

AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, MAY 16, 2024 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 recognition of the Department of Recycling and Solid Waste and Department of Water and Sewer's Storm Drain Art Contest winners - Water Resources Manager, Department of Water and Sewer
- (2) Board presentation of a Proclamation declaring the month of May as *Foster Care Month* in Forsyth County - Mills / Levent

V. Public Comments

VI. Adoption of Minutes

- (1) Regular Meeting / Public Hearings of May 2, 2024
- (2) Work Session and Executive Session of May 7, 2024

VII. Consent Agenda

- (1) Board ratification of the following Items that were discussed and voted on at the Work Session held on May 7, 2024 (to the extent that a Board Member was not present to vote on the Items presented below at the May 7, 2024 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 authorization for staff to declare a list of Items as surplus with authorization for the Department of Procurement to dispose of accordingly - Director, Department of Procurement
 - (B) Board approval of the First Amendment to Atlanta-Region Transit Link Authority and Forsyth County Federal Transit Administration Federal Funding Program Subgrant Agreement with the Atlanta-Region Transit Link Authority to extend the performance date to December 31, 2024 - Director, Department of Public Transportation

- (C) Board approval of an amendment to the FY 2024 Professional Services Contract with the Georgia Board of Regents of the University of Georgia on behalf of The University of Georgia Cooperative Extension Services in the amount of \$694.00 to account for a change in the Teachers Retirement System of Georgia (TRS) contributions from 19.98% to 20.78% that will go into effect on July 1, 2024 - Director, Department of Extension Services
- (D) Board approval of the Ford Pro Subscription Services Terms and Conditions and Contract Addendum with Ford Motor Company in the not to exceed annual amount of \$199,080.00 to provide Ford Pro Telematics and Ford Pro Management Software on a three-year subscription service - Director, Department of Fleet Services
- (E) Board approval of a Task Order with Steele & Associates, Inc. in the amount of \$150,440.00 to provide services under the Big Creek Greenway Repairs As-Needed Agreement for repairs to the Sawtooth Bridge - Director, Department of Parks and Recreation
- (F) Board approval of Change Order 1 to the Fixed Pricing Agreement with Vertical Earth, Inc. in the amount of \$69,478.78 for the Sawnee Mountain Preserve Visitor Center - Director, Department of Public Facilities
- (G) Board approval of a Task Order with Curbco, Inc. in the amount of \$54,165.00 to provide services under the Concrete Repairs As-Needed Agreement for the Pet Resource Center Outdoor Kennel Renovation - Director, Department of Public Facilities
- (H) Board approval of the Local Road Safety Plan and associated Letter of Support as presented - Assistant Director, Department of Engineering
- (I) Board approval of a Contract Item Agreement (CIA) and Resolution with the Georgia Department of Transportation for reimbursement of an estimated \$4,276,180.00 for the relocation of water and sewer infrastructure on State Route 20 from West of Post Road to North Corners Parkway due to Road Widening Project (PI No. 0003682) - Director, Department of Water and Sewer
- (J) Board approval of a Grant of Sewer Easement with The City of Cumming for Fire Station 15 located at 1725 Trammel Road - Vertical Capital Projects Manager, Department of Capital Projects
- (K) Board approval of a Grant of Water Line Easement with The City of Cumming for Fire Station 15 located at 1725 Trammel Road - Vertical Capital Projects Manager, Department of Capital Projects
- (L) Board approval of a Utility Easement with Forsyth County Water and Sewerage Authority for Fire Station 9 located at 8420 McBride Lane - Vertical Capital Projects Manager, Department of Capital Projects

- (M) Board approval of Supplement #7 with American Engineers, Inc. d/b/a STV Company in the amount of \$50,000.00 to cover remaining design during construction services for the SR 369/400 Widening and Interchange Projects - Transportation Project Manager, Department of Capital Projects
- (N) Board approval of Change Order 26 with Vertical Earth, Inc. (Contract # 1202000029) in the amount of \$60,616.00 regarding the SR 369 Widening Project for Paving and Vibration Monitoring at Parcel 14 - Director, Department of Capital Projects
- (O) Board approval of a Non-Residential Gas Extension Contract with Atlanta Gas Light Company in the amount \$5,060.16 for the Central Park Recreation Center Expansion and Renovation Project - Director, Department of Capital Projects
- (P) Board approval of a Resolution Providing Interpretive Guidance Regarding Private Roads and Alleys to be Constructed within the Coal Mountain Town Center Overlay, and for other purposes - County Attorney
- (2) Board acceptance of Right of Way as County-maintained with a speed limit of 25 MPH on Gallery Chase and all other property rights as shown on the Subdivision Plat for Briarwood, Phase 2, recorded in Plat Book 211, Pages 138-154, Forsyth County, Georgia Records - District 1 - Director, Department of Engineering
- (3) Board adoption of a Proclamation declaring the month of May as *Foster Care Month* in Forsyth County - Mills / Levent
- (4) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of May 7, 2024 - County Clerk
- (5) Board authorization for Legal Counsel to commence nuisance abatement actions with respect to properties located at 5029 Elrod Circle, 1505 James Burgess Road, and 5075 Settingdown Road - County Attorney
- (6) Board authorization for Legal Counsel to commence litigation with respect to short-term rentals located at 8465 Swiss Air Road and 6460 Pinnacle Point Drive - County Attorney

VIII. Public Hearings

- (1) Public Hearing and possible vote regarding the request for a Conditional Alcohol License to sell malt beverages (beer), wine, and distilled spirits by the package on the premises for Aaryans Lucky Inc dba Sawnee Package located at 3145 Magnolia Commons Circle - Named Licensee is Samirkumar Patel - AL04246 - District 1 - Business License Manager, Department of Business License
- (2) Public Hearing and possible vote regarding the request for an Amendment of Zoning

Conditions on ZA1602 (Eric Liu) by Liu Investment Partners, L.L.L.P. with a variance to: 1.) Increase the maximum number of parking spaces for lot 1 from 7 to 16 (UDC Table 17.1); 2.) Reduce the minimum lot width for lot 4 from 60 ft. to 59 ft. (UDC 18-4.5); 3.) Increase the percentage of parking that fronts the main building entrance for lot 2 from 60% to 66% (UDC 21-8.5(A)); and, 4.) Reduce the minimum lot width for lot 6 from 60 ft. to 36 ft. (UDC 18-4.5) - Parcel 113-050 - AZ230031 - District 5 - Director, Department of Planning and Community Development
(Postponed from the March 21, 2024 and April 18, 2024 Agendas)

IX. Public Comments

X. Old Business

- (1) Board consideration and possible action regarding the Mental Health Advisory Committee Resolution - County Attorney

XI. New Business

- (1) Aaryans Lucky Inc - CP240001 - to build a retail package liquor store in a 12,005 sq. ft. building including retail/office/restaurant with 49 parking spaces on 1.309 acres zoned Commercial Business District (CBD) - Parcel 053-105 - District 1 - Director, Department of Planning and Community Development
- (2) 2637 Paradise LLC - ZA4155 - to rezone from Agricultural District (A1) to Commercial Business District (CBD) on 5.1875 acres for a retail/office/restaurant/day care center in buildings totaling 50,954 sq. ft. with 202 parking spaces with the following variance to: 1.) Increase the maximum building height from 30 ft. to 40 ft. (UDC Table 12.2); and, 2.) Reduce the zoning buffer along the northern property boundary from 40 ft. to 25 ft. (UDC Table 12.2) - Parcel 077-085 - District 1 - Director, Department of Planning and Community Development
(Postponed from the April 18, 2024 Agenda)
- (3) Pure Fitness and Health, LLC - CP240008 - to operate a 1,140 sq. ft. massage parlor (clinical massage therapy) in an existing building with 4 parking spaces on 7.56 acres zoned Commercial Business District (CBD) - Parcel 106-701 - District 3 - Director, Department of Planning and Community Development
- (4) ForrPlaces Development LLC - ZA4116 - to rezone from Agricultural District (A1) to Commercial Business District (CBD) on 18.174 acres with a Conditional Use Permit (CUP) for a 3,495 sq. ft. staffed car wash with 10 parking spaces with an overall site including restaurant/retail buildings totaling 55,937 sq. ft. with 186 parking spaces, a 9,800 sq. ft. daycare center with 73 parking spaces, a 7,416 sq. ft. finance establishment with 30 parking spaces, and a 45,000 sq. ft. indoor commercial recreational facility with 212 parking spaces - Parcels 041-537 and 041-100 - District 3 - Director, Department of Planning and Community Development
- (5) North Fulton Feed & Seed Company - ZA4158 - to rezone from Commercial Business District (CBD) and Agricultural District (A1) to Commercial Business District (CBD) on 2.228 acres with Conditional Use Permits (CUPs) for an open air business and container yard with an overall site including a 5,063 sq. ft. retail trade

establishment in an existing building with 11 parking spaces with the following variance to: 1.) Reduce the front landscape strip for the parking lot adjacent to the existing asphalt only from 10 ft. to 0 ft. (UDC 17-5.7); and, 2.) Reduce the landscape strip abutting Atlanta Highway adjacent to the existing asphalt only from 20 ft. to 0 ft. (UDC 21-6.5(A)(1)) - Parcels 018-365, 018-001, 018-366, and 017-053 - District 3 - Director, Department of Planning and Community Development

- (6) Arthur David Delarios - ZA4164 - to rezone from Single Family Residential Restricted District (R1R) to Agricultural District (A1) on 11.02 acres with Conditional Use Permits (CUPs) for a commercial horse stable in existing buildings totaling 2,743 sq. ft. with 11 parking spaces and a 900 sq. ft. short-term rental in an existing building for 4 overnight guests with 2 parking spaces with an overall site including a 2,437 sq. ft. single family detached dwelling with the following variance to: 1.) Reduce the side and rear buffers from 25 ft. to 0 ft. (UDC Table 15.2) - Parcel 164-058 - District 4 - Director, Department of Planning and Community Development
- (7) Liu Investment Partners, L.L.L.P. - CP230027 - to conduct around the clock business with an overall site including a drive-through finance establishment/drive-through restaurant buildings totaling 7,900 sq. ft. with 75 parking spaces on 18.213 acres currently zoned Commercial Business District (CBD) - Parcel 113-050 - District 5 - Director, Department of Planning and Community Development
(Postponed from the March 21, 2024 and the April 18, 2024 Agendas)
- (8) Board consideration of ad valorem tax refund requested by NTT America, Inc. concerning ad valorem personal property taxes for property located at 6225 Shiloh Road, Suite A, Personal Property ID 322470, for tax year 2020 in the amount of \$193,124.00, for tax year 2021 in the amount of \$133,080.00, tax year 2022 in the amount of \$203,429.00, and tax year 2023 in the amount of \$200,901.00 - County Attorney
(Postponed from the January 18, 2024, February 15, 2024, March 21, 2024, and April 18, 2024 Agendas)
- (9) Board consideration of a Settlement Agreement and EEOC mediation settlement between Kayleigh Meredith (formerly Redmond) and Forsyth County, for \$35,000 - County Attorney
- (10) Board consideration and approval of a Resolution enacting an Emergency Moratorium on the acceptance of applications for land disturbance permits, development permits, building permits, rezonings, zoning condition amendments, variances, or any other permit that would or could reasonably result in the use or development of property as a hospital or related health services, personal care homes, or institutionalized living facilities - County Attorney

XII. Recess Regular Meeting

XIII. Executive Session (if needed)

XIV. Adjournment