

AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, DECEMBER 15, 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 the Lambert High School iGEM team for winning the iGEM Grand Jamboree International Grand Prize for designing a new Coronary Artery Disease detection method - John / Semanson
- (2) Board presentation of a Resolution recognizing Commissioner Molly Cooper - Board of Commissioners

V. Public Comments

VI. Adoption of Minutes

- (1) Regular Meeting / Public Hearings of December 1, 2022
- (2) Work Session of December 6, 2022
- (3) Special Called Meeting and Executive Session of December 9, 2022

VII. Consent Agenda

- (1) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of December 9, 2022
- (2) Board acceptance of Right-of-Way as County-maintained with a speed limit of 25 MPH on Heirloom Overlook, Curio Way, Tradition Trail, Token Chase, and all other property and property rights as shown on the Subdivision Plat for Heirloom, Phase 1, recorded in Plat Book 204, Pages 1-26, Forsyth County, Georgia Records - District 1 - 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, Heritage Farm Court, and all other property and property rights as shown on the Subdivision Plat for Fireside Farms, Phase 2,

recorded in Plat Book 203, Pages 121-134, Forsyth County, Georgia Records - District 4 - Director, Department of Engineering

- (4) Board acceptance of Right-of-Way as County-maintained with a speed limit of 25 MPH on Sammy Drive and all other property and property rights as shown on the Subdivision Plat for Pinewood Heights, recorded in Plat Book 203, Pages 179-184, Forsyth County, Georgia Records - District 4 - Director, Department of Engineering
- (5) Board acceptance of Right-of-Way as County-maintained with a speed limit of 25 MPH on Bramblett Grove Place, Trefoil Path, and all other property and property rights as shown on the Subdivision Plat for Bramblett Grove, Phase 2A, recorded in Plat Book 204, Pages 56-70, Forsyth County, Georgia Records - District 4 - Director, Department of Engineering
- (6) Board adoption of a Resolution recognizing the Lambert High School iGEM team for winning the iGEM Grand Jamboree International Grand Prize for designing a new Coronary Artery Disease detection method - John / Semanson
- (7) Board adoption of a Resolution recognizing Commissioner Molly Cooper - Board of Commissioners
- (8) Board approval of a Software License and Related Professional Services Agreement regarding Appraisal Technology Integration to Facilitate Forsyth County's Discovery and Appraisal of Real Estate and Equalization of Values between Woolpert, Inc. d/b/a Data Cloud Solutions and Forsyth County in the not to exceed amount of \$109,710.00 - Assistant County Manager (Kenney)
- (9) Board ratification of the following items that were discussed and voted on at the Work Session held on December 6, 2022 (as anticipated by Board Rule 1.07.01):
 - (A) Board approval of proposed changes to Employee Handbook Policy 9 - Attendance & Leave - as presented - Director, Department of Employment Services
 - (B) Board approval to renew various Annual Agreements for the calendar year 2023 as presented - Director, Department of Procurement
 - (C) Board approval to enter into a Customer Service Agreement for the departments of Fleet Services and Water and Sewer with UniFirst via Sourcewell Cooperative Agreement for uniforms with authorization for the County Manager to execute documents in furtherance of same - Director, Department of Procurement
 - (D) Board approval of the recognition of NAPA expenses and associated revenues based on changes in inventory management with approval of a Budget Resolution as presented - Director, Department of Fleet Services

- (E) Board approval to add an Addenda to the contract with Total Systems Commissioning to include the Whole Health and Employee Center Commissioning Scopes in the amount of \$186,025.00 with authorization for the County Manager to execute documents in furtherance of same as presented - Vertical Project Manager, Department of Capital Projects
- (F) Board approval of a Notice of Acquisition and Consent to Assignment of Contracts between BCC Engineering, LLC and Heath and Lineback Engineers, Inc. for Capital Project Assignments with authorization for the County Manager to execute documents in furtherance of the same as presented - Director, Department of Capital Projects
- (G) Board approval unanimously to award RFP 22-98-1514 to Greg Malcolm & Associates, Inc., J&T Smith, Inc., and RE Appraisal Group, Inc. for Real Estate Appraisal Services on an as-needed basis for the Department of Capital Projects with authorization for County Manager to execute documents in furtherance of same as presented - Director, Department of Capital Projects
- (H) Board authorization to submit in the Treasury Submission Portal to receive payments for the Local Assistance Tribal Consistency Fund in the amount of \$100,000.00 with the approval of a Budget Resolution as presented - Grant Manager, Department of Finance
- (I) Board approval to award RFP 22-127-1500 to United Community Bank for Banking Services Contract with authorization for the County Manager to sign documents in furtherance of same as presented - Chief Financial Officer
- (J) Board authorization for staff to proceed with the Public Hearing process regarding amendments to the Unified Development Code related to Building Height Limits, Residential Use Table Note, and Corner Lot Setbacks - Planner II, Department of Planning and Community Development
- (K) Board approval of an Amended Economic Development Funding Memorandum of Understanding between Forsyth County and the Forsyth County Chamber of Commerce as presented - County Manager
- (L) Board approval of a Resolution of the Board of Registrations and Elections seeking local law amendments - County Attorney

VIII. Public Hearings

- (1) Public Hearing and possible vote regarding the request for a renewal of an Alcohol License to sell malt beverages (beer), wine, and distilled spirits by the package on the premises for Tonique LLC dba Rox Fine Wine & Spirits located at 910 Peachtree Parkway - Named Licensee is Amarender Bommineni - AL01124 - District 2 - Business License Manager, Department of Business License

- (2) Public Hearing and possible vote regarding the request for a renewal of an Alcohol License to sell malt beverages (beer), wine, and distilled spirits by the package on the premises for Golden Liquor LLC dba Blue Glass Liquor and Wine located at 6015 Post Rd., Suite C - Named Licensee is Akshaykumar Patel - AL01553 - District 3 - Business License Manager, Department of Business License
- (3) Public Hearing and possible vote regarding the request for a renewal of an Alcohol License to sell malt beverages (beer) and wine by the package on the premises for QuikTrip Corporation dba QuikTrip 817 located at 3660 Browns Bridge Road - Named Licensee is Jay Fuston - AL01835 - District 4 - Business License Manager, Department of Business License
- (4) Public Hearing and possible vote regarding the County-Initiated Conditional Use Permit to erect a telecommunication tower (195 ft. monopole) on a leased area of 0.1469 acres on property currently zoned Agricultural District (A1) - Parcel 025-003 - CP220033 - District 4 - Director, Department of Planning and Community Development
(Postponed from the October 6, 2022 and November 3, 2022 Regular Meeting/Public Hearings Agendas)
- (5) Public Hearing and possible vote regarding the approval of a Sketch Plat for Powers 400 LLC with the following variance to: 1.) Reduce the side setback from 10 ft. to 5 ft. (UDC Table 11.2(b)) - Parcels 250-008, 250-036, and 250-003 - SP220003 - District 4 - Director, Department of Planning and Community Development
(Postponed from the November 17, 2022 Regular Meeting/Public Hearings Agenda)
- (6) Public Hearing and possible vote regarding amendments to the Unified Development Code related to the Coal Mountain Town Center Overlay within Chapters 7, 9, and 21 as well as the Official Overlay District Map of Forsyth County - Planning Manager, Department of Planning and Community Development
(The first Public Hearing was held before the Planning Commission on September 27, 2022; postponed from the October 20, 2022 and November 17, 2022 Agendas.)
- (7) Public Hearing and possible vote regarding the County-Initiated request to rezone from Commercial Business District (CBD), Neighborhood Shopping District (NS), Agricultural District (A1), Single Family Residential District (RES3), and Multi-Family Residential District (RES6) to Mixed-Use Center District (MCD) on 139.38 acres - Parcels 216-256, 216-035, 216-095, 216-037, 216-045, 216-051, 216-063, 216-032, 216-031, 216-042, and 216-043 - ZA4077 - District 4 - Director, Department of Planning and Community Development
(Postponed from the October 20, 2022 and November 17, 2022 Regular Meeting/Public Hearings Agendas)
- (8) Public Hearing and possible vote regarding the County-Initiated request to rezone from Lake Residential (LR) to Agricultural District (A1) on 1.79 acres for a 2,529 sq. ft. non-commercial horse stable - Parcel 296-124 - ZA4103 - District 5 - Director, Department of Planning and Community Development
- (9) Public Hearing and possible vote regarding the proposed adoption of the Utility Accommodation Ordinance, consisting of the adoption of the Georgia Department of Transportation ("GDOT") 2016 Utility Accommodation Policy and Standards Manual.

This Ordinance will replace the current Forsyth County, Georgia Utility Accommodation Standards, Policies, and Procedures Manual dated 1997 and replace it with the Georgia Department of Transportation ("GDOT") 2016 Utility Accommodation Policy and Standards Manual. The Ordinance will automatically be revised with GDOT updates to the current Georgia Department of Transportation ("GDOT") 2016 Utility Accommodation Manual - County Attorney
(First Public Hearing was held before the Board of Commissioners on November 17, 2022.)

- (10) Public Hearing and possible vote to consider revising Ordinance 133 (Sewer Ordinance regarding use of American Rescue Act Proceeds) to remove Node 5 - Director, Department of Water and Sewer / County Attorney
(First Public Hearing was held before the Board of Commissioners on September 15, 2022.)

IX. Public Comments

X. Old Business

- (1) Board consideration and possible vote for approval of an Alternate Design for Gaskins + LeCraw, Inc. with the following variances to: 1.) Increase the maximum number of parking spaces from 18 to 30 (UDC Table 17.1); 2.) Reduce the rear setback from 25 feet to 15 feet (UDC Table 12.2); 3.) Increase the percentage of parking that fronts the main building entrance from 60% to 100% (UDC 21-11.5(B)); and, 4.) Reduce the sides of the building exterior that parking is distributed on from 2 sides to 1 side (UDC 21-11.5(B)) - Parcel 031-186 - AD220008 - District 1 - Director, Department of Planning and Community Development
(A Public Hearing was held before the Board of Commissioners on December 1, 2022; the Board voted unanimously to postpone, for decision only, to the December 15, 2022 Regular Meeting / Public Hearings.)
- (2) Board consideration and possible vote regarding the request for an Amendment of Zoning Conditions on ZA2699 (Aaron J. Land) by Chris Cowart Properties, LLC with the following variances: 1.) Reduce the zoning buffer along the northern property boundary adjacent to tax map/parcel 062-020 from 40 ft. to 0 ft. (UDC Table 14.2); 2.) Reduce the zoning setback along the northern property boundary adjacent to tax map/parcel 062-020 from 50 ft. to 0 ft. (UDC Table 14.2); 3.) Reduce the landscape strip along the side lot line adjacent to tax map/parcel 063-191 from 6 ft. to 0 ft. (UDC 14-4.13); 4.) Reduce the undisturbed buffer abutting Georgia Highway 400 from 40 ft. to 0 ft. to allow for utilities and existing structures within the required buffer and replanting the undisturbed buffer per the County Buffer Standards (UDC 10-1.10(A)(1)); 5.) Reduce the setback abutting Georgia Highway 400 from 60 ft. to 30 ft. (UDC 10-1.10(A)(1)); 6.) Reduce the side setback adjacent to tax map/parcel 063-191 from 15 ft. to 0 ft. (UDC Table 14.2); and, 7.) Reduce the front setback from 50 ft. to 38 ft. (UDC Table 14.2) - Parcel 063-057 - AZ210045 - District 3 - Director, Department of Planning and Community Development
(Postponed from the January 6, 2022, February 3, 2022, March 17, 2022, April 21, 2022, May 19, 2022, June 16, 2022, July 21, 2022, August 18, 2022, and September 15, 2022 Agendas. A Public Hearing was held before the Board of Commissioners on October 20, 2022 - the Board voted 4-0-1 (Chairman John absent) to postpone, for decision only, to the November 3, 2022 Agenda. Postponed from the November 3, 2022, November 17, 2022, and December 1, 2022 Agendas.)
- (3) Board consideration and possible vote regarding the County-Initiated request for an Amendment of Zoning Conditions on ZA2548 (OCS Enterprises, Inc.) by Forsyth County Board of Commissioners - Parcel 237-002 - AZ220034 - District 4 - Director,

Department of Planning and Community Development
(A Public Hearing was held before the Board of Commissioners on November 17, 2022; the Board voted unanimously to postpone, for decision only, to the December 15, 2022 Regular Meeting / Public Hearings.)

XI. New Business

- (1) What The Frix, LLC - CP220039 - to operate a short-term rental for 7 overnight guests in an existing 2,397 sq. ft. building with 8 parking spaces on 2 acres currently zoned Agricultural District (A1) with the following variance to: 1.) Reduce the rear setback adjacent to the existing structure only from 25 ft. to 9 ft. (UDC Table 15.2) - Parcel 007-043 - District 1 - Director, Department of Planning and Community Development
- (2) Northpoint Capital Investment Holdings LLC - ZA4017 - to rezone from Agricultural District (A1), Neighborhood Shopping District (NS), and Single Family Residential Restricted District (R2R) to Master Planned District (MPD) on 140.588 acres for 250 residential lots and 228 attached residential units with a density of 3.40 units per acre and commercial buildings totaling 63,650 sq. ft. with 294 parking spaces with the following variances to: 1.) Reduce the commercial component from 15% to 5.38% (UDC Table 20B.1); and, 2.) Increase the percentage of total residential units for townhomes from 30% to 50% (UDC 20B-2.3(A)) - Parcels 041-535, 062-016, 062-014, 062-015, 041-203, 041-075, and 062-002 - District 3 - Director, Department of Planning and Community Development
- (3) Strategic Development Partners, LLC - ZA4060 - to rezone from Agricultural District (A1), Single Family Residential District (R1), and Commercial Business District (CBD) to Restricted Industrial District (M1) on 38.102 acres for warehouse buildings totaling 260,300 sq. ft. with 261 parking spaces with a Conditional Use Permit (CUP) for an open storage yard with 35 parking spaces with the following variances to: 1.) Reduce the undisturbed stream buffer from 50 ft. to 0 ft. (UDC 18-11.2(A)); and, 2.) Reduce the impervious setback from 75 ft. to 0 ft. (UDC 18-11.2(B)) - Parcels 018-005, 018-006, 018-004, and 018-002 - District 3 - Director, Department of Planning and Community Development
- (4) Reid Family Partnership II, LLLP - ZA4070 - to rezone from Highway Business District (HB) and Agricultural District (A1) to Highway Business District (HB) on 3.10 acres with Conditional Use Permits (CUPs) for an open storage yard and open-air business associated with existing buildings totaling 1,637 sq. ft. with 6 parking spaces with the following variances 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); 2.) Reduce the landscape strips abutting Majors Road and Shiloh Road from 15 ft. to 0 ft. (UDC Table 21.6); 3.) Reduce the front setback abutting Majors Road adjacent to the existing structures only from 40 ft. to 15 ft. (UDC Table 21.6); and, 4.) Increase the maximum number of parking spaces from 5 to 6 (UDC 21-6.5(D)(1)) - Parcels 084-374 and 084-157 - District 3 - Director, Department of Planning and Community Development
- (5) Rezerved Space, LLC - ZA4094 - to rezone from Agricultural District (A1) to Commercial Business District (CBD) on 0.665 acres for a 3,076 sq. ft. retail trade establishment with 13 parking spaces with the following variance to: 1.) Reduce the

landscape strip adjacent to the existing asphalt driveway only from 10 ft. to 0 ft.
(UDC Table 12.2) - Parcel 063-056 - District 3 - Director, Department of Planning
and Community Development

- (6) David Patterson - ZA4072 - to rezone from Agricultural District (A1) to Single Family Residential District (RES2) on 140.052 acres for 153 residential lots with a density of 1.10 units per acre - Parcel 188-013 - District 4 - Director, Department of Planning and Community Development
(Postponed from the November 17, 2022 Agenda)
- (7) The Pacific Group, Inc. - ZA4097 - to rezone from Agricultural District (A1) to Restricted Industrial District (M1) on 36.98 acres for warehouses in buildings totaling 383,175 sq. ft. with 384 parking spaces - Parcels 236-029 and 236-093 - District 4 - Director, Department of Planning and Community Development
- (8) Board consideration of a Workers' Compensation Settlement Agreement between Forsyth County Board of Commissioners and Ingrid Smith in the amount of \$25,000.00 - Director, Department of Employment Services
- (9) Board consideration of MOU with the Development Authority regarding Veterans Memorial Property - Cooper / Levent
- (10) Board approval of a County Manager contract with David McKee - County Attorney
- (11) Board consideration of authorization to place a menorah in the Forsyth County Administration Building - Cooper / Semanson

XII. Recess Regular Meeting

XIII. Executive Session (if needed)

XIV. Adjournment