

AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, AUGUST 4, 2022 AT 5:00 PM
110 EAST MAIN STREET, SUITE 220
CUMMING, GEORGIA 30040

I. Call Meeting to Order

II. Invocation and Pledge of Allegiance

III. Adoption of Agenda

IV. Announcements and Reports

- (1) Board presentation of a Resolution recognizing Daniel Neil Hester for being an *Upstanding Citizen and Contributor to the Community* - Mills / Semanson
- (2) Board presentation of a Resolution naming the new Miracle League Field to be located at Lanierland Park - Semanson / Mills

V. Public Comments

VI. Adoption of Minutes

- (1) Regular Meeting / Public Hearings of July 21, 2022
- (2) Work Session and Executive Session of July 26, 2022

VII. Consent Agenda

- (1) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of July 26, 2022
- (2) Board acceptance of Right of Way as County-maintained with a speed limit of 25 MPH on Reserve Drive and all other property and property rights as shown on the Subdivision Plat for Kelly Mill Reserve, recorded in Plat Book 199, Pages 182-195, Forsyth County, Georgia Records - District 3 - Director, Department of Engineering
- (3) Board acceptance of Right of Way as County-maintained with a speed limit of 25 MPH on Fireside Farm Drive, Barnwell Court, Magnolia Farm Circle, Buckhorn Court, and all other property and property rights as shown on the Subdivision Plat for Fireside Farms, Phase 1, recorded in Plat Book 202, Pages 157-174, Forsyth County, Georgia Records - District 4 - Director, Department of Engineering
- (4) Board adoption of a Proclamation declaring August 7, 2022 through August 13, 2022

as Health Center Week in Forsyth County - Mills / Cooper

- (5) Board adoption of a Resolution recognizing Daniel Neil Hester for being an *Upstanding Citizen and Contributor to the Community* - Mills / Semanson
- (6) Board adoption of a Resolution naming the new Miracle League Field to be located at Lanierland Park - Semanson / Mills
- (7) Board ratification of the following items that were discussed and voted on at a Work Session held on July 26, 2022 (to the extent that a Board Member was not present to vote on the Items presented below at the July 26, 2022 Work Session, the absent Board Member has indicated having no objections to placement of the Items on the Consent Agenda - at the request of County staff - as anticipated by Board Rule 1.07.01):
 - (A) Board approval to renew the contract with Clean Earth, LLC to establish and operate the 2022/2023 Household Hazardous Waste Collection in the amount of \$76,664.34 for the Department of Recycling and Solid Waste as presented - Director, Department of Recycling and Solid Waste
 - (B) Board approval of a Right of Way Easement with Sawnee EMC for electrical service related to the new outdoor severe weather siren at Matt Community Park with authorization for the Chairman to execute the document - Director, Emergency Management Agency
 - (C) Board approval to award Bid 22-57-1620 to CGS Waterproofing in the amount of \$48,820 to provide all materials, equipment, and labor for Lake Parks Shady Grove Bathhouses A-B-C Roof Replacement as presented - Natural Resources Division Manager, Department of Parks and Recreation
 - (D) Board approval of a Lease Agreement between Forsyth County and UNITED ATHLETICS, INC. d/b/a United Futbol Academy related to the provision of soccer programming at the newly-acquired Polo Fields soccer facility as presented - Director, Department of Parks and Recreation / County Attorney
 - (E) Board approval to award Bid 22-60-3300 to Townley Construction Company, Inc. in the amount of \$639,782 for the Parkstone Wastewater Treatment Plant Phaseout for the Department of Water and Sewer as presented - Director, Department of Water and Sewer
 - (F) Board approval of a Construction Work Order with Lanier Contracting Company in the not to exceed amount of \$271,876.00 for replacement of the Screenings Compactor at The Manor Water Reclamation Facility as presented - Director, Department of Water and Sewer
 - (G) Board approval of a Task Order with MR Systems, Inc. in the amount of \$109,971.44 for providing System Integration Services to complete the Ozone System Replacement Project at the Antioch Water Treatment Plant as

presented - Director, Department of Water and Sewer

- (H) Board authorization for staff to proceed with the Public Hearing process regarding a 'Build to Rent' Amendment to the Unified Development Code with the change from 15% to 10% as discussed - County Attorney
- (I) Board approval of the Lease Agreement between Forsyth County and the Bald Ridge Lodge, Inc. as presented by Legal Counsel - County Attorney

VIII. Public Hearings

- (1) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA2704 (Providence Development Corporation) by David Ughulu - Parcel 193-200 - AZ220028 - District 1 - Director, Department of Planning and Community Development
- (2) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA3740 (FrontDoor Communities, LLC) by Legendary Renovations, LLC - Parcel 061-474 - AZ220029 - District 3 - Director, Department of Planning and Community Development
- (3) Public Hearing and possible vote regarding the County-Initiated variance to: 1.) Reduce the landscape strip abutting Bennett Road adjacent to lots 6 and 7 as depicted on the Concept Plan dated 7/12/22 from 10 ft. to 0 ft. (UDC 11-9.6(J)(1)) - Parcel 251-005 - VA220055 - District 4 - Director, Department of Planning and Community Development
- (4) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA1803 (Burruss Development & Construction, Inc) by Martin Comella with the following variance to: 1.) Reduce the exterior setback from 50 ft. to 26 ft. (UDC Table 11.2 (a)) - Parcel 273-127 - AZ220027 - District 5 - Director, Department of Planning and Community Development
- (5) Public Hearing and possible vote regarding transmittal of the Comprehensive Plan Partial Update to the Atlanta Regional Commission for regional and state review - Amanda Hatton, Blue Cypress Consulting / Deputy Director, Department of Planning and Community Development
(The first Public Hearing was held before the Planning Commission on June 28, 2022; the second Public Hearing was held before the Board of Commissioners on July 7, 2022)

IX. Public Comments

X. Old Business

- (1) Surya Realty LLC - ZA4034 - to rezone from Agricultural District (A1) to Single Family Residential District (RES3) on 18.30 acres for 26 residential lots with a density of 1.42 units per acre with the following variance to: 1.) Reduce the exterior buffer along the southern and western property boundaries from 25 ft. to 0 ft. (UDC

Table 11.2(b)) - Parcels 102-005, 102-075, 102-119, 102-076, and 102-062 - District 3 - Director, Department of Planning and Community Development
(Postponed from the April 21, 2022, May 19, 2022, June 16, 2022, July 7, 2022, and July 21, 2022 Agendas)

- (2) Gopinathji Investments, LLC - ZA4051 - to rezone from Commercial Business District (CBD) and Heavy Industrial District (M2) to Restricted Industrial District (M1) on 4.749 acres for a 61,126 sq. ft. office/warehouse with 67 parking spaces with Conditional Use Permits (CUPs) for an open storage yard, not exceeding 20% of the total lot, and to conduct around the clock business with the following variance to: 1.) Eliminate the 5,000 ft. sewer distance requirement to facilitate the use of an on-site septic disposal system (UDC 18-5.18) - Parcels 018-147 and 018-145 - District 3 - Director, Department of Planning and Community Development
(Postponed from the May 19, 2022 Agenda)
- (3) Board consideration and possible direction regarding the County-Initiated request to rezone from Agricultural District (A1) to Restricted Industrial District (M1) on 55.395 acres for warehouse/office buildings totaling 636,050 sq. ft. with Conditional Use Permits (CUPs) for outdoor commercial recreational facilities, micro-distilleries, micro-breweries, office commercial multiple story (OCMS) zoning district uses and performance standards, open storage yards, not exceeding 20% of the total lot, research laboratories, and ancillary manufacturing, transportation, communication, and utility facilities, except truck terminals, kennels, animal hospitals, veterinary clinics, cold storage plants and frozen food lockers, and a bowling alley with any uses conducting around the clock business with the following variances to: 1.) Reduce the zoning buffer along the western property boundary from 40 ft. to 25 ft. (UDC Table 14.2); 2.) Reduce the zoning buffer along the eastern property boundary from 40 ft. to 0 ft. (UDC Table 14.2); 3.) Reduce the undisturbed stream buffer from 50 ft. to 0 ft. (UDC 18-11.2(A)); 4.) Reduce the impervious setback from 75 ft. to 0 ft. (UDC 18-11.2(B)); 5.) Reduce the landscape strips along all future side and rear lot lines from 6 ft. to 0 ft. (UDC 14-4.13); and, 6.) Reduce the percentage of bicycle parking for non-residential uses from 2.5% of the total number of automobile parking spaces provided to 0% (UDC 21-12.5(F)(1)) - Parcels 236-006, 216-024, 236-094, 236-044, and 215-037 - ZA4047 - District 4 - Director, Department of Planning and Community Development
(A Public Hearing was held before the Board of Commissioners on July 21, 2022; the Board voted 4-0-1 (Commissioner Mills absent) to postpone, for decision only, to the August 4, 2022 Regular Meeting / Public Hearings.)
- (4) Board adoption of a Resolution by the Forsyth County Board of Commissioners that will amend the July 26, 2022 Resolution calling for the TSPLOST election, as contemplated and authorized by Board Rule 3.02.01, such as will clarify the proposed TSPLOST ballot language and for other purposes - County Attorney

XI. New Business

- (1) Prudent Pursuit Allies LLC - ZA4057 - to rezone from Agricultural District (A1) to Single Family Residential District (RES2) on 6 acres for 8 residential lots with a density of 1.34 units per acre with the following variances to: 1.) Reduce the exterior setback abutting Bennett Road from 50 ft. to 25 ft. (UDC Table 11.2(b)); and, 2.) Reduce the exterior buffer abutting Bennett Road from 40 ft. to 0 ft. (UDC 11-9.6(J)(1)) - Parcel 251-005 - District 4 - Director, Department of Planning and Community Development

- (2) Board approval of a Development Agreement between Forsyth County, Frances Janette Robinson, and Joyce Croy - County Manager
(Deferred/Postponed from the July 21, 2022 and July 26, 2022 Agendas)

XII. Recess Regular Meeting

XIII. Executive Session (if needed)

XIV. Adjournment