

BUFORD CITY COMMISSION MEETING

July 20, 2020
Buford City Arena
7:00 p.m.

1. Pledge to the Flag.
2. Approve the agenda as presented.
3. Approve the minutes from the June 1, 2020 regular meeting and the minutes from the special called meetings on June 18, 2020 and June 25, 2020.

PUBLIC HEARINGS

4. Rezoning:

I. #Z-20-08:

Donna Seibold
395 East Main Street
Parcel: 7-295E-030

Requesting rezoning from Commercial (C-2) to Residential (R-100)

P & Z Recommendation

#Z-20-08: Dawn Siebold request rezoning for the property located at 395 East Main Street from C-2 to R-100. The applicant was present and explained the request to the Board. She stated they wanted to occupy it for their personal residence. No one from the audience spoke against the request. Motion by Homer Whiting and seconded by Wayne Johnson to recommend approval to rezoning to R-100 with the following condition:

1. Future changes to the occupation other than single family residential will require the rezoning of the property to the appropriate zoning category.

Ayes – 5
Nays – 0

II. #Z-20-09:

Oakmont Pacolet Acquisitions, LLC

Gravel Springs Road

Parcel: 7-143-040/7-143-042/7-143-044

Requesting rezoning from Commercial (C-2) to Industrial (M-1)

P & Z Recommendation

#Z-20-09: Oakmont Pacolet Acquisitions, LLC request rezoning for the property located on Gravel Springs Road and Sunny Hill Road, being parcels 7-143-040/042/044, containing 33.059 acres from C-2 to M-1. Jeff Pruitt spoke on behalf of the applicant and explained the request to the Board. He stated this application was presented to the Board a few months ago and was tabled by the Commission because the developer has added the corner tract to the project. The property is larger, but still the same concept plan for a 330,000 square foot industrial warehouse building. Carter Wilson, adjoining property owner, stated his house was 100 yards from the power line easement and would be facing the back of the property where the truck court is located. He had concerns of noise from the trucks, height of the building and stormwater runoff from the property. He stated this proposal does not comply with the 2040 Comprehensive Plan and does not feel this is a good location for an industrial building surrounded by residential properties. Mr. Kerlin stated that the Comprehensive Plan would likely be updated along the corridor to reflect more industrial uses given the I-85 access ramps being installed on SR 324. A berm with a privacy fence to be installed along the buffer for screening for Mr. Wilson's property was discussed. After a brief discussion, motion by Homer Whiting and seconded by Harley Bennett to approve the 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, heights and colors 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. 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.

3. Building elevations shall be submitted to the Planning Director for review and approval prior to the approval of any permits. The architectural treatments on the Southwest corner shall match the design of the other three corners of the building.
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. Allow retaining wall in front yard in location generally shown on site plan with enhanced facades as approved by the Planning Director.
6. Install a six (6) foot berm outside the 50-foot undisturbed buffer along the driveway of Carter Wilson and install a privacy fence on top of the berm for screening.
7. No curb and gutter or sidewalk required on Sunny Hill Road.
8. Decorative street lights shall be installed on Mall of Georgia Boulevard and cobra head street lights shall be installed on Highway 324 per City of Buford Zoning Ordinance Section 1315.
9. The drainage pipe shall be upgraded at Carter Wilson's driveway under the power line easement if the pipe is not large enough to handle the water flow from the project.

Ayes – 5

Nays – 0

III. #Z-20-10:

CHI/Acquisitions, L.P.

McEver Road

Parcel: 08-168-000110

Requesting rezoning from Commercial (C-2) to Industrial (M-1)

P & Z Recommendation

#Z-20-10: CHI/Acquisitions, L.P. request rezoning for the property located on McEver Road, being parcel 08-168-000110, containing 96.029 acres, from C-2 to M-1. John Bateman spoke on behalf of the applicant and explained the request to the Board. He stated the proposal is for an industrial development on 96 acres consisting of four (4) buildings ranging from 275,000 square feet to 350,000 square feet with the truck courts facing internal to the buildings. The only access to the project will be on McEver Road. Mr. Bateman stated the proposed M-1

zoning is consistent with the City of Buford Comprehensive Future Land Use Plan. He also stated the DRI from Georgia Mountains Regional Commission finds that this project does not present any potential adverse impacts. Several adjoining property owners on Blackberry Lane spoke against this request stating this was a residential street and had concerns with noise, increased truck traffic, decreased property values, buffers, lighting, and erosion with sediment in the lake. Brian Brumfield, engineer for project, stated the erosion control measures will be designed per State and City of Buford ordinances and erosion would be controlled on the site. Mr. Bateman stated the developer would offer enhanced landscaping with evergreen trees to screen the buildings and to help mitigate the noise. After a brief discussion, motion was made by Wayne Johnson and seconded by Bobby Davis to recommend approval of the rezoning to M-1 with the following 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 applicant including the sizes of the proposed buildings and associated site improvements.
2. To provide a 50' undisturbed buffer with an additional 25' planted enhanced buffer adjacent to residential properties with input from the property owners along Blackberry Lane with Shane Dawkins as the representative. The enhanced buffer shall be planted with eight (8) foot tall evergreen trees. Final plan to be reviewed and approved by the Planning Director.
3. The developer shall provide an eight (8) foot solid wooden fence along the developer's side of the buffer adjacent to residential properties.
4. The developer shall provide a tree save area along Blackberry Lane prior to construction. The tree save area shall be marked for inspection.
5. Provide an enhanced landscaping plan on Blackberry Lane outside tree save area.
6. Building elevations shall be submitted to the Planning Director for approval and may include tilt-up construction and colors as submitted with the rezoning application.
7. 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.
8. Recommendations per DRI Project Review by the Georgia Mountains Regional Commission dated May 20, 2020, include providing accommodations for future widening of McEver Road. The applicant shall demonstrate accommodations for the future road widening improvements on the subsequent development permit construction documents to be reviewed and approved by the Planning Director.

9. A sidewalk shall not be provided along Blackberry Lane.

Ayes – 4

Nays – 0

5. **Special Use Permit:**

#SUP-20-07:

CGH A&D, LLC

100 Wiley Drive

Parcel: 7-295E-008

Requesting a special use permit to allow townhomes/single family attached fee simple.

P & Z Recommendation

#SUP-20-07: CGH A&D, LLC requested a special use permit for the property located at 100 Wiley Drive, out of parcel 7-295E-008, containing 1.946 acres. The special use permit requested is to allow single family attached fee simple townhomes. Cameron Henderson spoke on behalf of the applicant and explained the request to the Board. He stated they are proposing a townhome development consisting of eight (8) units per acre. The Board stated the staff report is recommending six (6) units per acre. There were no objections from the audience. After a brief discussion about the proposed project, motion was made by Wayne Johnson and seconded by Bobby Davis to recommend approval of the special use permit as requested with the following conditions:

1. Minimum square footage of townhomes shall be 1800 square feet.
2. Density shall not exceed 6 units per acre.
3. Roadway improvements shall conform to City of Buford Ordinances where properties have road frontage.
4. All proposed private streets shall be constructed to City of Buford Ordinances including, but not limited to, curb and gutter, sidewalks, etc.
5. Roadway width shall be reduced to 24' back of curb to back of curb.
6. Private street access easement/utility easement shall be reduced to 40' in width with the approval of the Gwinnett County Fire Marshal.
7. Private street terminus shall be approved per the special use permit site plan with a hammerhead type of cul-de-sac.
8. Side yard perimeter setbacks shall be reduced to 10 feet.

9. Inter-parcel access shall not be gated or blocked. Drive shall connect to the adjacent parking lot.
10. The zoning buffer adjacent to the residential subdivision to the south shall be reduced to a 20 foot replanted buffer with a variety of evergreen trees and shrubs to provide for an effective year round screen. The final design shall be approved by the Planning Director.
11. The townhome subdivision shall include five (5) foot side sidewalks with a two (2) foot grass strip internally and adjacent to Wiley Drive.
12. The distance from the garage door to the back of sidewalk shall be a minimum of 20 feet.
13. Yards shall be sodded. At least one (1) ornamental tree shall be planted in the front yard minimal 2" caliper.
14. The front setback adjacent to Wiley Drive shall be reduced to 20 feet.
15. The front elevation shall be 40% brick or stone with accents not to exceed 60%. The side and rear elevation shall have a brick or stone water table to the eave elevation of the garage. Accents shall include brick, stone, rock, stucco, shakes, hardiplank and concrete siding as approved by the Planning Director. The final design is to be substantially similar to the elevations provided with this application.
16. A mandatory homeowners' association (HOA) shall be provided and be responsible for maintenance of all grounds, water quality/detention facilities and open space.

Ayes – 5

Nays – 0

6. Annexations:

I. **Tract #1 – Plat #584**

Hall County
08-156-002019

Chris Howell
3550 North Bogan Road
Buford, Georgia 30518

Property: 3550 North Bogan Road
Acres: 1.11
Zoned from: AR-111
Zoned to: RA-200

P & Z Recommendation

Plat #584: Chris Howell requested annexation and zoning for the property located at 3550 North Bogan Road from AR-III to RA-200. The applicant was present and stated there is one residential dwelling on the property and would like to be in the City. Mr. Kerlin asked the applicant if he had seen the proposed conditions to build a new house if the current house was removed. He stated he was okay with the conditions. Hall County did not object to this annexation and zoning and there were no objections from the audience. Motion by Wayne Johnson and seconded by Harley Bennett to recommend approval of the annexation and zoning to RA-200 with the following condition that if the existing home is removed, new home shall comply with the following conditions:

1. Ranch homes shall have a minimum of 2000 square feet and two-story homes shall have a minimum of 2400 square feet exclusive of garage or basement and shall have a two car garage.
2. The residential dwelling front and side elevation shall be a minimum of 40% brick or stone with accents not to exceed 60%. Accents shall include brick, stone, rock, stucco, shakes, hardiplank and concrete siding.
3. Driveways shall be a minimum of 18 feet in width.
4. All yards shall be sodded and shall have a minimum of two (2) 2-inch caliper ornamental trees planted in the front yard.

Ayes – 4

Nays – 0

II. Tract #2 – Plat #586

Gwinnett County
7-224-032

Jimmie Bennett, Shane Bennett, Pam Reed
4200 Thompson Mill Road
Buford, Georgia 30518

Property: 4200 Thompson Mill Road
Acres: 7.3
Zoned from: R-100
Zoned to: R-100

P & Z Recommendation

Plat #586: Jimmie Bennett, Shane Bennett and Pam Reed requested annexation and zoning for the property located at 4200 Thompson Mill Road from R-100 to R-100. Tip Cape spoke on behalf of the applicant and explained the request to the Board. He stated the proposal is for five (5) single-family residential lots. The lots will be greater than one (1) acre estate lots with a common private drive. Gwinnett County did not object to this annexation and zoning and there were no objections from the audience. Motion by Wayne Johnson and seconded by Bobby Davis to recommend approval of the annexation and zoning to R-100 with the following conditions:

1. Single family homes and accessory uses only.
2. Shall consist of a maximum of five (5) lots.
3. Shall be substantially similar to the site plan submitted with the application.
4. All homes shall be constructed with four (4) sides brick or stone with accents not to exceed 40% on each elevation. Accents shall include brick, stucco, rock, shakes, hardiplank and concrete siding as approved by the Planning Director.
5. All front, sides and rear yards shall be sodded and shall have two (2) 3-inch caliper ornamental trees planted in the front yard.
6. All homes shall have a minimum gross heated floor area of 3400 square feet exclusive of garages or basements. All homes shall have a minimum two (2) car garages.
7. To install curb and gutter and five (5) foot sidewalk with two (2) foot landscape strip along the entire property frontage.
8. Architectural shingles shall be used as roofing material.
9. The developer shall file a plat with the City of Buford for review and approval prior to the issuance of subsequent building permits.
10. To provide Gwinnett County Fire Marshal approval, as necessary.
11. Development to be served by a private drive and maintenance and access easements.

Ayes – 4

Nays – 0

END OF PUBLIC HEARINGS

7. Approve final plat for Holland Point Retail, LLC.
8. Approve final plat for Harbor Landing.
9. Amend the Fiscal Year 2020 operating budget to reflect actual expenditures through June 30, 2020.
10. Consider renewal of 2020-2021 health insurance policy.
11. Authorize City Manager to sign documents for construction easements and dedication of .260 acres +/- right-of-way extending Oakbrook Drive for development located off South Lee Street, subject to the approval of the city attorney.
12. Consider approval of low bid with Summit Construction & Development, LLC in the amount of \$102,621.25 for extension of left turn lane on Buford Highway southbound at Robert Bell Parkway. (\$51,000.00 funded by GDOT)
13. Approve resolution with Gwinnett County and develop a hazard mitigation plan in order to receive FEMA Hazard Mitigation Assistance grant funding.
14. Approve 2014 Buford and Gwinnett County joint SPLOST project expenditures in the amount of \$731,093.81 for SR 20 widening from S. Lee Street to Buford Highway.
15. Ratification of action acquiring property located on Railroad Avenue in the amount of \$125,000.00.
16. Approve 2020-2021 Gwinnett Municipal Association membership dues in the amount of \$13,446.00. (No change)
17. Authorize release of pledged funds with Peoples Bank & Trust.
18. Authorize payment #4 for Buford multi-use trail project.
19. Authorize payments #7, #8 and #9 for the legion fields improvements project.

20. Authorize payments #19, #20 and #21 for the Buford parking deck project.
21. Authorize payment #2 for Southside Wastewater Plant Flow Diversion Structure.
22. Authorize payment #9 (final) for SR 324 @ SR 124 gas relocation project.
23. Authorize payment #8 for SR 316 at Harbins Road gas relocation project.
24. Authorize payment #2 for Moreno Street water relocation.
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.