

AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, FEBRUARY 2, 2023 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

V. Public Comments

VI. Adoption of Minutes

(1) Regular Meeting / Public Hearings of January 19, 2023

(2) Work Session of January 24, 2023

VII. Consent Agenda

(1) Board ratification of the FY 2019 Justice and Mental Health Collaboration Program Grant Extension Request - Grant Coordinator, Sheriff's Office

(2) Board ratification of Change Order 1 with Blount Construction Company, Inc. for the Westminster Lane Storm Drain Project - Director, Department of Engineering

(3) Board ratification of the following Items that were discussed and voted on at a Work Session held on January 24, 2023 (to the extent that a Board Member was not present to vote on the Items presented below at the January 24, 2023 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 of the revised Public Transportation Agency Safety Plan as presented - Director, Public Transportation

(B) Board authorization for staff to apply for the FY 2022 Assistance to Firefighters Grant for the Fire Department in the amount of \$246,357.60 with a required in-kind/cash match of \$24,635.76 to fund three replacement breathing air compressors with authorization for the Chairman to sign documents in furtherance of same as presented - Fire Chief

(C) Board authorization for staff to apply for the 2023 Georgia Recreation and

Parks Association Summer BOOST Grant in the amount of \$55,000.00 with no required match for funding to help serve participants of the Therapeutic Recreation Program Summer Camp with daily learning enrichment activities as presented - Interim Director, Department of Parks and Recreation

- (D) Board approval of Change Order 1 with Griffin Brothers, Inc. in the amount of \$256,249.64 to deduct the remaining balance of the contract for final payment and closeout of the Fowler/Sharon/Tanglewood Waterline Replacement Project with authorization for the County Manager to execute documents in furtherance of same as presented - Director, Department of Water and Sewer
- (E) Board approval of a Lighting Services Agreement between Georgia Power and Forsyth County for the addition of four light poles at the Central Park Recreation Center Addition with authorization for the County Manager to execute documents in furtherance of same - Director, Department of Capital Projects
- (F) Board authorization for Infrastructure Consulting & Engineering, PLLC to provide pile capacity analysis on the driven piles at the 400/SR 369 Bridge Project (PEW29) in the not to exceed amount of \$7,500 with authorization for the County Manager to execute documents in furtherance of same as presented - Director, Department of Capital Projects
- (G) Board approval to award RFP 22-125-5211 to CHA Consulting, Inc. in the amount of \$86,178 for Coal Mountain Park Improvements Design with authorization for the County Manager to execute documents in furtherance of same as presented - Capital Projects Manager, Department of Capital Projects
- (H) Board approval of funding for the US Army Corps of Engineers Administrative Review of the SF 299, Application for Utility on Federal Lands, and also prepare the 'Report of Availability for the Lanier Intake Project' in the amount of \$25,000 with authorization for the County Manager to execute documents in furtherance of same - Director, Department of Capital Projects
- (I) Board approval of a Resolution Opposing Legislation that would allow the Sizes and Weights of Trucks on Georgia roads to be increased - Mills / Hill
- (J) Board authorization for the County Attorney to insert ownership disclosure stipulations in land acquisitions as part of the County's Standard Purchase Property Agreement - Semanson / John
- (K) Board direction for the Chief Financial Officer to return to a future Work Session (likely in February) to discuss the 2023 inflation adjustment to County impact fees - as a means of assessing and triggering further discussion on the topic(s) of Impact Fees, Adequate Public Facilities Ordinances, and/or alternatives to address infrastructure needs - Semanson / Levent

- (L) Board authorization to send the discussion of proposed modifications to the Unified Development Code based upon the recent changes to the Zoning Procedures Law to the Planning Commission for the first Public Hearing, with a second Public Hearing to be held before the Board of Commissioners - County Attorney
- (M) Board authorization to send the discussion of authorizing a Unified Development Code amendment related to Section 8-6.2, regarding lot size variances, to the Planning Commission for the first Public Hearing, with a second Public Hearing to be held before the Board of Commissioners - Mills / Semanson
- (N) Board approval of a Resolution appointing Tracy Ward as the dedicated architect for the Coal Mountain Town Center as presented - County Attorney

VIII. Public Hearings

- (1) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA3249 (Green Acres Development, Inc.) by Toll Brothers, Inc. with the following variances to: 1.) Reduce the minimum width as measured from the perimeter of each contiguous area of disturbance from 50 ft. to 0 ft. for the purpose of calculating minimum square footage for each undisturbed area of separation (UDC 18-12.1(A)(1)); and, 2.) Reduce the minimum width of each undisturbed area of separation from 50 ft. to 0 ft. (UDC 18-12.1(A)(1)) - Parcels 010-098 and 010-139 - AZ220043 - 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 ZA3771 (Razmi Ventures, LLC) by Gayathri Morampudi - Parcel 081-055 - AZ220041 - District 3 - Director, Department of Planning and Community Development
(Postponed from the January 5, 2023 Agenda)
- (3) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA3708 (WDW, LLC) by Peachland Homes, Inc. - Parcels 016-333, 016-334, and 016-288 - AZ220042 - District 3 - Director, Department of Planning and Community Development
- (4) Public Hearing and possible vote regarding the County-Initiated variances to: 1.) Reduce the front setback abutting Archer Avenue from 50 ft. to 13 ft. (UDC Table 15.2); and, 2.) Reduce the front setback abutting Parks Road from 50 ft. to 37 ft. (UDC Table 15.2) - Parcel 269-078 - VA220104 - District 4 - Director, Department of Planning and Community Development
- (5) Public Hearing and possible vote regarding the County-Initiated Conditional Use Permit to build a 25,535 sq. ft. expansion of a new vehicle sales dealership in addition to existing buildings totaling 77,728 sq. ft. with 706 parking spaces on 18.98 acres currently zoned Commercial Business District (CBD) with the following variances to: 1.) Reduce the buffer abutting Georgia Highway 400 from 40 ft. to 0 ft. (UDC 10-1.10(A)(1)); 2.) Reduce the zoning buffer adjacent to tax map/parcel 152-

026 from 40 ft. to 0 ft. (UDC Table 12.2); 3.) Reduce the percentage of required landscape islands from 12.5% to 0% (UDC 17-5.7(A)); 4.) Reduce the landscape strip abutting Atlanta Highway from 20 ft. to 0 ft. (UDC 21-6.5(A)(1)); 5.) Reduce the landscape strip adjacent to tax map/parcel 152-026 and adjacent to Georgia Highway 400 from 10 ft. to 0 ft. (UDC 21-6.5(A)(2)) and (UDC 12-10.15)); 6.) Reduce the landscaped open space from 25% to 10% (UDC Table 21.6); 7.) Increase the maximum number of parking spaces from 412 to 706 (UDC 21-6.5(D)(1)); 8.) Reduce the required number of bicycle parking spaces from 15 to 0 (UDC 21-6.5(G)); and, 9.) Increase the percentage of vehicles visible along the road frontage from 50% to 100% (UDC 21-6.5(L)) - Parcels 152-025 and 152-080 - CP220054 - District 5 - Director, Department of Planning and Community Development

- (6) Public Hearing and possible vote for approval of an Alternate Design for Forsyth County Board of Commissioners with the following variances to: 1.) Reduce the minimum percentage of exterior building materials per vertical wall plane from 70% to 0% (UDC 21-6.5(C)(1)); and, 2.) Increase the maximum percentage of accent materials per vertical wall plane from 30% to 100% (UDC 21-6.5(C)(2)) - Parcels 152-025 and 152-080 - AD220010 - District 5 - Director, Department of Planning and Community Development
- (7) Public Hearing and possible vote for approval of an Alternate Design for CMG Forsyth Holdings, LLC - Parcel 152-074 - AD220011 - District 5 - Director, Department of Planning and Community Development

IX. Public Comments

X. Old Business

XI. New Business

- (1) 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 5 - Director, Department of Planning and Community Development
(Postponed from the December 15, 2022 and January 5, 2022 Agendas)
- (2) Board appointment of Joel Natt for another term on the Forsyth County Board of Registrations and Elections, at the request of the Forsyth County Republican Party (Natt's current term expires August 31, 2023) - County Attorney

XII. Recess Regular Meeting

XIII. Executive Session (if needed)

XIV. Open Session following Executive Session

- (1) Board authorization of the Forsyth County Attorney to submit an amicus brief in support of Gwinnett County's petition for certiorari to the Georgia Supreme Court in the case; Gwinnett County v. Schroeder, S23C0548 - County Attorney

XV. Adjournment