize payment #15 for the legion fields improvements project.
16. City Manager’s Report.
17. 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.