

AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, SEPTEMBER 5, 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 presentation of a Proclamation declaring September 15, 2024 through October 15, 2024 as *Hispanic Heritage Month* in Forsyth County - John / Hill
- (2) Presentation of *Retirement Award* to Tim Allen - County Manager

V. Public Comments

VI. Adoption of Minutes

- (1) Regular Meeting / Public Hearings and Executive Session of August 15, 2024
- (2) Work Session and Executive Session of August 20, 2024

VII. Consent Agenda

- (1) Board acceptance of Right of Way as County-maintained with a speed limit of 25 MPH on Gunter Grove, Cornflower Court, and all other property and property rights as shown on the Subdivision Plat for Brookmeade Trail, recorded in plat book 214, Pages 38-53, Forsyth County, Georgia Records - District 3 - Director, Department of Engineering
- (2) Board approval of a Memorandum of Understanding between the Forsyth County Accountability Courts and Stacey Edwards and Austin Schultz to provide treatment services, substance screening, and 4th Amendment waiver searches - Director, Accountability Courts
- (3) Board approval of a Resolution authorizing retention of conflict counsel to assist Chief Assessor in legal matter involving Tax Exemption Application - County Attorney
- (4) Board ratification of the following Items that were discussed and voted on at the Work Session held on August 20, 2024 (to the extent that a Board Member was not present to vote on the Items presented below at the August 20, 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 approval of a Resolution adopting and/or ratifying adoption of the National Incident Management System (NIMS) - Director, Emergency Management Agency / County Attorney
- (B) Board approval of additional funding in the amount of \$40,000.00 for the Victim Witness Assistance Program for witness fees for the remainder of Fiscal Year 2024 with approval of a Budget Resolution - Director, Victim Witness Assistance Program
- (C) Board approval of a Budget Resolution for replacement of total loss vehicles for Parks and Recreation, the Sheriff's Office, and the Emergency Management Agency - Director, Department of Finance
- (D) Board approval of the Sharon Springs Park Renovation Master Plan - Director, Department of Parks and Recreation
- (E) Board approval of Change Order #2 with Current Edge Solutions, LLC (Project No. 22-102-1620) in the amount \$10,799.00 for additional work to relocate the generator at Fire Station #5 - Director, Department of Public Facilities
- (F) Board approval of a Contract Item Agreement (CIA) and Resolution with the Georgia Department of Transportation for reimbursement of an estimated \$842,995.00 for the relocation of water and sewer infrastructure on State Route 20 from State Route 369 in Cherokee County to Post Road in Forsyth County due to road widening (PI No. 0002862) - Director, Department of Water and Sewer
- (G) Board approval of an Encroachment Agreement for Easement with Georgia Transmission Corporation (GTC) for the installation, operation, and maintenance of an underground two-inch (2") HDPE Low Pressure Force Main crossing a GTC Easement known as Cumming-McGrau Ford 230 KV and Cumming-Hammond Crossing 115 KV at the southeast corner of the Antioch Water Treatment Plant property - Director, Department of Water and Sewer
- (H) Board approval of an Indemnification and Hold Harmless Agreement with the Georgia Department of Transportation for an encroachment permit related to the work at the Freedom Park Campus Project - Vertical Capital Projects Manager, Department of Capital Projects
- (I) Board consideration and approval of a Second Amendment to Utility Relocation Agreement with Georgia Transmission Corporation in the amount of \$3,246,109.00 for the Old Atlanta Road Widening Project. Under the terms of this Agreement, Forsyth County is responsible for seventy percent (70%) of the utility relocation cost (\$2,272,276.00) - Director, Department of

Capital Projects

- (J) Board approval of the Employee Self-Insured Health Insurance Plans to be administered by Aetna and to set Employee Contribution Rates for Plan Year 2025 - County Manager / Benalytics
- (5) Board adoption of a Proclamation declaring September 15, 2024 through October 15, 2024 as *Hispanic Heritage Month* in Forsyth County - John / Hill
- (6) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of August 15, 2024 - County Clerk
- (7) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of August 20, 2024 - County Clerk

VIII. Public Hearings

- (1) Public Hearing and possible vote regarding an Alternate Design for VergesRome Architects, APAC - Parcel 031-289 - AD240010 - District 1 - Director, Department of Planning and Community Development
(Postponed from the July 18, 2024 Agenda)
- (2) Public Hearing and possible vote regarding the approval of a Sketch Plat for PR Land Investments, LLC with the following variance to: 1.) Reduce the side setback from 10 ft. to 5 ft. (UDC Table 11.2(b)); and, 2.) Reduce the open space from 40% to 35% (UDC Table 11.2(b)) - Parcels 009-057 and 009-031 - SP240008 - District 1 - Director, Department of Planning and Community Development
- (3) Public Hearing and possible vote regarding the approval of a Sketch Plat for Tellus Holdings LLC - Parcels 009-043, 009-045, 009-111, 009-036, and 009-044 - SP240013 - District 1 - Director, Department of Planning and Community Development
- (4) Public Hearing and possible vote regarding the County-Initiated Conditional Use Permit to operate an open storage yard on property zoned Restricted Industrial District (M1) - Parcel 019-012 - CP240046 - District 3 - Director, Department of Planning and Community Development
- (5) Public Hearing and possible vote regarding an Alternate Design for Ottis Enterprises, LLC with the following variance to: 1.) Reduce the setback abutting Keith Bridge Road adjacent to the existing structure only from 40 ft. to 3 ft. (UDC Table 12.2); 2.) Reduce the setback abutting Jot Em Down Road adjacent to the existing structure only from 40 ft. to 26 ft. (UDC Table 12.2); 3.) Reduce the zoning buffers from 40 ft. to 0 ft. (UDC Table 12.2); 4.) Reduce the landscape strip along all side and rear lot or lease lines from 10 ft. to 0 ft. (UDC 12-10.15); 5.) Reduce the zoning setbacks from 50 ft. to 0 ft. (UDC Table 12.2); 6.) Remove the standard dust-free pavement requirement to allow for a gravel parking area (UDC 17-5.3); 7.) Reduce the landscape strip abutting Keith Bridge Road from 20 ft. to 0 ft. (UDC 21-12.5(B)(2)); 8.) Reduce the landscape strip abutting Keith Bridge Road from 10 ft. to

- 0 ft. (UDC Table 12.2); and, 9.) Reduce the landscape strip abutting Jot Em Down Road from 20 ft. to 10 ft. (UDC 21-12.5(B)(2)) - Parcel 291-012 - AD240012 - District 4 - Director, Department of Planning and Community Development
- (6) Public Hearing and possible vote regarding the County-Initiated request for an Amendment of Zoning Conditions on ZA4018 (Forsyth County Board of Commissioners) by Forsyth County Board of Commissioners with the following variance to: 1.) Increase the height of outdoor parking lot lighting from 25 ft. to 33 ft. (UDC 16-4.26(B)(2)(c)) - Parcels 237-013, 237-084, and 237-083 - AZ240028 - District 4 - Director, Department of Planning and Community Development
- (7) Public Hearing and possible vote regarding an Alternate Design for Howell Land Group, LLC - Parcels 131-022 and 131-019 - AD240011 - District 5 - Director, Department of Planning and Community Development
- (8) Public Hearing and possible vote regarding the approval of a Sketch Plat for Howell Land Group, LLC with the following variance to: 1.) Reduce the landscape strip along the southwestern property boundary from 10 ft. to 0 ft. (UDC 21-6.5(A)(2)); and, 2.) Increase the maximum number of parking spaces from 190 to 571 (UDC 21-6.5(D)(1)) - Parcels 131-022 and 131-019 - SP240011 - District 5 - Director, Department of Planning and Community Development
- (9) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA1794 (Peachtree Development Group, Inc.) by Laura Heasman with the following variance to: 1.) Reduce the rear setback from 25 ft. to 1 ft. (UDC Table 11.2(a)); and, 2.) Reduce the side setback from 10 ft. to 7 ft. (UDC Table 11.2(a)) - Parcel 159-142 - AZ240030 - District 5 - Director, Department of Planning and Community Development
- (10) Public Hearing and possible vote regarding the approval of a Sketch Plat for SS5 Peachtree LLC with the following variance to: 1.) Reduce the landscape strip along the northern property boundary adjacent to the transformer only and along the southern property boundary from 10 ft. to 0 ft. (UDC 12-10.15); 2.) Reduce the Pedestrian Landscape Zone on the eastern side of building 2 adjacent to the transformer only and on the southern side of building 1 from 8 ft. to 0 ft. (UDC Table 12.3); 3.) Reduce the Sidewalk Zone on the eastern side of building 2 adjacent to the transformer only and on the southern side of building 1 from 6 ft. to 0 ft. (UDC Table 12.3); and, 4.) Reduce the Façade Landscape Zone on the eastern side of building 2 adjacent to the transformer only and on the southern side of building 1 from 6 ft. to 0 ft. (UDC Table 12.3) - Parcel 111-041 - SP240012 - District 5 - Director, Department of Planning and Community Development
- (11) Public Hearing and possible vote regarding amendments to the Forsyth County Comprehensive Plan related to Appropriate Zoning Classifications and Node Boundaries - Planning Manager, Department of Planning and Community Development
(The first Public Hearing was held before the Planning Commission on July 23, 2024)
- (12) Public Hearing regarding amending the Hotel-Motel Excise Tax from 5% to 8% - County Attorney

IX. Public Comments

X. Old Business

XI. New Business

- (1) 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, May 16, 2024, June 6, 2024, July 18, 2024, and August 15, 2024 Agendas)
- (2) Capital City View Homes LLC - ZA4167 - to rezone from Agricultural District (A1) to Single Family Residential District (RES2) on 10.503 acres for 14 residential lots with a density of 1.33 units per acre - Parcel 033-022 - District 1 - Director, Department of Planning and Community Development
(Postponed from the July 18, 2024 and August 15, 2024 Agendas)

XII. Recess Regular Meeting

XIII. Executive Session (if needed)

XIV. Adjournment