

# Buford City Commission

December 4, 2017

The regular monthly meeting was held on December 4, 2017 and all Commission members were present.

Chairman Beard called the meeting to order at 7:00 p.m. and Mr. Burge led the Pledge of Allegiance.

Motion by Mrs. Smith, seconded by Mr. Burge to approve the agenda for the December 4, 2017 Commission meeting as presented.

Ayes 3  
Nays 0

Chairman Beard recognized Mrs. Michael Y. Smith for her 24 years of service on the Buford City Commission and to the citizens of Buford.

Motion by Mr. Burge, seconded by Mrs. Smith to adopt the minutes from the November 9, 2017 Commission meeting and the minutes from the special called meeting on November 16, 2017 as presented by staff.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mrs. Smith to change the January meeting to January 2, 2018 at 7:00 p.m.

Ayes 3  
Nays 0

Chairman Beard stated that this portion of the meeting would be set aside for public hearings.

## Rezoning:

#Z-17-07/#SUP-17-18: Fieldstone Properties & Development, LLC requests rezoning for the property located on North Gwinnett Street, being parcels 7-302-103/105/106, containing 14.967 acres from R-100 to RM with a special use permit to allow townhomes. Mitch Peevy spoke on behalf of the applicant. Mr. Peevy stated that the developer had no problem with reducing the number of units to 60 units. No one spoke against the request. Motion by Mr. Burge, seconded by Mrs. Smith to approve the request with the following conditions. Chairman Beard abstained.

1. The zoning category is approved as RM with a special use permit for single-family attached townhomes and accessory uses and structures. The approval of this application is not approval of any Development Regulations non-conformities shown



- on the site plan provided with the rezoning case.
2. The final site plan shall be reviewed and approved by the Planning Director prior to the issuance of any land disturbance permit.
  3. The final site plan shall not exceed 4.0 units per acre.
  4. All units shall have at least a double-car garage.
  5. Architectural treatments of the homes are to be a mixture of brick and stone with accents of fiber cement siding on the fronts with the rear and sides being of fiber cement siding. Final architectural elevation designs to be approved by the Planning Director.
  6. The 35' undisturbed buffer shall be reduced to a 20' replanted buffer adjacent to the following parcels: 7-302-232, 7-302-199, 7-302-240, 7-302-242, 7-302-208, 7-302-216 and 7-302-104A. The buffer shall be replanted with a variety of evergreen trees and shrubs with a 6' tall privacy fence at the property line. The final landscape plan shall be developed with documented input from the adjacent property owners and be approved by the Planning Director.
  7. Shall provide 18' wide driveways.
  8. The homes shall be a minimum two (2) bedroom units.
  9. Shall provide HOA that maintains the exterior of homes, grounds and all roads.
  10. North Gwinnett Street shall be widened to the first parcel that is excluded from the development or approximately 180 feet inclusive of the entrance.
  11. Shall be a gated community as optional by the HOA.
  12. Zoning shall revert back to R100 if no permits have been issued within 24 months.

Ayes 2  
Nays 0  
Abstain 1

#Z-17-08: Dennis Gutierrez requests rezoning for the property located at 80 South Alexander Street from C-2 to R-100. Jeff Pruitt spoke on behalf of the applicant. No one spoke against the request. Motion by Mr. Burge, seconded by Mrs. Smith to approve the request with the following conditions:

1. The existing building shall be occupied as a residential dwelling. Any future requests to change the occupancy type with a commercial or office use shall be prohibited unless the zoning category is changed appropriately and the building and site are brought up to Buford City codes.
2. Single family residence only. Detached garage shall have no plumbing fixtures.
3. Setbacks for existing home and additions to the home shall be reduced per the attached site plan.

Ayes 3  
Nays 0

#Z-17-09: McCraney Property Company requests rezoning for the property located on Atlanta Highway and Lanier Islands Parkway, out of parcel 08-158-001005, containing 44.323 acres, from O-I to M-1. Dave Williams spoke on behalf of the applicant. No one spoke against the request. Motion by Mr. Burge, seconded by Mrs. Smith to approve the request with the following conditions:





1. The subject property is rezoned to M-1 for light industrial uses substantially similar to the site plan provided with the application including the sizes and heights of the proposed buildings and associated site improvements.
2. The applicant/developer is responsible for filing and following all requirements of the Developments of Regional Impact (DRI) studies as required by the appropriate Regional Commission.
3. The construction entrance for the project shall be located on Atlanta Highway as far as possible from the intersection with Lanier Islands Parkway.
4. An enhanced landscape planting plan shall be required for review that includes landscape strips at both road frontages. The plan shall include a mixture of canopy trees, understory trees, shrubs and ground covers. Final plan is to be reviewed and approved by the Planning Director.
5. Buildings shall be substantially similar to the building rendering that was submitted with the application.
6. 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 3  
Nays 0

#Z-17-10: Northeast Georgia Health System, Inc. requests rezoning for the property located at 939 Gainesville Highway, out of parcel 08-158-001005, containing 7.673 acres, from O-I to C-2. No one spoke against the request. Motion by Mrs. Smith, seconded by Mr. Burge to approve the request with the following conditions:

1. The subject property is rezoned to C-2 for general business uses 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 frontages of Lanier Islands Parkway and Gainesville/Atlanta Highway. The landscape strips are 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 Director of Planning prior to issuance of building permits.
4. 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 3  
Nays 0

#Z-17-11: IDI Gazeley requests rezoning for the property located on Buford Highway, being parcel 08-170-002003, containing 10.734 acres, from OBP to M-1. No one spoke against the request. Motion by Mr. Burge, seconded by Mrs. Smith to approve the request with the following conditions:

1. The subject property is rezoned to M-1 for light industrial uses substantially similar to the site plan provided with the application including the location, sizes and heights of the proposed buildings and associated site improvements.





2. The applicant/developer is responsible for filing and following all requirements of the Developments of Regional Impact (DRI) studies as required by the appropriate Regional Commission.
3. An enhanced landscape planting plan shall be required for review that includes landscape strips at both road frontages. The plan shall include a mixture of canopy trees, understory trees, shrubs and ground cover. Final plan is to be reviewed and approved by the Planning Director.
4. Buildings shall be substantially similar to the building rendering that was submitted with the application.
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. All of the property extending from the outside limits of the curb and gutter on each side of the proposed entry road off Lanier Islands Parkway adjoining C-2 zoned property to the east and west, may be used for any purpose allowed within the City's C-2 Zoning Ordinances and in combination with the adjoining C-2 zoned property.

Ayes 3  
Nays 0

#Z-17-12: IDI Gazeley requests rezoning for the property located on Buford Highway, out of parcel 08-169-004002, containing 16.80 acres, from C-2 to M-1. No one spoke against the request. Motion by Mr. Burge, seconded by Mrs. Smith to approve the request with the following conditions:

1. The subject property is rezoned to M-1 for light industrial uses substantially similar to the site plan provided with the application including the location, sizes and heights of the proposed buildings and associated site improvements.
2. The applicant/developer is responsible for filing and following all requirements of the Developments of Regional Impact (DRI) studies as required by the appropriate Regional Commission.
3. An enhanced landscape planting plan shall be required for review that includes landscape strips at both road frontages. The plan shall include a mixture of canopy trees, understory trees, shrubs and ground covers. Final plan is to be reviewed and approved by the Planning Director.
4. Buildings shall be substantially similar to the building rendering that was submitted with the application.
5. Outdoor lighting shall be contained in cut-off luminaries and shall be directed in toward the property so as not to reflect into adjacent properties or rights-of-way.
6. All of the property extending from the outside limits of the curb and gutter on each side of the proposed entry road off Lanier Islands Parkway adjoining C-2 zoned property to the east and west, may be used for any purpose allowed within the City's C-2 Zoning Ordinances and in combination with the adjoining C-2 zoned property.

Ayes 3  
Nays 0

#Z-17-13: IDI Gazeley requests rezoning for the property located at 4996 Lanier Islands Parkway, out of parcel 08-157-000001, containing 20.06 acres, from C-2 to M-1. No one spoke against the request. Motion by Mrs. Smith, seconded by Mr. Burge to approve the request with the following conditions:

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*Handwritten signature*



1. The subject property is rezoned to M-1 for light industrial uses substantially similar to the site plan provided with the application including the location, sizes and heights of the proposed buildings and associated site improvements.
2. The applicant/developer is responsible for filing and following all requirements of the Developments of Regional Impact (DRI) studies as required by the appropriate Regional Commission.
3. An enhanced landscape planting plan shall be required for review that includes landscape strips at both road frontages. The plan shall include a mixture of canopy trees, understory trees, shrubs and ground covers. Final plan is to be reviewed and approved by the Planning Director.
4. Building shall be substantially similar to the building rendering that was submitted with the application.
5. Outdoor lighting shall be contained in cut-off luminaires and shall be directed in toward the property so as not to reflect into adjacent properties or rights-of-way.
6. All of the property extending from the outside limits of the curb and gutter on each side of the proposed entry road off Lanier Islands Parkway adjoining C-2 zoned property to the east and west, may be used for any purpose allowed within the City's C-2 Zoning Ordinances and in combination with the adjoining C-2 zoned property.

Ayes 3  
Nays 0

**Special Use Permit:**

SUP-17-14: Service Shop Pros, LLC requests a special use permit for the property located at 4378 Sudderth Road. The special use permit requested is to allow an auto repair shop. Alises Herandez and David Gomez spoke on behalf of the applicant. No one spoke against the request. A church representative across the street from the property commented on potential noise from the development. Motion by Mr. Burge, seconded by Mrs. Smith to approve the request with the following conditions:

1. Prior to approval of any subsequent permits the owner is to provide documentation from a qualified engineer to determine the presence of state waters on or near the subject property. The construction documents for the development of the subject parcel will be reviewed for compliance by City review staff. The current version of the site plan will need to be adjusted should it be determined that state water buffers apply.
2. Consideration for approval of the special use permit is not approval of any non-conformities shown on the site plan submitted with the application. City of Buford's Zoning and Development Regulations are applicable during the review of the construction documents.
3. Outdoor storage of automotive parts, junk vehicles or automotive repair related equipment shall be prohibited.
4. All automotive repair shall take place within the building. Outdoor repair operations shall be prohibited.
5. Outside display of tires is prohibited.
6. Outdoor storage of vehicles waiting to be repaired needs to be identified on the site plan.



7. All vehicles shall be parked inside the building that are being repaired and waiting for repair.
8. Business hours shall be 8:00 a.m. – 6:00 p.m.
9. To allow two (2) parking spaces at the southwest corner for storage of vehicles.
10. Building elevations subject to approval of the Planning Director.

Ayes 3  
Nays 0

#SUP-17-15: Adam Smith requests a special use permit for the property located on Horizon Parkway, being parcel 7-218-021, containing 2.980 acres. The special use permit requested is to allow an auto body repair shop. Applicant was present. No one spoke against the request. Motion by Mr. Burge, seconded by Mrs. Smith to approve the request with the following conditions:

1. Consideration for approval of the special use permit is not approval of any non-conformities shown on the site plan submitted with the application. City of Buford's Zoning and Development Regulations are applicable during the review of the construction documents.
2. Outdoor storage of automotive parts, junk vehicles or automotive repair related equipment shall be prohibited. Allow black metal decorative fencing with brick columns in front yard along Horizon Parkway with vehicles waiting for repair in the fenced storage area as shown on the site plan with landscaped screening along fencing on Horizon Parkway.
3. All automotive repair shall take place within the building. Outdoor repair operations shall be prohibited.
4. Allow tilt-up construction and metal panels substantially similar to the building rendering as submitted with the application.
5. To install a black vinyl coated chain link fence along the left side of the property from the front of the building to Horizon Parkway with a 4-foot berm with landscaping.
6. To allow the signage as submitted on the rendering that was provided with the application.

Ayes 2  
Nays 0  
Abstain 1

#SUP-17-16: Vermeer Southeast requests a special use permit for the property located at 2965 McEver Road. The special use permit requested is to allow equipment sales and service with outside storage. Dale Brown spoke on behalf of the applicant. No one spoke against the request. Motion by Mr. Burge, seconded by Mrs. Smith to approve the request with the following conditions:

1. Consideration for approval of the special use permit does not approve any non-conformities shown on the site plan submitted with the application. City of Buford's Zoning and Development Regulations are applicable during the review of the construction documents.
2. All equipment repair, if any, shall take place within the building. Outdoor repair operations shall be prohibited.
3. Display area is not located in the City limits.





Ayes 3  
Nays 0

#SUP-17-17: Brandon Hastings requests a special use permit for the property located at 6699 McEver Road. The special use permit requested is to allow a boat and RV storage facility. Applicant was not present. No one spoke against the request. Motion by Mr. Burge, seconded by Mrs. Smith to approve the request with the following conditions:

1. A 50' tree save area from front setback or a 20' replanted buffer shall be located adjacent to the McEver Road right-of-way. If replanted, the buffer shall include grouped landscaped areas every 15 feet. The final planting plan shall be approved by the Planning Director prior to the approval of a land disturbance permit.
2. The land disturbance permit plans shall be substantially similar to the concept plan submitted with the SUP application dated 10-5-17.
3. Any and all repair services shall be done inside the facility. Outdoor repair shall not be permitted.
4. Collection of junk water craft or salvaged for parts shall not accumulate on the site over any period of time. Outdoor storage of parts or junk water craft shall be prohibited.
5. All water craft for sale or storage shall occupy designed spaces and the parking of water craft on grassed areas or within the right-of-way shall be prohibited.
6. Decorative security fence fronting McEver Road as approved by the Planning Director.
7. All other chain link or security fence shall be black vinyl coated.
8. Curb and gutter shall be installed along the deceleration lane and exiting the property to the property line. Sidewalk with a 2-foot landscape strip shall be installed along curbing the entire length of the property.
9. The ends of the storage sheds shall be brick that face the driveway.

Ayes 3  
Nays 0

**Annexations:**

Plat #548: David and Daone Nisbet request annexation and zoning for the property located at 2325 East Maddox Road, being parcel 7-227-083, from R-100 to R-100. Applicant was not present. Gwinnett County did not object to this annexation and zoning request. No one spoke against the request. Motion by Mr. Burge, seconded by Mrs. Smith to approve the request.

Ayes 3  
Nays 0

Plat #549: Charles T. McCullough requests annexation and zoning for the property located at 2838 North Bogan Road, being parcel 7-263-003, from R-100 to R-100. Applicant was present and stated that he proposed to subdivide the lot into two (2) tracts. Gwinnett County did not object to this annexation and zoning request. No one spoke against the request. Motion by Mrs. Smith, seconded by Mr. Burge to approve the request with the following conditions:



1. To subdivide into two (2) tracts with Lot #1 being vacant consisting of 1.148 acres and Lot #2 includes the existing house consisting of 0.585 acres.
2. All one-story homes constructed shall have a minimum gross heated floor are of 2,600 sq. ft. that excludes the basement area, both finished and unfinished.
3. All two-story homes constructed shall have a minimum gross heated floor area of 3,200 sq. ft. which excludes the basement area, both finished and unfinished.
4. Home shall be constructed with three sides brick, stucco or stone with accents not to exceed 35% per elevation. Elevations shall be provided with the building permit application and final approval by the Planning Director.

Ayes 3  
Nays 0

Plat #550: Kenneth W. Ray requests annexation and zoning for the property located at 2560 Buford Dam Road, being parcel 7-327-072, from RL to RL. Applicant was present. Gwinnett County did not object to this annexation and zoning request. No one spoke against the request. Motion by Mr. Burge, seconded by Mrs. Smith to approve the request.

Ayes 3  
Nays 0

Plat #551: Williams B. Stark, Jr. requests annexation and zoning for the property located on Atlanta Highway, being parcel 08-139-001002, from C-2 to C-2. Applicant was not present. Hall County did not object to this annexation and zoning request. No one spoke against the request. Motion by Mr. Burge, seconded by Mrs. Smith to approve the request.

Ayes 3  
Nays 0

Plat #552: Chester M. Ogle requests annexation and zoning for the property located at 3266 Shoreland Drive, being parcel 08-168-000079, from AR-III to RA-200. Applicant was present. Hall County did not object to this annexation and zoning request. No one spoke against the request. Motion by Mr. Burge, seconded by Mrs. Smith to approve the request.

Ayes 3  
Nays 0

Plat #553: Chester M. Ogle requests annexation and zoning for the property located at 3272 Shoreland Drive, being parcel 08-168-000079A, from AR-III to RA-200. Applicant was present. Hall County did not object to this annexation and zoning request. No one spoke against the request. Motion by Mrs. Smith, seconded by Mr. Burge to approve the request.



Ayes 3  
Nays 0

Chairman Beard stated that this concludes the public hearing portion of the meeting.

Motion by Mr. Burge, seconded by Mrs. Smith to approve Quitclaim of narrow strip of land having no independent use and to clarify any title discrepancies where Sudderth Road intersects I-985. Chairman Beard abstained.

Ayes 2  
Nays 0  
Abstain 1

Motion by Mrs. Smith, seconded by Mr. Burge to approve Morningside Drive subdivision plat for lot recording with permitting subject to addressing of comments.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mrs. Smith to approve Gateway project plat on Plunkett Road.

Ayes 3  
Nays 0

Motion by Mrs. Smith, seconded by Mr. Burge to approve exemption plat of S. Alexander Street with conditions as presented by staff.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mrs. Smith to approve exemption plat on Legion Drive. Chairman Beard abstained.

Ayes 2  
Nays 0  
Abstain 1

Motion by Mr. Burge, seconded by Mrs. Smith to approve one year extension of SUP-15-14 located at 4560 Atwater Court, Suites 101-102 to allow a church.

Ayes 3  
Nays 0

Motion by Mrs. Smith, seconded by Mr. Burge to authorize Chairman to sign engineering and traffic investigation report requesting for school zone designation by Georgia Department of Transportation on SR 13 (New Buford High School – School Zone).

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mrs. Smith to approve application for closing of S. Lee Street, W. Moreno Street and Main Street for film production on or about December 7, 2017 from 8:30 p.m. until 12:00 a.m.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mrs. Smith to approve special event application for Buford Youth Sports Complex.

Ayes 3  
Nays 0

Motion by Mrs. Smith, seconded by Mr. Burge to authorize release of pledged funds with Peoples Bank & Trust. Chairman Beard abstained.

Ayes 2  
Nays 0  
Abstain 1

Motion by Mr. Burge, seconded by Mrs. Smith to adopt update to Soil, Erosion, Sedimentation and Pollution Control Ordinance as required by Georgia EPD as approved by City Attorney.

Ayes 3  
Nays 0

Motion by Mrs. Smith, seconded by Mr. Burge to authorize payment #2 for Washington Street Sidewalk project in the amount of \$69,054.02.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mrs. Smith to authorize payment #6 for South Lee Street LCI project in the amount of \$217,523.48.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mrs. Smith to authorize payment #11 for new Buford City Gym in the amount of \$252,814.00.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mrs. Smith to approve bid for Garnett Street sidewalk improvements – Phase II to low bidder Glosson Enterprises, Inc.

*FB*

*JB*

*mys*



Ayes 3  
Nays 0

Mr. Kerlin gave the City Manager's report.

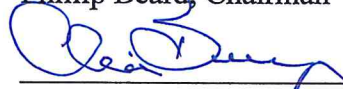
Mr. Jay gave the City Attorney's report.

After a brief discussion with the audience, motion by Mr. Burge, seconded by Mrs. Smith to adjourn.

Ayes 3  
Nays 0



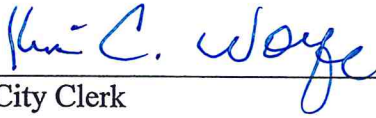
Phillip Beard, Chairman



Chris Burge, Vice-Chairman



Michael Smith, Commissioner



City Clerk

12-4-17

Date