

AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, AUGUST 21, 2025 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) Special Called Meeting / Public Hearing of August 7, 2025
- (2) Regular Meeting / Public Hearings and Executive Session of August 7, 2025
- (3) Work Session and Executive Session of August 12, 2025

VII. Consent Agenda

- (1) Per Board of Commissioners Rule 3.02.01, the Board hereby amends its approval of AZ250020 - which was approved on July 17, 2025. By the present Board action, the Board of Commissioners clarifies that condition 28 stands amended as requested in application AZ250020, with two sub-conditions and the associated site plan (as displayed at the July 17, 2025 meeting) with sub-condition 1 to be corrected to reflect that the relief granted by AZ250020 is not in the nature of a variance. Following this amendment, amended condition 28 shall now read:

Condition 28 - The building setback on Holdbrook Road shall be 75 feet from the right of way, except for Lot 58 which shall have a 65-foot setback in order to make space for a larger enclosed patio, subject to the following additional restrictions:

- 1. The reduced building setback for lot 58 is only to accommodate the area of the existing patio (15x23 feet) as seen in the concept plan.
- 2. Plant two rows of evergreen trees behind the patio.

The Forsyth County Clerk is hereby authorized to affix a manual "****" on the official July 17, 2025 minutes at AZ250020 cross-referencing to this evening's approval. - County Attorney

- (2) Board Ratification of the following item that was discussed and voted on at the Work Session held on August 12, 2025 (as anticipated by Board Rule 1.07.01):

- (A) Board approval for staff to commence the Public Hearing process with the Planning Commission regarding amendments to the Unified Development Code related to the residential moratorium - Planning Manager, Department of Planning and Community Development
- (B) Board approval of the Groundwater Remediation Project Pilot Test C proposal at the Hightower Road Landfill with Atlantic Coast Consulting, Inc. in the amount of \$140,000.00 – Environmental Scientist Manager, Department of Recycling and Solid Waste
- (C) Board approval of a Fifth Amendment to the agreement with Common Courtesy to increase the fares as previously approved by the Board on July 17, 2025, as well as extend the term of the Services Agreement from October 22, 2025 to December 31, 2025 - Director, Department of Public Transportation
- (D) Board approval to grant a Right of Way Easement to Sawnee Electric Membership Corporation in the amount of \$1.00 for the installation of an electrical conductor at the Forsyth County Pet Resource Center located at 4055 County Way Road, Cumming, GA – Director, Department of Public Facilities
- (E) Board approval to award Bid 25-77-1620 to Townley Construction Company, Inc. in the amount of \$134,873.00 for concrete repairs and stormwater mitigation at the Coal Mountain Recycling Center for the Department of Recycling & Solid Waste with approval of the associated Construction Services Agreement – Director, Department of Public Facilities
- (F) Board approval to postpone consideration and approval of the award of RFP 25-73-5211 to Lose & Associates, Inc., d/b/a Lose Design, in the amount of \$46,770.00 for Consulting Services: Polo Fields Park Master Plan for the Department of Parks and Recreation with approval of the associated Professional Services Agreement to the August 26, 2025 Work Session Agenda – Director, Department of Parks and Recreation
- (G) Board acceptance of the award from the United States Tennis Association (USTA) Adaptive Tennis Grant in the amount of \$500.00 with no match required with approval of a Budget Resolution - Director, Department of Parks and Recreation
- (H) Board approval of Change Order #17 to Contract #1202000014 with G.P.'s Enterprises, Inc. in the amount of \$161,781.00 for Ronald Reagan Boulevard (PEN12) - Director, Department of Capital Projects
- (I) Board approval of Amendment No. 2 to Task Order 28 with CH2M Hill, Inc. under the Standard Services Agreement for Water and Sewer Engineering Services As-Needed (PO 20220991) in the amount of \$227,178.23 for Construction Phase Services for the Forsyth County Water Intake Road Improvements project (Bid No. 25-84-1514) - Director, Department of Capital Projects

- (J) Board approval of Electrical Service Agreements between Sawnee EMC and Forsyth County for the Bennett Park Redevelopment project - Project Manager, Department of Capital Projects
- (K) Board approval of Task Order #06 to the As Needed Services Agreement with Comprehensive Program Services, Inc. in the amount of \$650,790.00 for Program Management Services for the Sharon Springs Campus Redevelopment - Project Manager, Department of Capital Projects
- (L) Board approval to award RFP 25-50-3340 to PC Construction Company in the amount of \$31,110,000.00 for the Shakerag Water Reclamation Facility Phase II Expansion with approval of the associated Construction Agreement – Director, Department of Water and Sewer
- (M) Board approval of Task Order No. 7 with Brown and Caldwell under the Standard Services Agreement for Water and Sewer Engineering Services As-Needed (Contract No. 1202300008) in the amount of \$1,475,111.00 for Engineering Services during construction for the Shakerag WRF Phase 2 Expansion Project - Director, Department of Water and Sewer
- (N) Board approval of Task Order No. 25-02 with ESG Engineering, Inc. under the Standard Services Agreement for Water and Sewer Engineering Services As-Needed (Contract No. 1202300006) in the amount of \$205,130.00 to provide consulting services during construction of the Shakerag WRF Phase 2 Expansion Project - Director, Department of Water and Sewer
- (O) Board approval of Amendment No. 1 to Task Order No. 24-01 with ESG Engineering, Inc. under the Standard Services Agreement for Water and Sewer Engineering Services As-Needed (Contract No. 1202300006) in the amount of \$275,000.00 for providing continued Program Management, Engineering, and Construction Oversight Support on the Indefinite Quantities (IDQ) Program - Director, Department of Water and Sewer
- (P) Board approval of the Hydrant Water Use Rate Schedule Periodic Rate Increase, in accordance with Section 1 (J) of the Water and Sewer Rates Resolution - Director, Department of Water and Sewer
- (Q) Board denial of “Claim, Request and Demand for [Tax] Refund” requested by Edward McCrimmon concerning ad valorem (property) taxes with regard to property located at 3930 Mathis Airport Road, Parcel Identification Number 137 020 for Tax Year 2020, in the amount of \$30.00 plus future interest at the rate of 11.5% per annum - County Attorney
(Postponed from the March 20, 2025, May 15, 2025, June 19, 2025 and July 8, 2025 Agendas)
- (R) Board denial of “Claim, Request and Demand for [Tax] Refund” requested by Edward McCrimmon concerning ad valorem (property) taxes with regard to property located at 3930 Mathis Airport Road, Parcel Identification Number 137 020 for Tax Year 2020, in the amount of \$30.00 plus future interest at

the rate of 11.5% per annum - County Attorney
(Postponed from the March 20, 2025, May 15, 2025, June 19, 2025 and July 8, 2025
Agendas)

- (S) Board denial of "Claim, Request and Demand for [Tax] Refund" requested by Edward McCrimmon concerning ad valorem (property) taxes with regard to property located at 5775 Truman Mountain Road, Parcel Identification Number 322 012 for Tax Year 2024, in the amount of \$1,585.66 plus interest of \$15.20, plus future interest at the rate of 11.5% per annum - County Attorney
(Postponed from the March 20, 2025, May 15, 2025, June 19, 2025 and July 8, 2025
Agendas)

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 Sawnee Wine & Spirits LLC located at 1740 Dr. Bramblett Rd - Named Licensee is Poornima Banda - AL2505482 - District 1 - Director, Department of Building and Licensing
- (2) Public Hearing and possible vote regarding the revocation of existing Conditional Use Permit (CUP) CP220023 - Parcel 010-013 - District 1 - Director, Department of Planning and Community Development
(Postponed from the August 15, 2024 Agenda)
- (3) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on CP200014 (QuikTrip Corporation) by QuikTrip Corporation with a variance to: 1. Reduce the front setback abutting McGinnis Ferry Road from 50 ft. to 20 ft. (UDC Table 14.2); 2. Reduce the landscape strips abutting McGinnis Ferry Road and Windward Concourse from 25 ft. to 0 ft. as shown on the site plan (UDC Table 14.2); 3. Reduce the buffer abutting Georgia Highway 400 from 40 ft. to 30 ft. as shown on the site plan (UDC 10-1.10(A)(1)) - Parcels 022-009, 022-008 and 022-001 - AZ250001 - District 5 - Director, Department of Planning and Community Development
(Postponed from the April 17, 2025, May 15, 2025, June 19, 2025 and July 17, 2025 Agendas)
- (4) Public Hearing to consider an amendment to the Forsyth County Ethics Ordinance, otherwise known as Forsyth County Ordinance 77 or Article III of Chapter 2 of the Forsyth County Code of Ordinances - County Attorney
(This is the second of two required Public Hearings; the first was held on July 17, 2025)
- (5) Public Hearing regarding a proposed amendment to the Forsyth County Pawn Shop and Pawnbroker Ordinance, otherwise known as Forsyth County Ordinance 96 or Chapter 22, Article III of the Forsyth County Code of Ordinances. This proposed amendment will modify the definition of "pawnbroker." - County Attorney
(This is the first of two required Public Hearings)

IX. Public Comments

X. Old Business

- (1) Board consideration and possible vote regarding the request for an Amendment of Zoning Conditions on ZA1421 (Technology Park/Atlanta, Inc.) by Carmel Holding Co., LLC with a variance to: 1. Reduce the side setbacks along internal lot or lease lines for Tracts 1 & 2 from 15 ft. to 12 ft. (UDC Table 14.2); 2. Reduce the landscape strip abutting McGinnis Ferry Road from 25 ft. to 0 ft. (UDC Table 14.2); 3. Reduce the landscape strip along internal lot or lease lines for Tracts 1 & 2 from 6 ft. to 0 ft. (UDC Table 14.2); 4. Increase the maximum number of parking spaces for Tract 1 from 18 to 36 (UDC 17-2.7); 5. Reduce the required number of parking spaces for Tract 2 from 31 to 26 (UDC Table 17.1); 6. Reduce the side landscape strip for Tract 2 only from 6 ft. to 0 ft. as shown on the site plan (UDC 14-4.13) - Parcel 141-002 - AZ250022 - District 2 - Director, Department of Planning and Community Development
(A Public Hearing was held before the Board of Commissioners on August 7, 2025; the Board voted unanimously to postpone, for decision only, to the August 21, 2025 Agenda)

XI. New Business

- (1) Board consideration and adoption of the 2026 Proposed Budget - Chief Financial Officer, Department of Finance
(Note: the 2026 Proposed Budget will be considered for Adoption at 6:30 p.m.)
- (2) Board consideration and adoption of the Capital Improvement Program (CIP) - Chief Financial Officer, Department of Finance
(Note: the Capital Improvement Plan (CIP) will be considered for Adoption at 6:30 p.m.)
- (3) Board consideration of Boundary modifications to 07-Cumming, 16-Otwell, and City of Cumming Municipal Voting Precinct Lines due to annexations and pursuant to procedure in O.C.G.A. § 21-2-262(d) - Director, Department of Voter Registrations and Elections
- (4) Wendell Smith - CP240037 - to operate a 2,528 sq. ft. minor automobile service establishment in an existing building with 13 parking spaces on 2.0 acres zoned Commercial Business District (CBD) with the following variance to: 1. Reduce the landscape strip abutting Bethelview Road from 25 ft. to 0 ft. (UDC 21-8.5(D)(3)); 2. Reduce the landscape strip between the front property line and any vehicular use area from 10 ft. to 0 ft. (UDC 17-5.7); 3. Reduce the landscape strip along all side lot or lease lines from 10 ft. to 0 ft. (UDC 12-10.15) - Parcel 077-393 - District 1 - Director, Department of Planning and Community Development
(Postponed from the May 15, 2025, June 19, 2025 and July 17, 2025 Agendas)
- (5) Rockhaven Homes, LLC - ZA4212 - to rezone from Agricultural District (A1) to Single Family Residential District (RES2) on 90.35 acres for 100 residential lots with a density of 1.11 units per acre - Parcels 002-029 and 002-032 - District 1 - Director, Department of Planning and Community Development
- (6) Rishi Gankidi - ZA4230 - to rezone from Single Family Residential Restricted District (R2R) and Agricultural District (A1) to Single Family Residential District (RES2) on 4.414 acres for 6 residential lots with a density of 1.36 units per acre with the following variance to: 1. Increase the maximum number of lots accessed by an

easement from 3 to 4 (UDC 18-7.2) - Parcel 037-011 - District 3 - Director,
Department of Planning and Community Development
(Postponed from the July 17, 2025 and August 7, 2025 Agendas)

- (7) Eastwood Homes of Georgia, LLC - ZA4224 - to rezone from Agricultural District (A1) to Single Family Residential District (RES3) on 12.51 acres for 18 residential lots with a density of 1.44 units per acre with the following variance to: 1. Reduce the exterior buffer along the northern and western property boundaries adjacent to the existing utility easement only from 25 ft. to 0 ft. as shown on the site plan (UDC Table 11.2(b)); 2. Reduce the exterior buffer abutting Post Road adjacent to the existing utility easement only from 40 ft. to 0 ft. (UDC 11-9.6(J)(1)); 3. Reduce the landscape strip abutting Post Road adjacent to the existing utility easement only from 15 ft. to 0 ft. (UDC 21-10.5) - Parcel 057-009 - District 3 - Director, Department of Planning and Community Development
- (8) Romelia Garcia Lopez - CP240071 - to operate an open storage yard and container yard with an overall site including a 1,616 sq. ft. minor automobile service establishment in an existing building with 4 parking spaces on 0.78 acres zoned Highway Business District (HB) with the following variance to: 1. Reduce the zoning setback along the western property boundary adjacent to the existing structures only from 50 ft. to 14 ft. (UDC Table 12.2); 2. Reduce the zoning buffer along the western property boundary from 40 ft. to 14 ft. (UDC Table 12.2); 3. Reduce the zoning setback along the northern property boundary adjacent to the existing structures only from 50 ft. to 25 ft. (UDC Table 12.2); 4. Reduce the zoning buffer along the northern property boundary from 40 ft. to 25 ft. (UDC Table 12.2); 5. Reduce the zoning setback along the eastern property boundary adjacent to the existing structures only from 50 ft. to 2 ft. (UDC Table 12.2); 6. Reduce the zoning buffer along the eastern property boundary from 40 ft. to 2 ft. (UDC Table 12.2); 7. Reduce the landscape strip along the eastern property boundary from 10 ft. to 2 ft. (UDC 21-6.5(A)(2)); 8. Reduce the landscape strip abutting McFarland Parkway from 20 ft. to 0 ft. (UDC 21-6.5(A)(1)); 9. Reduce the landscape strip between McFarland Parkway and any vehicular use area from 10 ft. to 0 ft. (UDC 17-5.7); 10. Reduce the open space from 25% to 0% (UDC Table 21.6) - Parcel 041-410 - District 3 - Director, Department of Planning and Community Development
- (9) 320 Brannon Road, LLC - ZA4222 - to rezone from Commercial Business District (CBD) to Restricted Industrial District (M1) on 10.03 acres for offices/warehouses in buildings totaling 121,250 sq. ft. with 220 parking spaces - Parcels 107-012, 107-036 and 107-011 - District 5 - Director, Department of Planning and Community Development
- (10) Board ratification of Right-of-Way Settlement Authorization executed by the Forsyth County Attorney, Forsyth County Capital Projects Director, and the Forsyth County Manager, for Parcel 91 of the Post Road Widening Project (PI# 0006915) (Owners: Jeffrey S. Bagley and Janet Bagley Coleman). Staff requests this item be considered on a "*Time-Sensitive*" basis - County Attorney

XII. Recess Regular Meeting

XIII. Executive Session (if needed)

XIV. Adjournment