

Buford City Commission

June 3, 2024

The regular monthly meeting was held on June 3, 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 June 3, 2024 meeting as presented.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to adopt the minutes from the May 6, 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-24-11: Garrard Group requested rezoning for the property located at 946 Gainesville Highway from C-2 to M-1. Mitch Peevy spoke on behalf of the applicant. He stated this would be a small 46,800 square foot industrial building. No one spoke against the request. Motion by Mr. Burge, seconded by Mr. Weeks to approve the request with the following conditions:

1. Rezoning case Z-24-11 and filing application does not include concurrent variances to Buford City Code where the provided site plan is not in conformity unless specifically addressed.
2. The proposed building shall be allowed to be built with tilt-up wall type construction, brick, stucco or stone options.
3. The final site plan shall be substantially similar to the site plan submitted with the rezoning case application.
4. Building elevations shall be submitted to the Planning Director for approval.
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.



Ayes 3
Nays 0

#Z-24-12: SBP Managed Investments 2022, LLC requested rezoning for the property located at 5575 Lanier Islands Parkway from C-2 to M-1. Mitch Peavy 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 development shall include tilt-up type of construction.
2. The applicant shall provide copies of USACOE approvals to allow the disturbance of the state water buffers prior to the approval of subsequent permits.
3. Final building elevations shall be similar to the elevations provided to the City and final approval shall be by the Planning Director.
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. There shall be a 50-foot undisturbed buffer with an additional 50-foot disturbed replanted buffer adjacent to the residential properties along Lee Drive. Where sparsely vegetated, the applicant shall plant the buffer to provide an effective year-round screen. Any required plantings shall be reviewed and approved by the Planning Director.

Ayes 3
Nays 0

Plat #689/#Z-24-13: SBP Managed Investments 2022, LLC requested annexation and rezoning for the property located on Lee Drive, being parcel 08-168-000081B, containing 33.799 acres from AR-III to M-1. Mitch Peavy spoke on behalf of the applicant. No one spoke against the request. Motion by Mr. Burge, seconded by Mr. West to approve the request with the following conditions:

1. The development shall include tilt-up type of construction.
2. The applicant shall provide copies of USACOE approvals to allow the disturbance of the state water buffers prior to the approval of subsequent permits.
3. Final building elevations shall be similar to the elevations provided to the City and final approval shall be by the Planning Director.
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.


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6. There shall be a 50-foot undisturbed buffer with and 50-foot disturbed replanted buffer adjacent to the residential properties along Lee Drive. Where sparsely vegetated, the applicant shall plant the buffer to provide an effective year-round screen. Any required plantings shall be reviewed and approved by the Planning Director.

Ayes 3

Nays 0

Plat #690/#Z-24-14: SBP Managed Investment 2022, LLC requested annexation and rezoning for the property located at 3484 Mishell Lane from AR-III to M-1. 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. The development shall include tilt-up type of construction.
2. The applicant shall provide copies of USACOE approvals to allow the disturbance of the state water buffers prior to the approval of subsequent permits.
3. Final building elevations shall be similar to the elevations provided to the City and final approval shall be by the Planning Director.
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. There shall be a 50-foot undisturbed buffer with and 50-foot disturbed replanted buffer adjacent to the residential properties along Lee Drive. Where sparsely vegetated, the applicant shall plant the buffer to provide an effective year-round screen. Any required plantings shall be reviewed and approved by the Planning Director.

Ayes 3

Nays 0

Plat #691/#Z-24-15: SBP Managed Investment 2022, LLC requested annexation and rezoning for the property located at 3478 Mishell Lane from AR-III to M-1. 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. The development shall include tilt-up type of construction.
2. The applicant shall provide copies of USACOE approvals to allow the disturbance of the state water buffers prior to the approval of subsequent permits.
3. Final building elevations shall be similar to the elevations provided to the City and final approval shall be by the Planning Director.
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. There shall be a 50-foot undisturbed buffer with and 50-foot disturbed replanted buffer adjacent to the residential properties along Lee Drive. Where sparsely vegetated, the applicant shall plant the buffer to provide an effective year-round screen. Any required plantings shall be reviewed and approved by the Planning Director.

Ayes 3
Nays 0

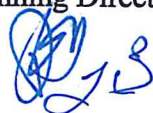
Plat #692/#Z-24-16: SBP Managed Investments 2022, LLC requested annexation and rezoning for the property located at 3468 Mishell Lane from AR-III to M-1. Mitch Peevy spoke on behalf of the applicant. No one spoke against the request. Motion by Mr. Weeks, seconded by Mr. Burge to approve the request with the following conditions:

1. The development shall include tilt-up type of construction.
2. The applicant shall provide copies of USACOE approvals to allow the disturbance of the state water buffers prior to the approval of subsequent permits.
3. Final building elevations shall be similar to the elevations provided to the City and final approval shall be by the Planning Director.
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. There shall be a 50-foot undisturbed buffer with and 50-foot disturbed replanted buffer adjacent to the residential properties along Lee Drive. Where sparsely vegetated, the applicant shall plant the buffer to provide an effective year-round screen. Any required plantings shall be reviewed and approved by the Planning Director.

Ayes 3
Nays 0

Plat #693/#Z-24-17: SBP Managed Investments 2022, LLC requested annexation and rezoning for the property located at 3432 Mishell Lane from AR-III to M-1. 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. The development shall include tilt-up type of construction.
2. The applicant shall provide copies of USACOE approvals to allow the disturbance of the state water buffers prior to the approval of subsequent permits.
3. Final building elevations shall be similar to the elevations provided to the City and final approval shall be by the Planning Director.



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. There shall be a 50-foot undisturbed buffer with and 50-foot disturbed replanted buffer adjacent to the residential properties along Lee Drive. Where sparsely vegetated, the applicant shall plant the buffer to provide an effective year-round screen. Any required plantings shall be reviewed and approved by the Planning Director.

Ayes 3
Nays 0

#Z-24-18/#SUP-24-08: Lake Blue Ridge Land Company, LLC requested rezoning for the property located at 2655 North Bogan from RA-200 to RM-8 with a special use permit to allow townhomes. Mitch Peevy spoke on behalf of the applicant. He stated the developer had to redesign the project due to unsuitable soil and needed to acquire additional property. This would increase the number of townhomes from 56 units to 71 units. The retaining wall and pump station would be eliminated. No one spoke against the request. After a brief discussion, motion by Mr. Weeks, seconded by Mr. Burge to table the request until the July meeting.

Ayes 3
Nays 0

#ZM-24-03: Lake Blue Ridge Land Company, LLC, 2635 North Bogan Road, Parcels 7-226-134 and 7-226-236, requested to modify conditions from previous zoning cases Z-21-14, SUP-21-06, ZM-21-03, ZM-23-08. Motion by Mr. Burge, seconded by Mr. Weeks to table the request until the July meeting.

Ayes 3
Nays 0

#ZM-24-04: Lake Blue Ridge Land Company, LLC, Northeast intersection of North Bogan Road and Hamilton Mill Road, Parcels 7-226-235, 7-226-120, 7-226-237, 7-226-236, requested to modify conditions from previous zoning cases Z-21-14, SUP-21-06, ZM-21-05, ZM-22-05, ZM-23-08. Motion by Mr. Burge, seconded by Mr. Weeks to table the request until the July meeting.

Ayes 3
Nays 0

Special Use Permits:

#SUP-24-07: Tara Gillespie requested a special use permit for the property located at 2295 Buford Highway. The special use permit requested is to allow a drive-thru restaurant. Jim Wilkerson spoke on behalf of the applicant. He stated the owner is proposing to demolish the existing Dairy Queen restaurant and build a new restaurant with a smaller footprint. No one spoke against the request. Motion by Mr. Weeks, seconded by Mr. Burge to approve the request with the following conditions:

1. The special use permit applies to the Dairy Queen and at such time in the future Dairy Queen 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 beyond the requested reliefs listed in the applicant's letter of intent.
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 following concurrent variance requests are approved as follows:
 - a. To allow for the use of a flat roof building design. The final architectural plans shall be submitted for review and approval by the Planning Director.
 - b. To increase the percentage of parking located to the side of a freestanding building containing less than 7,500 square feet.
 - c. The front building setback shall be reduced from 75 feet to 60 feet.

Ayes 3
Nays 0

Annexations:

Plat #694/#Z-24-19/#SUP-24-09/#SUP-24-10: Naveed Masood requested annexation and rezoning for the property located at 3205 Camp Branch Road from RA-200 to M-1 with a special use permit to allow a climate-controlled storage facility and flex office/warehouse condominiums. Guy Abernathy spoke on behalf of the applicant and explained the request to the Board. He stated this would be an industrial development consisting of six (6) buildings that total 307,610 square feet. The buildings will consist of a climate-controlled storage facility, office/warehouse buildings and office/warehouse flex condominium buildings. They are asking for relief with some setbacks, buffers and stormwater buffers. He also asked for the enhanced landscape strip along Camp Branch Road to be reduced to 10 feet instead of 15 feet. Renee Byrd-Lewis spoke on behalf of the community along with Sandy Donatucci and a gentleman from Hedgerows subdivision. They cited several concerns, including traffic, property values, buffer reductions, appearance and presentation of the buildings. State Representative Farooq Mughal spoke against the request. Debra Lynn, property owner/applicant spoke in favor of the request. After discussion, several conditions were agreed to by the Commission and added to the motion. Motion by Mr. Burge, seconded by Mr. Weeks to approve the request with the following conditions:



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1. Parcel 7-137-004A shall be annexed into the City of Buford.
2. The rezoning case Z-24-19 approval shall not include concurrent variances to Buford City Code where the provided site plan is not in conformity to Development Regulations or Zoning Code unless specifically addressed in the application.
3. The applicant shall submit building elevations including building and canopy materials, color and heights. All design elements including elevations shall be approved by the Planning Director.
4. The development shall include a 10-foot enhanced landscape strip adjacent to Camp Branch Road 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. All zoning buffers shall remain undisturbed buffers and replanted where sparsely vegetated.
7. The indoor climate control storage use is approved with the special use permit SUP-24-09 as shown as Building A on the provided concept plan.
8. All storage shall be exclusively within the proposed climate control storage building. Outdoor storage of materials shall be prohibited.
9. The service center building condominium owned and leased office warehouse buildings with outdoor storage use is approved with the special use permit SUP-24-10 as shown as Buildings B and C on the provided concept plan.
10. Outdoor storage of materials shall be for business-related items and kept in an orderly manner. No outdoor storage of trash or junk is allowed.
11. The front setbacks along Camp Branch Road shall be reduced from 50 feet to 40 feet.
12. The rear building setback line adjacent to Interstate 85 shall be reduced from 50 feet to 10 feet.
13. Loading docks shall be positioned in such a way that they do not face or back onto adjacent residential properties.
14. No trucks signage shall be posted on Camp Branch Road immediately following the industrial development as Camp Branch enters the residential district moving away from I-85, subject to the approval of the Gwinnett County. Camp Branch Road is maintained by Gwinnett County.
15. Road improvements on Camp Branch Road as approved by Gwinnett DOT and the Georgia Department of Transportation (GDOT) and the City Manager.
16. Stream buffers shall be maintained per City Code and State law.
17. Buffers adjacent to residential properties shall be maintained per City code.
18. Industrial buildings may be tilt-up. Front elevations shall be brick, stone or stucco as approved by the City Manager.

Ayes 3
Nays 0

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



Motion by Mr. Weeks, seconded by Mr. Burge to approve subdivision plat for 5106 Bristol Industrial Way.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to approve final plat for Bethany Estates Subdivision.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize City Manager to continue operating under the fiscal year 2024 operating budget until the adoption of the fiscal year 2025 operating budget.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize Stacy Rolin and Bryan Kerlin as election committee voting delegates for Municipal electric Authority of Georgia (MEAG) annual election.

Ayes 3
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to authorize Chairman to negotiate and enter into final Intergovernmental Agreement with Hall County for Transportation special Purpose Local Option Sales Tax (TSPLOST), subject to approval of City Attorney.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to approve amendment to base charges for small and large commercial natural gas accounts.

Ayes 3
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to authorize City Manager to submit the 2025 Community Development Block Grant (CDBG) application to Gwinnett County.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to approve surplus items as presented and authorize City Manager to list items on Govdeals.com and other markets.



Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to approve special event at Buford Youth Sports Complex.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to approve granting a time limited and conditional easement to 60 Garnett Street, LLC placing heating ventilation and air conditioning units on a portion of City property.

Ayes 3
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to approve annual dues for the Gwinnett Municipal Association in the amount of \$15,596.12.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize City Manager to enter into an agreement with Peoples Bank & Trust providing for enhanced check clearing protocols using Positive Pay software, subject to the approval of City Attorney.

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. Weeks, seconded by Mr. Burge to authorize payment of Invoice #18137-27 in the amount of \$39,920.40 to Breaux & Associates for Buford City Stadium project.

Ayes 3
Nays 0

Motion by Mr. Bure, seconded by Mr. Weeks to authorize Invoice #8 in the amount of \$315,929.40 to Buford City Schools for Buford Senior Academy classroom and office furniture.

LSB 



Ayes 3
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to authorize payment #10 in the amount of \$17,632.26 to Backbone Infrastructure, LLC for West Moreno Street improvements project.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment #31 (final) in the amount of \$180,548.79 to Ruby-Collins, Inc. for water plat expansion project.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment #4 (final) in the amount of \$79,087.50 to Site Engineering, Inc. for Jackson Street Sewer Improvements, Phase II. (CDBG)

Ayes 3
Nays 0

Motion by Mr. Weeks, seconded by Mr. Burge to authorize Invoice #10 in the amount of \$7,217.64 to Charles Black Construction Company, Inc. for Buford High School bleachers and concessions – Phase II project.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mr. Weeks to authorize payment #18 in the amount of \$145,223.00 to Charles Black Construction Company, 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 #18 in the amount of \$3,141,485.00 to Charles Black Construction Company, Inc. for Buford City Stadium project.

Ayes 3
Nays 0



Motion by Mr. Weeks, seconded by Mr. Burge to authorize payment #16 in the amount of \$164,193.00 to Charles Black Construction Company, Inc. for Buford Senior Academy addition project.

Ayes 3
Nays 0

Mr. Kerlin gave the City Manager's Report.

Mr. Jay gave the City Attorney's Report.

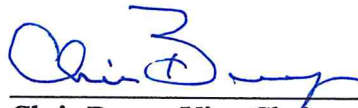
A gentleman from 3205 Camp Branch Road had a concern that the address on the application matched his Camp Branch home address. The City Attorney stated that the recorded legal descriptions of the subject properties are used in the application.

After audience discussion, motion by Mr. Burge, seconded by Mr. Weeks to adjourn.

Ayes 3
Nays 0



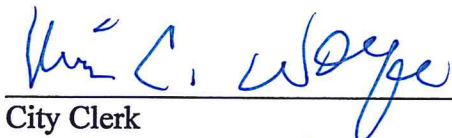
Phillip Beard, Chairman



Chris Burge, Vice-Chairman



Bradley W. Weeks, Commissioner



City Clerk

Date

