

# Buford City Commission

December 5, 2022

The regular monthly meeting was held on December 5, 2022 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 December 5, 2022 meeting as presented.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to adopt the minutes from the November 7, 2022 meeting as presented by staff.

Ayes 3  
Nays 0

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

## Rezoning:

#Z-22-25: William R. Fricks requests rezoning for the property located at 5647 Shadburn Ferry Road, being parcel 7-326-003, from RA-200 to R-100. Applicant was present and agreed to the conditions. 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 of any subsequent permits the applicant shall apply for appropriate minor plat or combination plat. Each lot shall meet the standards of R-100 zoning for lot width and lot area. The plan shall include a 10' no access easement adjacent to White Oak Road.
2. All homes shall be constructed with four (4) sides 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.
3. All front, side and rear yards shall be sodded and shall have two (2) 3-inch ornamental trees planted in the front yard.
4. 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 two (2) car garages.
5. The driveway shall be a minimum width of 18 feet.
6. Per sections 1400 and 1401, Buford Zoning Ordinance, all the lot widths, setbacks, and lot areas shall comply with R-100 standards.
7. Each subsequent building permit shall contain a house location plan placing the proposed buildings on the site within the required setbacks.





Ayes 3  
Nays 0

#Z-22-26: Hany Gobran requests rezoning for the property located at 6076 Atlanta Highway from RA-200 to O-I. Mitch Peevy spoke on behalf of the applicant and agreed to the conditions. No one spoke against the request. Motion by Mr. Burge, seconded by Mr. Weeks to approve the request with the following conditions:

1. The final site plan shall be approved by the Planning Director.
2. To provide a 10-foot landscape strip on the right side of the property.
3. The required parking shall remain outside of the existing septic system field lines.
4. If any lights are installed, they shall be contained on the property and not on the neighboring properties.

Ayes 3  
Nays 0

#Z-22-29: Justin Solaiman/Sabrina Chowdhury requests rezoning for the property located on Adams Street, out of parcel 7-270-035, containing .063 acres from M-1 to R-100. The applicants were present and requested that the home size be 2400 square feet rather than the 2800 square feet approved by the Planning and Zoning Board. The applicant stated that the home will be similar to other new homes on the Adams Street. No one spoke against the request. Motion by Mr. Weeks, seconded by Mr. Burge to approve the request with the following conditions:

1. The applicant shall extend Adams Street to the extent of the parcel to City of Buford roadway standards and dedicate the necessary right-of-way to implement the extension.
2. The applicant shall provide the City of Buford elevations indicating the intended architectural materials and design. The final design shall be approved by the Planning Director.
3. The home shall be constructed with three (3) sides brick or stone with accents not to exceed 35% on each elevation. The rear elevations shall have a water table of brick or stone. Accents shall include brick, stucco, rock, shakes, hardiplank, and concrete siding as approved by the Planning Director.
4. The home shall have a minimum gross heated floor area of 2400 square feet exclusive of garages or basements. All homes shall have a minimum of two (2) car garages.
5. The front setback shall be reduced from 35 feet to 25 feet and the rear setback shall be reduced from 40 feet to 15 feet.
6. The driveway shall be a minimum width of 18 feet.
7. The applicant shall provide a house location plan placing the proposed house with the required setbacks.

Ayes 3  
Nays 0





#Z-22-31: Ljubica Wellmann requests rezoning for the property located at 2658 Brickton North Drive from C-2 to M-1. No one spoke against the request. Applicant was present and agreed to the conditions. Motion by Mr. Burge, seconded by Mr. Weeks to approve the request with the following conditions:

1. No outdoor storage of business-related inventory or manufacturing equipment.
2. Vehicular parking shall be within designated striped parking spaces and parking on grassed areas is prohibited.

Ayes 3  
Nays 0

**Special Use Permits:**

#SUP-22-20: Colin Evans requests a special use permit for the property located at 4831 Bryant Road. The special use permit requested is to allow automotive sales and repairs. The applicant was present and agreed to the conditions. No one spoke against the request. Motion by Mr. Weeks, seconded by Mr. Burge to approve the request with the following conditions:

1. The parking requirement shall be reduced from 14 spaces to 11 spaces.
2. Business operations shall not include outdoor storage of business products for sale and repair. The site shall be maintained in an orderly manner.
3. All vehicles shall park within hard surface designed striped parking spaces only.
4. Approval of this special use permit is for the current applicant and will expire should the applicant vacate the site.

Ayes 3  
Nays 0

#SUP-22-22: CHA Consulting, Inc./Ryan Poythress requests a special use permit for the property located at 4996 Lanier Islands Parkway, out of parcel 08-157-000001, containing 1.651 acres. The special use permit is to allow a drive thru for a proposed quick serve restaurant. The applicant was present and agreed to the conditions. No one spoke against the request. Motion by Mr. Burge, seconded by Mr. Weeks to approve the request with the following conditions:

1. Landscape and architectural design shall follow section 1316.1 – Design Requirements of the City of Buford Zoning Ordinance.
2. To allow a flat roof in lieu of a pitched roof.
3. The reduce the parking spaces by six (6) spaces. The final site plan shall be substantially similar to the site plan submitted with the application.
4. The development shall not start operation until the access road has been installed and completed.

Ayes 3  
Nays 0

#SUP-22-23: Just Downright Affordable Marine, Inc. requests a special use permit for the property located at 2334 Peachtree Industrial Boulevard. The special use permit



requested is to allow boat service and repair. Del Peterson spoke on behalf of the applicant and agreed with the conditions. No one spoke against the request. Motion by Mr. Burge, seconded by Mr. Weeks to approve the request with the following conditions:

1. Outdoor storage of business-related junk parts, trash or related equipment shall be prohibited.
2. All repairs shall take place within the building. Outdoor repairs 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.

Ayes 3  
Nays 0

**Annexations:**

Plat #639/#Z-22-27: Brandon and Kathryn Hastings request annexation and rezoning for the property located at 5670 Cole Road from R-100 to RA-200. The applicant was present. Gwinnett County did not object to this annexation and rezoning request. No one spoke against the request. Motion by Mr. Burge, seconded by Mr. Weeks to deny the request.

Ayes 3  
Nays 0

Plat #640: Ana M. Campozano requests annexation and zoning for the property located at 133 Holiday Road from AR-III to RA-200. The applicant was not present. Hall County did not object to this annexation and zoning. No one spoke against the request. Motion by Mr. Burge, seconded by Mr. Weeks to approve the request.

Ayes 3  
Nays 0

Plat #642/#Z-22-30: Carol Marie Simmons requests annexation and rezoning for the property located at 6252 Mount Salem Circle from AR-III to R-100. Jeff Pruitt spoke on behalf of the applicant. Hall County did not object to this annexation and rezoning. No one spoke against the request. Motion by Mr. Weeks, seconded by Mr. Burge to approve the request with the following conditions:

1. All homes shall be constructed with three (3) sides brick or stone with accents not to exceed 35% on each elevation. The rear elevation shall have a water table of brick or stone due to the daylight basement plan. 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. Two (2) homes shall have a minimum gross heated floor area of 3000 square feet exclusive of garages or basements and two (2) homes shall have a minimum gross

*JB*  
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*Blm*



- heated floor area of 3400 square feet exclusive of garages or basements. All homes shall have a minimum of two (2) car garages.
4. The driveway shall be a minimum width of 18 feet.
  5. Per sections 1400 and 1401, City of Buford Zoning Ordinance, all the lot widths, setbacks and lot areas shall comply with R-100 standards.
  6. Each subsequent building permit shall contain a house location plan placing the proposed buildings on the site within the required setbacks.
  7. Prior to the issuance of any permits the applicant shall submit and obtain approval of a minor subdivision plat showing compliance with the City of Buford Ordinances.
  8. Mount Salem Circle Road shall be improved to City of Buford Development Regulation roadway 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 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 certify the election results from the November 8, 2022 special election.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to deny the request by Hall County Public Works to eliminate curb, gutter and sidewalk for Hall County Fire Station to be located at 5711 & 5719 Holiday Road.

Ayes 3  
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to authorize Chairman to enter into an Intergovernmental Agreement between Gwinnett County and City of Buford regarding development of a concept report and survey database for the jointly funded Thompson Mill Road at I-985 Interchange project.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to approve indemnification agreement with Georgia Department of Transportation for curb, gutter and sidewalk installation south of High School Drive on SR 13.

Ayes 3  
Nays 0



Motion by Mr. Weeks, seconded by Mr. Burge to approve low bid for W. Moreno St. widening, pedestrian and streetscape improvements project in the amount of \$811,136 to Backbone Infrastructure, LLC utilizing CDBG (\$585,000 grant) and general funds.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to approve bids for renovation project at Buford Middle School.

Ayes 3  
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to approve first amendment to the MEAG Solar Power Purchase Agreement.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize City Manager and City Attorney to negotiate the purchase of property as presented.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize City Manager to approve plans as submitted for 2847 North Bogan Road with workshop, office, pool house and storage building or similar. Living spaces to be prohibited in these facilities.

Ayes 3  
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to authorize payment #1 for Waterworks Road water main relocation project to John D. Stephens, Inc. in the amount of \$429,640.70.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment #1 in the amount of \$32,466.17 and payment #2 in the amount of \$162,833.81 for Buford High School stadium infrastructure project to John D. Stephens, Inc.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment of Invoice #22115-03 for Buford High School restroom addition project to Breaux & Associates in the amount of \$13,342.50.




Ayes 3  
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to authorize payment of Invoice #21154-07 for Buford High School Visitor field house project to Breaux & Associates in the amount of \$500.00.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment of Invoice #18137-09 for new Buford High School Stadium to Breaux & Associates in the amount of \$47,856.40.

Ayes 3  
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to authorize payment #1 for Shadburn Ferry Road improvements project to Ohmshiv Construction, LLC in the amount of \$49,610.70.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment #3 for Hamilton Mill Road gas replacement project to CEDS Construction Co., Inc. in the amount of \$183,206.25.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment #18 for water plant expansion project to Ruby Collins, Inc. in the amount of \$328,503.29 and payment #5 for specialized controls and instrumentation to Global Control Systems, inc. in the amount of \$140,009.20.

Ayes 3  
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to authorize payment of Invoice #2 for Buford Southside Water Treatment Plant Office Building project to Charles Black Construction Company, Inc. in the amount of \$19,224.00.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment of Invoice #7 for passive park at Harris Street project to Charles Black Construction Company, Inc. in the amount of \$37,715.53.







Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment of Invoice #1 for Buford sidewalk repairs at Buford Middle School to Charles Black Construction Company, Inc. in the amount of \$7,387.00.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment of Invoice #2 for Heraeus Boulevard widening, curb and sidewalk project to Charles Black Construction Company, Inc. in the amount of \$32,094.90 and pay with SPLOST funds.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment of Invoice #9 for Buford High School baseball and softball bleachers and scoreboards project to Charles Black Construction Company, Inc. in the amount of \$26,893.93 (relocation of stadium seats to right field area).

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment #1 for Buford High School baseball restrooms project in the amount of \$31,032.00 and payments #1 and #2 for Buford Middle School addition project totaling \$337,043.00 to Charles Black Construction Company, Inc.

Ayes 3  
Nays 0

Mr. Kerlin gave the City Manager's Report.

Mr. Jay 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





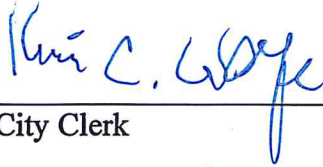
Phillip Beard, Chairman



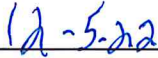
Chris Burge, Vice-Chairman



Bradley W. Weeks, Commissioner



City Clerk



Date