

BUFORD CITY COMMISSION MEETING

October 3, 2022
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 6, 2022 meeting.
4. Recognize Joey Whelchel for his twenty (20) years of service.

PUBLIC HEARINGS

5. Rezoning:

I. #Z-22-21:

**Chad & Maria Gwin
4615 South Lee Street
7-269A-057**

P & Z Recommendation:

#Z-22-21: Chad and Maria Gwin requested rezoning for the property located at 4615 South Lee Street from C-2 to R-100. The applicants were present and stated they wanted the property to be used for residential. There were no objections from the audience. Motion by Jeff Pirkle and seconded by Harley Bennett to recommend approval.

Ayes – 4
Nays – 0

II. #Z-22-23:

**City of Buford
Oakland Avenue
7-301-058**

P & Z Recommendation:

#Z-22-23: City of Buford requested rezoning for the property located on Oakland Avenue, being parcel 7-301-058, from R-100 to MH. Mr. Kerlin stated the City is having continued discussions with the homeowners for other options for relocation. He stated there would need to be a reduction in the buffer on the easterly property line to 25 feet and on the westerly property line to 10 feet so the trailer could fit on the lot. The code requires a 75-foot undisturbed buffer when MH zoning is adjacent to R-100. There were no objections from the audience. Chairman Perkins stated he would not like to see a mobile home in that residential area. Motion by Wayne Johnson and seconded by Jeff Pirkle to recommend denial.

Ayes – 4

Nays – 0

6. Special Use Permits:

I. #SUP-22-19:

**CHA Consulting, Inc./Hunter Hyde
4996 Lanier Islands Parkway
08-157-000001**

Request to allow a drive-thru for quick serve restaurant.

P&Z Recommendation

#SUP-22-19: CHA Consulting, Inc. requested a special use permit for the property located at 4996 Lanier Islands Parkway, out of parcel 08-157-000001, containing 1.61 acres. The special use permit requested is to allow a drive-thru for a quick serve restaurant. Hunter Hyde spoke on behalf of the applicant and explained the request to the Board. He stated they would not be able to comply with the parking requirement of 20% of parking in front and side with the remaining in the rear. The Board stated they would condition the parking based on the site plan submitted with the application. There were no objections from the audience. Motion by

Wayne Johnson and seconded by Jeff Pirkle to recommend approval with the following conditions:

1. Approval of this special use permit is for Palmetto Capital Group and will expire should the applicant vacate the site.
2. Landscape and architectural design shall follow section 1316.1 – Design Requirements, Buford Zoning Ordinance.
3. Parking design shall be as presented on the site plan submitted with the application.
4. Drive-through menu boards shall be in the side or rear yard.
5. The final site plan shall be approved by the Planning Director.

Ayes – 4

Nays – 0

7. Annexations:

I. Plat #637/#Z-22-22:

Greg Sweatt/Sweatt Properties, LLC
30 Shadburn Ferry Road
Buford, GA 30518

Property: 3754 East Jones Drive, Hall County
Parcel: 08-156-002010
Acres: 0.47

Zoned From: AR-III
Zoned To: M-1

P&Z Recommendation:

Plat #637/#Z-22-22: Greg Sweatt, Sweatt Properties, LLC requested annexation and rezoning for the property located at 3754 East Jones Drive from AR-III to M-1. The applicant was present and explained the request to the Board. He submitted a letter from the adjoining property owner giving permission to reduce the buffer to 25 feet. Hall County did not object and there were no objections from the audience. Motion by Jeff Pirkle and seconded by Harley Bennett to recommend approval of the annexation and rezoning to M-1 with the following conditions:

1. The subject property is to be rezoned to M-1, Light Industrial.

2. The undisturbed buffer shall be reduced from 50 feet to 25 feet that abuts Joe Atkins property.

Ayes – 4

Nays – 0

8. Zoning Modifications:

I. #ZM-22-05:

**Lake Blue Ridge Land Company, LLC
4083 Hamilton Mill Road**

Request to modify condition #4 of the zoning conditions approved May 3, 2021.

1. To reduce the 75’ residential buffer to 9’ along the entire rear property line of the commercial parcel.
2. To reduce the 40’ rear yard building setback to 15’ along the entire rear property line of the commercial parcel.

Their justification for the request is due to the existing natural stream buffer measuring over 150’ wide, this would serve as the buffer between the commercial parcels and the townhome development.

END OF PUBLIC HEARINGS

9. Consider donation from SMI Development Group, LLC of 5.53 acres located on Thompson Mill Road and authorize City Manager to issue donation letter as necessary.
10. Consider approval of Memorandum of Agreement with Georgia Department of Transportation for the installation of roadway lighting at 4250 Buford Drive for Atlanta Luxury Motors.
11. Adopt resolution authorizing City of Buford, through its legal counsel, to exercise powers of eminent domain in the acquisition of certain interest in real property for South Waterworks Road water main project in Hall County, Georgia, being parcel #07329 003001.

12. Consider request to reduce setbacks for project located at 439 South Street being parcel no. R7294B-081.
13. Authorize City Manager and City Attorney to purchase 0.037 acres located at 151 South Harris Street being parcel R7295A 044 and authorize Chairman to sign necessary documents to transfer to City of Buford Downtown Development Authority.
14. Consider approval of various surplus items and to post items for sale on GovDeals.
15. Consider adoption of proclamation for Breast Cancer Awareness month in October 2022, Paint Gwinnett Pink Campaign by Northside Hospital – Gwinnett and Duluth.
16. Authorize payment of invoices #21154-04 in the amount of \$2,003.25 and #21154-05 in the amount of \$594.63 for Buford High School visitor field house project to Breaux & Associates.
17. Authorize payment of invoice #21154-01 for Buford High School baseball restroom addition project to Breaux & Associates in the amount of \$3,961.41.
18. Authorize payment #1 for Buford High School stadium sewer relocation project to John D. Stephens, Inc in the amount of \$52,345.00.
19. Authorize payment #16 for water plant expansion project to Ruby-Collins, Inc. in the amount of \$1,058,691.41.
20. Authorize payment #1 for Sturgeon Circle cul-de-sac paving to correct a stormwater problem to Charles Black Construction Co., Inc. in the amount of \$36,202.85.
21. Authorize payment #2 for Buford Elementary School renovations project to Charles Black Construction Co., Inc. in the amount of \$4,277.52.
22. Authorize payment #7 for Buford High School baseball and softball bleachers and scoreboards to Charles Black Construction Co., Inc. in the amount of \$302,724.01.

23. Authorize payment #5 for passive park at Harris Street project to Charles Black Construction Co., Inc. in the amount of \$174,619.31.
24. Authorize payment #2 for New Street relocation project to Charles Black Construction Co., Inc. in the amount of \$392,788.21.
25. Authorize payment #7 for Buford High School visitor fieldhouse project to Charles Black Construction Co., Inc. in the amount of \$199,766.00.
26. City Manager's Report.
27. 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.