

CITY OF HOSCHTON
CITY COUNCIL
MONDAY, SEPTEMBER 18, 2023 AT 6:00PM
HOSCHTON COMMUNITY CENTER
65 CITY SQUARE, HOSCHTON



REGULAR MEETING

MINUTES

WELCOME AND CALL TO ORDER at 6:01pm by Acting Mayor James Lawson

INVOCATION by Councilmember Tracy Carswell

PLEDGE OF ALLEGIANCE by Chief Brad Hill

ADMINISTER OATH TO JEN WILLIAMS Oath for Assistant City Clerk role administered by City Attorney Abbott S. Hayes
to Jennifer Williams

AGENDA APPROVAL Motion to approve agenda with no changes by Councilmember Waites, seconded by Councilmember Sterling, and all in favor.

MINUTES APPROVAL

1. August 17, 2023 Public Hearing Minutes
2. August 17, 2023 Work Session Minutes
3. August 21, 2023 Regular Meeting Minutes
4. August 31, 2023 Special Meeting Minutes

Motion to approve all minutes with no changes by Waites, seconded by Sterling, and all in favor.

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]

Motion to approve by Sterling, seconded by Waites, and all in favor.

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]

Motion to table until the regular October meeting by Lawson, seconded by Waites, and all in favor.

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.

Motion to approve with 21 conditions by Carswell, seconded by Waites, and all in favor.

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

Motion to table until regular October meeting by Lawson, seconded by Waites, and all in favor.

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

Motion to approve leasing the unit to Putter's Golf Carts by Lawson, seconded by Waites, and all in favor.

NEW BUSINESS

1. **Z-23-06 Rezoning:** G.P.'s Enterprises, Inc., applicant and property owner, by Charles "Chuck" Ross, seeks to rezone property (Map/Parcels 113/030 and 113/018) (54.99 acres) fronting on the north side of State Route 53, the east and west sides of Nancy Industrial Drive, and the end of Amy Industrial Lane from M-1 (Light Industrial) District to PUD (Planned Unit Development) District. Proposed use: Mixed use planned unit development consisting of 712 (360 apartments

and 352 fee simple townhouse) units and 63,000 square feet of retail, restaurant, office and civic space. (Development of Regional Impact # 4047) [planning staff recommendation: denial]

Motion to table until the regular October meeting by Waites, seconded by Sterling, and all in favor.

2. **Z-23-07 Rezoning:** Stanton E. Porter, applicant, Whitworth Realty Advisors, Ashishkumar Patel and Stewart Christian, property owners, seeks to rezone property (approximately 1.38 acres) (part of Map/Parcel 119/004N1 totaling 3.38 acres) fronting on the west side of State Route 53 north of East Jefferson Street/ West Jefferson Street from MU (Mixed Use) District to C-3 (Commercial Motor Vehicles Service and Repair District). Proposed use: car wash. [planning staff recommendation: denial]

Motion to approve with six conditions by Waites, seconded by Carswell, and all in favor.

3. **Resolution 2023-14:** A Resolution Amending the Comprehensive Plan to adopt an "Official Corridor Map" as a part of the transportation component/chapter so as to designate land to be reserved for the construction of future or improvement of existing transportation facilities, including streets, highways, bikeways, sidewalks, and multi-use trails.

Motion to table until the regular October meeting by Lawson, seconded by Waites, and all in favor.

4. **Ordinance O-23-05:** An Ordinance Amending the Subdivision and Land Development Ordinance, Article VI, "Access and Design Requirements for Roads," Section 602, "Conformance to Adopted Major Thoroughfare and Other Plans" to provide reference to a new code section and to provide reference to an official corridor map; and to amend Article IX, "Development Plans and Permits," to add a new Section 910, "Official Corridor Map."

Motion to table until the regular October meeting by Lawson, seconded by Waites, and all in favor.

5. **Ordinance O-23-06:** An Ordinance Amending the Subdivision and Land Development Ordinance, Article VI, Access and Design Requirements for Roads, Section 620, "Residential Driveways," and Section 621, "Non-Residential Driveways" to modify standards and specifications.

Motion to approve by Lawson, seconded by Sterling, and all in favor.

6. **Ordinance TA-23-02:** An Ordinance Amending the Zoning Ordinance Adopted January 4, 2016, as amended, to amend Article VII, "Nonconformities," Section 7.03, "Nonconforming Use," to authorize the replacement of a nonconforming manufactured home with a new manufactured home per amendment to the Zoning Procedures Law.

Motion to approve by Lawson, seconded by Waites, and all in favor.

7. **Ordinance TA-23-03:** An Ordinance Amending the Zoning Ordinance Adopted January 4, 2016, as amended, to amend Article VI, "Specific Use Provisions" to add a new Section 6.50, "Small

Wireless Facility;" to amend Article IV, "Zoning Districts," "Table 4.1, "Permitted and Conditional Uses for Residential and Agricultural Zoning Districts" and Table 4.3, "Permitted and Conditional Uses in Non-Residential Zoning Districts" to add "small wireless facility" as a permitted use to all zoning districts; and to amend Article XII, "Definitions" to add definitions of terms relating to small wireless facilities.

Motion to approve by Sterling, seconded by Lawson, and all in favor.

8. **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.

Motion to approve by Lawson, seconded by Waites, and all in favor.

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)

Motion to approve by Carswell, seconded by Waites, and all in favor.

10. **Resolution 2023-019:** Sewer Tap/Connection Fee Schedule Update

Motion to approve by Lawson, seconded by Sterling, and all in favor.

11. **Resolution 2023-020:** Building Permit Fee Schedule Update

Motion to approve by Waites, seconded by Carswell, and all in favor.

12. **Resolution 2023-017:** A Resolution Regarding Use of Public Roads During the Hoschton Fall Festival.

Motion to approve by Lawson, seconded by Sterling, and all in favor.

13. **Resolution 2023-018:** A Resolution Regarding Use of Public Roads During the Downtown Trunk-or-Treat Event.

Motion to approve by Sterling, seconded by Waites, and all in favor.

14. Temporary Outdoor Alcohol Special Event Permit for Fall Festival—Casa Rica Family Mexican Restaurant

Motion to approve by Carswell, seconded by Waites, and all in favor.

15. Temporary Outdoor Alcohol Special Event Permit for Fall Festival—The Depot by 4 Brothers

Motion to approve by Waites, seconded by Sterling, and all in favor.

16. Temporary Outdoor Alcohol Special Event Permit for Fall Festival—Sliced

Motion to approve by Sterling, seconded by Waites, and all in favor.

ADJOURN *Motion to adjourn at 6:15pm by Lawson, seconded by Carswell, and all in favor.*

Roll Call:

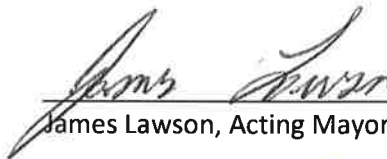
Acting Mayor James Lawson
Councilmember Tracy Carswell
Councilmember Fredria Sterling
Councilmember Sam Waites

Also Present:

Jennifer Harrison, City Manager
Dr. Jerry Weitz, City Planner
Abbott S. Hayes, City Attorney
Jen Williams, Assistant City Clerk
Media



Approved:


James Lawson, Acting Mayor

10-16-2027
Date


Jennifer Williams, Assistant City Clerk