

BUFORD CITY COMMISSION MEETING

September 8, 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 August 3, 2020 regular meeting and the minutes from the special called meeting on August 10, 2020.

PUBLIC HEARINGS

4. Rezoning:

I. #Z-20-11

Abdul Asaad
Buford Highway
Parcel: 7-258-172/7-258-174

Requesting rezoning from RM to C-2

Planning & Zoning Recommendation

#Z-20-11: Adbul Asaad request rezoning for the property located on Buford Highway, being parcels 7-258-172/174 from RM to C-2. Chuck Ross spoke on behalf of the applicant and stated this is two (2) vacant lots zoned for multi-family and that use would not ever be developed on this property. He stated that a convenient store/gas station is the highest and best use for the property and a good location for the residents in the area. Chairman Perkins commented that this area is heavy traffic volume and a dangerous location for vehicles to enter Buford Highway. Jason Williams, civil engineer, stated they could propose to relocate the entrance on Buford Highway to the north to help mitigate traffic concerns. Mr. Ross said they would be glad to have a traffic study done and would contact the owners of Hartford Run to get permission to access their driveway. There were no

objections from the audience. After a brief discussion, motion by Homer Whiting and seconded by Harley Bennett to recommend approval of the rezoning to C-2 with the following conditions. Chairman Perkins voted against the request.

1. The two subject parcels, 7-258-172 and 7-258-174, shall be rezoned from RM (Multi-family Residential District) to C-2 (General Commercial District).
2. The required 75' undisturbed zoning buffer adjacent to residentially zoned parcels to be reduced to a 37.5' undisturbed buffer with a 5' structure setback. The buffer area is to remain undisturbed except to replant gaps in the existing vegetation with a mixture of evergreen trees and shrubs to provide an effective year round screen. Final design shall be reviewed and approved by the Planning Director.
3. Stormwater management systems shall be clear of any required buffers and structure offsets.
4. The development shall comply with requirements of the City of Buford Zoning Ordinance Section 1316.
5. Architectural façade treatments shall be of brick, stone or stucco or combination thereof. Final building/canopy elevations to be reviewed and approved by the Planning Director.
6. The construction documents shall include sidewalks and bike racks. At a minimum the plan shall include sidewalks spanning Buford Highway to the standards of the City of Buford Zoning Ordinance Section 1316.
7. The developer shall submit approval from Georgia Department of Transportation (GDOT) for the driveway entrance off Buford Highway and shall provide a traffic study if required by GDOT.

Ayes – 4

Nays – 1

5. Special Use Permits:

I. #SUP-20-08:

Tim Hughes
5221 Palmero Court, Suites 100 and 204
Parcel: 08-170-002063

Requesting a special use permit to allow automotive wheel repair and powder coating wheels

Planning & Zoning Recommendation

#SUP-20-08: Tim Hughes requested a special use permit for the property located at 5221 Palmero Court, Suites 100 and 204. The special use permit requested is to allow automotive wheel repair and powder coating wheels. The applicant was present and explained the request to the Board. He stated he would be occupying the front building for the automotive wheel repair and the back building for storage of vehicles. There were no objections from the audience. Motion by Homer Whiting and seconded by Harley Bennett to recommend approval of the special use permit as requested with the following conditions:

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

Ayes – 5

Nays – 0

II. #SUP-20-11:

**Chestnut Development, LLC
3720 & 3290 Gravel Springs Road
Parcel: 7-177-041/7-177-043**

Requesting special use permit to allow minor auto repair

Planning & Zoning Recommendation

#SUP-20-11: Chestnut Development, LLC requested a special use permit for the property located at 3270 and 3290 Gravel Springs Road. The special use permit requested is to allow minor automotive repair. Mitch Peevy spoke on behalf of the applicant and stated this would consist of an automotive strip center. The center would be 100% heated and cooled and all the work would be performed inside the building and the vehicles would be gone after 72 hours. The rear building would be office buildings for small businesses and would be able to store their work materials and vehicles inside the buildings. Richard Bell, owner, was also present. There were no objections from the audience. Motion by Bobby Davis and

seconded by Wayne Johnson to recommend approval of the special use permit as requested with the following conditions:

1. To allow automotive repair related uses in the front building and small office business in the back building. Retail commercial business shall be prohibited.
2. Storage of vehicles awaiting service shall only be within designated parking spaces.
3. Outdoor storage of business related equipment, parts and junk vehicles shall be prohibited.
4. All work to the vehicles are to be done within the building.
5. The required 75' undisturbed buffer shall be reduced to 0'.
6. Stormwater management systems shall be clear of any required buffers and structure offsets.
7. The development shall comply with requirements of the City of Buford Zoning Ordinance Section 1315, Mall of Georgia Overlay District Requirements.
8. Architectural façade treatments shall be of brick, stone or stucco or combination thereof, except to allow concrete fiber brick for the wood entry accent areas only.
9. The construction documents shall include sidewalks and bike racks. At a minimum the plan shall include sidewalks spanning Gravel Springs Road to the standards of the City of Buford Zoning Ordinance Section 1315, Mall of Georgia Overlay District Requirements.

Ayes – 5

Nays – 0

III. #SUP-20-12:

Colin J. Evans
4831 Bryant Road, Suite E
Parcel: 7-297-039

Requesting special use permit to allow auto maintenance

Planning & Zoning Recommendation

#SUP-20-12: Colin J. Evans requested a special use permit for the property located at 4831 Bryant Road, Suite E. The special use permit requested is to allow auto maintenance. Les Johnson spoke on behalf of the applicant and stated the applicant

would like to park the vehicles that are waiting for service behind the building on a gravel parking lot. This was not part of the request and the City does not allow parking on gravel areas. There were no objections from the audience. Motion by Wayne Johnson and seconded by Bobby Davis to recommend approval of the special use permit as requested with the following conditions:

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

Ayes – 5

Nays – 0

6. Annexations:

I. Tract #1 – Plat #585

Hall County

3N Holdings, LLC
3663 Carter Road
Buford, Georgia 30518

Property: 3663 Carter Road

Acres: 2.380

Zoned from: AR-III

Zoned to: RA-200

Planning & Zoning Recommendation

Plat #585: 3N Holdings, LLC requested annexation and zoning for the property located at 3663 Carter Road from AR-III to RA-200. Chris Nabors spoke on behalf of the applicant and stated there is one (1) existing residential dwelling on the property and would like to be in the City. He stated there were no plans to subdivide and build another house. Mr. Kerlin stated there would be conditions if another house was proposed in the future. 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 Bobby Davis to recommend approval of the annexation and zoning to RA-200 with the following condition that if the existing home is removed or a new home proposed, 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 (2) 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 – 5

Nays – 0

II. Tract #2 – Plat #587

Gwinnett County
7-333-036

William R. Shepard
5736 Shadburn Ferry Road
Buford, Georgia 30518

Property: 5736 Shadburn Ferry Road
Acres: 0.320
Zoned from: R-100
Zoned to: R-100

Planning & Zoning Recommendation

Plat #587: William R. and Charlene R. Shepard requests annexation and zoning for the property located at 5736 Shadburn Ferry Road from R-100 to R-100. The applicant was present and stated there is one (1) existing residential dwelling on the property and would like to be in the City. Gwinnett County did not object to this annexation and zoning and there were no objections from the audience. Motion by Harley Bennett and seconded by Homer Whiting to recommend approval of the annexation and zoning to R-100 with the following condition that if the existing home is removed, the 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 elevations 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 – 5

Nays – 0

III. Tract #3 – Plat #588

Hall County
08-168-000004

Cameron Henderson
3264 Lee Drive
Buford, Georgia 30518

Property: 3264 Lee Drive
Acres: 1.58
Zoned from: AR-III
Zoned to: RA-200

Planning & Zoning Recommendation:

Plat #588: Cameron Henderson requests annexation and zoning for the property located at 3264 Lee Drive from AR-III to RA-200. The applicant was present and stated there is one (1) existing residential dwelling on the property that will remain and would like to subdivide the property to build another house. 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 Homer Whiting to recommend approval of the annexation and zoning to RA-200 with the following condition that if the existing home is removed or a new home proposed, the new home shall comply with the following conditions:

1. The property shall be subdivided into two (2) lots as per the site plan.

2. 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.
3. The residential dwelling front and side elevations 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.
4. Driveways shall be a minimum of 18 feet in width.
5. All yards shall be sodded and shall have a minimum of two (2) 2-inch caliper ornamental trees planted in the front yard.

Ayes – 5

Nays – 0

IV. Tract #4 – Plat #589

Hall County
08-167-004042

Jessica Spinks
3653 Shoreland Drive
Buford, Georgia 30518

Property: 3653 Shoreland Drive
Acres: 1.08
Zoned from: VC
Zoned to: R-100

Planning & Zoning Recommendation:

Plat #589: Jessica Spinks requests annexation and zoning for the property located at 3653 Shoreland Drive from VC to R-100. The applicant was not present. 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 Homer Whiting to recommend approval of the annexation and zoning to R-100 with the following conditions that is the existing home is removed, the 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 elevations 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 – 5

Nays – 0

7. Approve final plat for Summerlyn Subdivision.
8. Conduct public hearing for 2020 property tax millage rate rollback and proposed tax increase for Gwinnett and Hall Counties.
9. Conduct public hearing for Fiscal Year 2021 operating budget.
10. Approve 2020 property tax millage rate for Buford City Schools in Gwinnett County of 12.65 mills and 13.194 mills in Hall County with a Local Option Sales Tax rollback of 0.544 mills. The 2020 net millage rate for property taxes in both Gwinnett and Hall counties is 12.65 mills.
11. Consider approval of City of Buford CARES Act expenditures submitted to Gwinnett County for approval.
12. Approve exemption of requirement to install curb and gutter and sidewalk at 2089 Buford Dam Road for Rodney Hellemn. (Gwinnett request)
13. Consider an ordinance/resolution to facilitate further study of convenience stores with or without fuel pumps and automotive service stations, with or without fuel pumps in anticipation of amending the City's zoning ordinance in respect to such establishments within the City of Buford; and other purposes until January 6, 2021 or until the date of the repeal of this Ordinance/Resolution, whichever event first occurs.
14. Authorize City Manager and City Attorney to purchase property on Espy Street.
15. Authorize City Manager to accept easement from Backstreet Buford, LLC to locate utilities.

16. Authorize release of pledged funds with Peoples Bank & Trust.
17. Consider approval of low bid for City of Buford 2020 LMIG paving project.
18. Authorize payment #2 for Church Street stormwater improvements.
19. Authorize payment #11 for the legion fields improvements project.
20. Authorize payment #23 for the Buford parking deck project.
21. Authorize payment #3 and Invoice #1520 for Southside Wastewater Plant Flow Diversion Structure.
22. City Manager's Report.
23. 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.