

# Buford City Commission

**January 2, 2023**

The regular monthly meeting was held on January 2, 2023 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 January 2, 2023 Commission meeting as presented by staff with the addition that authorizes the City Manager to conduct road closures as needed near new Buford High School Stadium site (Forest Street, Bona Road, New Street and Copper Street).

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to adopt the minutes from the December 5, 2022 regular meeting as presented by staff.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to nominate Phillip Beard as Commission Chairman for the year 2023.

Ayes 2  
Nays 0  
Abstain 1

Motion by Mr. Beard, seconded by Mr. Weeks to nominate Chris Burge as Commission Vice-Chairman for the year 2023.

Ayes 2  
Nays 0  
Abstain 1

Motion by Mr. Weeks, seconded by Mr. Burge to appoint Department Heads for the year 2023 as presented. Mr. Burge abstained for the appointments of Recreation Director and Water Plant Superintendent.

Ayes 2  
Nays 0  
Abstained (as noted) 1

Motion by Mr. Burge, seconded by Mr. Weeks to reappoint Harley Bennett to City of Buford Planning & Zoning Board.



Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to reappoint Jeff Pirkle and appoint Jeff Dobbs to Downtown Development Authority.

Ayes 3  
Nays 0

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

**Annexations:**

**Plat #643/#Z-22-32:** Bogan Enterprises, LLC requests annexation and rezoning for the property located at 1781 Plunketts Road from R-100 to M-1. Mitch Peevy spoke on behalf of the applicant. Gwinnett County did not object to this annexation and rezoning. No one spoke against the request. Motion by Mr. Burge, seconded by Mr. Weeks to approve the request 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.
7. City to use its condemnation authority, as necessary, on behalf of the developer at the developer's expense to bring sewer service to the property.

Ayes 3  
Nays 0





**Plat #644/#Z-22-33:** BBC Investment Group, LLC requests annexation and rezoning for the property located at 6191 New Bethany Road from AR-III to R-100. Hall County did not object to this annexation and rezoning. No one spoke against the request. Motion by Mr. Burge, seconded by Mr. Beard to table the request until the next meeting. Mr. Weeks abstained.

Ayes 2  
Nays 0  
Abstained 1

**Plat #645:** Larry and Teresa Cross request annexation and zoning for the property located at 3783 Carter Road from AR-III to RA-200. Hall County did not object to this annexation and zoning. No one spoke against the request. Motion by Mr. Weeks, seconded by Mr. Burge to approve the request. 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 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 3  
Nays 0

**Plat #650/#Z-22-34:** Clayton Ortiz requests annexation and rezoning for the property located at 5659 Holiday Road from AR-III to O-I. Jon Gatlin was present on behalf of the applicant. Hall County did not object to this annexation and rezoning request and there were no objections from the audience. Motion by Mr. Weeks, seconded by Mr. Burge to approve the request 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 3  
Nays 0



**Zoning Modifications:**

#ZM-23-01: CHA Consulting, Inc., 4996 Lanier Islands Parkway – Parcel 2, requests to modify condition #4 to allow the menu boards in the front yard for a drive-thru restaurant. Motion by Mr. Burge, seconded by Mr. Weeks to approve the request with the following condition:

1. Menu boards are approved to be located in the front yard and shall be framed in brick.

Ayes 3  
Nays 0

#ZM-23-02: 713 Holdings, New Bethany Road, requests to modify condition #2 to add more accents to the front and side elevations and to amend condition #6 to eliminate curb, gutter and sidewalks along New Bethany Road. Motion by Mr. Burge, seconded by Mr. Beard to approve the request to modify condition #2 to add more accents to the front and side elevations similar to the elevations presented by Ms. Cheeley and deny the request to amend condition #6. Mr. Weeks abstained.

Ayes 2  
Nays 0  
Abstained 1

Chairman Beard stated that this concludes the public hearing portion of the meeting.

Motion by Mr. Burge, seconded by Mr. Weeks to 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.

Ayes 3  
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to accept 0.02 are (875 sf.) permanent construction easement, parcel 07-328-002004, from Jeff Pruitt – S. Water Works Road water line project.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to adopt amendments to banquet space rental agreement and rental fees for Buford Community Center Town Park & Theatre as presented.

Ayes 3  
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to approve recommendation of city engineer for renewal of water and sewer annual contracts for an additional year with JDS, Inc.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to approve purchase of property at 700 Bona Road, being parcel 7-296-096, in the amount of \$300,000.00.

Ayes 3  
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to approve purchase of property located on Bona Road, being parcel 7-296-114, in the amount of \$60,000.00.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment #19 for water plant expansion project to Ruby Collins, Inc. in the amount of \$506,823.82.

Ayes 3  
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to authorize payment of Invoice #22115-04 for Buford High School restroom addition project to Breaux & Associates in the amount of \$1,357.03.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment of Invoice #18137-10 for new Buford High School Stadium to Breaux & Associates in the amount of \$166,488.43.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment #2 for Shadburn Ferry Road improvements project to Ohmshiv Construction, LLC in the amount of \$132,743.03.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to 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 \$360,492.42.

Ayes 3  
Nays 0

Handwritten signature and initials in blue ink, appearing to be 'JL' or similar.



Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment #9 to Charles Black Construction Company, Inc. for Buford High School visitor fieldhouse project in the amount of \$173,830.00.

Ayes 3  
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to 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.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment #2 to Charles Black Construction Company, Inc. for Buford High School baseball restrooms project in the amount of \$181,444.00 and payment #3 for Buford Middle School addition project in the amount of \$294,063.00.

Ayes 3  
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to authorize payment of Invoice #1 to Charles Black Construction Company, Inc. for Buford High School stadium project in the amount of \$158,289.39.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to 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.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to add the following motion to the agenda to authorize the City Manager and City Attorney acquire property identified by the City Manager adjacent to Buford Waterworks by any means necessary including eminent domain.

Ayes 3  
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to approve road closures as needed near new Buford High School Stadium site. (Forest Street, Bona Road, New Street and Copper Street).

Handwritten signature and initials in blue ink, appearing to be 'PB' and 'LB'.

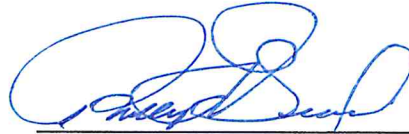
Ayes 3  
Nays 0

Mr. Kerlin gave the City Manager's Report.

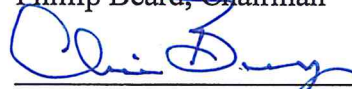
Mr. Jay, City Attorney, gave the City Attorney's Report.

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

Ayes 3  
Nays 0



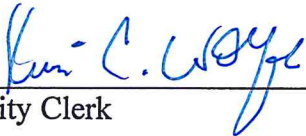
Phillip Beard, Chairman



Chris Burge, Vice-Chairman



Bradley W. Weeks, Commissioner



City Clerk

2-2-23

Date