



REGULAR MEETING

SUMMARY

WELCOME AND CALL TO ORDER *at 6:50pm by Mayor Sell*

PRESENT FOR MEETING

Mayor Shannon Sell
Councilmember Adam Ledbetter
Councilmember Tracy Carswell
Councilmember James Lawson
Councilmember Shantwon Astin
City Administrator Gary Fesperman
City Clerk Jennifer Kidd-Harrison
City Planner Jerry Weitz
City Attorney Abbott Hayes

Media was present

AGENDA APPROVAL *Amended to add 5 additional items by Ledbetter, Second by Astin and all in favor*

- 1. Change Order for West Jefferson Street*
- 2. To purchase a Mule for Public Works, Water & Waste Water Department*
- 3. Mullberry Property Demolition*
- 4. Oath for Chief of Police*

MINUTE APPROVAL:

June 3, 2021 Work Session & Regular Council Meeting Minutes

~~June 22, 2021 Special Called Meeting Minutes~~

June 29, 2021 Special Called Meeting Minutes

July 1, 2021 Special Called Meeting Minutes

Motion to approve with correction by Astin, second by Lawson and all in favor

NEW BUSINESS

1. **Z-21-06 Rezone:** Sudruddin Hakani, applicant, Mark Heard Fuel Company, Inc, property owner, seeks to rezone 1.54 acre (Map/Parcel 120/0131) fronting approximately 200 feet on the east side of State Route 53 and 280 feet on the south side of Towne Center Parkway from C-2 (General Commercial Highway Oriented District) to C-3 (Commercial Motor Vehicles Service and Repair District). Proposed uses: convenience store with gasoline pumps and fast-food restaurants. *Staff Recommendation: Approval with conditions*

Motion to deny by Ledbetter, second by Astin, third by Sell. (Vote 3-2)

2. **Z-21-07 Rezone:** W&A Engineering, applicant, Charlie Massey, property owner, seeks to rezone 4.87 acres (Map/Parcels 120/004A and 120/005A) fronting on the north side of West Jefferson Street at its entrance with Panther Court from R-3 (Single-Family Moderate Density Residential District) Conditional (RZ 10-01) to MFR (Multiple Family Residential District). Proposed use: 41 fee simple townhomes. *Staff Recommendation: Approval with conditions*

Motion to approve with conditions by Carswell, Second by Lawson all in favor except for Astin. (Vote 4-1)

CONDITIONS:

1. **Use and substantial accordance with concept plan.** The subject property shall be limited to fee-simple townhouses and preliminarily platted and developed in substantial accordance, as determined by the zoning administrator, with the conceptual site plan for West Jefferson Street prepared by W & A Engineering dated June 30, 2021, made part of zoning file Z-21-07.
2. **West Jefferson Street improvements.** The developer shall be required to improve West Jefferson Street along the eastern property frontage to provide curb and gutter, sidewalk, and 12 feet of pavement from the centerline (note: this excludes the panhandle portion of the lot further west of Panther Court. In addition, the developer shall be required to install a 150-foot long right-turn lane with taper approved by the zoning administrator and city engineer into the development for westbound traffic on West Jefferson Street.
3. **Entrance onto West Jefferson Street.** The project entrance onto West Jefferson Street shall align with Panther Court.
4. **Amenities.** A playground with equipment approved by the zoning administrator shall be developed prior to the issuance of the 20th certificate of occupancy for the project for fee-simple townhouse units. Prior to issuance of the 20th certificate of occupancy for the project for fee-simple townhouse units, the owner/developer shall develop a path (not necessarily paved) through the panhandle open space connecting the playground to West Jefferson Street and a five-foot concrete sidewalk connecting the playground to the sidewalk along the proposed public street.
5. **Garage.** Each unit shall include at least a one-car garage.

6. Minimum heated floor area per dwelling unit: The minimum heated floor area per dwelling unit shall be 1,800 square feet.

7. Exterior building material finishes. Building materials on all four façades of the fee-simple townhouse buildings shall be at least 50 percent brick, stone, brick veneer or stone veneer. The remainder of the building material finishes shall be cement fiber board and accent materials approved by the zoning administrator. No vinyl siding shall be allowed.

8. Stormwater management pond. If a detention pond is located adjacent to the right of way of West Jefferson Street, it shall be enclosed with either a solid wooden (opaque) fence or masonry wall or non-opaque, decorative aluminum picket fence with a height of at least five (5) feet, subject to the approval of the zoning administrator.

9. Landscape strip. A minimum five-foot wide landscape strip shall be planted to a parking lot screen standard along the eastern road frontage (between the stormwater pond and sidewalk and between the parking lot and road frontage, except for the approved access street) as approved by the zoning administrator, prior to issuance of the 20th certificate of occupancy for the project (this requirement excludes the panhandle portion of the property west of Panther Court).

10. Elimination of common property line. The existing property line separating the two subject tracts shall be eliminated via final plat approval.

3. **TA-21-03 Text Amendment, Hoschton Zoning Ordinance:** An Ordinance Amending the Hoschton Zoning Ordinance, adopted January 4, 2016, amended April 19, 2021, to amend Article IV, "Zoning Districts," Section 4.06, "MFR, Multi-Family Residential District" as it pertains to dimensional requirements for fee simple townhouses, and to amend Article VI, "Specific Use Restrictions," Section 6.55, "Fee Simple Townhouse" to change various requirements; and for other purposes. *First Read on 6/3/21 Staff Recommendation: Approval with conditions On the Consent Agenda - See Below for Motion (Items #3-#10)*
4. **Subdivision and Land Development Ordinance Amendment (Ordinance O-21-04)** An Ordinance Amending the Hoschton Subdivision and Land Development Ordinance, adopted April 4, 2016, amended April 19, 2021, to amend Article VI, "Access and Design Requirements For Roads," to add a new Section 625, "Golf Cart Paths and Multi-Use Paths"; and to amend Section 601, "Access" to repeal the requirement to have more than one exit/entrance to a subdivision of 50 or more lots; and for other purposes. *First Read on 6/3/21 Staff Recommendation: Approval On the Consent Agenda - See Below for Motion (Items #3-#10)*
5. **O-21-11:** Franchise Agreement for Jackson EMC *First Read on 6/3/21 On the Consent Agenda - See Below for Motion (Items #3-#10)*
6. **O-21-10:** Updated Cemetery Ordinance *First Read on 6/3/21 On the Consent Agenda - See Below for Motion (Items #3-#10)*

7. **Z-21-09 Rezone:** City of Hoschton, applicant, Premier Realty Associates, Inc., property owner, seeks to rezone 3.02 acres (Map/Parcel 112/035A) fronting approximately 630 feet on the south side of Maddox Road approximately 700 feet east of the intersection of West Jackson Road and East Jefferson Street (614 E.G. Barnett Road). Proposed use: Detached single-family residential.
Staff Recommendation: Approval
On the Consent Agenda - See Below for Motion (Items #3-#10)

8. **V-21-11 Variance:** Hoschton Town Center, LLC, applicant and property owner, seeks a variance to Section 617, "Curb and Gutter" of the Hoschton subdivision and land development regulations, to authorize roll back curbs instead of vertical curbs in the Cambridge at Towne Center townhouse project fronting on the south side of Towne Center Parkway (29.702 acres) (Map/Parcels 120/013L and 120/017D) (MFR conditional zoning district). Proposed Use: Fee simple townhouses.
Staff Recommendation: Approval
On the Consent Agenda - See Below for Motion (Items #3-#10)

9. **V-21-12 Variance:** W&A Engineering, applicant, Charlie Massey, property owner, seeks a variance to the Hoschton City Code, Chapter 23, "Stream Buffer Protection" Section 23-105, "Land Development Requirements," to reduce the minimum required stream buffer and impervious surface setback for 4.87 acres (Map/Parcels 120/004A and 120/005A) fronting on the north side of West Jefferson Street at its entrance with Panther Court in a proposed MFR (Multiple Family Residential) zoning district. Proposed use: fee simple townhomes.
Staff Recommendation: Approval
On the Consent Agenda - See Below for Motion (Items #3-#10)

10. **Twin Lakes Preliminary Plat Phase 8 –** Preliminary Plat for Twin Lakes, Phase 8 (Mixed Use Section) Fronting on State Route 53 and the south side of Twin Lakes Parkway: 19.40 acres including 163 fee-simple townhouse lots/units and one 2.42-acre outparcel (commercial)
Motion to Item #3-Item #10 to approve by Astin, Second by Ledbetter and all in favor.

11. **Reports on Bidding Projects** by City Engineer, Jerry Hood of EMI
On the Consent Agenda - See Below for Motion (Items #11-#15)

 Staff Recommendation:
 Water Storage Tank – Caldwell Tanks, Inc.
 Sanitary Sewer Outfall off 332 – J&K Contractor

12. **Ordinance #O-21-12 -** MS4 Stormwater Service Fee

13. **Agreement with Jackson County** for the purpose of collecting MS4 Stormwater Service Fees

14. **Resolution # R-21-16** To Establish a Franchise Fee Applicable to holders of cable and video franchise issued by The State of Georgia.

15. Mr. Gary Fesperman in position as Interim City Manager

Motion to Item #11-Item #18 to approve by Lawson, Second by Carswell and all in favor.

16. Change Order for West Jefferson Street to conduct shoulder construction for \$17,757.74.
17. To purchase a Mule for Public Works, Water & Waste Water Department for \$13722.95 - \$999.00 = \$13,723.95 for a 2021 Kawasaki 4010 Mule
18. Mullberry Property Demolition to approve 211 Waste & Recycling at \$10,200.00

Motion to Item #11-Item #18 to approve by Lawson, Second by Carswell and all in favor.

19. Oath for Chief of Police for Mr. Bradely Hill

EXECUTIVE SESSION (IF NEEDED)

Motion to go into executive session at 7:08pm by Astin, second by Lawson and all in favor for Litigation
Motion to go out of executive session at 7:17pm by Ledbetter, second by Carswell and all in favor for Litigation

ADJOURN

Motion to adjourn at 7:17pm by Sell, second by Ledbetter and all in favor