

# AGENDA

## Cherokee County Board of Commissioners

NOVEMBER 3, 2009 REGULAR MEETING CHEROKEE HALL 6:00 P.M.

### CALL TO ORDER

CHAIRMAN

### PLEDGE OF ALLEGIANCE

CHAIRMAN

*"Veterans of U.S. military service may proudly salute the flag while not in uniform based on a change in the governing law on 25 July 2007"*

### AMENDMENTS TO AGENDA

### ANNOUNCEMENTS

Notification received from DCA regarding "Approved Status" of "**Opportunity Zone**" in SW Cherokee County-**Chairman**

Garland Mountain Horse & Hiking Trails will have a "soft" opening on Saturday, November 21 around noon-**Chairman**

### APPROVAL OF WORK SESSION MINUTES FROM OCTOBER 20, 2009

### APPROVAL OF REGULAR MEETING MINUTES FROM OCTOBER 20, 2009

### PUBLIC COMMENT

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### PUBLIC HEARING

Consideration of request by Byron Kizer to modify a condition of zoning on Case No. 02-09-029 (Eric Ratner) **Vicki Taylor Lee**

### REQUESTS

- (1) Request to set a public hearing on December 1, 2009 to consider removal of the condition on Case No. 92-07-054, Bank of Canton, which stipulates for bank use only. Request is from potential purchaser Connelly Realty-**Vicki Taylor Lee**
- (2) Request to set a public hearing on December 1, 2009 to consider the adoption of an application and fee schedule for requests for modifications and waivers of conditions of zoning-**Vicki Taylor Lee**

- (3) Request to set a public hearing on December 1, 2009 to consider the adoption of a fee schedule for requests for Zoning Certifications-**Vicki Taylor Lee**
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**OLD BUSINESS-ZONINGS FROM OCTOBER 20, 2009**

**CASE NUMBER** : **09-09-015**  
**APPLICANT** : Crim Development, Inc.  
**ZONING CHANGE** : R-40 to GC  
**LOCATION** : 2475 and 2559 Cumming Hwy  
**MAP & PARCEL NUMBER** : 14N23A, Parcel 015 & 016  
**ACRES** : 4.54  
**PROPOSED DEVELOPMENT** : Retail Development  
**COMMISSION DISTRICT** : Post 1  
**FUTURE DEVELOPMENT MAP** : Suburban Growth/Neighborhood Village  
Node

**PLANNING COMMISSION RECOMMENDATION:** Approval to NC with conditions:

1. Development of the property shall include a 30" curb and gutter to current Georgia Department of Transportation standard along the Ga. Hwy. 20 frontage.
2. Development of the property shall include a minimum 4-foot wide grass-strip along the length of the Ga. Hwy. 20 frontage, immediately adjacent to the curb described in Condition #1 above.
3. Development of the property shall include a minimum 6-foot wide concrete sidewalk with 20 foot on center expansion joints along the length of the Ga. Hwy. 20 frontage immediately adjacent to the grass strip described in Condition #2 above.
4. Development of the property shall include a minimum 10-foot wide landscape strip along the length of the Ga. Hwy. 20 frontage, immediately adjacent to the sidewalk described in Condition #3 above. The landscape strip described in this condition shall contain the following:
  - a. Sugar Maple trees (either "Legacy" or "Green Mountain" variety) with a minimum caliper of 3" at a point 6" above ground level and minimum height of 14 feet, planted not less than every 65' along the length of the Ga. Hwy. 20 frontage.
  - b. Not less than 2 understory trees from the list attached as "Exhibit "A" for each tree required in (a) above.
  - c. Not less than 30% ground coverage utilizing shrubs from the list attached hereto as Exhibit "A".
5. In addition to the County's existing sign regulations, signage on the property shall comply with the following (where there is a conflict between this condition and the County's Zoning Regulations, the more restrictive provision shall apply):

- a. Any freestanding sign shall be monument style with an 18"-24" brick base (or a reasonably similar alternative material approved by the Zoning Administrator).
- b. The total height of any freestanding sign (including the base) shall not exceed 5 feet, if the sign is less than 10 feet from the right-of-way of Hwy. 20.
- c. The total height of any freestanding sign (including the base) shall not exceed 8 feet, if the sign is at least 10 feet from the right-of-way of Hwy. 20.
- d. The maximum sign area of any freestanding sign shall be 32 square feet per face.
- e. No freestanding sign shall have more than two faces.
- f. All signs on the property shall be interior illuminated.
- g. No changeable copy boards shall be allowed.

**CASE NUMBER** : 09-09-016  
**APPLICANT** : Crim Development, Inc.  
**ZONING CHANGE** : R-40 to GC  
**LOCATION** : 2333 Cumming Hwy  
**MAP & PARCEL NUMBER** : 14N23A, Parcel 017  
**ACRES** : 9.01  
**PROPOSED DEVELOPMENT** : Retail Development  
**COMMISSION DISTRICT** : Post 1  
**FUTURE DEVELOPMENT MAP** : Suburban Growth/Transition Corridor  
**PLANNING COMMISSION RECOMMENDATION:** Approval to NC with conditions:

1. Development of the property shall include a 30" curb and gutter to current Georgia Department of Transportation standard along the Ga. Hwy. 20 frontage.
2. Development of the property shall include a minimum 4-foot wide grass-strip along the length of the Ga. Hwy. 20 frontage, immediately adjacent to the curb described in Condition #1 above.
3. Development of the property shall include a minimum 6-foot wide concrete sidewalk with 20 foot on center expansion joints along the length of the Ga. Hwy. 20 frontage immediately adjacent to the grass strip described in Condition #2 above.
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- b. Not less than 2 understory trees from the list attached as "Exhibit "A" for each tree required in (a) above.
  - c. Not less than 30% ground coverage utilizing shrubs from the list attached hereto as Exhibit "A".
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- a. Any freestanding sign shall be monument style with an 18"-24" brick base (or a reasonably similar alternative material approved by the Zoning Administrator).
  - b. The total height of any freestanding sign (including the base) shall not exceed 5 feet, if the sign is less than 10 feet from the right-of-way of Hwy. 20.
  - c. The total height of any freestanding sign (including the base) shall not exceed 8 feet, if the sign is at least 10 feet from the right-of-way of Hwy. 20.
  - d. The maximum sign area of any freestanding sign shall be 32 square feet per face.
  - e. No freestanding sign shall have more than two faces.
  - f. All signs on the property shall be interior illuminated.
  - g. No changeable copy boards shall be allowed.

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**COMMISSION BUSINESS**

**CHAIRMAN**

**L. B. AHRENS**

*Airport Authority appointment to replace Bob Davis*

*ARC Volunteer Program*

**COMMISSION POST 1**

**HARRY B. JOHNSTON**

*Discussion of Park Bond Program Budget and Priorities - Recreation Advisory Board Recommendation*

**COMMISSION POST 2**

**JIM HUBBARD**

**COMMISSION POST 3**

**KAREN BOSCH**

*Amendment to National Sign Plazas Agreement for Kiosk Signage*

*Discussion of Catering Approval Policy for the Conference Center*

**CONSENT AGENDA**

1. Acceptance of rights-of-way, roadways and appurtenant drainage structures within **Heritage Plantation on the Etowah** subdivision for County maintenance, including all or part of: Heritage Plantation Drive, Heritage Creek Trail and Cain Creek Overlook
  2. Request approval of 2010 CDBG Annual Action Plan for submission to the U.S. Department of Housing and Urban Development
  3. Request approval for the renewal of Inmate Commissary Services from Southern Sheriff's Supply for Cherokee County Sheriff's Office Adult Detention Center
  4. Consideration and approval of an Encroachment Agreement with the Development Authority of Cherokee County to allow the installation of an entrance monument and landscaping in the Airport Industrial Drive right-of-way
  5. Consideration and approval of Local Aid Agreement between Cherokee County and the Georgia Department of Transportation for the 2010 LARP Resurfacing of various County roads
  6. Consider renewal of Drug and Alcohol Testing Policy
  7. Consider renewal of lease between Cherokee County and Revolution Church for a period of one year for \$4,000/month
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**COUNTY MANAGER**

8. Request approval of 2010 GDOT 5311 Rural Transportation ARRA Capital Contract in the amount of \$301,500. No match required
9. Approval and award of bid and contract with Consolidated Telecom of Dallas, Texas for the provision of telephone service and equipment for use by the inmates of the Cherokee County Sheriff's Office Adult Detention Center

10. Consideration and approval of a proposal from F.E. Sims Enterprises, Inc. for the installation of an additional sediment pond and erosion control devices at the Cherokee County Soccer Complex for \$34,130
11. Consider approval of Blue Cross Blue Shield (BCBS) Administrative Services Agreement for Cherokee County Inmate Program
12. Consideration and approval of PSA with ABUCK, Inc. for repairs to building; install new HVAC and replace damaged concrete pad at Fire Station 3 for a total of \$21,898
- 12a. Consideration and approval of PSA with Atlas Environmental Services, LLC for asbestos abatement and mold clearance at Fire Station 3 for a total of \$2,500

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**COUNTY ATTORNEY**

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**ADJOURN**

The Planning Commission meeting has been cancelled for November 3, 2009.