

Buford City Commission

May 6, 2024

The regular monthly meeting was held on May 6, 2024 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 May 6, 2024 meeting as presented.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to adopt the minutes from the April 9, 2024 regular meeting as presented by staff.

Ayes 3
Nays 0

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

Rezoning:

#Z-24-06: TC Atlanta Development, LLC requested a rezoning request located at 6207 Lanier Islands Parkway, being parcels 07-330-003001, 07-330-003002, 07-330-003002A, 07-330-004003 and 7-356-000002, containing 59.958 acres from C-2/R-100 to M-1. Mitch Peevy spoke on behalf of the applicant. Debra McCormick spoke in opposition of the rezoning request. She stated the proposed industrial use is inconsistent with the City of Buford land use plan and is not suitable for the residential area. She presented to the Board a memorandum of objections for the record. Frank Compton, Dr. Sam, Luke Potts and Judy Chasey all spoke in opposition of the request and all had the same concerns of increased noise and truck traffic, decrease in property values and negative impacts for a residential lakeside area. Ken Ley, North Waterworks Road, asked for two (2) entrances into the development. Mr. Peevy stated that would not be feasible.

After a brief discussion, motion by Mr. Burge, seconded by Mr. Weeks to approve the request with the following conditions:

1. Rezoning case Z-24-06 and filing application does not include concurrent variances to Buford City Code where the provided site plan is not in conformity to the Development Regulations or Zoning Ordinance unless specifically addressed.
2. The 50' zoning buffer shall be reduced to 0 in the area where the access driveway is being rebuilt. The final site plan shall show the reduced buffer in the same area as the site plan submitted with this application shall be approved by the Planning Director.



3. Final building elevations shall be similar to the elevations provided to the City and final approval shall be by the Planning Director with tilt-up building construction and a maximum of 50 feet in height is approved.
4. The variance to disturb the 50' stream buffer and 75' impervious setback shall be approved along with all state and federal permitting as required. The applicant shall show proof of state and federal permitting prior to the issuance of a land development permit, subject to approval by the Planning Director.
5. The development shall include a 15' enhanced landscape strip adjacent to all road frontages with planting to provide an effective year-round screen. The Planning Director shall review and approve the enhanced landscape strip.
6. 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.
7. The applicant shall develop the site in full conformance with the Development of Regional Impact (DRI) recommendation after the review and approval by the Georgia Mountains Regional Development Commission (GMRDC).
8. To eliminate the deceleration lane along Big Creek Road due to lack of traffic coming from Big Creek Park (Lake Lanier).
9. Applicant shall dedicate necessary rights-of-way in order to install deceleration lane on SR 347.
10. Truck traffic shall be prohibited on New Bethany Road.

Ayes 3
Nays 0

#Z-24-07: TC Atlanta Development, LLC requested rezoning for the property located at 3041 Big Creek Road, being parcel 07-330-003001, containing 14.902 acres from RL to M-1. Mitch Peevy spoke on behalf of the applicant. Debra McCormick spoke in opposition of the rezoning request. She stated the proposed industrial use is inconsistent with the City of Buford land use plan and is not suitable for the residential area. She presented to the Board a memorandum of objections for the record. Frank Compton, Dr. Sam, Luke Potts and Judy Chasey all spoke in opposition of the request and all had the same concerns of increased noise and truck traffic, decrease in property values and negative impacts for a residential lakeside area. Ken Ley, North Waterworks Road, asked for two (2) entrances into the development. Mr. Peevy stated that would not be feasible. The same objections from case #Z-24-06 will apply to this rezoning request.

Motion by Mr. Weeks, seconded by Mr. Burge to approve the request with the following conditions:

1. Rezoning case Z-24-07 and filing application does not include concurrent variances to Buford City Code where the provided site plan is not in conformity to Development Regulations or Zoning Ordinance unless specifically addressed.
2. The 50' undisturbed buffers shall be reduced to 25' and replanted with 4 rows of evergreen trees and shrubs where sparsely vegetated to provide an effective year-round screen. The final landscape plan shall be reviewed and approved by the Planning Director.
3. Final building elevations shall be similar to the elevations provided to the City and shall be approved for tilt-up construction with a maximum of 50 feet in height. The final building elevations shall be approved by the Planning Director.

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4. The development shall include a 15' enhanced landscape strip adjacent to all road frontages with plantings to provide an effective year-round screen. The Planning Director shall review and approve the enhanced landscape plan.
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. The applicant shall develop the site in full conformance with the Development of Regional Impact (DRI) recommendation after the review and approved by the Georgia Mountains Regional Development Commission (GMRDC).
7. To eliminate the deceleration lane along Big Creek Road due to lack of traffic coming from Big Creek Park (Lake Lanier).
8. Applicant shall dedicate necessary rights-of-way in order to install deceleration lane on SR 347.
9. Truck traffic shall be prohibited on New Bethany Road.

Ayes 3
Nays 0

Special Use Permits:

#SUP-24-06: Krause MB Van Center requested a special use permit for the property located at 3189 and 3227 Gravel Springs Road. The special use permit requested is to allow a Mercedes Benz Sprinter Van Dealership. Mitch Peevy 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. Staff recommends approval of the zoning buffer reduction from 75 feet to 50 feet where the site abuts R-100 zoning district and approval of the zoning buffer reduction from 75 feet to 0 where the site abuts RM-10 and Public zoning districts.
2. Staff recommends approval of the variance request to encroach into the 25-foot impervious setback to construct a retaining wall and to provide the following criteria per the City of Buford Zoning Ordinance:
 - a. A site map that includes locations of all streams, wetlands, floodplain boundaries and other natural features, as determined by field survey;
 - b. A description of the shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;
 - c. A detailed site plan that shows the locations of all existing and proposed structures and other impervious cover, the limits of all existing and proposed land disturbance, both inside and outside the buffer and setback. The exact area of the buffer to be affected shall be accurately and clearly indicated;
 - d. Documentation of unusual hardship should the buffer be maintained; At least one alternative plan, which does not include a buffer or setback intrusion, or an explanation of why such a site plan is not possible;
 - e. A calculation of the total area and length of the proposed intrusion; A stormwater management site plan; and,
 - f. Proposed mitigation for the intrusion. If no mitigation is proposed, the request must include an explanation of why none is being proposed.
3. Staff recommends the approval of the variance request to allow more than 35% of vehicle parking in the front yard.

4. Staff recommends approval of the variance request to reduce the tree density requirement by 50%. However, the landscape design shall include additional low growing shrubs and understory trees such as crepe myrtles as approved by the Planning Director.
5. Staff recommends approval of the use of metal panels on the building. The applicant shall submit detailed elevations to the Planning Director for review and final approval of the building materials and color.
6. Business operations shall not include outdoor repair of vehicles or the storage of business-related equipment or junk vehicles.
7. Automotive inventory shall be stored in dedicated striped parking areas.
8. Ground and wall signs shall conform to the City of Buford Sign Ordinance for locations, square footage, and height unless a separate variance is applied for and approved.
9. Outdoor intercom or speaker system is prohibited.
10. Outdoor lighting shall be a contained cut-off type luminary to contain lighting onto the property. The applicant shall provide a photometric analysis plan as part of the land disturbance permit demonstrating the containment of outdoor lighting on-site.

Ayes 3
Nays 0

Annexations:

Plat #687/#Z-24-08: Chris Watford and Amy Barfield requested annexation and rezoning for the property located at 4470 Bennett Road from S-S/AR-III to RA-200. Hall County did not object to this annexation and rezoning request. No one spoke against the request. Motion by Mr. Weeks, seconded by Mr. Burge to approve the request with the following conditions:

1. At such time site improvements are proposed the site is to be reviewed for City of Buford Zoning Ordinance and Development Regulations.

Ayes 3
Nays 0

Plat #688: Soo Jin Nam requested annexation and zoning for the property located on South Bogan Road, being parcel 7-220-015, containing 4.760 acres from R-100 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 deny the request.

Ayes 0
Nays 3

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

Motion by Mr. Burge, seconded by Mr. Weeks to approve subdivision plat for 1672 Plunketts Road.

Ayes 3
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to approve subdivision plat for 2880 Gravel Springs Road.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to re-appoint Bonita Burel to Zoning Board of Appeals.

Ayes 3
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to re-appoint Dorothy Lott as resident Board Commissioner for Buford Housing Authority.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to approve slope easement and drainage easements, City owned parcel 7-302-109, to Josh Brown for development of warehouse on Peachtree Industrial Blvd.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to approve Restatement of Defined Benefit Retirement Plan through the Georgia Municipal Employees' Benefit System in compliance with IRS rules, restatement of vesting schedule and revised benefit calculations, in-service distribution, increased benefits and other purposes.

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 payment of invoice to Nisewonger Audio Visual Center in the amount of \$19,948.44 for Buford High School baseball field outdoor display system.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment #3 in the amount of \$192,183.86 to Site Engineering, Inc. for Jackson Street Sewer Improvements, Phase II. (CDBG)

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment #6 in the amount of \$57,558.90 to Backbone Infrastructure, LLC for Bona Road sidewalk project. (Final)

Ayes 3
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to authorize final payment, including retainer, in the amount of \$154,386.56 to Allied Paving Contractors, Inc. for 2023 LMIG paving project.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment #9 in the amount of \$131,980.15 to Backbone Infrastructure, LLC for West Moreno Street improvements project.

Ayes 3
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to authorize payment #17 in the amount of \$2,712,415.00 to Charles Black Construction Company, Inc. for Buford City Stadium project.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment of Invoice #18137-26 in the amount of \$29,397.58 to Breaux & Associates for Buford City Stadium project.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment of Invoice #9 in the amount of \$31,934.39 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 #15 in the amount of \$194,328.00 to Charles Black Construction Company, Inc. for Buford Senior Academy addition project.

Ayes 3
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to authorize final payment in the amount of \$63,691.72 to H. Lloyd Hill Architects & Associates, Inc. for Buford Middle School addition 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.

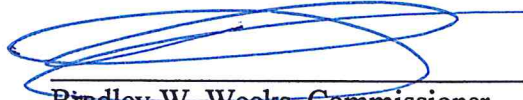
Ayes 3
Nays 0



Phillip Beard, Chairman



Chris Burge, Vice Chairman



Bradley W. Weeks, Commissioner



City Clerk

6-3-24

Date