

# Buford City Commission

**January 4, 2021**

The regular monthly meeting was held on January 4, 2021 at Buford City Arena and all Commission members were present.

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

Motion by Mr. Weeks, seconded by Mr. Burge to approve the agenda for the January 4, 2021 Commission meeting as presented by staff with addition to authorize City Manager to proceed with right-of-way acquisition for Moreno Street streetscape project.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to adopt the minutes from the December 14, 2020 regular meeting as presented by staff.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to nominate Phillip Beard as Commission Chairman for the year 2021.

Ayes 2  
Nays 0  
Abstain 1

Motion by Mr. Beard, seconded by Mr. Weeks to nominate Chris Burge as Commission Vice-Chairman for the year 2021.

Ayes 2  
Nays 0  
Abstain 1

Motion by Mr. Burge, seconded by Mr. Weeks to appoint Department Heads for the year 2021 as presented with the addition of Rhonda Cunningham as Deputy Clerk. Mr. Burge abstained for the appointments of Recreation Director and Water Plant Superintendent. Mr. Weeks abstained for the appointment of Building Inspector.

Ayes 2  
Nays 0  
Abstained 1 (Burge and Weeks as noted)

Motion by Mr. Burge, seconded by Mr. Weeks to appoint Robert Perkins to City of Buford Planning & Zoning Board.

Ayes 3  
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to reappoint Winston Burel, Dwayne Cash and Stanley Reed to City of Buford Zoning Board of Appeals.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to set qualifying fee of \$35.00 for November 2, 2021 election.

Ayes 3  
Nays 0

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

**Rezoning:**

Plat #590: ACM Satilla LN V, LLC requests annexation and rezoning for the property located on Brown Road, being parcel 7-143-061, containing 12.533 acres from O-I to M-1. No one spoke against the request. Motion by Mr. Burge, seconded by Mr. Weeks to approve the request 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 and heights 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. Brown Road shall be improved pursuant to City of Buford Development Regulations to the driveway entrance and dedicate 30 feet of right-of-way from centerline per Gwinnett County's request. Roadway engineering plans shall be reviewed and approved by the City engineer for compliance with roadway improvement standards prior to the issuance of any permits. Sidewalk and curb and gutter shall be installed up to the employee parking entrance only on Brown Road as per the site plan by Urban Engineers, Inc. dated August 10, 2020.
3. 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.
4. Building elevations that include tilt-up concrete construction shall be submitted to the Planning Director for review and approval prior to the approval of any permits. The front building (278,476 +/- square feet) shall have enhanced architectural treatments on all four (4) corners of the building. The back building (680,400 +/- square feet) shall have enhanced architectural treatments on three (3) corners of the building. The rear corner facing the stream/buffer is not required to have enhanced architectural treatments.



5. Outdoor lighting shall be contained in cut-off luminaries and shall be directed in toward the property so as not be reflect into adjacent properties or rights-of-way.
6. Subject to approval of Development of Regional Impact (DRI) and subject conditions.

Ayes 3

Nays 0

Plat #591: Ronald Cropper, Nancy Evans, Cathy Cropper and William Cropper request annexation and rezoning for the property located at 2328 Brown Road, being parcel 7-143-002 from RA-200 to M-1. No one spoke against the request. Motion by Mr. Weeks, seconded by Mr. Burge to approve the request 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 and heights 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. Brown Road shall be improved pursuant to City of Buford Development Regulations to the driveway entrance and dedicate 30 feet of right-of-way from centerline per Gwinnett County's request. Roadway engineering plans shall be reviewed and approved by the City engineer for compliance with roadway improvement standards prior to the issuance of any permits. Sidewalk and curb and gutter shall be installed up to the employee parking entrance only on Brown Road as per the site plan by Urban Engineers, Inc. dated August 10, 2020.
3. 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.
4. Building elevations that include tilt-up concrete construction shall be submitted to the Planning Director for review and approval prior to the approval of any permits. The front building (278,476 +/- square feet) shall have enhanced architectural treatments on all four (4) corners of the building. The back building (680,400 +/- square feet) shall have enhanced architectural treatments on three (3) corners of the building. The rear corner facing the stream/buffer is not required to have enhance architectural treatments.
5. Outdoor lighting shall be contained in cut-off luminaries and shall be directed in toward the property so as not be reflect into adjacent properties or rights-of-way.
6. Subject to approval of Development of Regional Impact (DRI) and subject conditions.

Ayes 3

Nays 0

Plat #592: ACM Satilla LN V, LLC requests annexation and rezoning for the property located on Brown Road, being parcel 7-143-010, containing 70.587 acres from RSR to M-1. No one spoke against the request. Motion by Mr. Burge, seconded by Mr. Weeks to approve the request with the following condition:



1. The subject property is to be developed substantially similar to the site plan provided with the application including the sizes and heights 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. Brown Road shall be improved pursuant to City of Buford Development Regulations to the driveway entrance and dedicate 30 feet of right-of-way from centerline per Gwinnett County's request. Roadway engineering plans shall be reviewed and approved by the City engineer for compliance with roadway improvement standards prior to the issuance of any permits. Sidewalk and curb and gutter shall be installed up to the employee parking entrance only on Brown Road as per the site plan by Urban Engineers, Inc. dated August 10, 2020.
3. 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.
4. Building elevations that include tilt-up concrete construction shall be submitted to the Planning Director for review and approval prior to the approval of any permits. The front building (278,476 +/- square feet) shall have enhanced architectural treatments on all four (4) corners of the building. The back building (680,400 +/- square feet) shall have enhanced architectural treatments on three (3) corners of the building. The rear corner facing the stream/buffer is not required to have enhanced architectural treatments.
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. Subject to approval of Development of Regional Impact (DRI) and subject conditions.

Ayes 3  
Nays 0

#Z-20-14: Kilburn Commercial Properties, LLC requests rezoning for the property located at 2368 Brown Road, being parcel 7-143-046 from RA-200 to M-1. No one spoke against the request. Motion by Mr. Weeks, seconded by Mr. Burge to approve the request 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 and heights 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. Brown Road shall be improved pursuant to City of Buford Development Regulations to the driveway entrance and dedicate 30 feet of right-of-way from centerline per Gwinnett County's request. Roadway engineering plans shall be reviewed and approved by the City engineer for compliance with roadway improvement standards prior to the issuance of any permits. Sidewalk and curb and gutter shall be installed up to the employee parking entrance only on Brown Road as per the site plan by Urban Engineers, Inc. dated August 10, 2020.



3. 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.
4. Building elevations that include tilt-up concrete construction shall be submitted to the Planning Director for review and approval prior to the approval of any permits. The front building (278,476 +/- square feet) shall have enhanced architectural treatments on all four (4) corners of the building. The back building (680,400 +/- square feet) shall have enhanced architectural treatments on three (3) corners of the building. The rear corner facing the stream/buffer is not required to have enhanced architectural treatments.
5. Outdoor lighting shall be contained in cut-off luminaries and shall be directed in toward the property so as not be reflect into adjacent properties or rights-of-way.
6. Subject to approval of Development of Regional Impact (DRI) and subject conditions.

Ayes 3  
Nays 0

#Z-20-15: Kilburn Commercial Properties, LLC requests rezoning for the property located on Brown Road, being parcel 7-143-034, containing 1.998 acres from RA-200 to M-1. No one spoke against the request. Motion by Mr. Burge, seconded by Mr. Weeks to approve the request 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 and heights 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. Brown Road shall be improved pursuant to City of Buford Development Regulations to the driveway entrance and dedicate 30 feet of right-of-way from centerline per Gwinnett County's request. Roadway engineering plans shall be reviewed and approved by the City engineer for compliance with roadway improvement standards prior to the issuance of any permits. Sidewalk and curb and gutter shall be installed up to the employee parking entrance only on Brown Road as per the site plan by Urban Engineers, Inc. dated August 10, 2020.
3. 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.
4. Building elevations that include tilt-up concrete construction shall be submitted to the Planning Director for review and approval prior to the approval of any permits. The front building (278,476 +/- square feet) shall have enhanced architectural treatments on all four (4) corners of the building. The back building (680,400 +/- square feet) shall have enhanced architectural treatments on three (3) corners of the building. The rear corner facing the stream/buffer is not required to have enhanced architectural treatments.
5. Outdoor lighting shall be contained in cut-off luminaries and shall be directed in toward the property so as not be reflect into adjacent properties or rights-of-way.
6. Subject to approval of Development of Regional Impact (DRI) and subject conditions.




Ayes 3

Nays 0

#Z-20-16: Prime Interest requests rezoning for the property located on South Lee Street, being parcel 7-268-122, containing 4.145 acres from C-2 to M-1. Marty Orr spoke on behalf of the applicant. No one spoke against the request. Motion by Mr. Burge, seconded by Mr. Weeks 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. Approval of the rezoning case does not relieve the owner from conformity to the Development Regulations and Zoning Ordinance.
2. All four (4) buildings shall have enhanced storefront architectural treatments and shall be approved by the Planning Director prior to the issuance of any permits.
3. 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-20-17/#SUP-20-18: Maudlyn Akarue requests rezoning for the property located at 5497 North Richland Creek Road from R-100 to O-I with a special use permit to allow a group personal care home. The applicant was present. Phillip Perkins submitted a petition with signatures from the residents along North Richland Creek Road in opposition of the request. Chairman Beard stated that this has been a residential area for a long time and rezoning the property to O-I with a group care home would not be compatible with the area. Motion by Mr. Weeks, seconded by Mr. Burge to deny the request.

Ayes 3

Nays 0

**Special Use Permit:**

#SUP-20-17: Rose L. McLeod requests a special use permit for the property located at 2709 Faith Industrial Drive, Suite 100. The special use permit requested is to allow a church. No one spoke against the request. Motion by Mr. Burge, seconded by Mr. Weeks to approve the request with the following conditions:

1. Prior to the issuance to any needed permits or certificate of occupancy, the applicant shall provide a parking analysis detailing the expected peak demands on parking to support the proposed church, the peak demands of the existing uses within the complex and demonstrate that demands do not exceed the available parking at the subject parcel.
2. Parking on the rights-of-way shall be prohibited.



Ayes 3

Nays 0

**Zoning Amendment:**

#ZA-20-03: Motion by Mr. Burge, seconded by Mr. Weeks to approve amendments to the 2000 City of Buford Zoning Ordinance, Article XIII, Section 1308 C-2 General Business District Permitted Uses and Special Uses, Section 1310 M-1 Light Industry District Special Uses and the 2000 City of Buford Development Regulations, Article 6, Section 6.3, Table 6B Street Classifications and Article 9, Section 9.10. David Kirk, Attorney for MPC Development, LLC, spoke in opposition of the amendment to the 2000 City of Buford Zoning Ordinance, Article XIII, Section 1308 C-2 General Business District Permitted Uses and Special Uses, Section 1310 M-1 Light Industry District Special Uses.

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 authority City Manager to enter into an agreement with a firm to appraise and assist in acquiring properties for the new Buford High School stadium and right-of-way for the Moreno Street streetscape project.

Ayes 3  
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to authorize City Manager to proceed with advertising of the official zoning map of the City of Buford for adoption by the City Commission.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment #3 for Moreno Street water improvements project in the amount of \$29,365.75.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment #27 for the Buford parking deck project in the amount of \$484,817.00.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment #15 for the legion fields improvements project in the amount of \$418,760.00.



Ayes 3  
Nays 0

Mr. Kerlin gave the City Manager's Report.

Mr. Jay, City Attorney 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



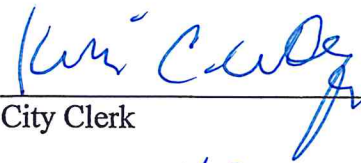
Phillip Beard, Chairman



Chris Burge, Vice-Chairman



Bradley W. Weeks, Commissioner



City Clerk

Date

1-4-2001