

Buford City Commission

November 5, 2018

The regular monthly meeting was held on November 5, 2018 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 Mr. Weeks, seconded by Mr. Burge to approve the agenda for the November 5, 2018 Commission meeting as presented with the addition to recognize Jerry Johnson for his twenty (20) years of service with the City of Buford and to move agenda items 20 and 21 to agenda items 4 and 5.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to adopt proclamation in recognition of Thrombosis Awareness month.

Ayes 3
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to adopt proclamation proclaiming November 6, 2018 as Venita Masters Day.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to adopt the minutes from the October 1, 2018 meeting as presented by staff.

Ayes 3
Nays 0

Chairman Beard presented Jerry Johnson with a plaque in recognition of his twenty (20) years of service with the City of Buford.

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

Rezoning:

#Z-18-10/#SUP-18-17: Waters-Edge Group, Inc. requests rezoning for the property located at 90 North Harris Street, being parcels 7-294C-064/077, from R-100/C-2 to R-100 with a special use permit to allow a CSO Subdivision. Trevor Khonkwiler spoke on behalf of the applicant and explained the request to the Board. He presented the concept





site plan and stated that some of the units would be front entry plans and some the units would be rear entry plans with a courtyard area. He stated that he and staff had discussed the five (5) houses facing North Harris Street. The houses would have a 10-foot front setback and the width of the driveways would be 18 feet instead of 15 feet in the MDA report. A citizen that lives on North Harris Street inquired about the view of the new homes from her house. Mr. Khonkwiler stated he would work with the homeowner as the project progressed. Motion by Mr. Burge, seconded by Mr. Weeks to approve the request with the following conditions:

1. Minimum square footage of all homes shall be 2000 square feet.
2. Roadway improvements shall conform to Buford City Code, except that the public street shall be 26 feet back of vertical curb to back of vertical curb and 13 feet from centerline to back of curb for improvements when developing on one side. All proposed private streets shall be constructed to Buford City Code including, but not limited to, cul-de-sacs, curb and gutter, sidewalks, etc.
3. Sidewalks shall be installed on both sides of North Harris Street as approved by the Planning Director. No sidewalks on Garner Street.
4. The construction documents shall be substantially similar to the site plan provided with the rezoning application.
5. Building setbacks shall be 10 feet on the front and 15 feet on the rear and 5-foot side setbacks with 15 feet of building separation with 10-foot front setbacks facing the courtyard. The five (5) houses facing North Harris Street shall have a 10-foot front setback.
6. Private alleys shall be designed and constructed to Buford City standards for private streets with width pursuant to the site plan submitted with this application, 20 feet back of roll back curb to back of roll back curb.
7. Yards shall be sodded. At least one (1) ornamental tree shall be planted in the front yard minimal 2" caliper.
8. Driveways shall be a minimum of 20 feet in depth and 18 feet in width from access easement or right-of-way (20 feet back of curb).
9. There shall be a maximum of 14 lots.
10. The front elevation shall be 40% brick or stone with accents not to exceed 60%. The side and rear elevations shall have a 2-foot water table. Accents shall include brick, stone, rock, stucco, shakes, hardiplank and concrete siding as approved by the Planning Director.
11. A mandatory homeowners' association (HOA) shall be provided and be responsible for maintenance of all grounds, homeowner's private yards, water quality/detention facilities and open space.
12. Fencing adjacent to Lot #14 is subject to the approval of the Planning Director.

Ayes 3

Nays 0

#Z-18-11/#SUP-18-18: Waters-Edge Group, Inc. requests rezoning for the property located at 279 South Alexander Street and 132/172 West Park Street, being parcels 7-294A-070/071/072/082A/082, from R-100/P to R-100 with a special use permit to allow a CSO Subdivision. Trevor Shonkwiler spoke on behalf of the applicant and explained the request to the Board. He presented the concept site plan and stated that the house plans would be rear entry to the courtyard and the front elevation would face the street. A citizen that lives on West Park Street inquired about sidewalks. Mr. Shonkwiler stated



that road improvements are proposed with curb and gutter and sidewalks on the developer's side of West Park and South Alexander. He also stated that the driveway width would be 18 feet. Motion by Mr. Burge, seconded by Mr. Weeks to approve the request with the following conditions:

1. Minimum square footage of ranch style homes shall be 2200 square feet and 2400 square feet for two-story homes.
2. Roadway improvements shall conform to Buford City Code of Ordinances where properties have road frontage. All proposed private streets shall be constructed to Buford City Code including, but not limited to, cul-de-sacs, curb and gutter, sidewalks, etc.
3. Sidewalks on West Park Street and South Alexander Street pursuant to the Buford City Code of Ordinances as approved by the Planning Director.
4. Yards shall be sodded. At least one (1) ornamental tree shall be planted in the front yard minimal 2" caliper.
5. Building setbacks shall be 15 feet front from access easement and 15 feet rear and 5-foot side setbacks with 15 feet of building separation.
6. Private alleys shall be designed and constructed to Buford City standards for private streets with width pursuant to site plan as submitted with this application, 20 feet back of roll back curb to back of roll back curb.
7. Driveways shall be a minimum of 20 feet in depth and 18 feet in width from access easement or right-of-way (20 feet back of curb).
8. The front elevation shall be 40% brick or stone with accents not to exceed 60%. The side and rear elevations shall have a 2-foot water table. Accents shall include brick, stone, rock, stucco, shakes, hardiplank and concrete siding as approved by the Planning Director.
9. There shall be a maximum of 11 lots.
10. A mandatory homeowners' association (HOA) shall be provided and be responsible for maintenance of all grounds, homeowner's private yards, water quality/detention facilities and open space.
11. To allow a maximum of 4-bedroom homes only.

Ayes 3
Nays 0

Special Use Permit:

#SUP-18-19: Bill L. Gray requests a special use permit for the property located at 4600 South Lee Street. The special use permit requested is to allow an auto body shop. Larry Johnson spoke on behalf of the applicant and explained the request to the Board. No one spoke against the request. Motion by Mr. Burge, seconded by Mr. Weeks to approve the request with the following conditions:

1. Outdoor storage of equipment of automotive parts, junk vehicles or automotive repair related equipment shall be prohibited.
2. All automotive repairs shall take place within the building. Outdoor operations shall be prohibited.

3. Outdoor parking of vehicles awaiting repairs shall only be located in striped parking spaces and shall not exceed the number of parking spaces provided on the premises.

Ayes 3
Nays 0

#SUP-18-20: Compass Self Storage requests a special use permit for the property located at 4365 Commerce Drive. The special use permit requested is to allow truck rentals. The applicant was not present. Chairman Beard stated that all rental trucks shall be parked inside the fence. Motion by Mr. Burge, seconded by Mr. Weeks to approve the request with the following conditions:

1. Parking and storage of rental trucks shall be at designated locations on the site, on permanent hard surface and stored in a place that does not conflict with emergency access to the development. A truck rental operation site plan shall be reviewed and approved by the Planning Director that demonstrates the site contains sufficient room for truck storage at peak times.
2. All rental trucks shall be parked behind the fence.

Ayes 3
Nays 0

#SUP-18-21: Scrap Iron Customs, LLC requested a special use permit for the property located at 70 N. Gwinnett Street. The special use permit requested is to allow a small business specializing in vintage, classic and collector vehicle customization modification and rebuilding. Mitch Peevy spoke on behalf of the applicant. No one spoke against the request. Motion by Mr. Weeks, seconded by Mr. Burge to approve the request with the following conditions:

1. Outdoor storage of automotive parts, junk vehicles or automotive repair related equipment shall be prohibited.
2. Automotive related work shall take place within the building. Outdoor operations shall be prohibited.
3. Outdoor parking of vehicles awaiting work shall be limited to striped parking spaces and shall not exceed the number of parking spaces provided on the premises.

Ayes 3
Nays 0

#SUP-18-22: Embry Real Estate Partners, LLC requests a special use permit for the property located at 2319/2331/2335 Shoal Creek Road. The special use permit requested is to allow a CSO Subdivision. Jeff Pruitt spoke on behalf of the applicant and explained the request to the Board. He stated there would be 25 lots with 25% open space. Brandon Hastings requested that the new house sizes be comparable to the new homes in the area. Motion by Mr. Weeks, seconded by Mr. Burge to approve the request with the following conditions:



1. The applicant shall provide the Planning Director all required items of the Conservation Subdivision Overlay Section 1317 for review and approval prior to the submittal of development plan permit applications. The site plan shall be substantially similar to the plan submitted with the special use permit application. Major revisions to the current site plan shall be reconsidered by the City Commission as a change in conditions public hearing if the site inventory and analysis plan reveal the need for revisions.
2. The proposed development is approved for an R-100 CSO subdivision at 12.56 acres. The ordinance requires a minimum of 40 acres under Section 1317.2.1 for a conservation subdivision. Open space shall be 25% of the total 12.56 acres.
3. A mandatory homeowners' association (HOA) shall be provided and responsible for maintenance of all common open space, homeowner's private yards, stormwater detention facilities including all requirements of management per Section 1317.A.
4. The property shall consist of a maximum of 25 single family residential lots.
5. The minimum lot area to be 10,000 square feet and the minimum lot width shall be 75 feet.
6. The front setback shall be 30 feet, rear setback shall be 25 feet and side yard setback shall be a minimum 5 feet with a 15-foot separation between houses.
7. All homes shall have a minimum gross heated floor area of 3000 square feet, which shall exclude the basement, both finished and unfinished. The homes shall have a minimum two car garage.
8. Subdivision shall have 66% basement lots.
9. All homes shall be constructed of three (3) sides brick or stone with 40% accents. Accents shall include brick, rock, stucco, shakes, hardiplank and concrete siding as approved by the Planning Director.
10. All driveways to be a minimum of 20 feet in width.
11. All newly constructed streets shall be private and privately maintained and shall have a minimum 46-foot side utility easement with a 28-foot-wide street from back of vertical curb to back of vertical curb.
12. All streets in the subdivision shall have a five (5) foot sidewalk on both sides of the street with a two (2) foot landscape strip on both sides of the street.
13. Street lights shall be provided throughout the project as approved by the City. All utilities shall be located underground.
14. The proposed community shall not be site plan specific, but shall be developed in general accordance with the rezoning site plan and substantially similar to lot and street design.
15. All yards shall be sodded with one (1) ornamental tree in the front yard.
16. Rental of housing units shall be restricted to 10% in the Declaration of covenants, restrictions and easement.
17. Architectural shingles shall be used as roofing material.

Ayes 3

Nays 0

Annexations:

Plat #562: Southern Heritage Homebuilders requests annexation and zoning for the property located at 3360 North Bogan Road from R-100 to R-100. Mitch Peevy spoke on

behalf of the applicant. Mr. Peevy stated the proposal is for three (3) single family homes on larger basement lots with 3-car garages. He stated these homes will be served by septic systems. Gwinnett County did not object to this annexation and zoning request. Motion by Mr. Burge, seconded by Mr. Weeks to approve the request with the following conditions:

1. Single family homes and accessory uses only.
2. All homes shall be constructed with four (4) sides brick or stone with accents not be exceed 40% on each elevation. 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 3400 square feet exclusive of garages or basements. All homes shall have a minimum two (2) car garages.
5. To install curb and gutter and five (5) foot sidewalk with two (2) foot landscape strip along the entire property frontage.
6. Septic tank is allowed.

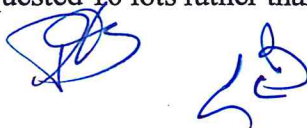
Ayes 3
Nays 0

Plat #563: Stacey and Marcus Lotshaw requests annexation and zoning for the property located at 3500 North Bogan Road from R-100 to R-100. Jason Jackson spoke on behalf of the applicant and requested 16 lots rather than 12 lots. Development will be served by City sewer. Gwinnett County did not object to this annexation and zoning request. Motion by Mr. Burge, seconded by Mr. Weeks to approve the request with the following conditions:

1. Single family homes and accessory uses only.
2. The subdivision shall consist of a maximum of 16 lots.
3. 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.
4. All front and rear yards shall be sodded and shall have two (2) 3-inch caliper canopy trees planted in the front yard.
5. 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.
6. To install curb and gutter and five (5) foot sidewalk with two (2) foot landscape strip along the property frontage on North Bogan Road and the proposed internal street.
7. The development shall comply with the Sewer Use Ordinance.

Ayes 3
Nays 0

Plat #564: Terri Milburn and Janet Moon requests annexation and zoning for the property located at 3520 North Bogan Road from R-100 to R-100. Jason Jackson spoke on behalf of the applicant and requested 16 lots rather than 12 lots. Development will be



served by City sewer. Gwinnett County did not object to this annexation and zoning request. Motion by Mr. Weeks, seconded by Mr. Burge to approve the request with the following conditions:

1. Single family homes and accessory uses only.
2. The subdivision shall consist of a maximum of 16 lots.
3. 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.
4. All front and rear yards shall be sodded and shall have two (2) 3-inch caliper canopy tree planted in the front yard.
5. 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.
6. To install curb and gutter and five (5) foot sidewalk with two (2) foot landscape strip along the property frontage on North Bogan Road and the proposed internal street.
7. The development shall comply with the Sewer Use Ordinance.

Ayes 3
Nays 0

Zoning Amendment:

#ZA-18-02: Motion by Mr. Burge, seconded by Mr. Weeks to approve amendment to the City of Buford Zoning Ordinance, Section 1303. RM – Multi-Family Residence District for RMD, RM-6 and RM-8 by adding: Any existing duplex at the time of adoption of this Ordinance shall not be extended or enlarged to create additional bedrooms or living spaces.

Ayes 3
Nays 0

#ZA-18-02: Motion by Mr. Burge, seconded by Mr. Weeks to approve amendment to the City of Buford Zoning Ordinance, Section 604. Minimum Floor Area Requirements to provide a maximum of two (2) bedrooms per unit for RMD, RM-6 and RM-8 zoning classifications.

Ayes 3
Nays 0

Zoning Modification:

#ZM-18-04: Robbie Swan spoke on behalf of the applicant and explained the modification to the Board. There were no objections from the audience. Motion by Mr. Burge, seconded by Mr. Weeks to approve request from Holland Point Retail, LLC (Publix Site), 4108 Hamilton Mill Road, to amend condition #6 from commission meeting of March 5, 2018 to comply with requirements of Zoning Ordinance 1316.

1. To allow Building #3 to have roof pitch less than 4/12.

2. To allow Buildings #1, 2 and 3 (excluding parcels 1, 2 and 3) to have all storefronts (primarily of glass) extend to the concrete sidewalk in lieu of a one-foot contrasting base.

Ayes 3
Nays 0

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

Motion by Mr. Burge, seconded by Mr. Weeks to approve final plat for Olde Town Estates f/k/a Bailey Tract – Phase I subject to compliance with zoning conditions which includes all approvals by the Georgia EPD and changing Ellison Street to Greenard Watson Lane.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to approve plat for 6699 McEver Road and accept right-of-way dedication.

Ayes 3
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to approve exemption of requirement to install curb and gutter and sidewalks at 2828 North Bogan Road (Gwinnett County would not improve on the county right-of-way).

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize installation of All-Way Stop Control at North Gwinnett Street and Lattimore Avenue subject to the approval of city engineer.

Ayes 3
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to approve Memorandum of Agreement with Georgia Department of Transportation for installation of street lights at 4345 Buford Drive.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to declare vehicles and equipment surplus and authorize to sell on gov.deals.

Ayes 3
Nays 0



Motion by Mr. Burge, seconded by Mr. Weeks to approve extension of annual water and sewer contract with a 2% increase in pricing subject to the approval of the City Attorney.

Ayes 3
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to approve payment #2 for 2014 City/Gwinnett County SPLOST joint project – widening of SR20 from South Lee Street to Buford Highway in the amount of \$101,409.78.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment #2 for City of Buford parking deck project in the amount of \$283,290.00.

Ayes 3
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to authorize Change Order #3, final quantities and cost reduction, for SR13/Heraeus Boulevard Intersection improvements.

Ayes 3
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to authorize payment #1 for Hamilton Mill Road gas relocations project in the amount of \$92,340.00.

Ayes 3
Nays 0

Allison Stewart-Harris and Jim Summerbell with Jacobs presented the draft update of the City of Buford 2040 Comprehensive Plan. Plan to be presented for adoption at the December 3, 2018 meeting.

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 Mr. Weeks to adjourn.

Ayes 3
Nays 0


Phillip Beard, Chairman

Chris Burge

Chris Burge, Vice-Chairman

Bradley W. Weeks

Bradley W. Weeks, Commissioner

W. Weeks

City Clerk

11-5-18

Date