

BUFORD CITY COMMISSION MEETING

April 7, 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 March 3, 2025 regular meeting.

PUBLIC HEARINGS

4. **Rezoning:**

I. **#Z-25-03:**

Seefried Industrial Properties
4764 Bennett Road
Parcel: 08-153-000008
Acres: 10.909

Requesting rezoning from RA-200 to M-1.

P & Z Recommendation:

#Z-25-03: Seefried Industrial Properties requested rezoning for the property located at 4740 Bennett Road from RA-200 to M-1. Motion by Wayne Johnson and seconded by Amy Reed to recommend approval of the rezoning to M-1 with the following conditions:

1. No stream buffer disturbance is allowed. 50-foot undisturbed natural vegetative buffer and the additional 25-foot impervious setback line shall be labeled on the site plan.
2. The applicant shall provide building elevations including material and color to be approved by the Planning Director and may include concrete tilt-up construction.
3. The development shall include a 20' enhanced landscape strip, adjacent to the right-of-way, planted with a mixture of 12-foot minimum height

evergreen trees and 3-foot minimum height shrubs to provide an effective screen from Bennett Road. The landscape plan is to be submitted to the Planning Director.

4. The site plan provided with the application did not clearly show where the proposed dissimilar zoning buffer is being disturbed. A landscape plan shall be required detailing replanting the dissimilar zoning buffers where existing vegetation does not provide for effective screening or disturbance is proposed. The final plan is to be reviewed and approved by the Planning Director.
5. Outdoor lighting shall be fully cut-off fixtures and shall be directed toward the property so as not to reflect into adjacent properties or rights-of-way. Spillover levels at the property line must not exceed 0.3 foot-candles onto residential properties.
6. The applicant shall submit the building elevations including material and color for review and approval by the Planning Director prior to the submittal of a land disturbance permit.
7. The applicant shall submit retaining wall materials and locations for review and approval by the Planning Director prior to the submittal of a land disturbance permit. The final grading and retaining wall plans shall be reviewed and approved by the Planning Director prior to issuing a land disturbance permit.
8. The retaining wall shall be allowed in the front yard and not encroach into the right-of-way of Bennett Road.
9. Any wall exceeding 4 feet in height shall be designed and sealed by a Georgia registered engineer.
10. The undisturbed zoning buffers shall be graded and planted. The applicant shall submit a complete buffer enhancement landscape plan in areas proposed for buffer disturbance for review and approval by the Planning Director prior to the issuance of a land disturbance permit.
11. There shall be no truck traffic on Bennett Road.

Ayes – 4

Nays – 0

II. #Z-25-04:

Seefried Industrial Properties
4740 Bennett Road
Parcel: 08-153-000009
Acres: 12.065

Requesting rezoning from RA-200 to M-1.

P & Z Recommendation:

#Z-25-04: Seefried Industrial Properties requested rezoning for the property located at 4740 Bennett Road from RA-200 to M-1. Motion by Wayne Johnson and seconded by Harley Bennett to recommend approval of the rezoning to M-1 with the following conditions:

1. No stream buffer disturbance is allowed. 50-foot undisturbed natural vegetative buffer and the additional 25-foot impervious setback line shall be labeled on the site plan.
2. The applicant shall provide building elevations including material and color to be approved by the Planning Director and may include concrete tilt-up construction.
3. The development shall include a 20' enhanced landscape strip, adjacent to the right-of-way, planted with a mixture of 12-foot minimum height evergreen trees and 3-foot minimum height shrubs to provide an effective screen from Bennett Road. The landscape plan is to be submitted to the Planning Director.
4. The site plan provided with the application did not clearly show where the proposed dissimilar zoning buffer is being disturbed. A landscape plan shall be required detailing replanting the dissimilar zoning buffers where existing vegetation does not provide for effective screening or disturbance is proposed. The final plan is to be reviewed and approved by the Planning Director.
5. Outdoor lighting shall be fully cut-off fixtures and shall be directed toward the property so as not to reflect into adjacent properties or rights-of-way. Spillover levels at the property line must not exceed 0.3 foot-candles onto residential properties.
6. The applicant shall submit the building elevations including material and color for review and approval by the Planning Director prior to the submittal of a land disturbance permit.
7. The applicant shall submit retaining wall materials and locations for review and approval by the Planning Director prior to the submittal of a land disturbance permit. The final grading and retaining wall plans shall be reviewed and approved by the Planning Director prior to issuing a land disturbance permit.
8. The retaining wall shall be allowed in the front yard and not encroach into the right-of-way of Bennett Road.
9. Any wall exceeding 4 feet in height shall be designed and sealed by a Georgia registered engineer.

10. The undisturbed zoning buffers shall be graded and planted. The applicant shall submit a complete buffer enhancement landscape plan in areas proposed for buffer disturbance for review and approval by the Planning Director prior to the issuance of a land disturbance permit.
11. There shall be no truck traffic on Bennett Road.

Ayes – 4

Nays – 0

III. #Z-25-05:

Seefried Industrial Properties

4616 Bennett Road

Parcel: 08-153-000016

Acres: 10.745

Requesting rezoning from RA-200 to M-1.

P & Z Recommendation:

#Z-25-05: Seefried Industrial Properties requested rezoning for the property located at 4616 Bennett Road from RA-200 to M-1. Motion by Wayne Johnson and seconded by Amy Reed to recommend approval of the rezoning to M-1 with the following conditions:

1. No stream buffer disturbance is allowed. 50-foot undisturbed natural vegetative buffer and the additional 25-foot impervious setback line shall be labeled on the site plan.
2. The applicant shall provide building elevations including material and color to be approved by the Planning Director and may include concrete tilt-up construction.
3. The development shall include a 20' enhanced landscape strip, adjacent to the right-of-way, planted with a mixture of 12-foot minimum height evergreen trees and 3-foot minimum height shrubs to provide an effective screen from Bennett Road. The landscape plan is to be submitted to the Planning Director.
4. The site plan provided with the application did not clearly show where the proposed dissimilar zoning buffer is being disturbed. A landscape plan shall be required detailing replanting the dissimilar zoning buffers where existing vegetation does not provide for effective screening or disturbance is proposed. The final plan is to be reviewed and approved by the Planning Director.

5. Outdoor lighting shall be fully cut-off fixtures and shall be directed toward the property so as not to reflect into adjacent properties or rights-of-way. Spillover levels at the property line must not exceed 0.3 foot-candles onto residential properties.
6. The applicant shall submit the building elevations including material and color for review and approval by the Planning Director prior to the submittal of a land disturbance permit.
7. The applicant shall submit retaining wall materials and locations for review and approval by the Planning Director prior to the submittal of a land disturbance permit. The final grading and retaining wall plans shall be reviewed and approved by the Planning Director prior to issuing a land disturbance permit.
8. The retaining wall shall be allowed in the front yard and not encroach into the right-of-way of Bennett Road.
9. Any wall exceeding 4 feet in height shall be designed and sealed by a Georgia registered engineer.
10. The undisturbed zoning buffers shall be graded and planted. The applicant shall submit a complete buffer enhancement landscape plan in areas proposed for buffer disturbance for review and approval by the Planning Director prior to the issuance of a land disturbance permit.
11. There shall be no truck traffic on Bennett Road.

Ayes – 4

Nays – 0

IV. #Z-25-06:

Seefried Industrial Properties

4560 Bennett Road

Parcel: 08-153-000017

Acres: 6.704

Requesting rezoning from RA-200 to M-1.

P & Z Recommendation:

#Z-25-06: Seefried Industrial Properties requested rezoning for the property located at 4560 Bennett Road from RA-200 to M-1. Motion by Wayne Johnson and seconded by Harley Bennett to recommend approval of the rezoning to M-1 with the following conditions:

1. No stream buffer disturbance is allowed. 50-foot undisturbed natural vegetative buffer and the additional 25-foot impervious setback line shall be labeled on the site plan.
2. The applicant shall provide building elevations including material and color to be approved by the Planning Director and may include concrete tilt-up construction.
3. The development shall include a 20' enhanced landscape strip, adjacent to the right-of-way, planted with a mixture of 12-foot minimum height evergreen trees and 3-foot minimum height shrubs to provide an effective screen from Bennett Road. The landscape plan is to be submitted to the Planning Director.
4. The site plan provided with the application did not clearly show where the proposed dissimilar zoning buffer is being disturbed. A landscape plan shall be required detailing replanting the dissimilar zoning buffers where existing vegetation does not provide for effective screening or disturbance is proposed. The final plan is to be reviewed and approved by the Planning Director.
5. Outdoor lighting shall be fully cut-off fixtures and shall be directed toward the property so as not to reflect into adjacent properties or rights-of-way. Spillover levels at the property line must not exceed 0.3 foot-candles onto residential properties.
6. The applicant shall submit the building elevations including material and color for review and approval by the Planning Director prior to the submittal of a land disturbance permit.
7. The applicant shall submit retaining wall materials and locations for review and approval by the Planning Director prior to the submittal of a land disturbance permit. The final grading and retaining wall plans shall be reviewed and approved by the Planning Director prior to issuing a land disturbance permit.
8. The retaining wall shall be allowed in the front yard and not encroach into the right-of-way of Bennett Road.
9. Any wall exceeding 4 feet in height shall be designed and sealed by a Georgia registered engineer.
10. The undisturbed zoning buffers shall be graded and planted. The applicant shall submit a complete buffer enhancement landscape plan in areas proposed for buffer disturbance for review and approval by the Planning Director prior to the issuance of a land disturbance permit.
11. There shall be no truck traffic on Bennett Road.

Ayes – 4

Nays – 0

V. #Z-25-07:

Seefried Industrial Properties
4556 Bennett Road
Parcel: 08-153-000013
Acres: 5.508

Requesting rezoning from RA-200 to M-1.

P & Z Recommendation:

#Z-25-07: Seefried Industrial Properties requested rezoning for the property located at 4556 Bennett Road from RA-200 to M-1. Motion by Wayne Johnson and seconded by Amy Reed to recommend approval of the rezoning to M-1 with the following conditions:

1. No stream buffer disturbance is allowed. 50-foot undisturbed natural vegetative buffer and the additional 25-foot impervious setback line shall be labeled on the site plan.
2. The applicant shall provide building elevations including material and color to be approved by the Planning Director and may include concrete tilt-up construction.
3. The development shall include a 20' enhanced landscape strip, adjacent to the right-of-way, planted with a mixture of 12-foot minimum height evergreen trees and 3-foot minimum height shrubs to provide an effective screen from Bennett Road. The landscape plan is to be submitted to the Planning Director.
4. The site plan provided with the application did not clearly show where the proposed dissimilar zoning buffer is being disturbed. A landscape plan shall be required detailing replanting the dissimilar zoning buffers where existing vegetation does not provide for effective screening or disturbance is proposed. The final plan is to be reviewed and approved by the Planning Director.
5. Outdoor lighting shall be fully cut-off fixtures and shall be directed toward the property so as not to reflect into adjacent properties or rights-of-way. Spillover levels at the property line must not exceed 0.3 foot-candles onto residential properties.
6. The applicant shall submit the building elevations including material and color for review and approval by the Planning Director prior to the submittal of a land disturbance permit.
7. The applicant shall submit retaining wall materials and locations for review and approval by the Planning Director prior to the submittal of a land

disturbance permit. The final grading and retaining wall plans shall be reviewed and approved by the Planning Director prior to issuing a land disturbance permit.

8. The retaining wall shall be allowed in the front yard and not encroach into the right-of-way of Bennett Road.
9. Any wall exceeding 4 feet in height shall be designed and sealed by a Georgia registered engineer.
10. The undisturbed zoning buffers shall be graded and planted. The applicant shall submit a complete buffer enhancement landscape plan in areas proposed for buffer disturbance for review and approval by the Planning Director prior to the issuance of a land disturbance permit.
11. There shall be no truck traffic on Bennett Road.

Ayes – 4

Nays – 0

VI. #Z-25-10:

Tipton Builders Group, LLC
Little Mill Road
Parcel: 7-294D-179
Acres: 2.561

Requesting rezoning from M-1 to R-100.

P & Z Recommendation:

#Z-25-10: Tipton Builders Group, LLC requested rezoning for the property located on Little Mill Road, parcel 7-294D-179, from M-1 to R-100. The applicant was not present. The Chairman stated the applicant is proposing to subdivide this tract into 5 single-family residential lots. Dean Wallace, 140 Wilbanks Street, asked for a privacy fence to be installed across his back yard for screening. One gentleman that lives adjacent to this property asked about driveway location, property lines and setbacks. After a brief discussion, motion by Amy Reed and seconded by Wayne Johnson to recommend approval of the rezoning to R-100 with the following conditions:

1. The following lot variances are approved concurrent to the rezoning case as follows:
 - a. Lot #1: road frontage reduction from 75' to 0'.
 - b. Lot #2: road frontage reduction from 75' to 0'.
 - c. Lot #3: road frontage reduction from 75' to 0'.

- d. Lot #4: road frontage reduction from 75' to 0'.
- e. Lot #5: road frontage reduction from 75' to 60.80'.
- 2. The 35' front setbacks for Lot #1, #2, #3, #4 and #5 shall be offset from the access easement line.
- 3. The applicant shall indicate emergency vehicle turn-around on plan.
- 4. The applicant shall file a minor plat with the City of Buford Development Regulation Section 3.4.3 and include on the plat the 35' shared access easement and written agreement for recording.
- 5. The minor plat shall confirm the road frontage on Lot #1 is no less than 60.80 feet.
- 6. All homes 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.
- 7. The interior driveway shall be a minimum of 20 feet in width and during construction, if equipment and workers would cross the property line, a temporary construction easement agreement with the adjacent property owners would be required to avoid unauthorized trespassing on adjacent property. Alternatively, the owner can adjust the location of the proposed driveway offset from the property line where all construction equipment and contractors remain on the subject property.
- 8. All front yards shall be sodded and shall have two (2) 3-inch ornamental trees planted in the front yard.
- 9. All homes shall have a minimum gross heated floor area of 3400 square feet exclusive of garages or basements. All homes shall have a minimum of two (2) car garages.
- 10. The developer shall install a 6-foot-high solid privacy fence on the developer's side of the property along the property of Dean Wallace at 140 Wilbanks Street, parcel 7-294D-169.

Ayes – 4

Nays – 0

5. **Special Use Permits:**

#SUP-25-02:

BDR Investments, LLC
1950 Buford Dam Road
Parcel: 7-352-289

Request to allow a boat and RV storage facility.

P & Z Recommendation:

#SUP-25-02: BDR Investments, LLC requested a special use permit for the property located at 1950 Buford Dam Road. The special use permit requested is to allow a boat and RV storage facility. Guy Abernathy spoke on behalf of the applicant and explained the request to the Board. He stated this special use permit was approved in 2008 and has since expired. He stated they are using the same design that was approved earlier. There will be covered spaces along Buford Dam Road and Woodlake Drive and there will be a black metal decorative fence with brick columns and landscaping around the entire perimeter of the property. Kim Jordan, property owner on Buford Dam Road, had concerns with traffic, facades of the covered spaces, detention pond location and stormwater runoff. One homeowner on Lakeview Drive asked about landscaping. Mr. Abernathy stated there would be a landscape strip along Lakeview Drive. Motion by Harley Bennett and seconded by Wayne Johnson to recommend approval of the special use permit as requested with the following conditions:

1. Approval of this special use permit is for BDR Investments, LLC and will expire should the current owner vacate the site.
2. The approval of a special use permit does not provide approval of variances or alterations to any local, state, or federal regulations.
3. The approval of a special use permit does not allow additional structures not shown on the site plan, any future structures proposed shall be compliant with City of Buford Development Regulations.
4. All parking and driveway surfaces to be asphalt or concrete with curb and gutter meeting the minimal standards of the City of Buford Development Regulations.
5. All drive isles shall be no less than 24 feet in width.
6. The final permitting plan shall be substantially similar to the site plan provided with this application.
7. Boat and RV storage facility and accessory (no onsite repairs) uses only. No accumulation of junk boats allowed.
8. Impose buffers according to the site plan, except for the back property line adjoining the residential houses and Woodlake and Lakeview Drives whereby develop/property owner will build a 6' high earth berm with a 1' or 2' slope then install the fence in the center of said berm as described in item #9, said berm and fence shall be constructed as soon as developer starts grading the project. Berm will be located between five (5') and eleven (11') feet back from the property lines of the adjacent residential property lines and adjacent to Woodlake and Lakeview Drives, developer will make every

effort to tag and protect existing Dogwood trees along Woodlake and Lakeview Drives. Developer will landscape the side of the berm facing the back yards of the adjoining residential properties along Woodlake and Lakeview Drives. Landscaping will at minimum consist of Murray Leyland Cypress trees and other plants such as junipers or other ground covers to stabilize the sides of the berm. Berm to be treated with mulch and plantings guaranteed for one year. Adjoining residents shall be granted an easement to plant whatever they want, to enhance the landscaping in their backyards. There will be no construction or other access to said project from Woodlake or Lakeview Drives.

9. Install a staggered row of Murray Leyland Cypress every 10' on center, with one staggered planting in the middle, each tree shall be six (6) foot tall and a 6-foot-high clay or beige colored vinyl privacy fence with brick or stone columns within the buffers where the property adjoins any residential property along Woodlake or Lakeview Drives. All tree plantings will count toward the City of Buford conservation tree replacement ordinance as required for this project.
10. Provide a ten-foot-wide landscaped strip outside the dedicated right-of-way of Buford Dam Road. A black metal "controlled entrance" with a decorative gate will be installed for entry and exit to the project.
11. Billboards/Outdoor advertising signs shall be prohibited.
12. The development shall be limited to a monument type ground sign.
13. Provide lighting throughout all parking and storage areas. Box head, black poles, a maximum of 25 feet in height and not more than 15' high shall be used adjacent to any residential property. Light source shall be metal halide, not exceeding an average of four and one-half foot candles of light output in the interior of the parking lot and storage areas except adjacent to the residential property lighting shall not exceed two (2) foot candles of light. All lighting shall be directed to avoid intrusion into adjacent properties and away from adjacent thoroughfares.
14. Covered structure details shall be provided prior to issuance of building permits.
15. The RV/boat storage spaces adjacent to Buford Dam Road, Woodlake Drive and Lakeview Drive shall be covered spaces.
16. Dumpster shall be screened by a 100 percent opaque masonry fence or wall matching the buildings, a minimum six (6) feet in height. Dumpster pickup shall be between the hours of 7:00 a.m. and 7:00 p.m. No dumpsters shall be located adjacent to residential property lines.
17. The office building and storage building ends shall be treated with brick or stone. Proposed elevations shall be submitted and approved by the Planning Director prior to the issuance of a building permit. Elevations adjacent to

residential property along Woodlake Drive or Lakeview Drive not to exceed 11' at lower edge of roofline. Roof slope not to exceed four to twelve pitch.

Ayes – 4

Nays – 0

6. **Annexations:**

Plat #709/#Z-25-09:

Applicant: Lee Morgan
755 Appaloosa Trail
Gainesville, GA 30506

Owner: Larry Gilleland
Property: 6686 McEver Road, Hall County
Parcel: 08-160-001004
Acres: 6.4
Zoned From: AR-III
Zoned To: M-1

P & Z Recommendation:

Plat #709/#Z-25-09: Lee Morgan request annexation and rezoning for the property located at 6686 McEver Road, parcel 08-160-001004, from AR-III to M-1. The applicant was present and stated he owns the property next to this property and would like to annex to the city for future development. Hall County did not object to this annexation and rezoning and there were no objections from the audience. Motion by Wayne Johnson and seconded by Amy Reed to recommend approval of the annexation and rezoning to M-1 with the following condition:

1. At such time improvements are proposed, a special use permit for RV and boat storage would need to be considered and approved by the Planning and Zoning Board and the Board of Commissioners.

Ayes – 4

Nays – 0

7. **Zoning Amendments:**

#ZA-25-01:

- I. Amendment to City of Buford Zoning Ordinance, Article III Definitions and Article XIII Use Provisions, Section 1308 General Business District, Retail and Services Uses, Special Uses. Also consider an amendment to the City of Buford Development Regulations, Article 6, Section 6.5.6.**

City of Buford Zoning Ordinance amendments:

- I. To eliminate the word incidental; allowing subordinate uses in the M-1 Zoning District that are not the primary use.**
II. Add definitions regarding vape and CBD products.
III. Amend development regulations providing for shielding of parking lot lighting.

P & Z Recommendation:

#ZA-25-01: Motion by Amy Reed and seconded by Harley Bennett to recommend approval of the amendment to the City of Buford Zoning Ordinance, Article III Definitions to provide for such definitions and to regulate vape shops.

Ayes – 4

Nays – 0

#ZA-25-01: Motion by Amy Reed and seconded by Harley Bennett to recommend approval of the amendment to the City of Buford Development Regulations, Article 6, Section 6.5.6 concerning parking lot lighting.

Ayes – 4

Nays – 0

END OF PUBLIC HEARINGS

8. Adopt ordinance to regulate vape shops.

9. Approve plat and rights-of-way dedication on Oakland Avenue.

10. Approve Memorialization of Agreement for joint private pump station between developers, Trammel Crow and FIDES Development, and the City's acceptance of flows as provided in the agreement, subject to the approval of the City Attorney.
11. Approve lighting agreement with Georgia Department of Transportation (GDOT) for Buford Trail Extension project from SR13 to S. Lee Street.
12. Authorize City Attorney and City Manager to acquire rights-of-way and easements for New Street improvements project from South Hill Street to relocated New Street.
13. Consider low bid for New Street Improvements project and authorize City Manager to negotiate an advanced completion date.
14. Amend FY 2025 budget for summer camps at Buford City Schools.
15. Approve change order #1 and final payment in the amount of \$378,546.96 to Georgia Paving for 2024 Buford paving project.
16. Authorize Invoice #18137-37 in the amount of \$27,316.46 to Breaux & Associates for Buford City Stadium project.
17. Authorize payment #28 in the amount of \$2,900,847.00 to Charles Black Construction Co., Inc. for Buford Stadium project.
18. Authorize payment #24 in the amount of \$129,352.00 to Charles Black Construction Company, Inc. for New Street relocation project and utilize SPLOST funds and general funds.
19. Authorize payment #1 in the amount of \$239,446.49 to Back Bone Infrastructure, LLC for Moreno Street LCI project.
20. City Manager's Report.
21. 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.