

# Buford City Commission

November 9, 2021

The regular monthly meeting was held on November 9, 2021 at Buford City Arena and all Commission members were present.

Chairman Beard called the meeting to order at 7:00 p.m. and members of the Boy Scouts led the Pledge of Allegiance.

Motion by Mr. Weeks, seconded by Mr. Burge to approve the agenda for the November 9, 2021 meeting as presented by staff.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to adopt the minutes from the October 4, 2021 meeting as presented by staff.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to change the December meeting to December 13, 2021.

Ayes 3  
Nays 0

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

## Rezoning:

#Z-21-29: Duke Realty Limited Partnership requests rezoning for the property located on Buford Highway, being parcel 7-298-063, from C-2 to M-1. Shane Lanham with Mahaffey Pickens Tucker, LLC spoke on behalf of the applicant. He stated that this was an assemblage of several tracts consisting of approximately 30 acres for an industrial development. There would be one building approximately 243,000 square feet of tilt-up construction and the entrance would be off Buford Highway. He stated that this development is compatible with the City of Buford Comprehensive Plan. 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 light industrial uses substantially similar to the site plan provided with the application, including the proposed buildings' sizes and associated site improvements.
2. An enhanced landscape planting plan shall be required adjacent to Buford Highway. The enhanced landscape plan is to be reviewed and approved by the Planning Director.

*JB*  
*JLB*

3. Building elevations shall be submitted to the Planning Director for approval and may include tilt-up construction.
4. 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.
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. Shall be allowed to encroach into the 75-foot impervious setback.
7. 25' stream buffer encroachment as approved by the Army Corp of Engineers and/or Georgia Environmental Protection Division.

Ayes – 3

Nays – 0

#Z-21-30: Duke Realty Limited Partnership requests rezoning for the property located at 3157 Buford Highway, being parcel 7-298-016, from C-2 to M-1. Shane Lanham with Mahaffey Pickens Tucker, LLC spoke on behalf of the applicant. He stated that this was an assemblage of several tracts consisting of approximately 30 acres for an industrial development. There would be one building approximately 243,000 square feet of tilt-up construction and the entrance would be off Buford Highway. He stated that this development is compatible with the City of Buford Comprehensive Plan. 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 rezoning to M-1 for light industrial uses substantially similar to the site plan provided with the application, including the proposed buildings' sizes and associated site improvements.
2. An enhanced landscape planting plan shall be required adjacent to Buford Highway. The enhanced landscape plan is to be reviewed and approved by the Planning Director.
3. Building elevations shall be submitted to the Planning Director for approval and may include tilt-up construction.
4. 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.
5. 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.
6. Shall be allowed to encroach into the 75-foot impervious setback.
7. 25' stream buffer encroachment as approved by the Army Corp of Engineers and/or Georgia Environmental Protection Division.

Ayes – 3

Nays – 0

#Z-21-31: Bob Cheeley requests rezoning for the property located at 125 West Shadburn Avenue, being parcel 7-294C-116, from O-I to R-100. Joseph Cheeley spoke on behalf of the applicant and requested that the building behind the house be used as an accessory residential use. No one spoke against the request. After discussion, motion by Mr. Burge, seconded by Mr. Weeks to approve the request with the following conditions:



1. That the building behind the house will either be converted to a garage or demolished.
2. Single family use only. No residential use in rear building. Applicant may apply to the Commission for alternative uses.

Ayes – 3  
Nays – 0

**Special Use Permits:**

#SUP-21-20: Viking Automotive Repair requests a special use permit for the property located at 5002 B. U. Bowman Drive, Suite 101. The special use permit requested is to allow general automotive repair. Applicant was present. 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 automotive parts, junk vehicles, or automotive repair-related equipment shall be prohibited.
2. All automotive repairs shall take place within the building. Outdoor repair operations shall be prohibited.
3. All vehicles shall be stored inside the building at the end of each business day.
4. Hours of operation shall be 8:00 a.m. until 6:00 p.m.

Ayes – 3  
Nays – 0

#SUP-21-21: Leeward Meeks requests a special use permit for the property located at 2705 Faith Industrial Drive, Suite 400. The special use permit requested is to allow a paint booth to paint vehicles, cars and trucks. The applicant was not present. No one spoke against the request. Motion by Mr. Weeks, seconded by Mr. Burge to approve the request with the following conditions:

1. Outdoor storage of automotive parts, junk vehicles, or automotive repair-related equipment shall be prohibited.
2. All automotive repairs shall take place within the building. Outdoor repair operations shall be prohibited.
3. All vehicles shall be stored inside the building at the end of each business day.
4. Hours of operation shall be 8:00 a.m. until 6:00 p.m.

Ayes – 3  
Nays – 0

#SUP-21-22: Zac Randolph requested a special use permit for the property located at 3300 Buford Drive. The special use permit requested is to allow a drive-thru restaurant. Applicant was present. No one spoke against the request. Motion by Mr. Burge, seconded by Mr. Weeks to approve the request with the following conditions:

1. The reduction request for the parking spaces shall be approved from the required 45 spaces to 31 spaces. The maximum number of parking spaces in the front of





- the building shall not exceed 9 spaces. The maximum number of spaces located on the side of the building shall not exceed 15 spaces.
2. The concurrent variance that requests for a flat roof is approved as illustrated in the elevations provided. All other architectural elements from Zoning Ordinance Section 1315.2.5 are to be provided in the final architectural design. Final building elevations shall be reviewed and approved by the Planning Director.
  3. The redevelopment of the subject property shall substantially follow the site plan provided with the special use permit application. The final site layout shall be reviewed and approved by the Planning Director.
  4. The special use is approved with the requested concurrent variances only. All other sections of the Buford City Codes and Regulations will apply to the design in subsequent permit reviews.

Ayes – 3  
Nays – 0

#SUP-21-23: Stephanie Brown requests a special use permit for the property located at 3007 Summer Oak Place. The variance requested is to allow an activity center for special needs adults. Applicant was present. No one spoke against the request. Motion by Mr. Burge, seconded by Mr. Weeks to approve the request with the following conditions:

1. The site shall be developed similar to the site plan provided with the special use permit application. However, the location of the stormwater access easement shall be outside of the 50' zoning buffer.
2. Prior to the issuance of any subsequent permits, the applicant shall provide architectural elevations to the Planning Director for review and approval.
3. Approval of this special use permit does not approve any variances for site design that may be shown on the site plan provided with the special use permit application.

Ayes – 4  
Nays – 0

**Annexations:**

Plat #612: William and Sara Marsh request annexation and zoning for the property located at 107 Holiday Road from AR-III to RA-200. Beth Knowles, daughter of the applicant, was 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

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 for the November 2, 2021 General Municipal Election.






Ayes 3  
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to accept dedication of plat on Distribution Parkway located off Friendship Road (SR 347).

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to approve plat for parcel 7-263-026 allowing up to five (5) lots to be served by a common driveway and work with property owners Johnny Barnard and Eddie Mitchell subject to the following conditions:

1. Single family homes and accessory uses only.
2. The subdivision shall consist of a maximum of 5 lots with a common shared driveway a minimum of 20' wide with access easements with heavy duty construction as approved by the City Engineer.
3. All homes shall be constructed with four (4) sides brick with accents not to exceed 60% on the front elevation and accents not to exceed 40% on the side and rear elevation. Accents shall include brick, stucco, rock, shakes, hardiplank and concrete siding as approved by the Planning Director.
4. All front and rear yards shall be sodded and shall have two (2) ornamental trees planted in the front yard.
5. All homes shall have a minimum gross heated floor area of 3400 square feet exclusive of garages or basements. All homes shall have a minimum three (3) car garages.

Ayes 3  
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to appoint Jeff Pirkle to City of Buford Planning & Zoning Board.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize Chairman to sign resolution to establish a franchise fee of 5% to holders of cable and video franchisees established by O.C.G.A. 36-76-1, Consumer Choice Television Act of 2007.

Ayes 3  
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to authorize Chairman to enter into a joint consent agreement with Atlanta Gas Light and Liberty Utilities amending a Jackson County Countywide Safety Plan.

Ayes 3  
Nays 0

*DLB*  
*ZLB*

*Burge*

Motion by Mr. Burge, seconded by Mr. Weeks to approve addition of short-term disability coverage for all active full time employees.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to approve transfer of parcels 7-293-002, 1 acre, and 7-293-160, 0.57 acres, to the Buford Downtown Development Authority.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize City Manager and City Attorney to purchase properties as presented.

Ayes 3  
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to approve final purchase of property located at 525 New Street in the amount of \$100,000.00.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to approve additional year to extend SUP-15-14 at Atwater Court, Suite 101-102 to allow church operations.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to approve payment for 2017 SPLOST City/County joint project (Thompson Mill Road Widening) and utilize City SPLOST dollars.

Ayes 3  
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to approve bid for Sardis Church Road gas relocation project to low bidder, Southern Pipeline, Inc.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to approve bid as recommended by the City Engineer for water and sewer annual contracts to low bidder, John D. Stephens, Inc.

Ayes 3  
Nays 0





Motion by Mr. Burge, seconded by Mr. Weeks to authorize Chairman to enter into an Intergovernmental Agreement with the City of Rest Haven to provide residential sanitation service and charge \$10.00 per month per household.

Ayes 3  
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to authorize payment #6 for Bona Road sidewalk project in the amount of \$71,811.26.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment #5 for Buford Waterworks replacement project in the amount of \$693,968.85.

Ayes 3  
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to authorize payment #24 for Buford legion fields improvements in the amount of \$679,821.00.

Ayes 3  
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment #3 for 2021 paving project in the amount of \$699,435.83.


Ayes 3  
Nays 0

Mr. Kerlin gave the City Manager's Report.

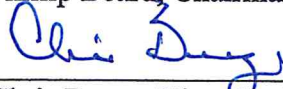
Mr. Jay gave the City Attorney's Report.

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

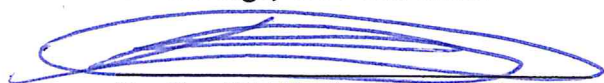
Ayes 3  
Nays 0



Phillip Beard, Chairman



Chris Burge, Vice-Chairman



Bradley W. Weeks, Commissioner

Kim W. O'Neil  
City Clerk

11-9-2021  
Date