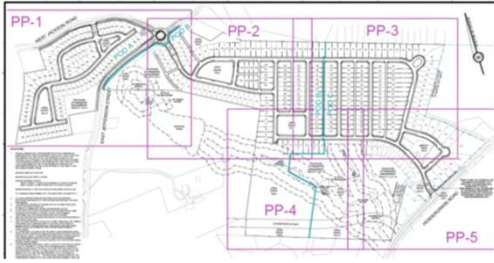


Aberdeen Preliminary Plat

Consulting Planner's Presentation to
Hoschton City Council May 9, 2024
By Jerry Weitz, Consulting Planner

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Process for Preliminary Plats

- The Hoschton City Council shall not be required to convene a public hearing on the matter. This shall not preclude the Hoschton City Council from recognizing and hearing from any member of the public, when in its judgment it may be advantageous to do so.
- The Hoschton City Council shall approve, conditionally approve, or deny the preliminary plat application within thirty-five (35) calendar days from the date it first considers a preliminary plat application at one of its public meetings (Sec. 409 Subdivision Ordinance).

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Decision Criteria for Preliminary Plats

The basis of the Hoschton City Council's action on a preliminary plat shall be whether the preliminary plat meets the purposes and requirements of this Ordinance and other applicable laws and is consistent with the comprehensive plan" (Sec. 409(e) subdivision ordinance).

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Preliminary plat versus the zoning plan

- Site plans submitted with a rezoning application are not, as a matter of routine, exhaustively reviewed for compliance with all applicable regulations.
- It is only at the time of a preliminary plat that detailed review for compliance with applicable regulations is completed. Prior submissions may have implied inconsistencies with regulations that were not noted by consulting planner in review of the rezoning application.
- An approval of a PUD site plan does not entitle an applicant to develop according to the rezoning site plan with specific regard to the physical layout of the development proposat, especially when there are subsequent steps in the process (i.e., preliminary plat and development plan approval) that must be completed. *(the applicant contends otherwise)*

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Consulting Planner's Recommendations

- Deny application for private streets; consulting planner recommends an interconnecting public street; the plat shows and interconnecting street but proposes it be private and gated
- The proposed through street would allow for some percentage of traffic to get back and forth from East Jefferson Street/ Maddox Road to SR 332 east of Town Center Parkway without using SR 53 or New Street, thereby providing some significant relief to travelers who would otherwise utilize SR 53 in Hoschton or cut through the city on New Street, which is substandard and not designed to handle significant additional traffic without improvement.
- Postpone action and request redesign of the plat
- Alternative actions are identified in the planner's report

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City Planning Concerns (issues with the plat)

- There is no tract and access plan for the remainder of the Sell Tract (proposed division is not platted); this makes it problematic for the city to fully respond to needs for access to the entire area (i.e., the "Sec. 604" issue discussed further below)
- Negative impact of private streets (discussed further below)
- Impact of project on surrounding road network including New Street, Maddox Road, East Jefferson Street, West Jackson Road, and Pendergrass Road). (some addressed in zoning conditions)
- Road proposals such as dead-end alleys and dead-end streets that are not necessarily in the public interest and may present accessibility issues

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The issue of private streets/gates

- The PUD's condition of zoning approval requires that there be a street interconnecting East Jefferson Street/ Maddox Road and Pendergrass Road (SR 332).
- At issue is whether that street should be allowed to be gated, as proposed by the applicant, or whether the street should be required to be a public through street as recommended by the consulting planner (i.e., not allowed to be private and gated).

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Section 604 Subdivision ordinance

Sec. 604. Tract Plan for Future Roads and Phases.

Where the land proposed to be subdivided or developed includes only part of the tract owned or intended for subdivision or development by the subdivider or land developer, a tentative plan of a future road system for the portion not slated for immediate subdivision or land development consideration shall be required by the Zoning Administrator. When such tentative plan is required, it shall be prepared and submitted by the subdivider or land developer **at the time of submission of an application for preliminary plat** or development plan approval, whichever occurs first. *(plat is inconsistent with this code provision)*

- A full and complete picture of future development on all of the Sell property is not currently available. Without it, the city is challenged in trying to make the wisest decision possible relative to the future road network of the city.

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Section 102 purposes subdivision ordinance

- To assure the provision of required roads, utilities, and other facilities and services to new land developments in conformance with public improvement standards of the City;
- To assure adequate provision of safe and **convenient** traffic access and **circulation**, both vehicular and pedestrian, in new land developments.
- To assure, in general, the wise development of new land areas, in harmony with the **comprehensive plan** of the community. (separate findings)
- To help eliminate the costly maintenance problems which develop when roads and lots are laid out without proper consideration given to various public purposes. (**i.e., need for interconnectivity**)

As proposed, these purposes are not all met in consulting planner's opinion

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Corridor map proposals (not adopted)

- Corridor map proposals were developed; one of two ideas floated was the Sell Connector (proposed by Shannon Sell because the applicant did not support West Jackson Road extension proposal.
- City Council adopted corridor map regulations but did not adopt these two proposals (expressed intent to revisit)

The image shows a map of a city area with two proposed corridors highlighted in red. The corridors are labeled 'S100' and 'S101'. The map includes street names and lot numbers. There is a small number '12' in the bottom right corner of the map frame.

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Findings: (city planner)

- The design of the Sell part of the PUD (subdivision) with two major access points ensures that the residents living within the subdivision have two ways in and out of the development. However, *unless the route is public*, it does not ensure the residents outside the project can share in the convenient access provided by such a through street.
- "Private streets may, upon application, be permitted by the City Council. **Approval shall be sought and obtained as a part of preliminary plat approval (Sec. 624 subdivision ordinance)**. (emphasis added). Per the letter of the law, the applicant does not have and is unable to obtain approval for private streets, until it is sought and obtained as a part of preliminary plat approval.

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Findings (continued)

- The purposes of the subdivision regulations cited above are frustrated or not fully met if the streets are proposed to be private and the subdivision is gated, thus restricting through access by nonresidents.
- Private streets are not always in the public interest. They are not in the public interest in the case of this preliminary plat, in the consulting planner's opinion.
- The use of private streets requires approval by the City Council. They were not approved via the rezoning process, because the code assigns the approval process to the preliminary plat stage of development consideration. Construction of private streets proposed in a PUD application is not a right or entitlement.

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E. G. Barnett Road Abandonment (2016)

- Before this project, in 2016, the Jackson County Board of Commissioners at the request of property owner Shannon Sell abandoned E.G. Barnett Road despite planner/city council opposition (correspondence in record)
- Weitz: "The Board should anticipate the need for Barnett Road to remain as part of the road network serving future suburban and urban development in the area. If E.G. Barnett Road was abandoned, any person (including county emergency service providers) would have to travel approximately three times that distance, or 1.8 miles, from Maddox Road to Pendergrass Road through the City of Hoschton, using East Jefferson Street, New Street and Pendergrass Road. There are no other public roads in the vicinity to connect Maddox Road and Pendergrass Road. Abandonment would result in a circuitous route through the city with longer response/ travel times, further congesting the city's central street system."

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Comprehensive Plan (infrastructure readiness)

- The comprehensive plan is highly supportive of the city playing a leadership role in helping to solve problems of congestion along SR 53. (a public through street serves that purpose)
- “infrastructure readiness” policy: Traffic generated by residential development that utilizes some route other than SR 53 frees up capacity on the highway for commercial development (such as the proposed Kroger/ Towne Center Marketplace).

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Comprehensive Plan (continued)

- The proposed public through road would meet policy by helping to divert additional traffic as the city grows onto portions of the road network other than SR 53, including the intended minor collector street named East Jefferson Street and Maddox Road.
- Without an interconnecting public road within the proposed project, traffic will further degrade the existing road network, including SR 53 and New Street.
- Additional traffic, including that from the subject development if approved, will likely result in the need for public expenditures to improve New Street, which is currently substandard in terms of right of way and pavement width.

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Comprehensive plan (“connectivity”)

- “Connectivity. Promote regional and countywide connectivity in the local road network, including intercity travel. All new roadways except low volume, local residential subdivision streets, should connect at both termini with the existing road network. Local streets should be planned where possible with more than one connection to the existing public road network. Street stubs should be provided to ensure connectivity with future subdivisions on abutting lands.”
- Approval of the proposed preliminary plat without a public, interconnecting street as recommended by the consulting planner, would be inconsistent with this plan policy and would be a basis for denial of the preliminary plat.

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Comprehensive plan (context sensitivity)

- “Context Sensitivity. Design planned roadway improvements in a way that is context sensitive, preserves, or creates a sense of place for the areas in vicinity of the improvements, and that enhances community aesthetics.”
- A collector street, carefully designed with multiple objectives in addition to through travel, such as a tree-lined parkway appearance, multi-modal facilities like wide sidewalks or a multi-use path, and meandering curves, could be designed in a way that was an asset to the neighborhood, not a liability, in the consulting planner’s viewpoint. The applicant has disagreed with the consulting planner on this point.

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Hoschton Design Charrette

- “Hoschton subdivisions are fragmented with no internal connection. All residential roads lead back to Highway 53” (p. 61)
- “Create a multi-modal trail network using secondary roadways that provide alternative north-south routes other than SR 53” (p. 71).
- The proposal for a public through street is generally consistent with these recommendations.



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Conclusions/Alternatives re: public access

- Alternative 1: Approve the proposed design and approve the request for private streets (i.e., approve as submitted/proposed).
- Alternative 2: Approve the proposed design but disapprove the request for private streets.
- Alternative 3: Redesign the subdivision to have one public through street built to collector street standards and have private streets come off of the main spine (public) road.

Planner Recommendation: #3 is best; #2 may be acceptable but not recommended and maybe not acceptable to applicant; #1 is not recommended by planner.

If approved, approve with 24 conditions per planner’s report.

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