

BUFORD CITY COMMISSION MEETING

February 6, 2023
Buford City Hall
7:00 p.m.

1. Pledge to the Flag.
2. Approve the agenda as presented.
3. Approve the minutes from the January 2, 2023 meeting.
4. Recognize Brian Hill for his twenty (20) years of service.

PUBLIC HEARINGS

5. Special Use Permits:

I. #SUP-23-01:

**Robert Southerland
5290 Shadburn Ferry Road
Parcel: 7-302-023**

Requesting special use permit to allow outside storage.

P&Z Recommendation

#SUP-23-01: Robert Southerland requested a special use permit for the property located at 5290 Shadburn Ferry Road. The special use permit requested is to allow outside storage. The applicant was present and explained the request to the Board. He stated that his business is trailer repair and he did not realize he could not park the trailers waiting for repair outside the building. He stated there are 12 parking spaces next to the building that he would like to store the trailers. This area is screened with trees from Shadburn Ferry Road. Lee Rollers, adjacent property owner, spoke in favor of the request. There were no objections from the audience. Chairman Perkins stated he owned property abutting said property and that he would abstain from voting. Motion by Wayne Johnson and seconded by Amy

Reed to recommend approval of the special use permit as requested with the following conditions:

1. Outdoor storage of trailers in areas that do not impede fire and safety access. Minimum of 22 feet of clearance required. The applicant shall provide a site plan to scale showing where the trailers are to be parked to confirm minimum clearance.
2. Outdoor storage of junk parts, trash, or related equipment shall be prohibited.
3. All exterior parking of vehicles and trailers shall be located on hard surface designated striped parking spaces. No parking of vehicles or trailers on grassed areas.
4. The trailers shall be stored in the 12 parking spaces adjacent to Shadburn Ferry Road.

Ayes – 4

Nays – 0

Abstain – 1

II. #SUP-23-02:

BBC Investment Group, LLC

79 Moreno Street

Parcels: 7-295A-035 / 7-295A-128

Requesting special use permit to allow secondary residential housing.

P&Z Recommendation

#SUP-23-02/#SUP-23-03: BBC Investment Group, LLC requested a special use permit located at 79 Moreno Street, being parcels 7-295A-035, 7-295A-128, 7-295A-036. The special use permit requested is to allow secondary residential housing. Mike Phelps spoke on behalf of the applicant and explained the request to the Board. He stated there would be eight (8) retail units on the first floor facing Moreno Street with 16 residential units on the second and third floors. These would be one and two bedroom townhomes with an alleyway access off of South Harris Street. He asked the Board to consider a 0 side setback adjacent to Dale Brown's property and the church owned property and he would build a retaining wall adjacent to the church owned property subject to their approval. There were no objections from the audience. Motion by Wayne Johnson and seconded by

Harley Bennett to recommend approval of the special use permit as requested with the following conditions:

1. The applicant shall submit a complete site plan and an enhanced landscape/hardscape plan for review by the Planning Director showing harmony with the historic downtown character prior to the submittal of the land disturbance permit application.
2. The approval of the special use permit does not provide approval of variances to the City of Buford's Zoning Ordinance or Development Regulations.
3. Prior to issuing any subsequent permits, the applicant shall submit architectural elevations similar to the architectural illustrations provided with the special use permit application. The architectural elevations shall incorporate features found on buildings in and around Main Street or similar historic architectural elevations in character with the area. The final architectural plan shall be approved by the Planning Director.
4. To reduce the side setbacks up to 0' subject to the approval of the each property owner and as approved by the City.
5. To provide steps for pedestrian access to Moreno Street sidewalks.

Ayes – 5

Nays – 0

III. #SUP-23-03:

**BBC Investment Group, LLC
Moreno Street
Parcel: 7-295A-036**

Requesting special use permit to allow secondary residential housing.

P&Z Recommendation

#SUP-23-02/#SUP-23-03: BBC Investment Group, LLC requested a special use permit located at 79 Moreno Street, being parcels 7-295A-035, 7-295A-128, 7-295A-036. The special use permit requested is to allow secondary residential housing. Mike Phelps spoke on behalf of the applicant and explained the request to the Board. He stated there would be eight (8) retail units on the first floor facing Moreno Street with 16 residential units on the second and third floors. These would be one and two bedroom townhomes with an alleyway access off of South Harris Street. He asked the Board to consider a 0 side setback adjacent to Dale

Brown's property and the church owned property and he would build a retaining wall adjacent to the church owned property subject to their approval. There were no objections from the audience. Motion by Wayne Johnson and seconded by Harley Bennett to recommend approval of the special use permit as requested with the following conditions:

1. The applicant shall submit a complete site plan and an enhanced landscape/hardscape plan for review by the Planning Director showing harmony with the historic downtown character prior to the submittal of the land disturbance permit application.
2. The approval of the special use permit does not provide approval of variances to the City of Buford's Zoning Ordinance or Development Regulations.
3. Prior to issuing any subsequent permits, the applicant shall submit architectural elevations similar to the architectural illustrations provided with the special use permit application. The architectural elevations shall incorporate features found on buildings in and around Main Street or similar historic architectural elevations in character with the area. The final architectural plan shall be approved by the Planning Director.
4. To reduce the side setbacks up to 0' subject to the approval of the each property owner and as approved by the City.
5. To provide steps for pedestrian access to Moreno Street sidewalks.

Ayes – 5

Nays – 0

6. **Annexations:**

I. **Plat #644/#Z-22-33:**

**BBC Investment Group, LLC
390 Brogdon Road
Suwanee, GA 3002**

**Property: 6191 New Bethany Road, Hall County
Parcel: 07-328-003022
Acres: 30.25
Zoned From: AR-III
Zoned To: R-100**

Requests annexation of 30.25 acres and zone from AR-III (agricultural) to R-100 (single-family residential) to develop 22 single family homes.

P & Z Recommendation:

Plat #644/#Z-22-33: BBC Investment Group, LLC requested annexation and rezoning for the property located at 6191 New Bethany Road from AR-III to R-100. Jeff Mahaffey spoke on behalf of the applicant and explained the request to the Board. He stated the property consists of 30.25 acres and they are proposing to develop 22 single-family residential lots. Two (2) adjacent property owners on Beards Road asked about street lighting and stormwater runoff from the development. Mr. Mahaffey said the lighting and stormwater would be contained on their property. Chairman Perkins said he would like to see 3-car garages. Mr. Mahaffey said all houses would have 3-car garages. Hall County did not object to this annexation and rezoning. Motion by Harley Bennett and seconded by Amy Reed to recommend approval of the annexation and rezoning to R-100 with the following conditions:

1. All homes shall be constructed with four (4) sides of brick or stone with accents not to exceed 20% on each elevation. Accents shall include brick, stucco, rock, shakes, hardiplank, and concrete siding as approved by the Planning Director.
2. All front, side and rear yards shall be sodded and shall have two (2) 3-inch ornamental trees planted in the front yard.
3. All homes shall have a minimum gross heated floor area of 3,400 square feet exclusive of garages or basements. All homes shall have a minimum of three (3) car garages.
4. The driveway shall be a minimum width of 18 feet.
5. Per sections 1400 and 1401, City of Buford Zoning Ordinance, lot widths, setbacks, and lot areas shall comply with R-100 standards.
6. New Bethany Road shall be improved to Buford City Development Regulation standards. 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.

Ayes – 4

Nays – 0

II. Plat #646:

**Daniel Budihardjo
2779 Cedar Kay Trail
Duluth, GA 30097**

**Property: 5530 Little Mill Road, Gwinnett County
Parcel: 7-325-039
Acres: 1.708
Zoned From: R-100
Zoned To: R-100**

P&Z Recommendation:

Plat #646: Daniel Budihardjo requested annexation and zoning for the property located at 5530 Little Mill Road from R-100 to R-100. The applicant was present and stated he 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 Amy Reed to recommend approval of the annexation and zoning to R-100 and if the existing home is removed or any new home constructed, the new home shall comply with the following conditions:

1. Home shall have a minimum gross heated floor area of 2800 square feet exclusive of garage or basement. Shall have a minimum 2-car garage.
2. Home shall be constructed with four (4) sides brick or stone with accents not to exceed 20% on the front, side and rear elevations. Accents shall include brick, stone, stucco, rock, shakes, hardiplank and concrete siding as approved by the Planning Director.
3. The driveway shall be a minimum width of 18 feet.
4. The front and side yards shall be sodded.
5. Shall plant two (2) ornamental trees in the front yard.

Ayes – 5

Nays – 0

III. Plat #647:

**Randall Jarrell
5541 Little Mill Road
Buford, GA 30518**

**Property: 5541 Little Mill Road, Gwinnett County
Parcel: 7-325-029
Acres: 0.340
Zoned From: R-100
Zoned To: R-100**

P&Z Recommendation:

Plat #647: Randall Jarrell requested annexation and zoning for the property located at 5541 Little Mill Road from R-100 to R-100. The applicant was present and stated he 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 Amy Reed to recommend approval of the annexation and zoning to R-100 and if the existing home is removed or any new home constructed, the new home shall comply with the following conditions:

1. Home shall have a minimum gross heated floor area of 2800 square feet exclusive of garage or basement. Shall have a minimum 2-car garage.
2. Home shall be constructed with four (4) sides brick or stone with accents not to exceed 20% on the front, side and rear elevations. Accents shall include brick, stone, stucco, rock, shakes, hardiplank and concrete siding as approved by the Planning Director.
3. The driveway shall be a minimum width of 18 feet.
4. The front and side yards shall be sodded.
5. Shall plant two (2) ornamental trees in the front yard.

Ayes – 5

Nays – 0

IV. Plat #648:

**Fred Jones
P.O. Box 864
Buford, GA 30515**

**Property: 5547 Little Mill Road, Gwinnett County
Parcel: 7-325-005
Acres: 1.00
Zoned From: R-100
Zoned To: R-100**

P&Z Recommendation:

Plat #648: Fred Jones requested annexation and zoning for the property located at 5547 Little Mill Road from R-100 to R-100. The applicant was present and stated he would like to be in the City and would like to subdivide the property into three (3) residential lots. Gwinnett County did not object to the annexation and zoning and there were no objections from the audience. Motion by Wayne Johnson and seconded by Jeff Pirkle to recommend approval of the annexation and zoning to R-100 and all new home construction shall comply with the following conditions:

1. The property shall be subdivided into three (3) single-family residential lots as per the site plan that was submitted with the application dated 5-12-20.
2. Home shall have a minimum gross heated floor area of 2800 square feet exclusive of garage or basement. Shall have a minimum 2-car garage.
3. Home shall be constructed with four (4) sides brick or stone with accents not to exceed 20% on the front, side and rear elevations. Accents shall include brick, stone, stucco, rock, shakes, hardiplank and concrete siding as approved by the Planning Director.
4. The driveway shall be a minimum width of 18 feet.
5. The front and side yards shall be sodded.
6. Shall plant two (2) ornamental trees in the front yard.

Ayes – 5
Nays – 0

V. Plat #649:

**Kevin & Liana Robles
3529 North Bogan Road
Buford, GA 30519**

**Property: 3529 North Bogan Road, Hall County
Parcel: 07-299-003002
Acres: 2.15
Zoned From: AR-III
Zoned To: RA-200**

P&Z Recommendation:

Plat #649: Kevin and Liana Robles requested annexation and zoning for the property located at 3529 North Bogan Road from AR-III to RA-200. The applicants were present and stated they would like to be in the City. Hall County did not object to the annexation and zoning and there were no objections from the audience. Motion by Wayne Johnson and seconded by Jeff Pirkle to recommend approval of the annexation and zoning to RA-200 and if the existing home is removed or any new home constructed, the new home shall comply with the following conditions:

1. Home shall have a minimum gross heated floor area of 2800 square feet exclusive of garage or basement. Shall have a minimum 2-car garage.
2. Home shall be constructed with four (4) sides brick or stone with accents not to exceed 20% on the front, side and rear elevations. Accents shall include brick, stone, stucco, rock, shakes, hardiplank and concrete siding as approved by the Planning Director.
3. The driveway shall be a minimum width of 18 feet.
4. The front and side yards shall be sodded.
5. Shall plant two (2) ornamental trees in the front yard.

Ayes – 5
Nays – 0

END OF PUBLIC HEARINGS

7. Approve final plat for Buford Commerce Park and road dedication of Maple Avenue.
8. Approve renewal of contract for probation supervision and rehabilitation Services with Professional Probation Services, Inc.
9. Approve contract with Equifax Workforce Solutions, LLC to provide unemployment cost management services.
10. Authorize City Manager and City Attorney to purchase property as presented.
11. Approve purchase of mobile home located on 545 Copper Street, parcel ID H7296M044, in the amount of \$130,000.
12. Approve 2023-2024 workers compensation renewal package with Summit Insurance and Broker/Agency Sterling, Seacrest and Pritchard.
13. Adopt resolution with Buford Housing Authority allowing students relocated to temporary housing to remain in Buford City Schools while new Housing Authority units are being constructed.
14. Approve Memorandum of Agreement for roadway lighting with Georgia Department of Transportation for development located at 940 Gainesville Highway.
15. Authorize City Manager to dedicate parking spaces on South Harris Street between Jones Alley and Main Street as “Deliveries Only” and determine times for such use.
16. Approve contract with Breaux & Associates, LLC for design services for the new Buford High School Stadium.
17. Authorize City Manager to proceed with purchase and installation of Phase 2 of the Buford High School baseball bleacher addition project using the City’s Construction Manager, Charles Black Construction.

18. Approve surplus items as presented and authorize City Manger to list items on Govdeals.com and other markets.
19. Authorize payment #2 in the amount of \$487,716.77 and payment #3 in the amount of \$49,974.56 to John D. Stephens, Inc. for Waterworks Road water main relocation project.
20. Authorize change order #1 and payment #3 in the amount of \$103,279.10 to Ohmshiv Construction, LLC for Shadburn Ferry Road improvements project.
21. Authorize payment #20 in the amount of \$863,180.99 to Ruby Collins, Inc. for water plant expansion project.
22. Authorize payment #4 in the amount of \$74,250.00 to Ceds Construction Co., Inc. for Hamilton Mill Road gas replacement project.
23. Authorize payment of Invoice #3 in the amount of \$3,348.00 for Buford Southside Water Treatment Plant Office Building project to Charles Black Construction Company, Inc.
24. Authorize payment of Invoice #3 in the amount of \$29,052.00 for Buford sidewalk repairs at Buford City Hall to Charles Black Construction Company, Inc.
25. Authorize payment #3 in the amount of \$183,137.00 for Buford High School baseball restrooms project and payment #4 in the amount of \$412,475.00 for Buford Middle School addition and renovations project to Charles Black Construction Company, Inc.
26. Authorize payment of Invoice #5 in the amount of \$144,612.00 for New Street relocation project to Charles Black Construction Company, Inc. and utilize SPLOST funds and general funds.
27. Authorize payment of Invoice #2 in the amount of \$60,172.74 to Charles Black Construction Company, Inc. and Invoice #4 in the amount of \$57,901.36 to John D. Stephens, Inc. for Buford High School stadium project.

28. Authorize payment of Invoice #1 in the amount of \$340,046.00 to Charles Black Construction Co., Inc. and authorize payment #1 for concrete pipe/supplies to Foley Products Company in the amount of \$88,755.00 for Robert Bell Parkway road repair project and utilize SPLOST funds.
29. City Manager's Report.
30. 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.