

# BUFORD CITY COMMISSION MEETING

July 18, 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 June 6, 2022 meeting.
4. Recognize Jerry Ethridge for his twenty (20) years of service.

## **PUBLIC HEARINGS**

### **5. Special Use Permits:**

#### **I. #SUP-22-08**

**Tony & Denise Garrison  
1037 Parkway Court, Suite G  
07-299-001035 – Hall County**

**Request to allow boat repair, mechanical and maintenance.**

### **P&Z Recommendation:**

#SUP-22-08: Tony and Denise Garrison requested a special use permit for the property located at 1037 Parkway Court, Suite G. The special use permit requested is to allow boat repair, mechanical and maintenance. The applicant was present and explained the request to the Board. They stated they would work on the boats inside the building but would also use the outside gravel parking area for overflow of boats waiting for repair. Gravel parking areas are not allowed per the city code and would have to be paved. 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. Outdoor storage of business-related parts, trash, or related equipment shall be prohibited.

2. All repairs shall take place within the building. Outdoor repairs shall be prohibited.
3. The gravel parking lot shall be paved with asphalt or concrete and comply with the requirements of the City of Buford Development Regulations.

Ayes – 4

Nays – 0

## **II. #SUP-22-09**

**Freedom Boat Club, LLC  
1075 Parkway Industrial Park Drive, Suite B  
07-299-001031 – Hall County**

**Request to allow minor boat repair and cleaning.**

### **P&Z Recommendation:**

#SUP-22-09: Freedom Boat Club, LLC requested a special use permit for the property located at 1075 Parkway Industrial Park Drive, Suite B. The special use permit requested is to allow minor boat repair and cleaning. The applicant was not present. Motion by Robert Perkins and seconded by Wayne Johnson to deny the request.

Ayes – 4

Nays – 0

## **III. #SUP-22-10**

**Jim Ellis Porsche  
Highway 20 & Plunketts Road  
7-218-060 and 7-219-162 – Gwinnett County**

**Request to allow automotive sales and service with buffer reduction and variance to allow metal building material.**

### **P&Z Recommendation:**

#SUP-22-10: Jim Ellis Porsche requested a special use permit for the property located on Highway 20 and Plunkett Road, being parcels 7-218-060 and 7-219-162. The special use permit requested is to allow automotive sales and service. Mitch Peavy spoke on behalf of the applicant and explained the request to the Board. He stated the project would be in phases with the Porsche building being

built first and the service buildings on the back property being built after the Porsche building. The second dealership on the front tract would be in the last phase. There were no objections from the audience. Motion by Wayne Johnson and seconded by Jeff Pirkle to recommend approval of the special use permit with the following conditions:

1. Automotive inventory shall be stored in dedicated striped parking areas.
2. The development shall be in three (3) phases with the Porsche development being Phase I, the two service buildings being Phase II and the second dealership on the front tract being Phase III.
3. Architectural treatments of the Porsche building shall be substantially similar to the elevations and renderings presented with the special use permit application and shall be reviewed and approved by the Planning Director prior to the issuance of a building permit.
4. The two (2) service buildings shall comply with the Mall of Georgia Overlay District, Section 1315.
5. The second dealership building shall comply with the Mall of Georgia Overlay District, Section 1315.
6. A retaining wall with fencing shall be allowed in the front yard subject to the approval of the Planning Director.
7. Ground and wall signs shall conform to the City of Buford Sign Ordinance for locations, square footage, and height unless a separate variance is applied for and approved.

Ayes – 4

Nays – 0

#### **IV. #SUP-22-11**

**Sass Group IV, LLC  
4300 Buford Drive, Suite 18-A  
7-259-002 – Gwinnett County**

**Request to allow a tobacco retail establishment, retail sales of tobacco, tobacco accessories and vapes.**

#### **P&Z Recommendation:**

#SUP-22-11: SASS Group IV, LLC requested a special use permit for the property located at 4300 Buford Drive, Suite 18-A. The special use permit requested is to allow retail sales of tobacco, tobacco accessories and vapes. The applicant was present and explained the request to the Board. He stated this would



be for retail only. There were no objections from the audience. Motion by Harley Bennett and seconded by Jeff Pirkle to recommend approval of the special use permit as requested with the following conditions:

1. Outdoor sales, displays, or events at the proposed business are prohibited.

Ayes – 4

Nays – 0

V. **#SUP-22-12**

**Milton Morera**  
**1085 Parkway Industrial Park Drive**  
**7-299-001038 – Hall County**

**Request to allow auto repair.**

**P&Z Recommendation:**

#SUP-22-12: Milton Morena requested a special use permit for the property located at 1085 Parkway Industrial Park Drive. The special use permit requested is to allow auto repair. The applicant was present and explained the request to the Board. He stated he has a contract with the federal government to work on their vehicles and would also do some auto repair on private customers. 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. Outdoor storage of business-related parts, trash, or related equipment shall be prohibited.
2. All repairs shall take place within the building. Outdoor repairs shall be prohibited.

Ayes – 4

Nays – 0

**VI. #SUP-22-13**

**Yvette Norris  
1037 Parkway Court, Suites D & E  
7-299-001035**

**Request to allow a paint booth for repair services.**

**P&Z Recommendation:**

#SUP-22-13: Yvette Norris requested a special use permit for the property located at 1037 Parkway Court, Suite D & E. The special use permit requested is to allow a paint booth for repair services. The applicant was present and explained the request to the Board. He stated he does work mostly for Amazon vehicles and will take individual work as well. He stated all the painting is done within the paint booth with venting in the back of the building. He also stated there is minimal paint fumes that leaves the building. The City Code Enforcement Office received a complaint of excessive paint fumes coming from this business from Mr. Juventino Martinez at 440 Thunder Road. He stated the paint fumes are especially heavy in the evening. The applicant stated he closes at 5:00 p.m., but on occasion would paint after hours due to increased business needs. He said he would shorten his business hours to prevent his neighbor from smelling the fumes in the evening. Mr. Martinez was not present at the meeting. 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. All parking shall be in designated stripped parking area; no parking allowed on grassed or landscape areas.
2. This special use permit is approved for Yvette Norris, Soco Paint and Body and shall expire should the owner vacate the property.
3. Outdoor storage of automotive parts, junk vehicles, or automotive repair-related equipment shall be prohibited.
4. Spray booth operation hours shall be 8:00 a.m. until 4:00 p.m.

Ayes – 5

Nays – 0

6. **Annexations:**

I. **Tract #1 – Plat #632 (existing home)**

Connie Kitsell  
4238 Thompson Mill Road  
Buford, GA 30518

Property: 4238 Thompson Mill Road, Gwinnett County  
Parcel: 7-264-305  
Acres: 1.81

Zoned From: RA-200  
Zoned To: RA-200

**P&Z Recommendation:**

Plat #632: Connie Kitsell requests annexation and zoning for the property located at 4238 Thompson Mill Road from RA-200 to RA-200. The applicant was present and stated they would like for their property 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 Amy Reed and seconded by Jeff Pirkle to recommend approval of the annexation and zoning to RA-200.

Ayes – 5  
Nays – 0

II. **Tract #2 – Plat #633 (existing home)**

Kaysi & Patton Thompson  
4234 Thompson Mill Road  
Buford, GA 30518

Property: 4234 Thompson Mill Road  
Parcel: 7-264-306  
Acres: 1.58

Zoned From: RA-200  
Zoned To: RA-200

**P&Z Recommendation:**

Plat #633: Kaysi & Patton Thompson requests annexation and zoning for the property located at 4234 Thompson Mill Road from RA-200 to RA-200. The applicant was present and stated they would like for their property 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 Jeff Pirkle and seconded by Amy Reed to recommend approval of the annexation and zoning to RA-200.

Ayes – 5

Nays – 0

**III. Tract #3 – Plat #634 (existing home)**

Robert McCarthy  
5925 Shadburn Ferry Road  
Buford, GA 30518

Property: 5925 Shadburn Ferry Road, Gwinnett County  
Parcel: 7-264-016  
Acres: 1.42

Zoned From: RL

Zoned To: RL

**P&Z Recommendation:**

Plat #634: Robert McCarthy requests annexation and zoning for the property located at 5925 Shadburn Ferry Road from RL to RL. The applicant was present and stated they would like for their property 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 Wayne Johnson and seconded by Harley Bennett to recommend approval of the annexation and zoning to RL.

Ayes – 5

Nays – 0



**IV. Tract #4 – Plat #635 (existing home)**

Andrew & Kristyna Smith  
5935 Shadburn Ferry Road  
Buford, GA 30518

Property: 5935 Shadburn Ferry Road, Gwinnett County  
Parcel: 7-332-019  
Acres: 2.21

Zoned From: RL  
Zoned To: RL

**P&Z Recommendation:**

Plat #635: Kristyna and Andrew Smith requests annexation and zoning for the property located at 5935 Shadburn Ferry Road from RL to RL. The applicant was present and stated they would like for their property 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 RL.

Ayes – 5  
Nays – 0

7. Conduct public hearing for 2022 property tax millage rate rollback and proposed tax increase for Gwinnett and Hall Counties.
8. Conduct public hearing for Fiscal Year 2023 operating budget.

**END OF PUBLIC HEARINGS**

9. Authorize Chairman to enter into an intergovernmental agreement with Gwinnett County for use and distribution of proceeds generated by the 2022 Special Purpose Local Option Sales Tax Referendum.
10. Amend the Fiscal Year 2022 operating budget to reflect actual expenditures through June 30, 2022.
11. Approve payment of dues for the Georgia Municipal Association, Inc. Membership dues in the amount of \$13,446.00.



12. Authorize Chairman to sign necessary documents with Municipal Electric Authority of Georgia (MEAG) to sell or not to sell proportionate share of Vogle Units 3 and 4 to Georgia Power Company.
13. Approve dedication of sanitary sewer easement located on tax parcel 7-296-053C for Buford Housing Authority project (Arnold Street).
14. Reappoint Randall Wansley to City of Buford Zoning Board of Appeals.
15. Approve purchase of property located on Bell Street (7-303-037) in the amount of \$20,0000.
16. Authorization to accept dedication of stormwater easement and contribution of the sum of \$25,000 toward global settlement for failure of stormwater system adjacent to Sudderth Road upon approval by City Attorney and City Manager.
17. Authorize final invoice #27 (\$17,328 credit) for legion fields improvements project and authorize use of General Funds and Gwinnett SPLOST 2017 Recreation Funds to pay for the project.
18. Approve low bid for 2022 annual contract for construction and renewal of City of Buford natural gas services.
19. Authorize payment #13 to Ruby Collins, Inc. for water plant expansion project.
20. Authorize payment of invoice for Southside WPCP Tertiary Filter replacement project.
21. Authorize payment #4 for Buford High School Visitor Fieldhouse project.
22. Authorize payment of invoice #4 for Buford High School baseball and softball scoreboards and installation project.
23. Authorize invoice #2 for Buford Middle School renovations project.
24. Authorize invoice #2 for Buford Academy renovations project.
25. Authorize invoice #1 for Buford Elementary School renovations project.

26. Authorize payment #4 for Shadburn Ferry Road sewer relocation project.
27. Authorize payment #1 and change order #1 (final adjusting) for Buford Dam Road at Little Mill Road gas relocation project.
28. City Manager's Report.
29. 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.