

BUFORD CITY COMMISSION MEETING

January 6, 2025
Buford City Hall
7:00 p.m.

1. Pledge to the Flag.
2. Approve the agenda as presented.
3. Approve the minutes from the December 2, 2024 regular meeting.
4. Elect Commission Chairman for 2025.
5. Elect Vice Chairman for 2025.
6. Appoint Department Heads for 2025.

PUBLIC HEARINGS

7. **Rezoning:**

I. **#Z-24-35:**

Matthew Bonadies
4815 South Lee Street
Acres: 0.34
Parcel: 7-294A-029

Requesting rezoning from C-2 to R-100.

P & Z Recommendation:

#Z-24-35: Matthew Bonadies requested rezoning for the property located at 4815 South Lee Street from C-2 to R-100. Mitch Peevy spoke on behalf of the applicant and stated there are two (2) small homes on the property. He stated that the homes are too small for commercial use and would like to rezone to R-100 and the applicant will live in one home and use the other home as a rental property. The Chairman stated the request does not align with the City's future land use plan and would like for the property to remain commercial. There were no objections from

the audience. Motion by Robert Perkins and seconded by Jason Mosley to recommend denial of the rezoning request to R-100.

Ayes – 2

Nays – 2

II. #Z-24-36:

Jimmy Hill
813 West Shadburn Avenue
Acres: 0.048
Parcel: 7-293-077

Requesting rezoning from C-2 to R-100.

P & Z Recommendation:

#Z-24-36: Jimmy Hill requested rezoning for the property located at 813 West Shadburn Avenue, out of parcel 7-293-077, containing 0.048 acres from C-2 to R-100. The applicant was present and explained the request to the Board. He stated he is proposing to add this 0.048 acres to the adjacent tract at 55 Rowe Street to increase lot size for two single-family residential homes. Nina Holladay asked that the existing fence between her property at 873 Shadburn Avenue and 55 Rowe Street be removed and install a new fence. The applicant agreed. Motion by Wayne Johnson and seconded by Amy Reed to recommend approval of the rezoning request to R-100 with the following conditions: Jason Mosley abstained from voting.

1. Plats for Tract #1 and Tract #2 at 55 Rowe Street need to be provided and approved by the Planning Director.
2. If the fence is replaced between the property at 873 Shadburn Avenue and 55 Rowe Street, the fence shall be set back a minimum of 20 feet from the right-of-way of Rowe Street.

Ayes – 3

Nays – 0

Abstain – 1

III. #Z-24-37:

Gravel Springs Property, LLC
2739 South Waterworks Road
Acres: 0.67
Parcel: 7-328-008

Requesting rezoning from R-100 to C-2.

P & Z Recommendation:

#Z-24-37: Gravel Springs Properties, LLC requested a rezoning request at 2739 South Waterworks Road, out of parcel 7-328-008, containing 0.67 acres from R-100 to C-2. Dale Brown spoke on behalf of the applicant and stated the property would be developed as a parking area with a proposed office building in the future. There were no objections from the audience. Motion by Jason Mosley and seconded by Wayne Johnson to recommend approval of the request to C-2 with the following conditions:

1. Per the City of Buford Zoning Ordinance Section 605-606, minimum undisturbed buffer requirements, C-2 zoned property shall provide a minimum of 75-foot undisturbed buffer for screening adjacent to residential. The applicant shall replant areas that are void of vegetation for effective screening. The final plan is to be reviewed and approved by the Planning Director.
2. Vehicular parking shall be within designated striped parking and loading spaces and parking on grassed areas or within the fire lane is prohibited.
3. No business-related parking shall be located on any public street.
4. The proposed site improvements shall be in compliance with the City's stormwater management regulations.

Ayes – 4

Nays – 0

IV. #Z-24-38:

Tipton Development, LLC
2789 South Waterworks Road
Acres: 1.381
Parcel: Out of parcel 7-328-006A

Requesting rezoning from C-2 to R-100.

P & Z Recommendation:

#Z-24-38: Tipton Development, LLC requested rezoning for the property located at 2789 South Waterworks Road, out of parcel 7-328-006A, containing 1.381 acres from C-2 to R-100. Reiner Rietig spoke on behalf of the applicant and stated they are requesting to rezone the tract to R-100 and propose to subdivide into three (3) single-family residential lots. There were no objections from the audience. Motion by Wayne Johnson and seconded by Amy Reed to recommend approval of the rezoning request to R-100 with the following conditions:

1. The applicant shall submit a minor subdivision plat substantially similar to the plat provided with the application with the concurrent variances for each of the three lots to reduce the lot width of Lot #1 from 100' to 86.52', Lot #2 from 100' to 86.54' and Lot #3 from 100' to 86.52'.
2. The applicant shall provide a house location plan with the building permit application to be approved by the Planning Director.
3. The proposed new homes shall be constructed with four (4) sides of 80% 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.
4. All front, side and rear yards shall be sodded and shall have two (2) 3-inch ornamental trees planted in the front yard.
5. The new homes shall have a minimum gross heated floor area of 3400 square feet exclusive of garages or basements. The new home shall have a minimum of two (2) car garages.
6. The driveway shall be a minimum width of 18 feet.

Ayes – 5

Nays – 0

8. Special Use Permits:

I. #SUP-24-32:

Panda Express

4966 Lanier Islands Parkway

Parcel: Out of parcel 08-157-000001, Tract One B

Requesting to allow a drive-thru service.

P & Z Recommendation:

#SUP-24-32: Panda Express requested a special use permit for the property located at 4966 Lanier Islands Parkway, out of parcel 08-157-000001, Tract One B. The special use permit requested is to allow a drive-thru service. Mitch Peevy spoke on behalf of the applicant and explained the request to the Board. He stated they are proposing a drive-thru window and are also asking for a variance to allow a flat roof, metal awning and decorative metal accents with lighting on the building. The City stated the red lighting shall not be a bright red glow on the building, but would allow a red strip outline only. There were no objections from the audience. Motion by Amy Reed and seconded by Wayne Johnson to recommend approval of the special use permit with the following conditions:

1. The special use permit applies to the Panda Express and at such time in the future Panda Express vacates the site this special use permit expires.
2. The approval of this special use permit does not provide relief of any requirements of the Zoning Ordinance or Development Regulations.
3. The final site plan shall be substantially similar to the plan submitted with the special use permit. The final site plan shall be reviewed by the Planning Director.
4. The approval of allowing the use of a combination of pitched and flat roof building design instead of a pitched roof. To allow the metal awnings over the entry doors, the final architectural plans shall be submitted for review and approval by the Planning Director.
5. Cross access agreement to be in place prior to development.
6. To allow a red strip outline accent on the building only. The red light outline shall be non-glowing.

Ayes – 4

Nays – 0

II. #SUP-24-33:

Vermeer Southeast Sales & Service, Inc.

4538 Thompson Mill Road

Parcel: 7-266-003 & 7-266-004

Request to allow an equipment sales and service facility.

P & Z Recommendation:

#SUP-24-33: Vermeer Southeast Sales & Service, Inc. requested a special use permit for the property located at 4538 Thompson Mill Road. The special use

permit requested is to allow an equipment sales and service facility. Mitch Peevy spoke on behalf of the applicant and explained the request to the Board. He stated this would be equipment sales and service. They are also asking for a buffer reduction and to use tilt-up concrete construction material on the main building. There were no objections from the audience. Motion by Wayne Johnson and seconded by Amy Reed to recommend approval of the special use permit with the following conditions:

1. Special use permit SUP-24-33 does not include concurrent variances to Buford City Code where the provided site plan is not in conformity unless specifically addressed.
2. To allow tilt-up concrete construction with architectural features as required by the Zoning Ordinance Section 1316 for the 22,200-square foot main building, a complete set of building elevations need to be reviewed and approved by the Planning Director.
3. Architectural plans shall be provided for washing facility (1,500 SF) and storage structure (3,300 SF) with pitched roof, minimum pitch of four (4) in twelve (12) per Section 1316.A. Unknown structure next to the proposed main building need to be labeled and provide architectural plans. All architectural plans need to be reviewed and approved by the Planning Director.
4. Wash facility must be tied to sanitary sewer system. No wash water to enter the stormwater management system.
5. To allow a black metal decorative fence with brick columns within the front yard and black vinyl coated chain link fence along the sides and rear of the property. Shall allow a guardrail located behind the black metal decorative fence and brick columns.
6. The site shall include a 15' enhanced landscape strip adjacent to Thompson Mill Road. The landscape strip shall screen the site with various evergreen trees and shrubs. Landscape strips shall not be encroached with walls, easements, parking, curb and gutter, retaining walls or any other site improvements. The entrances can encroach the landscape strip as close as perpendicular as possible. The enhanced landscape plan shall be designed and sealed by a Georgia registered landscape architect and approved by the Planning Director.
7. In place of the required 75' undisturbed zoning buffer, the applicant shall provide 6' opaque fencing, and 10' height evergreen tree plantings adjacent to the rear property line. The landscape plan shall be designed and sealed by a Georgia registered landscape architect and approved by the Planning Director.

8. Sidewalks and curb & gutter are required to be located adjacent to the full amount of road frontage at Thompson Mill Road and proposed deceleration lane.
9. Traffic study is required, signalized intersection may be necessary for the main entrance. Elevations required for review by the Planning Director for both entrances.
10. Asphalt and/or concrete outdoor storage areas shall be allowed per the site plan submitted with the application for equipment that is for sale or lease. No accumulation of junk equipment or parts shall be on the property at any time.
11. The final site plan must be approved by the Planning Director.
12. The development shall have two (2) access drives onto Thompson Mill Road.
13. All service or repairs of equipment shall be performed inside the building.

Ayes – 4

Nays – 0

III. #SUP-24-34:

BBC Investment Group, LLC

79 Moreno Street

Parcels: 7-295A-35 and 7-295A-128

Requesting to allow secondary residential units.

P & Z Recommendation:

#SUP-24-34: BBC Investment Group, LLC requested a special use permit for the property located at 79 Moreno Street, being parcels 7-295A-35 and 7-295A-128. The special use permit requested is to allow secondary residential units. The applicant was not present. The Chairman stated the applicant requested 9 one-bedroom residential units, 9 two-bedroom residential units and nine (9) first floor retail units. The City requested that all residential units be one-bedroom. There were no objections from the audience. Motion by Wayne Johnson and seconded by Amy Reed to recommend approval of the special use permit with the following conditions:

1. The development shall consist of nine (9) retail units on the first floor and up to 18 one-bedroom residential units.
2. The applicant shall submit a complete site plan and an enhanced landscape/hardscape plan for review by the Planning Director showing

harmony with the historic downtown character prior to the submittal of the land disturbance permit application.

3. The approval of the special use permit does not provide approval of variances to the City of Buford's Zoning Ordinance or Development Regulations.
4. Prior to issuing any subsequent permits, the applicant shall submit updated architectural elevations similar to the architectural illustrations provided with the special use permit application. The architectural elevations shall incorporate features found on buildings in and around Main Street or similar historic architectural elevations in character with the area with labels of materials. The final architectural plan shall be approved by the Planning Director.
5. To reduce the side setbacks up to 0' subject to the approval of each property owner and as approved by the City.
6. To provide steps for pedestrian access to Moreno Street sidewalks.
7. Homeowner's Association protective covenants, conditions and restrictions required, subject to the approval of the Planning Director. Rentals shall be no more than 25% of the recorded development.

Ayes – 4

Nays – 0

IV. #SUP-24-35:

**BBC Investment Group, LLC
79 Moreno Street
Parcels: 7-295A-036**

Requesting to allow secondary residential units.

P & Z Recommendation:

#SUP-24-35: BBC Investment Group, LLC requested a special use permit for the property located on Moreno Street, parcel 7-295A-036. The special use permit requested is to allow secondary residential units. The applicant was not present. The Chairman stated the applicant requested 9 one-bedroom residential units, 9 two-bedroom residential units and nine (9) first floor retail units. The City requested that all residential units be one-bedroom. There were no objections from the audience. Motion by Wayne Johnson and seconded by Amy Reed to recommend approval of the special use permit with the following conditions:

1. The development shall consist of nine (9) retail units on the first floor and up to 18 one-bedroom residential units.
2. The applicant shall submit a complete site plan and an enhanced landscape/hardscape plan for review by the Planning Director showing harmony with the historic downtown character prior to the submittal of the land disturbance permit application.
3. The approval of the special use permit does not provide approval of variances to the City of Buford's Zoning Ordinance or Development Regulations.
4. Prior to issuing any subsequent permits, the applicant shall submit updated architectural elevations similar to the architectural illustrations provided with the special use permit application. The architectural elevations shall incorporate features found on buildings in and around Main Street or similar historic architectural elevations in character with the area with labels of materials. The final architectural plan shall be approved by the Planning Director.
5. To reduce the side setbacks up to 0' subject to the approval of each property owner and as approved by the City.
6. To provide steps for pedestrian access to Moreno Street sidewalks.
7. Homeowner's Association protective covenants, conditions and restrictions required, subject to the approval of the Planning Director. Rentals shall be no more than 25% of the recorded development.

Ayes – 4

Nays – 0

IV. #SUP-24-36:

**Bradley Cohron
239 E. Moreno St.
Parcels: 7-295A-011**

Requesting to allow an automotive shop.

P & Z Recommendation:

#SUP-24-36: Bradley Cohron requested a special use permit for the property located at 239 East Moreno Street. The special use permit requested is to allow an automotive shop. The applicant was present and explained the request to the Board. He stated that his business has grown, and he needs to expand to this location. The Board stated that the automotive work shall be performed inside the building and no storage of vehicles outside and to provide required parking spaces

for the business. The applicant agreed. There were no objections from the audience. Motion by Amy Reed and seconded by Jason Mosley to recommend approval of the special use permit as requested with the following conditions:

1. Approval of this special use permit is for current owner and will expire should the current use vacate the site.
2. The approval of a special use permit does not provide approval of variances or alterations to local, state, or federal regulations.
3. No accumulation of junk vehicles and mechanical repairs shall be done inside.
4. All outdoor parking of customer vehicles shall be on asphalt or concrete in designated parking areas.
5. Shall provide the required number of striped parking spaces for the business.

Ayes – 5

Nays – 0

9. **Zoning Amendments:**

#ZA-24-02: Zoning Ordinance Amendment
Article VII, Section 700. Walls and Fences

Authorizes staff (rather than Zoning Board of Appeals) to approve installation of fences and walls in front yards for both residential and non-residential properties per ordinance.

P & Z Recommendation:

#ZA-24-02: Motion by Jason Mosley and seconded by Wayne Johnson to recommend approval of the amendment to the City of Buford Zoning Ordinance, Article VII, Section 700. Walls and fences.

Ayes – 4

Nays – 0

10. Conduct public hearing to opt out of the statewide adjusted base year ad valorem homestead exemption for the City of Buford as provided in House Bill 581.

END OF PUBLIC HEARINGS

11. Set qualifying fees for 2025 Municipal General Election.

12. Approve annual membership fees for Georgia Municipal Association in the amount of \$7,316.80.
13. Re-appoint Robert Perkins to Planning & Zoning Board.
14. Approve resolution for a 120 day moratorium issuance for permits for smoke shops, vape shops and similar.
15. Consider approval of amendment to City of Buford Code of Ordinances, Chapter 12, Businesses, Article III, Transient and Itinerant Merchants to add Section 12-90, Mobile Food Vendors; and other purposes.
16. Consider approval of construction management contract with Charles Black Construction Company, Inc. for a period of five (5) years ending February 2, 2030.
17. Consider approval of travel contribution to Barcelona Spain in April 2025 by the Buford Community Girls Chorus in the amount of \$1,500.00 per member.
18. Approve special event permit at Buford Community Center for Antique Holiday Market November 13-16, 2025.
19. Approve Memorandum of Agreement with Georgia Department of Transportation (GDOT) for roadway lighting on State Route 347/Lanier Islands Parkway.
20. Authorize release of pledged funds at Peoples Bank & Trust.
21. Authorize Chairman to apply for Fiscal Year 2025 U. S. Department of Transportation Discretionary Grant in the amount up to \$8,000,000 for the Buford City Stadium Pedestrian Bridge Project; and other purposes.
22. Authorize payment of Invoice #18137-34 in the amount of \$19,003.77 to Breaux & Associates for Buford City Stadium project.
23. Authorize payment #25 in the amount of \$1,548,314.00 to Charles Black Construction Co., Inc. for Buford City Stadium project.

24. Authorize final payment in the amount of \$42,193.50 to Ceds Construction Co., Inc. for SR 342 gas relocation project.
25. Authorize final payment of Invoice #2403-023-1 in the amount of \$33,690.94 to Charles Black Construction Co., Inc. for Bona Road Gym improvements project.
26. Authorize final payment in the amount of \$2,637.00 to Charles Black Construction Company, Inc. for Buford City Gym Parking project and utilize SPLOST funds.
27. City Manager's Report.
28. 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.