

BUFORD CITY COMMISSION MEETING

January 2, 2023
Buford City Arena
7:00 p.m.

1. Pledge to the Flag.
2. Approve the agenda as presented.
3. Approve the minutes from the December 5, 2022 meeting.
4. Elect Commission Chairman for 2023.
5. Elect Vice Chairman for 2023.
6. Appoint Department Heads for 2023.
7. Reappoint Harley Bennett to Planning & Zoning Board.
8. Reappoint Jeff Pirkle to Downtown Development Authority.

PUBLIC HEARINGS

9. **Annexations:**

I. **Plat #643/#Z-22-32:**

**Bogan Enterprises, LLC
11555 Medlock Bridge Road
Suite 190
Johns Creek, GA 30097**

**Property: 1781 Plunketts Road
Parcel: 7-218-003
Acres: 10.544
Zoned From: R-100
Zoned To: M-1**

Requests annexation of 10.544 acres and zone from R-100 (single family residential) to M-1 (light industrial).

P & Zoning Recommendation:

Plat #643/#Z-22-32: Bogan Enterprises, LLC requested annexation and rezoning for the property located at 1781 Plunketts Road from R-100 to M-1. The applicant was not present. Chairman Perkins stated they have requested to rezone the property to M-1 for two (2) small industrial buildings. They have also asked for the buffer to be a graded and replanted buffer. Gwinnett County did not object to this annexation and rezoning and there were no objections from the audience. Motion by Wayne Johnson and seconded by Amy Reed 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 for the light industrial uses and shall be substantially similar to the site plan provided with the application, including the proposed buildings' sizes and the number of parking spaces.
2. A 20' enhanced landscape planting plan shall be required adjacent to Plunketts Road. The landscape plan shall require two (2) overstory trees per 25' of road frontage and 10 shrubs per 50' of road frontage. The 50' undisturbed buffer shall be disturbed and replanted with a minimum of four (4) rows of evergreen trees planted at 15' on center. No more than 25% of the trees shall be of the same genus. The enhanced landscape plan is to be reviewed and approved by the Planning Director.
3. The owner shall provide a traffic impact study to confirm measures to ensure the existing level of service do not decrease.
4. The owner shall provide the city with a letter signed and sealed by the Georgia Registered Landscape Architect confirming landscape installation conforms to the approved landscape plan prior to a certificate of occupancy.
5. Outdoor lighting shall be contained in cut-off type luminaries and shall be directed toward the property to not reflect into adjacent properties or rights-of-way.
6. Retaining walls shall be allowed in the front yard. The final grading and retaining wall plans shall be reviewed and approved by the Planning Director prior to issuing a land disturbance permit.

Ayes – 4

Nays – 0

II. 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

III. Plat #645:

**Larry & Teresa Cross
3783 Carter Road
Buford, GA 3051**

**Property: 3783 Carter Road, Hall County
Parcel: 08-158-002033
Acres: 2.15
Zoned From: AR-III
Zoned To: RA-200**

Requests annexation of 2.15 acres and to zone property from AR-III (agricultural) to RA-200 (agriculture-residence district).

P&Z Recommendation:

Plat #645: Larry and Teresa Cross requested annexation and zoning for the property located at 3783 Carter Road from AR-III to RA-200. The applicant was present and stated they wanted to be in the city limits. 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 Amy Reed to recommend approval of this annexation and zoning 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 three (3) sides brick or stone with accents not to exceed 40% on the front and side 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 – 4

Nays – 0

IV. Plat #650/#Z-22-34:

**Clayton Ortiz
5659 Holiday Road
Buford, GA 30518**

Property: 5659 Holiday Road, Hall County

Parcel: 07-299-003002

Acres: 1.21

Zoned From: AR-III

Zoned To: O-I

Requests annexation of 1.21 acres and zone from AR-III (agricultural) to O-I (office-institutional).

P&Z Recommendation:

Plat #650/#Z-22-34: Clayton Ortiz requested annexation and rezoning for the property located at 5659 Holiday Road from AR-III to O-I. Jon Gatlin represented the applicant. He stated they were going to use the house for their office and there would not be any outside storage. He also stated they only have 3 employees and there was adequate parking on site. Hall County did not object to this annexation and rezoning request and there were no objections from the audience. Motion by Wayne Johnson and seconded by Harley Bennett to recommend approval of this annexation and rezoning with the following conditions:

1. Parking spaces shall be provided per City of Buford Zoning Code Section 1002. Parking shall be only on hard surfaces designated for parking and parking on grassed areas shall be prohibited. The applicant shall demonstrate compliance with the City of Buford's parking code prior to the issuance of a certificate of occupancy.
2. Outdoor storage of business-related equipment or materials shall be prohibited.

3. Proposed site improvements shall be reviewed and approved by the submittal of a land disturbance permit application and civil site plans. The proposed improvements shall be in compliance with the City of Buford's zoning and development regulations.

Ayes – 4

Nays – 0

10. **Zoning Modifications:**

**I. #ZM-23-01: CHA Consulting, Inc.
4996 Lanier Islands Parkway – Parcel 2
For drive-thru restaurant**

Requesting to modify condition #4 to allow the menu boards in the front yard.

Recommend approval subject to the menu boards being framed in brick.

**II. #ZM-23-02: 713 Holdings
New Bethany Road
9 residential lots**

Requesting to modify condition #2 to add more accents to the front and side elevation and to amend condition #6 to eliminate curb, gutter and sidewalks along New Bethany Road.

NOTE: Recommend denial of amending condition #6 due to the fact that this portion of New Bethany Road is maintained by the City of Buford due to annexation across the street.

END OF PUBLIC HEARINGS

11. Adopt ordinance of the City Commission of the City of Buford to provide for qualification fees for the November 7, 2023 general municipal election and other purposes.

12. Accept 0.02 acre (875 SF) permanent construction easement, parcel 07-328-002004, from Jeff Pruitt – S. Waterworks Road water line project.
13. Adopt amendments to banquet space rental agreement and rental fees for Buford Community Center Town Park & Theatre as presented.
14. Approve recommendation of city engineer for renewal of water and sewer annual contracts for an additional year with JDS, Inc.
15. Approve purchase of property at 700 Bona Road, being parcel 7-296-096, in the amount of \$300,000.
16. Approve purchase of property located on Bona Road, being parcel 7-296-114, in the amount of \$60,000.
17. Authorize payment #19 for water plant expansion project to Ruby Collins, Inc. in the amount of \$506,823.82.
18. Authorize payment of Invoice #22115-04 for Buford High School restroom addition project to Breaux & Associates in the amount of \$1,357.03.
19. Authorize payment of Invoice #18137-10 for new Buford High School Stadium to Breaux & Associates in the amount of \$166,488.43.
20. Authorize payment #2 for Shadburn Ferry Road improvements project to Ohmshiv Construction, LLC in the amount of \$132,743.03.
21. Approve payments to H. Lloyd Hill Architects & Associates, Inc. for design services for Buford Middle School addition in the amount of \$3,370.43 and \$61,057.65 and Buford Senior Academy addition in the amount of \$360,492.43.
22. Authorize payment #9 to Charles Black Construction Company, Inc. for Buford High School Visitor fieldhouse project in the amount of \$173,830.
23. Authorize payment of Invoice #4 to Charles Black Construction Company, Inc. for New Street relocation project in the amount of \$11,926.01 and utilize SPLOST funds and general funds.

24. Authorize payment #2 to Charles Black Construction Company, Inc. for Buford High School baseball restrooms project in the amount of \$181,444. and payment #3 for Buford Middle School addition project in the amount of \$294,063.
25. Authorize payment of Invoice #1 to Charles Black Construction Company, Inc. for Buford High School stadium project in the amount of \$158,289.29.
26. Authorize payment of Invoice #2 for Buford sidewalk repairs at Buford Middle School to Charles Black Construction Company, Inc. in the amount of \$1,780.84.
27. City Manager's Report.
28. 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.