

Buford City Commission

March 6, 2023

The regular monthly meeting was held on March 6, 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 March 6, 2023 Commission meeting as presented by staff.

Ayes 3

Nays 0

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

Ayes 3

Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to change the April 3, 2023 meeting to April 10, 2023.

Ayes 3

Nays 0

Chairman Beard stated that Derrick Young had a prior commitment and asked that he be recognized for his twenty (20) years of service with the City at a later time.

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

Rezoning:

#Z-23-01: Richardson Asset Management, LLC requests rezoning for the property located at 3600 Shoreland Drive from R-100 to RA-200. Mitch Peevy spoke on behalf of the applicant. 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 apply for a land disturbance permit for review by the City Engineer. The City Engineer shall determine the need for State and/or Federal permitting/variances for the disturbances of state waters, as necessary.
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 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. The barn shall be designed as per the drawing submitted with the application by Creative Concepts Studio, dated October 26, 2016.

4. The home shall have a minimum gross heated floor area of 3400 square feet exclusive of garages or basement.
5. Only one (1) residential home is allowed for single-family dwelling, per lot, within RA-200 district. The accessory structure shown on the site plan provided with the rezoning application is to be for a detached garage/barn as indicated in the letter of intent.

Ayes 3
Nays 0

#Z-23-07: Jacob Hand requests rezoning for the property located on Holiday Road, being out of parcel 08-169-001002B, containing 1.192 acres from RA-200 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 width and lot area.
2. Prior to the issuance of any subsequent permits the applicant shall provide an exemption plat for review and approval. The exemption plat shall be accompanied by an environmental report that provides verification of state waters located at the subject site.
3. Only one (1) residential home is allowed for single-family dwelling, per lot, within R-100 district.
4. The applicant shall provide a house location plan (HLP) with the building permit to be approved by the Planning Director.
5. The home shall be constructed with three (3) sides brick or stone with accents not to exceed 40% on each elevation. The rear elevation shall have a 42" water table of brick or stone. Accents shall include brick, stucco, rock, shakes, hardiplank, and concrete siding as approved by the Planning Director.
6. The proposed home shall have a minimum gross heated floor area of 3400 square feet exclusive of garages or basement and shall have a minimum two (2) car garage.
7. The driveway shall be a minimum width of 18 feet.
8. All front and side yards to rear elevation shall be sodded and shall have two (2) 3-inch ornamental trees planted in the front yard.
9. Road improvements including curb and gutter and 5-foot sidewalk is required along Holiday Road. All improvements shall meet the standard of City of Buford codes and ordinances, subject to approval by the City Engineer and staff.

Ayes 3
Nays 0

#Z-23-08: David Anderson requests rezoning for the property located on North Bogan Road, being parcels 08-155-000021 and 08-155-000021A, containing 4.531 acres from R-100 to RA-200. Mitch Peevy spoke on behalf of the applicant. 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 provide a house location plan (HLP) with the building permit to be approved by the Planning Director.
2. Prior to the issuance of any subsequent permits the applicant shall provide a combination plat for review and approval.
3. Only one (1) residential home is allowed, and the existing barn shall remain.
4. The proposed home shall be a farmhouse style estate home as per the drawing submitted with the application by Caldwell Cline Architects and Designers dated December 28, 2022.
5. The minimum square footage shall be 3200 gross heated floor area exclusive of garages or basement. The home shall have a minimum two (2) car garage.
6. The driveway shall be a minimum width of nine (9) feet from North Bogan Road to the barn and then a minimum width of 18 feet from the 9-foot drive to the house 2-car garage.
7. The existing fence shall be repaired and extended to along the lot to the rear elevation of the home.
8. The front yard shall be sodded with a minimum area of one (1) acre and the side and rear yards shall be sodded with a minimum border of 20 feet.
9. The road improvements including sidewalk and curb and gutter shall not be required per the exemption letter from Hall County Traffic and Engineering Division.

Ayes 3

Nays 0

#Z-23-09: bSide Partners, LLC request rezoning for the property located at 4105 Gainesville Highway from C-2 to M-1. Mitch Peevy spoke on behalf of the applicant. Mayra Sharp, Wildwood Subdivision, had concerns with any floodplain disturbance, vehicles entering the site and also asked for a larger undisturbed buffer that abuts residential properties. Mr. Peevy stated the floodplain would not be disturbed and the buffer would probably end up being more like 55 feet depending on the grading. After short discussion, motion by Mr. Burge, seconded by Mr. Weeks to approve the request with the following conditions:

1. Per City of Buford Zoning Ordinance Section 605-606, minimum strip requirements, M-1 zoned property shall include a minimum of 50' buffer strip 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. Landscape and architectural design shall follow section 1316.1 – Design Requirements, Buford Zoning Ordinance.
3. Vehicular parking shall be within designated striped parking spaces and parking on grassed areas is prohibited.
4. The mini-self-storage building shall have 10 parking spaces per the site plan submitted with the application and if the building has office-warehouse users then parking will be provided underground as required per the City of Buford Zoning Ordinance, Article X.
5. The final plans shall be approved by the Planning Director.
6. U-Haul rentals shall be prohibited.

7. Outdoor speakers shall be prohibited.
8. No outdoor storage of junk vehicles is allowed on the site.
9. All exterior lighting shall be directed and shielded so as to illuminate the development only.
10. A fence shall be installed along the property line of 5388 Frazer Road.
11. No distribution loading docks on rear of building B, C and D. Building A will have a rear door/dock on the back of the building.
12. Erect a black chain link fence along the property line with screening black slats.

Ayes 3
Nays 0

Annexations:

Plat #655: Patrick Houlihan requests annexation and zoning for the property located at 463 Thunder Road from AR-III to RA-200. Hall County did not object to the annexation. No one spoke against the request. The applicant was not present. Motion by Mr. Burge, seconded by Mr. Weeks to deny the request.

Ayes 3
Nays 0

Plat #656: Dwell Co., LLC by Angela Utayev requests annexation and zoning for the property located at 2976 North Bogan Road from R-75 to R-100. The applicant was present. Gwinnett County did not object to the annexation and zoning request. No one spoke against the request. Motion by Mr. Weeks, seconded by Mr. Burge to approve the request with the following conditions:

1. If existing home is removed or new home constructed, 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. Such home shall be constructed with four (4) sides brick or stone with accents not to exceed 20% on the front, side and rear 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 # 657: Carol M. Simmons requests annexation and zoning for the property located at 6224 Mount Salem Circle from AR-III to RA-200. Jeff Pruitt spoke on behalf of the applicant. Hall County did not object to this annexation and zoning request. No one spoke against the request. Motion by Mr. Burge, seconded by Mr. Weeks to approve the request with the following conditions:



1. If existing home is removed or new home constructed, 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. Such home shall be constructed with four (4) sides brick or stone with accents not to exceed 20% on the front, side and rear 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

Zoning Amendment

#ZA-23-01: Amendment to Zoning Ordinance concerning Section 1308 C-2 General Business District, Special Uses, 30. Liquor stores to modify population requirements and other provisions. Motion by Mr. Burge, seconded by Mr. Weeks to table amendment and to extend permitting moratorium for an additional sixty (60) days.

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 table amendment to Section 6-56, City of Buford Code of Ordinances Article II, Licenses, Criteria upon receipt of multiple package store applications and adopt fee for such use and extend permitting moratorium for an additional sixty (60) days.

Ayes 3
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to approve purchase of properties located at 125 N. Church Street, parcel ID 7-294C-008, in the amount of \$160,000, 584 New Street, parcel ID 7-296-073 in the amount of \$300,000, 515 Copper Street, parcel ID 7-296-004A, in the amount of \$60,000, and 545 Copper Street, parcel ID 7-296-003A, in the amount of \$70,000.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to reappoint Robert Murphy and Dorothy Lott as Board of Directors at the Housing Authority of the City of Buford.

Ayes 3
Nays 0



Motion by Mr. Burge, seconded by Mr. Weeks to authorize City Manager and City Attorney to proceed with eminent domain proceedings for the acquisition of property for the Moreno Street pedestrian facilities and streetscape project as to the parcels set forth herein.

Ayes 3
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to authorize renewal of 2023-2024 general liability and property insurance policy package with Sterling, Seacrest & Pritchard / Pritchard Insurance Agency.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to approve special event at Buford Youth Sports Complex for Elyte Sports, LLC, flag football.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to approve Buford Senior Academy bids for classroom expansion project.

Ayes 3
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to award bid for Bona Road Pedestrian improvements – Phase II project (CDBG) to Backbone Infrastructure, LLC.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to approve utility easement from WREG Harbins Retail, LLC for installation of a gas line at the Publix Store #1893 located at 952 Harbins Road, Dacula, GA 30019.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment of Invoice #22115-06 in the amount of \$375.00 to Breau & Associates for Buford High School restroom project.

Ayes 3
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to authorize payment of Invoice #18137-12 in the amount of \$155,614.76 to Breau & Associates for new Buford High School Stadium project.



Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment #4 in the amount of \$614,914.13 to John D. Stephens, Inc. for Waterworks Road water main relocation project.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize and hold payment #4 in the amount of \$111,808.35 to Ohmshiv Construction, LLC for Shadburn Ferry Road storm drainage until project completion and authorize change order #1 to Glosson Enterprises, LLC for Shadburn Ferry Road Sidewalk improvements project.

Ayes 3
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to authorize payment #4 in the amount of \$274,270.02 to John D. Stephens, Inc. for new Buford High School sewer project.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment #3 in the amount of \$749,118.00 to Veolia Water Technologies, Inc. for Southside WPCP Tertiary filter replacement.

Ayes 3
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to authorize payment #21 in the amount of \$321,552.09 to Ruby Collins, Inc. for water plant expansion project and payment of Invoice #2370-23 in the amount of \$11,180.00 to Global Control Systems, Inc. for specialized controls and instrumentation.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment #4 in the amount of \$88,841.00 for Buford High School baseball restrooms project and payment #5 in the amount of \$332,284.00 for Buford Middle School addition and renovations project to Charles Black Construction Co., Inc.

Ayes 3
Nays 0



Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment of Invoice #6 in the amount of \$58,003.00 to Charles Black Construction Co., Inc. for New Street relocation project and utilize SPLOST funds and general funds.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment of Invoice #4 in the amount of \$27,135.00 to Charles Black Construction Co., Inc. for Buford Southside Water Treatment Plant Office Building project.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment of Invoice #2 in the amount of \$342,095.00 to Charles Black Construction Co., Inc. for Robert Bell Parkway road repair project and utilize SPLOST funds.

Ayes 3
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to authorize payment of Invoice #3 in the amount of \$38,163.64 to Charles Black Construction Co., Inc. for Buford High School stadium project.

Ayes 3
Nays 0

Mr. Kerlin gave the City Manager's Report.

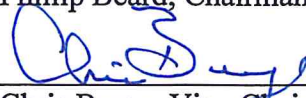
Mr. Jay gave the City Attorney's Report.

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

Mr. C. W. Dye
City Clerk

3-6-23
Date