

BUFORD CITY COMMISSION MEETING

October 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 September 7, 2021 meeting.

PUBLIC HEARINGS

4. Rezoning:

I. #Z-21-27/#SUP-21-17

**BBC Investment Group, LLC
106 & 130 West Main Street
Parcel: 7-294-001 & 2-294-002
Acres: .518**

Requesting rezoning from C-2 to RM with a special use permit to allow townhomes.

Planning & Zoning Recommendation

#Z-21-27/#SUP-21-17: BBC Investment Group, LLC requested rezoning for the property located at 106 and 130 West Main Street from C-2 to RM-8 with a special use permit to allow townhomes. Mike Phelps spoke on behalf of the applicant and explained the request to the Board. He stated they are proposing eight (8) fee-simple townhomes. He said there will be three (3) stories with rear entry from the alleyway. There were no objections from the audience. Motion by Harley Bennett and seconded by Wayne Johnson to recommend approval of the rezoning and special use permit as requested with the following conditions:

1. The proposed development shall not exceed eight (8) townhome units.

2. Density shall be at 15.4 units per acre.
3. Jones Alley shall be improved per the standards of the City of Buford Development Regulations including Table 6A for minimal standards of street widths and right-of-way. The applicant shall dedicate right-of-way as necessary to comply with City of Buford regulations or as approved by the Planning Director as given field conditions.
4. The applicant shall provide a trash pickup plan to the Planning Director that allows appropriate movement of trash pickup vehicles coming into and out of the development. The plan shall be endorsed by the trash pickup provider.
5. The applicant shall follow required processes of obtaining a development permit for a subdivision per the City of Buford Development Regulations.
6. Driveways connecting to Jones Alley shall be a minimum of eighteen (18) feet in length as measured from the garage to the right-of-way.
7. The applicant shall comply with the City of Buford's Stormwater Management Ordinance and no portion or easement of an underground detention system shall encroach into public right-of-way.
8. Each townhome unit shall be a minimum of 1800 square feet heated floor area.
9. The development shall tie into the existing pedestrian sidewalk system fronting West Main Street with connections from the front door. The final pedestrian connectivity plan shall be reviewed and approved by the Planning Director.
10. All yards shall be sodded with one (1) ornamental tree per front yard.
11. Four side elevations shall be 40% brick or stone with accents not to exceed 60%. Provide 6/12 pitched roof. Accents shall include brick, stone, rock, stucco, shakes, hardiplank and concrete siding as approved by the Planning Director.

Ayes – 3

Nays – 0

II. #Z-21-28

The Paces Foundation

Forest Street

Parcel: 7-296-053B & 7-296-062

Acres: 1.71

Requesting rezoning from R-100 to RM-8.

Planning & Zoning Recommendation

#Z-21-28: The Paces Foundation: The Paces Foundation requested rezoning for the property located on Forest Street, being parcels 7-296-053B and 7-296-062 from R-100 to RM-8. Michael Bauer spoke on behalf of the applicant and explained the request to the Board. He stated they are proposing 16 three-bedroom units and 2 four-bedroom units for a total of 18 units. There were no objections from the audience. Motion by Wayne Johnson and seconded by Harley Bennett to recommend approval of the rezoning request to RM-8 with the following conditions:

1. The development shall include 16 three-bedroom units at 1,559 square feet and 2 four-bedroom units at 1,960 square feet for a total of 18 units.
2. Yards shall be sodded. At least one (1) ornamental tree shall be planted in the front yard near each townhome unit at 2" caliber in size.
3. Development shall not exceed a density of 11.1 units per acre.
4. Required zoning buffers shall be reduced from 35-feet to 10-feet and shall contain enhanced landscaping. The applicant shall provide an enhanced replanting plan that provides effective screening. Final landscape design shall be reviewed and approved by the Planning Director.
5. Retaining walls shall be approved in the general locations as shown on the rezoning concept plan. Retaining wall structural supports shall not encroach beyond the project property lines and shall not be located within the influence zone of any proposed townhome foundation. Final retaining wall design shall be reviewed and approved by the City Engineer.
6. Building setbacks shall be reduced from 50-feet to 35-feet at Forest Street.
7. Private streets shall be designed and constructed to City of Buford standards and provide for utility/access easement. The applicant shall reduce the street width from 28-feet back of curb to 24-feet to back of curb and allow a "hammer head" turn-around generally following the rezoning concept plan. Final review and approval of the street width reduction and "hammer head"

turn-around by the City Engineer to confirm proper access for emergency vehicles are provided.

8. Encroachment of the 75-foot impervious setback and 50-foot stream buffer shall be approved pursuant to the site plan submitted with the application.
9. The applicant shall provide the Planning Director detailed architectural elevations showing materials and architectural treatments. Final elevations shall be approved by the Planning Director.

Ayes – 3

Nays – 0

5. **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

Special Master Recommendation

Following review of the application filed by Enterprise Leasing Company of Georgia, LLC for a Special Use Permit for a car and truck rental business on the property located on 4085 South Lee Street, Buford, Georgia, and following review of the memorandum prepared by Chris McCrary of McFarland-Dyer & Associates, Inc., providing staff recommendations, the Special Master hereby recommends that the Board of Commissioners of the City of Buford approve SUP-21-15 allowing for the operation of a car and truck rental business at 4085 South Lee Street, Buford, Georgia, and that the Special Use Permit be approved subject to the following five 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. Prior to the issuance of any subsequent permit, the applicant shall provide a replanting plan for the 75' Zoning Buffer. The Landscape Plan shall contain a mixture of evergreen trees and shrubs to provide an effective screen. The Landscape Plan shall be reviewed and approved by the Director of Planning.

3. 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.
4. Outdoor storage of vehicular parts or junk vehicles shall be prohibited.
5. On-site vehicular repair shall be prohibited.

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

II. #SUP-21-18

**John Cunningham & Krist Biba
4925 Lexie Lane
Parcel No.: 08-157-000011**

Requesting a special use permit to allow climate controlled storage.

Planning & Zoning Recommendation

#SUP-21-18: John Cunningham requested a special use permit for the property located at 4925 Lexie Lane. The special use permit request is to allow a climate-controlled storage facility. The project engineer spoke on behalf of the applicant and explained the request to the Board. He stated this would be a three-story climate-controlled storage facility. The facility is 100,000 square feet with approximately 600 units. There were no objections from the audience. 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 site shall be developed substantially similar to the site plan provided with the special use permit application.
2. Prior to the approval of building permits, the applicant shall provide elevations to the Planning Director for review and approval of architectural treatments.
3. All storage shall be within the climate controlled building and outdoor storage is prohibited. Parking areas shall be for visitor and employee parking and not for RV's or boat storage.

Ayes – 3

Nays – 0

III. #SUP-21-19

**The Dam Investment, LLC
1250 Buford Dam Road
Parcel No.: 7-363-002**

Requesting a special use permit to allow a vehicle fueling station.

Planning & Zoning Recommendation

#SUP-21-19: The Dam Investments, LLC requested a special use permit for the property located at 1250 Buford Dam Road. The special use permit requested is to allow vehicle fueling station. A representative spoke on behalf of the applicant and explained the request to the Board. He stated they are proposing a convenient store with vehicle fueling station. He stated this is a corner lot and they would need relief on the front and rear setbacks to develop the property. There were eight (8) people in the audience that were in favor of this request. There were no objections from the audience. 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 the special use permit does not exempt the applicant from requirements in the Development Regulations or Zoning Ordinance.
2. The front setback from Buford Dam Road and East Bank Park Road shall be reduced from 50 feet to 25 feet. The rear setback shall be a minimum of 10 feet.
3. The applicant shall provide architectural elevations for the building and canopy for review and approval by the Planning Director.
4. The operation of the proposed development is to service automotive vehicles only and heavy, semi-tractor, or similar commercial truck fueling is prohibited.

Ayes – 3

Nays – 0

6. Annexations:

I. Tract #1 - Plat #611:

Jason Jackson
4243 Crestwood Bend Circle
Buford, GA 30518

Property: 3883 Carter Road
Parcel: 08-158-002014
Acres: .53

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

P&Z Recommendation

Plat #611: Jason Jackson requests annexation and zoning for the property located at 3883 Carter Road from R3 to R-100. The applicant was present and stated he was proposing to build one (1) house on the lot. He also requested to allow a brick water table on the front and sides instead of three (3) sides brick. The Board stated they would like to see the three sides brick. Sarah Krause, adjoining property at 3877 Carter Road, spoke against the request. She stated she is on well water and was concerned about the construction contaminating her well water. She was also concerned about stormwater runoff onto her property, lights and traffic. Mr. Jackson stated that he would be 35 to 40 feet setback from the property line adjacent to her property and that his property was lower than hers so the water runoff would not be a problem. After a brief discussion, motion by Harley Bennett and seconded by Wayne Johnson to recommend approval of the annexation and zoning to R-100 with the following conditions:

1. Home shall be 2,800 square feet heated area, excluding the basement, both finished and unfinished.
2. Home shall have a minimum two-car garage.
3. Home shall be constructed with three sides brick or stone with architectural accents not to exceed 40% on the front elevation and accents not to exceed 35% on the side elevations. Accents shall include brick, stone, rock, stucco, shakes, hardiplank and concrete siding as approved by the Planning Director.
4. Driveway to be 18 feet in width.

5. Architectural shingles shall be used as roofing material.
6. Plant two (2) ornamental trees in the front yard.
7. The front, side and rear yards shall be sodded.

Ayes – 3

Nays – 0

END OF PUBLIC HEARINGS

7. Authorize Chairman to enter into an agreement with BFI Waste Systems of Georgia, LLC to convey a utility easement to City of Buford subject to the approval of the City Attorney.
8. Authorize City Manager to enter into an agreement with Buford Business Center, LLC amending the access easement dated July 22, 2021 allowing for an easement through and across City owned property, parcel number 7-268-059.
9. Authorize Chairman to enter into a cost sharing agreement with Hall County for mowing and trimming of Georgia Department of Transportation ramps/rights-of-way located at SR347 and I-985.
10. Authorize Chairman to enter into an agreement with the City of Griffin and Municipal Electric Authority of Georgia for purchase of excess reserve and supplemental capacity.
11. Authorize City Manager to amend the Gwinnett County and City of Buford Service Delivery Strategy Water Service District map allowing Gwinnett County to service water at 1761 Peachtree Industrial Blvd.
12. Approve exemption of requirement to install sidewalk on Buford Dam Road, parcel 7-326-031. (Gwinnett County request)
13. Consider amendment to City of Buford Wastewater Allocation ordinance amending Section 6: Appeal.
14. Consider hardship request for extension of one additional year for Faith Free Full Gospel Church allowing one modular trailer for children's classroom use at 539 Washington Street.

15. Accept dedication of High School Drive from Hamilton Mill Road to Buford Highway and authorize installation of street signs, speed limit of 30 mph and recording of plat.
16. Authorize final payment to Gwinnett County for 2017 SPLOST City/County Joint project. (SR20 widening)
17. Approve change order with Allied Paving for FY 2022 City paving project.
18. Authorize payment #5 for Bona Road sidewalk project.
19. Authorize payment #4 for Buford Waterworks Replacement project.
20. Authorize payment #23 for Legion Fields improvements project.
21. City Manager's Report.
22. 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.