

# BUFORD CITY COMMISSION MEETING

April 9, 2024  
Buford City Hall  
7:00 p.m.

1. Pledge to the Flag.
2. Approve the agenda as presented.
3. Approve the minutes from the March 4, 2024 meeting.

## **PUBLIC HEARINGS**

### **4. Rezoning:**

#### **I. #Z-24-09:**

**Double B Properties, LLC  
65 South Alexander Street  
Acres: 0.41  
Parcel: 07-294-010**

**Requesting rezoning from C-2 (Commercial) to R-100  
(Single Family Residential).**

### **P & Z Recommendation:**

#Z-24-09: Double D Properties, LLC requested rezoning for the property located at 65 South Alexander Street from C-2 to R-100. Jeff Pruitt spoke on behalf of the applicant and stated the property is being used for residential and the owner needed to have it rezoned to residential in order to build a garage on the property. There were no objections from the audience. Motion by Harley Bennett and seconded by Wayne Johnson to recommend approval of the rezoning request to R-100 and should the existing home be removed, or a new home is constructed the following conditions shall apply:

1. Home shall have a minimum heated floor area of 2800 square feet exclusive of garage or basements. 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, 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 – 4

Nays – 0

## **II. #Z-24-10:**

**Josh Brown**

**Peachtree Industrial Boulevard**

**Acres: 1.061 & 1.037**

**Parcel: out of 7-302-109 & 7-302-407**

**Requesting rezoning from P (Public) to M-1 (Light Industrial).**

### **P & Z Recommendation:**

#Z-24-10: Josh Brown requested rezoning for the property located on Peachtree Industrial Boulevard, being parcels 7-302-109 and 7-302-407, containing 2.098 acres from Public to M-1. The applicant was present and stated he is proposing an office warehouse building for his garage door business. He also requested a reduction in the front setback to 10 feet due to the large right-of-way on Peachtree Industrial Boulevard. There were no objections from the audience. Motion by Amy Reed and seconded by Wayne Johnson to recommend approval of the rezoning request to M-1 with the following conditions:

1. The final development design shall be substantially similar to the site plan provided with the application including the sizes of the proposed buildings and parking.
2. The front building setback shall be reduced from 50-feet to 10-feet. The side setback shall be reduced from 20-feet to 15-feet.
3. The approval of the rezoning application does not extend to zoning or code non-conformities unless specifically addressed in the application.
4. The applicant shall provide building elevations including material and color to be approved by the Planning Director.
5. The development shall include a 10' enhanced landscape strip, adjacent to the right-of-way, planted with a mixture of evergreen trees and shrubs to

provide an effective screen from Peachtree Industrial Boulevard. The landscape plan is to be submitted to the Planning Director.

6. Outdoor lighting shall be contained in cut-off type luminaires and shall be directed toward the property so as not to reflect into adjacent properties or rights-of-way.

Ayes – 4

Nays – 0

## 5. Special Use Permits:

### I. #SUP-24-04:

**Wellins, Inc.  
974 Gainesville Highway  
Parcel: 08-158-002008**

**Requesting a special use permit to allow a welding shop.**

### P & Z Recommendation:

#SUP-24-04: Wellins, Inc. requested a special use permit for the property located at 974 Gainesville Highway. The special use permit requested is to allow a welding shop. William Diehl spoke on behalf of the applicant and explained the request to the Board. He stated his client is proposing an office building and welding shop to weld small industrial steam stills. The hours of operation would be 8:00 a.m. – 6:00 p.m. He asked for the undisturbed buffer to be reduced in the areas on the proposed site plan to install a retaining and to install a fire lane turn-around. They needed this extra space in order to install these two items. The Board asked about noise, smell and emissions. Mr. Diehl stated all the welding would be performed inside the building and there would be no noise, smell or emissions from the building. Jimmy Greeson, adjacent property owner on Carter Road, asked about the amount of buffer that would be disturbed. Mr. Diehl discussed this with Mr. Greeson, and he was in agreement. There were no objections from the audience. Motion by Wayne Johnson and seconded by Amy Reed to recommend approval of the special use permit as requested with the following conditions:

1. The special use permit SUP-24-04 is approved for Wellins, Inc. and should the applicant vacate the property the special use permit is considered expired.

2. The 75' undisturbed buffer shall be allowed to include limited grading, a retaining wall, and the installation of the fire lane turn-around in the general location as shown on the site plan submitted with the application. The buffer area shall include enhanced landscaping in areas that are disturbed and where existing vegetation is sparse. The landscaped area shall screen the site with various evergreen trees and shrubs. The Planning Director shall approve the enhanced landscape plan sealed by a Georgia Registered Landscape Architect.
3. Special Use Permit SUP-24-04 does not include concurrent variances to Buford City Code where the provided site plan is not in conformity unless specifically addressed.
4. The site shall include a 15' enhanced landscape strip adjacent to Gainesville Highway. The landscape strip shall screen the site with various evergreen trees and shrubs. The Planning Director shall approve the enhanced landscape plan sealed by a Georgia Registered Landscape Architect. Landscape strips shall not be encroached with walls, easements (except for those granted for utilities), parking, curb and gutter, retaining walls or any other site improvements. The entrances can encroach the landscape strip as close to perpendicular as possible.
5. Sidewalks and curb & gutter are required to be located adjacent to the full amount of road frontage at Gainesville Highway.
6. Outdoor storage of equipment and storage shall be prohibited. All work activity shall be within the buildings.
7. The final site plan needs to be approved by the Planning Director.
8. The hours of operations shall be 8:00 a.m. – 6:00 p.m.
9. Only stainless-steel products shall be used for welding. All other products shall be prohibited.
10. If odor becomes an issue and is deemed as a nuisance, the City will require this item to be addressed immediately.

Ayes – 4

Nays – 0

## II. #SUP-24-05:

**Boardwalk Storage, LLC  
2283 Buford Dam Road  
Parcel: 7-326-030**

**Requesting a special use permit to allow a climate-controlled  
Storage building with buffer reductions.**

### **P & Z Recommendation:**

#SUP-24-05: Boardwalk Storage, LLC requested a special use permit for the property located at 2283 Buford Dam Road, out of parcel 7-326-030, containing 1.17 acres. The special use permit requested is to allow a climate-controlled storage building. Mitch Peevy spoke on behalf of the applicant and explained the request to the Board. He stated they are proposing to demo the existing building and build a new 24,000 square foot office/climate-controlled storage building in the same location. He stated the existing building had buffer reductions adjacent to the residential zoned properties and the request is to keep the same buffers for the new building. Mr. Peevy also stated that Gwinnett County DOT would not approve any road improvements along Buford Dam Road because they would be installing those improvements as their project with funds from the developer. The property owner has paid Gwinnett County DOT their share of the road improvements. Mr. Canale, 2247 Buford Dam Road, spoke against the request with concerns of increased traffic, noise, lighting and decreased property values. He stated they need to protect the investments of the residential property owners. Jeff Pruitt spoke and stated he had concerns with the existing bright lights along the boat storage area and would also like to see landscaping installed along the property line to screen the residential properties. The property owner at 3656 Cole Road spoke and stated the boat storage area is adjacent to his back yard and the existing 8-foot fence has fallen on his property and he would also like to see the buffer area replanted back. Chairman Perkins stated this area was not included with this special use permit application but would like to see the owner correct this issue for the neighbor. After a brief discussion, motion by Wayne Johnson and seconded by Harley Bennett to recommend approval of the special use permit as requested with the following conditions:

1. Special use permit SUP-24-05 does not include concurrent variances to Buford City Code where the provided site plan is not in conformity unless specifically addressed.

2. The site shall include a 15' landscape strip adjacent to Buford Dam Road. The landscape strip shall screen the site with various evergreen trees and shrubs. The Planning Director shall approve the enhanced landscape plan sealed by a Georgia Registered Landscape Architect. 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 to perpendicular as possible. The landscape plan shall be designed and sealed by a Georgia Registered Landscape Architect and approved by the Planning Director.
3. In place of the required 75' undisturbed buffer, the applicant shall provide screening with 8-foot solid fencing and small evergreen trees adjacent to both side property lines to screen the residentially zoned properties.
4. Sidewalk and curb and gutter are required to be located adjacent to the full amount of road frontage along Buford Dam Road. The requirement to install these road improvements are subject to Gwinnett County Department of Transportation letter of intent to install said improvements as part of a Gwinnett County road improvement project and proof of payment to Gwinnett County DOT by the developer/property owner.
5. Outdoor storage shall be prohibited.
6. The final site plan needs to be approved by the Planning Director.
7. Outdoor lighting shall be contained in cut-off luminaries and shall be directed toward the property so as not to reflect into adjacent properties or rights-of-way.
8. The awnings above the doors shall be metal.

Ayes – 4

Nays – 0

### **END OF PUBLIC HEARINGS**

6. Authorize Chairman and City Manager to sign Year-End Settlement documents with MEAG Power.
7. Accept natural gas easements in the Reunion Phase 21 Development between Pulte Home Company, LLC, Reunion Golf Course and City of Buford.
8. Authorize City Manager and City Attorney to purchase properties as presented and approve purchase of 584 New Street, Parcel No. 7-295A-071, in the amount of \$45,000.00 plus closing costs (Recording fee and Title Exam), total 45,871.16.

9. Authorize transfer of parcel 7-293-054 to Buford Downtown Development Authority.
10. Amend FY2024 budget for summer camps at Buford City Schools.
11. Consider approval of special event permit for First Pentecostal Church and authorize closure of Moreno Street between Garnett Street and Scott Street from 12:30 p.m. on May 18, 2024 through 4:30 p.m. May 19, 2024.
12. Consider approval of special event at Buford Youth Sports Complex, Buford Rise Flag football.
13. Authorize release of pledged funds with Peoples Bank & Trust.
14. Consider award of Moreno Street Pedestrian and Streetscape Project to low bidder, Backbone Infrastructure, LLC, in the amount of \$3,761,436.00, subject to concurrence of award by the Georgia Department of Transportation.
15. Authorize City Manager and City Attorney to utilize eminent domain proceedings to acquire a sanitary sewer easement across parcels 7-226-141 and 7-226-124 to serve a project located on the northeast quadrant of Hamilton Mill Road and North Bogan Road for public purposes and benefit. Developer shall be responsible for all associated costs.
16. Authorize payment #2 in the amount of \$90,836.53 to Site Engineering, Inc. for Jackson Street Sewer Improvements, Phase II. (CDBG)
17. Authorize payment #8 in the amount of \$96,524.05 to Backbone Infrastructure, LLC for West Moreno Street improvements project.
18. Authorize payment #17 in the amount of \$70,039.00 to Charles Black Construction Company, Inc. for New Street relocation project and utilize SPLOST funds and general funds.
19. Authorize payment #13 in the amount of \$23,020.68 to H. Lloyd Hill & Associates, Inc. for Buford Senior Academy project.
20. Authorize payment #14 in the amount of \$392,855.00 to Charles Black Construction Company, Inc. for Buford Senior Academy addition project.

21. Authorize payment of Invoice #8 in the amount of \$247,157.35 to Charles Black Construction Company, Inc. for Buford High School bleachers and concessions – Phase II project.
22. Authorize payment #3 in the amount of \$24,020.00 to Charles Black Construction Company, Inc. for Buford Youth Football Field Renovation Project.
23. Authorize payment #16 in the amount of \$2,934,758.00 to Charles Black Construction Company, Inc. for Buford City Stadium project.
24. Authorize payment of Invoice #18137-25 in the amount of \$34,087.70 to Breaux & Associates for City of Buford stadium project.
25. City Manager's Report.
26. City Attorney's Report.

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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.