

Buford City Commission

December 4, 2023

The regular monthly meeting was held on December 4, 2023 at Buford City Hall and all Commission members were present.

Chairman Beard called the meeting to order at 7:00 p.m. and Mr. Burge led the Pledge of Allegiance.

Motion by Mr. Weeks, seconded by Mr. Burge to approve the agenda for the December 4, 2023 meeting with the addition to consider approval of the Walton County Countywide Safety Plan.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to adopt the minutes from the November 6, 2023 regular meeting as presented by staff.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to re-appoint Mitch Peevy and Russell Phillips, Jr. to the Downtown Development Authority.

Ayes 3
Nays 0

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

Rezoning:

#Z-23-30: MGJ Trading, LLC requested rezoning for the property located at 960 Gainesville Highway from O-I to M-1. The applicant was not present. No one spoke against the request. Motion by Mr. Burge, seconded by Mr. Weeks to approve the request with the following conditions:

1. Rezoning case Z-23-30 and filing application does not include concurrent variances to Buford City Code where the provided site plan is not in conformity unless specifically addressed.
2. The final site plan shall be substantially similar to the site plan submitted with the rezoning case application.
3. Building elevations shall be submitted to the Planning Director for approval.
4. Outdoor lighting shall be contained in cut-off luminaries and shall be directed toward the property to not reflect into adjacent properties or rights-of-way.

Ayes 3
Nays 0



#Z-23-31: Russell Nash requested rezoning for the property located at 6611 and 6633 McEver Road from RA-200 to M-1. Jeff Mahaffey spoke on behalf of the applicant. Robert Chambers, adjoining property owner, spoke against the request. He said this was a residential area and he had concerns about decreased property values, increased traffic, lighting and noise. Teresa Cantrell, adjoining property owner, said that she was not against the development and supports Mr. Nash's business but stated this development would have a negative impact on the area and she had concerns about dust, noise and traffic as with the similar development on the other side of her property. Mr. Nash had met earlier with Mrs. Cantrell and discussed a buffer. Mr. Nash presented a new site plan with four (4) buildings. After a brief discussion, motion by Mr. Weeks, seconded by Mr. Burge to approve the request with the following conditions:

1. The final development design shall be substantially similar to the site plan provided with the application by Thomas & Hutton dated 11-09-23 including the sizes of the proposed buildings and parking.
2. The applicant shall provide building elevations including material and color to be approved by the Planning Director and may include concrete tilt-up construction.
3. The development shall include a 20' enhanced landscape strip, adjacent to the right-of-way, planted with a mixture of evergreen trees and shrubs to provide an effective screen from McEver Road. The landscape plan is to be submitted to the Planning Director.
4. Outdoor lighting shall be contained in cut-off type luminaries and shall be directed toward the property so as not to reflect into adjacent properties or rights-of-way.
5. The development shall include an undisturbed buffer on the northeast property line, which shall be 20 feet in width, a 15' vegetated buffer planted with a mix of vegetation and evergreens extending 550 feet from the right-of-way of McEver Road toward the rear of the property. A five (5) foot high black vinyl coated chain link fence shall be placed along the property line on the developer side of the buffer.
6. To provide a 20' undisturbed buffer, a 15' vegetative buffer on a berm and a black chain link fence with slats on the berm. Undisturbed buffer may be cleared and replanted as necessary. This is to screen property of Robert and Louella Chambers.

Ayes 3
Nays 0

#Z-23-32: Meredith Sims requested a rezoning for the property located at 5617 White Road from C-2 to R-100. Jeff Pruitt spoke on behalf of the applicant. No one spoke against the request. Motion by Mr. Burge, seconded by Mr. Weeks to approve the request with the following conditions:

1. The proposed lot shall meet the standards of R-100 zoning for lot area. Lot #2 shall have the road frontage width reduced from 100 feet to 0 feet and the road frontage reduced from 40 feet to 0 feet.
2. The applicant shall provide the City a survey sealed by a Georgia registered land surveyor that includes the location and width of public right-of-way on White Road.



3. Prior to the issuance of any subsequent permits the applicant shall provide an exemption plat for review and approval. The exemption plat shall include a 30' access/utility easement as shown on the site plan provided in the application. The minor plat shall include a 20' wide shared driveway and shall be recorded with access maintenance agreements with said driveway and submitted to the City.
4. Only one (1) residential home is allowed for single-family dwelling, per lot, within R-100 district.
5. The applicant shall provide a house location plan (HLP) with the building permit to be approved by the Planning Director.
6. The home shall be constructed with four (4) brick or stone with accents not to exceed 40% on each elevation. Accents shall include brick, stucco, rock, shakes, hardiplank, and concrete siding as approved by the Planning Director.
7. The proposed homes shall have a minimum gross heated floor area of 3400 square feet exclusive of garages or basements and shall have a minimum of three (3) car garages.
8. The driveway shall be a minimum width of 20 feet.
9. All front and side yards shall be sodded and shall have two (2) 3-inch ornamental trees planted in the front yard.
10. Road improvements including curb and gutter and a 5-foot sidewalk are required along rights-of-way on White Road as rights-of-way permits. All improvements shall meet the standard of City of Buford code and ordinances.
11. Provide a tree save area or place a privacy fence along the property line to screen the development from the adjoining Pirkle property.

Ayes 3

Nays 0

Special Use Permits:

#SUP-23-27: Dr. Charles Cancilla requested a special use permit for the property located at 1384 Buford Business Boulevard, Suite 600. The special use permit requested is to allow a psychologist office. The applicant was not present. No one spoke against the request. Motion by Mr. Burge, seconded by Mr. Weeks to approve the request with the following conditions:

1. This special use permit is approved for a psychologist office at 1384 Buford Business Boulevard, Suite 600. The special use permit shall expire should the applicant vacate the property.

Ayes 3

Nays 0

#SUP-23-28: Premier Nissan requested a special use permit for the property located on Highway 20, being parcel 7-186-018. The special use permit requested is to allow parking area for Premier Nissan. Mitch Peevy spoke on behalf of the applicant. He stated the Nissan dealership is proposing to use this parcel for the parking of vehicles. No one spoke against the request. Motion by Mr. Burge, seconded by Mr. Weeks to approve the request with the following conditions:

1. Automotive inventory shall be stored in dedicated striped parking areas.

JB *QA*

DM

2. The site plan shall be substantially similar to the site plan submitted with the special use permit application. The final site plan shall be reviewed and approved by the Planning Director.
3. The applicant shall provide a stormwater report indicating the additional impervious surface of the storage lot is compliant to the City of Buford Development Regulations concerning stormwater regulations.

Ayes 3
Nays 0

Zoning Amendment:

#ZA-23-03: Motion by Mr. Weeks, seconded by Mr. Burge to approve an amendment to the City of Buford Zoning Ordinance, Section 1308, C-2 General Business District, Retail and Services Uses, Special Uses (2) Automobile Fueling Station and Section 1310, M-1 Light Industry, Special Uses (3) Heavy Truck Fueling Station. There were no objections from the audience.

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 official results for the November 7, 2023 General Municipal Election.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize Chairman to enter into an agreement with the City of Lagrange and Municipal Electric Authority of Georgia (MEAG) for purchase of excess reserve and excess capacity.

Ayes 3
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to approve purchase of property located on James Street, being parcel no. R7-295C-034 in the amount of \$135,000.00.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to approve the deposit of additional monies into the registry of the court to resolve condemnation appeal of Ricky Johnson, 730 Forest Street, being parcel no. 7296 054A.

Ayes 3
Nays 0



Motion by Mr. Weeks, seconded by Mr. Burge to authorize City Manager and City Attorney to negotiate sell of parcel no. 7-301-007A in exchange for portion of parcel no. 7-301-006 and include a right-of-entry for the City to begin work prior to closing on properties. The City will work with the railroad to extend East Shadburn Avenue on railroad rights-of-way adjoining parcel 7-301-006. Property owner shall donate necessary property to complete roadway to Waterworks Road.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to approve roadway lighting agreements with Georgia Department of Transportation (GDOT) for 3157 Buford Highway and 3646 Buford Drive.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize Chairman to enter into an intergovernmental agreement with Hall County for a cost sharing paving project located on New Bethany Road.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize release of pledged funds with Peoples Bank & Trust. Chairman Beard abstained.

Ayes 2
Nays 0
Abstained 1

Motion by Mr. Burge, seconded by Mr. Weeks to authorize City Manager to acquire easement(s) for natural gas pipeline to serve Reunion Phase 21 (a.k.a. Bailey Farms).

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment of invoice #18137-19 in the amount of \$185,675.23 and invoice #18137-21 in the amount of \$188,760.22 to Breaux & Associates for Buford City stadium project.

Ayes 3
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to authorize payments #6, #7 and #8 totaling \$25,702.99 (corrected from November 6, 2023 approval) to H. Lloyd Hill Architects & Associates, Inc. for Buford Senior Academy Renovations project.



Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment #3 in the amount of \$17,927.00 Backbone Infrastructure, LLC for Bona Road sidewalk project.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment #30 in the amount of \$102,126.25 (reduce retainage to 0.6%) to Ruby Collins, Inc. for water plant expansion project and payment of Invoice #2505-23 in the amount of \$45,385.00 to Global Control Systems, Inc. for specialized controls and instrumentation.

Ayes 3
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to authorize payment of Invoice #16 in the amount of \$29,257.28 to Charles Black Construction Company, Inc. for passive park at Harris Street project.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment #12 in the amount of \$1,692,633.00 to Charles Black Construction Company, Inc. for Buford City Stadium project.

Ayes 3
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to authorize payment #13 in the amount of \$153,571.00 to Charles Black Construction Company, Inc. for New Street relocation project and utilize SPLOST funds and general funds.

Ayes 3
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to authorize payment of Invoice #4 in the amount of \$679,967.48 to Charles Black Construction Company, Inc. for Buford High School bleachers and concessions – Phase II project.

Ayes 3
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to authorize payment #10 in the amount of \$674,174.00 to Charles Black Construction Company, Inc. for Buford Senior Academy addition project.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment of Invoice #1 in the amount of \$7,344.00 for Buford Elementary School asphalt repair project.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to approve the Walton County Countywide Safety Plan and submit to the Public Service Commission.

Ayes 3
Nays 0

Mr. Kerlin gave the City Manager's Report.

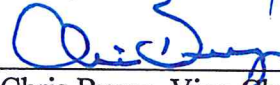
Mr. Jay gave the City Attorney's Report.

After a brief discussion with the audience, motion by Mr. Burge, seconded by Mr. Weeks to adjourn.

Ayes 3
Nays 0



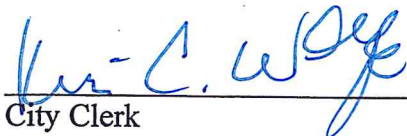
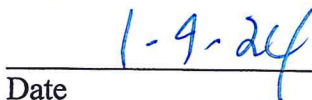
Phillip Beard, Chairman



Chris Burge, Vice-Chairman



Bradley W. Weeks, Commissioner


City Clerk
Date