

CITY OF HOSCHTON  
CITY COUNCIL  
**THURSDAY, SEPTEMBER 14, 2023 AT 6:00PM**  
**HOSCHTON COMMUNITY CENTER**  
65 CITY SQUARE, HOSCHTON



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**WORK SESSION**

**MINUTES**

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WELCOME AND CALL TO ORDER *at 7:13pm by Acting Mayor James Lawson*

AGENDA APPROVAL *motion to approve with no changes by Councilmember Fredria Sterling, seconded by Councilmember Sam Waites, and all in favor*

REPORTS BY MAYOR, COUNCIL, AND STAFF

OLD BUSINESS

- 1. Ordinance O-2023-03:** An Ordinance Amending the Code of Ordinances of the City of Hoschton, Georgia, Chapter 11, "Traffic and Vehicles," To Adopt a New Article IV, "Stopping, Standing and Parking;" To Repeal Conflicting Ordinances; To Provide for Severability; To Provide For an Effective Date; To Provide for Codification; and For Other Purposes [*Postponed from August 17, 2023*]

*Hoschton Police Chief Brad Hill said that the City currently follows the state law when it comes to parking. He looked over the Pendergrass parking ordinance that was presented to the City and suggested changes as laid forth in the Council packet. Chief Hill explained that sidewalk parking issues would be addressed on a complaint-driven basis; his officers will not focus on driving around to write parking citations.*
- 2. Z-23-02: Annexation and Zoning and Rezoning:** The Providence Group of Georgia, LLC, applicant, Shannon C. Sell, and Paul T. and Brenda A. Cheek, property owners, seek to annex approximately 33.0 acres with PUD (Planned Unit Development) District zoning. The property proposed to be annexed consists of that part of Map/Parcel 119/019 not currently in the city limits of Hoschton (approximately 25.6 acres) (Shannon C. Sell, owner) and all of Map/Parcel 113/003A (approximately 7.4 acres) (Cheek property). The property to be annexed fronts approximately 824 feet on the north side of Pendergrass Road (SR 332) west of E.G. Barnett Road and also fronts approximately 640 feet on the west side of E.G. Barnett Road (Cheek property) and also gains access to the east side of East Jefferson Street via the remainder of the Sell property (Map/Parcel 119/019). Current zoning of property to be annexed is A-2, Agricultural-Rural Farm District in unincorporated Jackson County. Additionally, the applicant seeks to rezone approximately 84.46 acres of property contiguous to the proposed annexation (part of Map/Parcel 119/019 inside the city limits of Hoschton, i.e., part of remainder of Sell property, totaling 58.86 acres, fronting on the east side of East Jefferson Street and 17.86 acres fronting approximately 1,115 feet on the west side of East Jefferson Street and fronting approximately 1,230 feet on the south side of West Jackson Road (Map/Parcel 119/018)

(property of West Jackson, LLC) from A (Agricultural) District to PUD (Planned Unit Development) District. The total estimated acreage within the proposed PUD site plan/ zoning district is 109.72 acres. Proposed use: residential planned unit development (334 units which may include up to 90 fee simple townhouse units) and open space [*Public Hearings held May 11, 2023 and June 15, 2023*]

*City Attorney Abb Hayes explained to community members that the City is waiting on unanimity from the property owners on this application before taking any action.*

3. **Z-23-03: Annexation and Zoning (Development of Regional Impact #3960):** Rocklyn Homes, by Mahaffey Pickens Tucker, LLP, applicant, Mary Ann Kenerly and New Hope AME Church, property owners, seek to annex 287.14 acres with PUD (Planned Unit Development) District zoning. The property proposed to be annexed and zoned PUD consists of Map/Parcels 114/001A, 114/001B1, 114/002A and 114, 001B, fronting approximately 5,550 feet on the east side of State Route 53 approximately 410 feet south of Pearl Industrial Avenue (1688 and 2512 Highway 53). Current zoning is A-2, Agricultural-Rural Farm District in unincorporated Jackson County. Proposed use: Mixed use development including approximately 3.54 acres of commercial use, church and 5.5 acres of church expansion, 404 townhome units, 651 single-family lots and approximately 24 acres of civic space.

*The City has been in communication with the developer concerning conditions of zoning.*

4. **RFP 23-009: 69 City Square**

*Jennifer Harrison explained that all submitted proposals will be presented to the council once the proposal period ends on Friday, September 15<sup>th</sup>.*

5. **RFP 23-010: 4162 Hwy 53, Unit 100**

*Jennifer Harrison explained that all submitted proposals will be presented to the council once the proposal period ends on Friday, September 15<sup>th</sup>.*

## NEW BUSINESS

1. **Resolution 2023-016:** A Resolution Accepting from Southeast-Peachtree Acquisition, LLC the dedication of Additional Right of Way (0.261 acre) Along Peachtree Road Fronting the Alma Farms Subdivision.  
*Dr. Jerry Weitz, Consulting City Planner, explained that this right-of-way acceptance is routine.*
2. **Resolution 2023-017:** A Resolution Regarding Use of Public Roads During the Hoschton Fall Festival.  
*City Square, Bell Avenue, Railroad Avenue, and a portion of West Broad Street will be closed for the Fall Festival, October 6<sup>th</sup>-8<sup>th</sup>. A portion of Highway 53 will be closed the morning of October 7<sup>th</sup> for the annual Fall Festival parade.*
3. **Resolution 2023-018:** A Resolution Regarding Use of Public Roads During the Downtown Trunk-or-Treat Event.  
*City Square will be closed the evening of Friday, October 27<sup>th</sup>.*

4. **Resolution 2023-019: Sewer Tap/Connection Fee Schedule Update--effective October 1, 2023**  
*Jerry Hood of EMI explained that larger the meter, the greater the demand for services, thus the costs are greater. Increasing the sewer tap fees ensures that development pays its way and prevents raising the rates to the consumer. The new fees are commensurate with other growing areas and are in line with what the county charges.*
5. **Resolution 2023-020: Building Permit Fee Schedule Update--effective October 1, 2023**  
*Jennifer Harrison explained that the building fees have not been updated in years. The proposed fees would be a 25% increase above the current fees.*
6. Temporary Outdoor Alcohol Special Event Permit for Fall Festival—Casa Rica Family Mexican Restaurant
7. Temporary Outdoor Alcohol Special Event Permit for Fall Festival—The Depot by 4 Brothers
8. Temporary Outdoor Alcohol Special Event Permit for Fall Festival—Sliced
9. Final Plat, Twin Lakes Phase 9A - KLP Twin Lakes, LLC, 68 lots on 48.706 acre (including public street dedication of 5.07 acres and 8,087 linear feet. PUD zoning (Ordinance Z-18-05)  
*Dr. Weitz stated that the staff recommendation is approval of this Final Plat.*

#### CITIZEN INPUT

*Rodney Cato, 140 Hawthorn Way, offered his thanks to Chief Hill for his time spent on the parking ordinance. He suggested that to reduce burden on the City, the Kenerly property should be required to make use of septic tanks instead of connecting to the sewer; many residents are against the proposed development.*

*Eleanor Green, 122 Pheasant Run, asked why former Councilmember Debbie Martin's recommendation for her replacement-Christina Brown-was not considered. Ms. Brown has been involved and present at council meetings. Why was Sam Waites appointed at a 3:00 meeting? What was the urgency when other council seats have remained vacant for months?*

*Christina Brown, 205 Quail Run, asked if the Sell and Kenerly properties will be on the voting agenda for the regular September meeting. [City Attorney Abb Hayes replied that it will be up to council] If there have been changes from the original proposal, there will not be public discussion, so a vote would be premature. It is critical to talk about the conditions of approval before any vote. Ms. Brown expressed concerns about the Kenerly project: the need for sewer expansion and the slowing of the economy. She recommends that the City heed the direction of Dr. Weitz to "aggressively [preserve] commercial space."*

*Andy Wall, 181 Indian Creek Loop, stated that his property borders the Kenerly property and he would like to see a fence or vegetation border on the property as a requirement, as he has already experienced people errantly coming onto his property as they work next door.*

*Howard Borsa, 73 Sinclair Circle, asked about the Providence Group (Sell property developer). [Attorney Abb Hayes explained that the City is waiting on unanimity from the property owners and also explained the arbitration process.*

Bob McDevitt, 117 Powell Court, asked that the Council postpone any voting on such major decisions until a full Council is in place. He doesn't want to see a higher tax to cover the future costs of development. There has been too much growth in Hoschton, already—don't overbuild. He would have been against the Cresswind development even though he now lives there. He sees the costs to the City and wants the best for the City.

Michael Segal, 86 Powell Court, suggested that the Council should get computer generated elevations for future developments instead of the 2-dimensional images that are currently considered.

EXECUTIVE SESSION *No executive session needed.*

ADJOURN *motion to adjourn at 7:50pm by Waites, seconded by Sterling, and all in favor.*

Roll Call:

Acting Mayor James Lawson  
Councilmember Tracy Carswell  
Councilmember Fredria Sterling  
Councilmember Sam Waites

Also Present:

City Engineer Jerry Hood  
City Planner Dr. Jerry Weitz  
City Attorney Abbott S. Hayes  
City Manager Jennifer Harrison  
Admin. Assistant Jen Williams

Approved:

  
James Lawson, Acting Mayor

*10-16-2023*  
Date

  
Jen Williams, Assistant City Clerk

