

AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, SEPTEMBER 19, 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 23, 2024 through September 27, 2024 as *Childhood Cancer Awareness Week* in Forsyth County - Mills / Levent

V. Public Comments

VI. Adoption of Minutes

- (1) Regular Meeting / Public Hearings of September 5, 2024
- (2) Work Session and Executive Session of September 10, 2024

VII. Consent Agenda

- (1) Board acceptance of Right of Way as County-maintained with a speed limit of 25 MPH on Stratford Oaks Avenue, Avonbrook Close, and all other property and property rights as shown on the Subdivision Plat for Stratford Hills Phase 2A, recorded in Plat Book 213, Pages 191-208, Forsyth County, Georgia Records - District 1 - Director, Department of Engineering
- (2) Board acceptance of Right of Way as County-maintained with a speed limit of 25 MPH on Caney Parc Way and all other property and property rights as shown on the Subdivision Plat for Parc At Caney recorded in Plat Book 213, Pages 256-266, Forsyth County Georgia Records - District 5 - Director, Department of Engineering
- (3) Board adoption of a Proclamation declaring September 23, 2024 through September 27, 2024 as *Childhood Cancer Awareness Week* in Forsyth County - Mills / Levent
- (4) Board ratification of the following Items that were discussed and voted on at the Work Session held on September 10, 2024 (as anticipated by Board Rule 1.07.01):
 - (A) Board approval of a Budget Resolution in the amount of \$40,000.00 for maintenance of the Hightower Landfill - Environmental Scientist, Department

of Recycling and Solid Waste

- (B) Board approval of a Budget Resolution to re-budget carried over and encumbered Items from 2023 for the Fiscal Year 2022 Bryne Discretionary Grant - Grants Manager, Department of Finance
- (C) Board approval to award Bid 24-42-1620 to Vertical Earth Incorporated in the amount of \$85,812.17 for the Courthouse Annex Parking Lot Resurfacing and Restriping with approval of the associated Construction Services Agreement - Director, Department of Public Facilities
- (D) Board approval of Change Order #1 (Contract No. 1202400020) with The Surface Masters, Inc. in the amount of \$94,585.00 for additional work required for eleven ADA compliant parking spaces at Charleston Park - Director, Department of Public Facilities
- (E) Board approval of Change Order #2 (Contract No. 1202400020) with The Surface Masters, Inc. in the amount of \$23,000.00 to fund unforeseen conditions and soil stabilization at Young Deer Park - Director, Department of Public Facilities
- (F) Board approval of Change Order #9 with Vertical Earth Incorporated for the Sawnee Mountain Preserve Visitor Center Project - Director, Department of Public Facilities
- (G) Board approval of Change Order No. 1 (Contract No. 23-046-3150) with Roadway Asset Services, LLC in the amount of \$93,680.00 to conduct a Sign Inventory and Condition Assessment within the County - Director, Department of Engineering
- (H) Board approval to award Bid 24-44-3320 to Site Engineering, Inc. in the amount of \$4,386,000.00 for the Construction of Smith Drive and Leland Road Gravity Sewer with the sewer line terminating at Settingdown Road with approval of the associated Construction Services Agreement - Director, Department of Water and Sewer
- (I) Board approval of a Task Order with Lanier Contracting Company in the amount of \$138,238.00 to provide services under the Indefinite Quantities Program to replace the Tube Settlers in the Super Pulsators at the Antioch Water Treatment Plant - Director, Department of Water and Sewer
- (J) Board approval of a Task Order with Lanier Contracting Company in the amount of \$432,060.00 to provide services under the Indefinite Quantities Program to perform fire alarm and ventilation system upgrades at the Antioch Water Treatment Plant - Director, Department of Water and Sewer
- (K) Board approval of a Task Order with Lanier Contracting Company in the amount of \$577,864.00 to provide services under the Indefinite Quantities Program to upgrade the underground valve vaults, tank monitoring system,

and the tank drain structure at the Satterfield Water Storage Tank - Director, Department of Water and Sewer

- (L) Board approval of a Proposal (RFP 19-48-3340) by MR Systems in the amount of \$477,265.03 to provide services to upgrade the Plant Control System and to add SCADA integration at the Dick Creek Water Reclamation Facility - Director, Department of Water and Sewer
- (M) Board approval of the Third Amendment to the Amended and Restated Services Agreement with TY Lin International in the amount of \$209,417.91 for additional Field Survey, Ecological Field Survey, Environmental Documentation, and Traffic Engineering associated with the Post Road Widening Project (PEW22) with authorization for the County Manager to execute documents in furtherance of same - Director, Department of Capital Projects
- (N) Board approval of Amendment No. 2 to the Professional Services Agreement (Contract 1202200033) with HDR Engineering, Inc. in the amount of \$1,453,135.00 for additional engineering services regarding the Fowler Return Flow to Lake Lanier Engineering and Design Services Contract - Director, Department of Capital Projects
- (O) Board authorization for staff to return to a future Work Session with proposed amendments related to Data Centers within the County's Unified Development Code (UDC) - Mills / Semanson
- (P) Board authorization for staff to proceed with the Public Hearing process regarding a County-Initiated request to rezone 1.5 acres from LR to A1 - Parcel 219-109 - District 4 - Mills / Levent
- (Q) Board approval of the Board of Commissioners' 2025 Meeting Schedule - County Clerk
- (R) Board approval of the Professional Services Agreement with Allen Ward Consulting, LLC for Consulting Services for the Department of Engineering - County Attorney
- (S) Board postponement of the consideration of City of Cumming annexation of parcel C21-061 (+/- 9.98 acres of land) to the Work Session of September 24, 2024 - County Attorney
- (T) Board approval of an Intergovernmental Agreement with Johns Creek regarding the Johns Creek phase of the McGinnis Ferry Road Widening Project - Assistant County Manager (Lucas) / County Attorney
- (U) Board approval of the Employee Fully Insured Health Insurance Plan to be administered by Kaiser Permanente and to set Employee Contribution Rates for Plan Year 2025 as presented - Director, Department of Employment Services

- (5) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of September 10, 2024 - County Clerk

VIII. Public Hearings

- (1) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA3698 (Land Solution Associates, LLC) by Epcon Post Road, LLC - Parcels 033-087, 033-034, 033-037, and 033-033 - AZ240021 - District 1 - Director, Department of Planning and Community Development
(Postponed from the July 18, 2024 and August 15, 2024 Agendas)
- (2) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA1929 (Silver Creek Development, LLC) by Mommies Properties, LLC with a variance to: 1.) Increase the maximum building height from 50 ft. to 85 ft. (UDC Table 12.2) - Parcel 229-017 - AZ230010 - District 2 - Director, Department of Planning and Community Development
(Postponed from the May 4, 2023, June 15, 2023, July 20, 2023, September 21, 2023, December 21, 2023, and June 20, 2024 Agendas)
- (3) Public Hearing and possible vote for approval of an Alternate Design for Forsyth County Board of Commissioners - Parcel 106-106 - AD240014 - District 3 - Director, Department of Planning and Community Development
- (4) Public Hearing and possible vote regarding the County-Initiated variance to: 1.) Reduce the required number of parking spaces from 168 to 36 (UDC Table 17.1) - Parcel 215-113 - VA240031 - District 4 - Director, Department of Planning and Community Development

IX. Public Comments

X. Old Business

- (1) NP Square LLC - ZA4161 - to rezone from Agricultural District (A1) to Commercial Business District (CBD) on 2.163 acres for a 21,000 sq. ft. retail/office building with 78 parking spaces with the following variance to: 1.) Reduce the distance of the sidewalk from the façade on the front, rear and sides of the building from 6 ft. to 0 ft. (UDC 21-7.5(B)(3)); and, 2.) Reduce the front landscape strip from 15 ft. to 10 ft. (UDC 21-7.5(A)(4)) - Parcel 106-106 - District 3 - Director, Department of Planning and Community Development
(Postponed from the June 20, 2024 and July 18, 2024 Agendas)
- (2) Board discussion and possible direction regarding the revised maps related to the proposed expansion of sewer lines for the Sewer Expansion Project funded by American Rescue Act Proceeds - Director, Department of Water and Sewer
(During the Regular Meeting / Public Hearings of August 15, 2024, the Board voted unanimously to approve 2nd Amendment to the Forsyth County Ordinance Setting Prohibitions and Use Parameters on Sewer Expansion Funded by American Rescue Act Proceeds, Ordinance 133, as written with direction for staff to return back before the Board within one month with a presentation of revised maps for the Board's consideration.)

XI. New Business

- (1) David Ricardo Guevara - CP240030 - to operate a 2,468 sq. ft. short-term rental in an existing building with 4 parking spaces on 8.468 acres zoned Agricultural District (A1) - Parcel 013-007 - District 3 - Director, Department of Planning and Community Development
- (2) Sri Sathya Sai Baba Center of Atlanta Inc. - CP240032 - to build a place of worship in buildings totaling 10,500 sq. ft. with 129 parking spaces on 6.221 acres zoned Agricultural District (A1) 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); and, 2.) Remove the standard dust-free pavement requirement to allow for a gravel parking area (UDC 17-5.3) - Parcels 104-413 and 104-204 - District 3 - Director, Department of Planning and Community Development
- (3) Bryan Guevara - CP240019 - to operate a 5,885 sq. ft. vehicle rental establishment in an existing building with 25 parking spaces and an open storage yard on 3.787 acres zoned Commercial Business District (CBD) with the following variance to: 1.) Reduce the landscape strip along all side and rear lot or lease lines from 10 ft. to 0 ft. (UDC 12-10.15); and, 2.) Reduce the zoning buffer along the northern property boundary from 40 ft. to 0 ft. (UDC Table 12.2) - Parcel 238-052 - District 4 - Director, Department of Planning and Community Development
- (4) Golden Highway LLC - ZA4174 - to rezone from Agricultural District (A1) to Restricted Industrial District (M1) on 19.423 acres for offices/warehouses/wholesale trade establishments in buildings totaling 125,200 sq. ft. with 143 parking spaces - Parcel 236-001 - District 4 - Director, Department of Planning and Community Development
- (5) Century Holdings, Inc. - CP240031 - to operate an open storage yard with an overall site including a 139,412 sq. ft. office/warehouse in an existing building with 228 parking spaces on 8.66 acres zoned Restricted Industrial District (M1) with the following variance to: 1.) Reduce the landscape strip abutting Shiloh Xing from 25 ft. to 0 ft. (UDC Table 14.2); and, 2.) Reduce the landscape strip abutting Shiloh Road from 25 ft. to 0 ft. (UDC Table 14.2) - Parcel 088-043 - District 5 - Director, Department of Planning and Community Development
- (6) Board consideration and approval to submit a formal response requested in reference to the invitation from the Department of Housing and Urban Development to accept or defer entitlement funding of the Community Development Block Grant Funding (CDBG) (a response is due to the HUD/Atlanta office by September 23, 2024); the County is eligible for up to \$961,580.00 over the next two years - Chief Financial Officer

XII. Recess Regular Meeting

XIII. Executive Session (if needed)

XIV. Adjournment

