

CITY OF HOSCHTON  
CITY COUNCIL  
**THURSDAY, JULY 10 2025, AT 6:00PM**  
HOSCHTON COMMUNITY CENTER  
65 CITY SQUARE, HOSCHTON



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PUBLIC HEARING  
AGENDA

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**WELCOME AND CALL TO ORDER**

**INVOCATION/ MOMENT OF SILENCE**

**PLEDGE OF ALLEGIANCE**

**AGENDA APPROVAL**

**NEW BUSINESS**

1. **Z-25-02** Rezoning: Applicant, Brookfield Kolter Land Acquisitions, LLC, seeks rezoning from PUD (Planned Unit Development) to PUD (Planned Unit Development) Amendment to the conditions of Z-18-05. Parcel 121 002, 26.73 Acres. Proposed use Residential Townhome Community
2. **V-25-01** Variance: Applicant, Sullins Engineering, LLC, seeks variance of Zoning Ordinance Section 10.10 Minimum Number of On-Site Parking Spaces. Parcel 120 013A, 1.066 Acres

**ADJOURN**

CITY OF HOSCHTON  
COUNTY OF JACKSON  
STATE OF GEORGIA

ORDINANCE NO. Z-25-02

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF HOSCHTON,  
ADOPTED AS PART OF THE HOSCHTON ZONING ORDINANCE

**WHEREAS**, City of Hoschton, applicant, Brookfield Kolter Land Acquisitions, has applied for rezoning that fronts, SR 53 and Twin Lakes Blvd, across from Merchant Park Commercial and Industrial Park and Tractor Equipment (Parcel 121 002).

**WHEREAS**, the Property to be rezoned consists of all that tract or parcel of land lying and being in Jackson County Georgia, consisting of 26.73 acres, as described in more detail in Exhibit A which by reference is incorporated herein; and

**WHEREAS**, the Applicant has applied for rezoning of the property in the City of Hoschton from PUD (Planned Unit Development) District Conditional, to modify certain zoning conditions.

**WHEREAS**, the City Council of the City of Hoschton has authority pursuant to the Hoschton Zoning Ordinance to amend the City of Hoschton's Official Zoning Map; and

**WHEREAS**, the city's planning consultant has prepared a report evaluating the criteria for zoning decisions as they pertain to the requested zoning and finds that the application meets the vast majority of criteria, including compatibility with surrounding properties if approved with conditions; and

**WHEREAS**, an advertised public hearing before the Hoschton Planning Commission was held on the requested zoning; and

**WHEREAS**, the Hoschton City Council held an advertised public hearing on the application and have complied with all applicable laws and ordinances with respect to the processing of such application; and

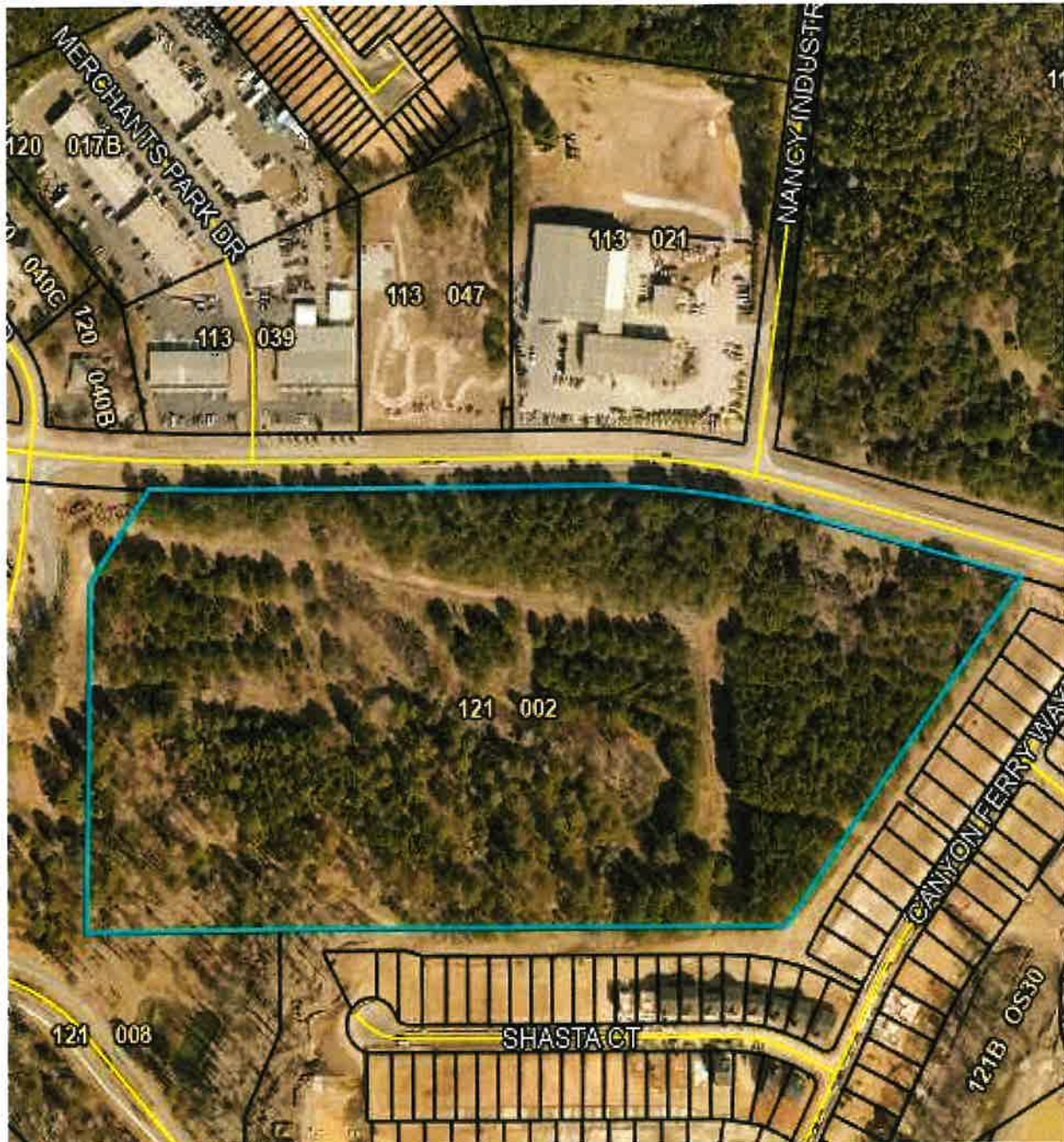
**WHEREAS**, it has been determined by the City Council that it is desirable, necessary and within the public's interest to approve the institutional zoning classification as applied to the subject property and to amend the City of Hoschton's Official Zoning Map accordingly.

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF HOSCHTON AS FOLLOWS:**

**Section 1.** The Property, legally described in Exhibit A attached to this ordinance, is hereby rezoned to modify certain zoning conditions within the existing PUD (Planned Unit Development).

**EXHIBIT A**  
**LEGAL DESCRIPTION OF PROPERTY REZONED**

Plat fronts, SR 53 and Twin Lakes Blvd, across from Merchant Park Commercial and Industrial Park  
and Tractor Equipment (Parcel 121 002).



Section 2: The City Clerk is hereby directed to amend the Official Zoning Map to reflect the PUD (Planned Unit Development).

SO ORDAINED THIS 17<sup>th</sup> DAY OF JULY, 2025

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Debbie Martin, Mayor

ATTEST:

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Jennifer Kidd-Harrison, City Clerk

Approved as to Form:

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Abbott S. Hayes, Jr., City Attorney

**CITY OF HOSCHTON, GEORGIA  
ZONING ADMINISTRATOR'S  
REPORT**



**TO:** Planning & Zoning Commission, City of Hoschton  
Honorable Mayor and City Council, City of Hoschton

**FROM:** Hu Blackstock, City Planner

**DATE OF REPORT:** June 17th, 2025

**SUBJECT REQUEST:** **Z-25-02:** Rezoning from PUD (Planned Unit Development) to PUD (Planned Unit Development) Amendment RZ-18-05, Permitted Uses

**PLAN COMM. HEARING:** June 25<sup>th</sup>, 2025 @ 6:00 p.m.

**CITY COUNCIL HEARING:** July 10th, 2025 @ 6:00 p.m.

**VOTING SESSION:** July 17th, 2025 @ 6:00 p.m.

**APPLICANT:** Brookfield Kolter Land Acquisitions, LLC

**OWNER(S):** Brookfield Kolter Land Acquisitions, LLC

**PROPOSED USE(S):** Residential Townhome Community

**LOCATION:** Fronting Highway 53 and Twin Lakes Blvd, across from Merchant Park commercial and industrial park and Tractor and Equipment Company

**PARCEL(S) #:** 121 002

**ACREAGE:** 26.73

**EXISTING LAND USE:** Lot is currently vacant

**SURROUNDING LAND USE AND ZONING:**

**North:** Across Hwy 53, C-2 (North Georgia Motorsports) and M-1 (Tractor and Equipment Company)

**East:** Single Family Detached Residences, Twin Lakes PUD

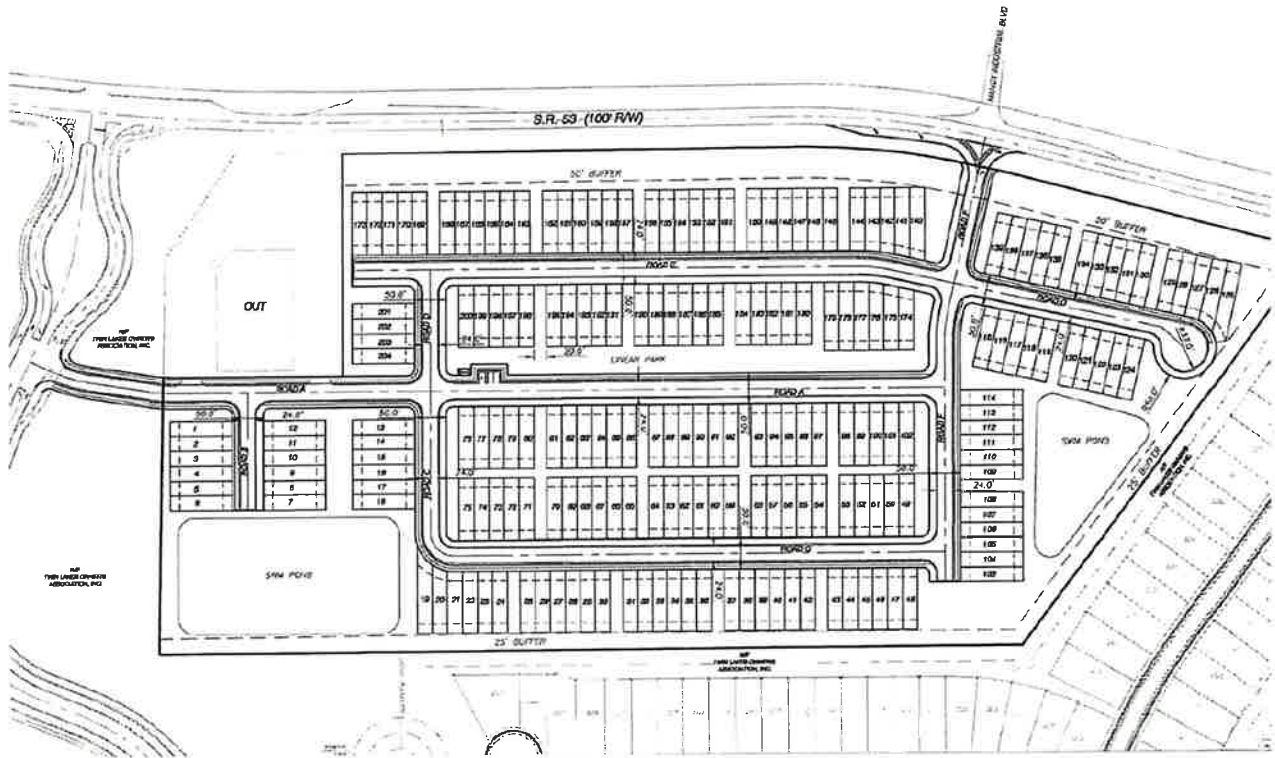
**South:** Single Family Detached Residences, Twin Lakes PUD

**West:** Across Twin Lakes Blvd, Publix Shopping Center

**RECOMMENDATION:** Approval



## Location of Property



## Site Plan



## Tax Map 1 of 1

## **SUMMARY OF REQUEST**

The applicant requests the amendment to the zoning conditions of Ordinance RZ-18-05. The proposed use under the current concept plan is commercial, allowing for INST and C-2 uses. The applicant is requesting a modification of the concept plan to permit Mixed-Use for the purpose of constructing 204 townhomes with 2.33 acres of the parcel remaining as commercial use.

## **STANDARDS GOVERNING EXERCISE OF ZONING POWER**

***Note: The planning commission and City Council may adopt the findings and determinations of staff as written (provided below), or it may modify them. The commission or council may cite one or more of these in its own determinations, as it determines appropriate. The commission or council may modify the language provided here, as necessary, in articulating its own findings. Or, the commission or council can reject these findings and make its own determinations and findings for one or more of the criteria provided below. The commission and council do not need to address each and every criterion, but only those that are relevant to support its own determination.***

Criteria Adopted in the Hoschton Zoning Ordinance (Section 8.03) are shown below followed by staff findings:

**Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.**

Finding: The use is suitable compared the use of adjacent property. The property is bordered by detached single family residences to the south and east. The commercial property to the west (Publix shopping center) represents lower intensity uses that would not conflict with residential zoning. The commercial and industrial properties to the north are separated from the property by SR 53 and the townhomes can serve as a transition to the detached single family. ***(Supports Request)***

**Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property.**

Finding: The proposed use would not adversely affect the use or usability of adjacent or nearby property. ***(Supports Request)***

**Whether the property to be affected by the proposal has a reasonable economic use as currently zoned.**

Finding: The current uses allowed on the property does provide a reasonable economic use. ***(Does not support request)***

**Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

Finding: The proposed use will generate more usage of schools. According to the ITE Trip Generation Manual townhomes generate approximately six daily trips on average while commercial uses generate more. As examples, home improvement stores generate about 31 trips per 1,000 square feet, sit-down restaurants generate about 127 per 1,000 square feet and an office generates about 11 trips per employee. Comparing the burden on utilities such as water would vary greatly depending on the type of commercial built on the property with its current zoning. The proposed use of townhomes will use between 150-200 gallons per unit per day while commercial retail uses consume 40-100 gallons per 1,000 square feet per day, but restaurants use between 3,000-7,000 gallons per day depending on the size and type of restaurant. ***(Supports Request)***

**Whether the proposal is in conformity with the policy and intent of the comprehensive plan including the character area map and/or future land use plan map.**

Finding: The proposed use makes an effort to achieve one of the goals of the comprehensive plan. The comprehensive plan housing policies state "Quality housing and a range of housing size, cost, and density should be provided in the city" (City of Hoschton Comprehensive Plan, 2024, pg 10). According to the applicant, only 9% of the housing stock in the PUD is attached housing; this proposal would increase that to 17%. ***(Supports Request)***

That said, the proposal is in conflict with the Comprehensive Plan's Future Land Use (FLU) Map which designates the parcel as commercial. Townhomes, even the 2.3 acres retained for commercial, do not conform with the FLU Map. Some consideration should be given to the fact the FLU map for the area within the Cresswind/Twin Lakes PUD is a reflection of the site plan provided at the initial rezoning. ***(Does not support request)***

**Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal.**

Finding: Since the initial rezoning, the Kroger Marketplace has begun development. The applicant states that this change has reduced the need for a big box store and/or retail center that would require a site this size. Since the demand for large retail sites is served outside the PUD the applicant states the smaller commercial sites within the PUD will serve the demand for small stand alone sites.

**Whether the proposal would create an isolated zoning district unrelated to adjacent and nearby districts.**

Finding: The property's zoning will remain the same as its current PUD zoning and is compatible with existing uses. ***(Supports Request)***

**Whether the proposal would have an impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality.**

Finding: The overall environmental impact would not exceed the impact of the commercial uses. ***(Supports Request)***



**CONCLUSION:** The proposal satisfies a number of the criteria for rezoning. While I am hesitant to support sacrificing such a large commercial parcel, the applicant's request does diversify the housing stock within the city. Additionally, increasing the density of the PUD will help strengthen the appeal of Hoschton to businesses on other parcels. The planner recommends approval.

# APPLICATION FOR REZONING

CITY OF HOSCHTON, GA  
PLANNING AND DEVELOPMENT  
61 City Square  
Hoschton, GA 30548  
706-654-3034

## Applicant Information:

**Name:**

Brookfield Kolter Land Acquisitions, LLC (Jim Harvey)

**Address:**

105 NE 1st Street

**City, State, Zip:**

Delray Beach, FL 33444

**Phone:**

404-550-4768

**E-mail:**

ben.johnson@brookfieldkolter.com

## Property Owner Information: *(if different from applicant)*

**Name:**

Hog Mountain Properties, Inc. c/o Brogdon Consulting, Inc.

**Address:**

3425 Duluth Park Lane, Suite C

**City, State, Zip:**

Duluth, GA 30096

**Phone:**

404-983-2510

**E-mail:**

bruce@bwilliamsprop.com

The property owner, must sign the following form; if the applicant is not the property owner, you must submit evidence of property owner approval to file this application by submitting the property owner authorization form.

## Property Information:

**Tax Map and Parcel Number:**

121 002

**Address (if one has been assigned):**

Hwy 53, Hoschton, GA

**Acreage of Property:**

26.73 acres

Note: You must attach a metes and bounds legal description of the property. A boundary survey may be required; submit a copy if available.

**Existing Zoning District:**

PUD - Planned Unit Development

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**Proposed Zoning District:**

PUD - Planned Unit Development with modifications

(Amendment to Ordinance 02-18-05, Permitted Uses - Commercial)

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**Proposed Use:**

Residential Townhome Community

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**Property Owner Authorization**

I swear that I am the owner of the property which is the subject matter of this application, as shown in the records of Jackson County, Georgia.

**Name of Owner(s):**

Hog Mountain Properties, Inc. c/o Brogdon Consulting, Inc.

**Address:**

3425 Duluth Park Lane, Suite C, Duluth, GA 30096

**Phone Number:**

404-983-2510

**Signature of Property Owner:**

I authorize the person named below to act as applicant in the pursuit of this application.

**Name of Applicant(s):**

Brookfield Kolter Land Acquisitions, LLC (Jim Harvey)

**Address:**

105 NE 1st Street, Delray Beach, FL 33444

**Phone Number:**

404-550-4768

Property owner personally appeared before me

\_\_\_\_\_  
who swears that the information contained in this authorization is true and correct to the best of his or her knowledge and belief.

\_\_\_\_\_  
**Notary Public**

\_\_\_\_\_  
**Date**

**CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM  
(REQUIRED TO BE COMPLETED BY APPLICANT)**

O.C.G.A. § 36-67A-3[c] Disclosure of campaign contributions:

When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

- (1) The name and official position of the local government official to whom the campaign contribution was made; and
- (2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

I hereby certify that I have read the above and that (check which one applies):

I have**		I have not	
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Within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

\*\*If you have made such contributions, you must provide the data required by this form.

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

[application form continues on next page]



## ZONING DECISION CRITERIA

Per Section 8.03 of the Hoschton Zoning Ordinance, the following criteria are applicable to rezoning decisions. The applicant is urged but not required to substantiate the rezoning request by responding to these criteria which provide reasons for approving the application:

- (a) Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.**

Response:

The proposed use as townhomes will serve as a transition from the adjacent single family detached residential to the south and east and the commercial development to the north

- (b) Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property.**

Response:

The proposed use should not have any adverse impacts on the adjacent or nearby properties. Additionally, the proposed use is less impactful than the current approved use for commercial

- (c) Whether the property to be affected by the proposal has a reasonable economic use as currently zoned.**

Response:

The property does have an economic use as currently zoned but the market may be saturated with existing and proposed commercial uses nearby

- (d) Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

Response:

Other than possible school impacts, the proposed use as residential should be less impactful than the approved use for commercial

**(e) Whether the proposal is in conformity with the policy and intent of the comprehensive plan including the character area map and/or future land use plan map.**

Response:

The Comprehensive Plan mentions that Hoschton's housing stock has traditionally had a higher percentage of single-family detached homes than the rest of the state and that "The City needs to ensure that an adequate supply of housing will be available in order to attract and retain young professionals and retired individuals...this will likely mean substantial diversification of the City's housing stock over time to include fee-simple townhouses, additional apartments in specified locations, residential condominiums, group quarters, infill housing, and accessory units"

This proposal adds to the much-needed stock of "Missing Middle" housing in Hoschton with fee-simple townhomes that are more attainable and accessible for the groups mentioned in the comprehensive plan. Currently, 91% of the housing in the PUD is single-family detached and 9% attached. This proposal brings the percentage of non-detached housing to 17% and further accomplishes the PUD goal of creating a variety of housing types for homeowners in all phases of life.

**(f) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal**

Response:

When the PUD was originally designed, the intent was to create two large commercial sites to provide retail opportunities and jobs for the surrounding area, with the understanding that the sites would not be viable until many of the planned residential rooftops were on the ground. Since the residential population has exploded over the last decade, the Hwy 53 corridor now has the two large retail sites with the opening of the Publix in 2024 and now the Kroger Marketplace across the street. The combination of these two developments achieves the mix and scope of the large commercial development originally planned for this area. The remaining retail demand is for smaller, standalone commercial sites and large, big box retailers that do not fit the character and intent of this area and are more suited to high traffic, dense business nodes, such as the I-85 corridor. The remaining demand is serviceable by the large number of sites outside the PUD that have been rezoned to commercial since the original PUD was created. This proposal is a further refinement of the PUD to match the current environment with the changing commercial landscape and need for additional residential diversification.

**(g) Whether the proposal would create an isolated zoning district unrelated to adjacent and nearby districts.**

Response:

The zoning district of PUD would not change and this request is only to amend the allowable uses for this specific parcel within the PUD. Townhomes are currently built within nearby parcels within the PUD

**(h) Whether the proposal would have an impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality.**

**Response:**

Any impacts will not exceed those already approved for the property. The proposed development will meet or exceed all local, state and federal requirements for environmental best management practices. Proper implementation and maintenance will mitigate impacts to the environment.

[application form continues on next page]

To complete your application, attach/submit the following in addition to this completed form:

- \_\_\_\_\_ **Application fee** as established by resolution of the City Council (see fee schedule).  
Make check payable to the City of Hoschton.
- \_\_\_\_\_ **Metes and bounds legal description** of the property.
- \_\_\_\_\_ **Boundary survey plat** of the property; provided, however, that where no survey is available the Zoning Administrator may but is not obligated to, accept a map of the subject property from the Jackson County Tax Assessors or other reliable source.
- \_\_\_\_\_ **Letter of intent** describing the proposed use of the property or other action requested, which may include any special conditions voluntarily made by the applicant as a part of the request.
- \_\_\_\_\_ **Site plan** (15 copies plus digital copy in pdf format) of the property and proposed development at an appropriate engineering scale showing the proposed use and relevant information regarding proposed improvements. Site plans must show existing roads and streams, flood plains and wetlands where applicable, existing and proposed buildings and structures, parking and loading areas as may be applicable, areas of existing vegetation or parts of the site to be landscaped, conceptual information about drainage and stormwater management, and other information as reasonably required by the Zoning Administrator. Site plans may be waived for rezoning applications for agricultural or residential zoning districts.

Please be advised of the following rezoning procedures:

The zoning administrator will determine whether the application is complete (incomplete applications will not be processed). Public notice of meetings (including sign on property and newspaper notice) of completed applications will be accomplished by the city. A staff report and recommendation will be prepared by the zoning administrator and submitted to the Hoschton Planning and Zoning Commission (which meets once a month) and Hoschton Mayor and City Council (regularly meets once monthly). The Planning and Zoning Commission will make a recommendation on the application, but the final decision is by the Hoschton City Council. Applicants are required to attend the Planning and Zoning Commission meeting and public hearing before the Mayor and City Council. Contact the zoning administrator for specific dates at which your application will be considered.

**FOR OFFICE USE ONLY:**

\_\_\_\_\_: **APPROVED**

\_\_\_\_\_: **DENIED**

**AMOUNT PAID:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**FORM OF PAYMENT:** ☐ **CHECK**

**#** \_\_\_\_\_



**CREDIT CARD**



**CASH**

Component	Unit Cost	Quantity	Total Cost
Material A	\$1.50	100	\$150.00
Material B	\$2.00	50	\$100.00
Material C	\$3.00	25	\$75.00
Material D	\$4.00	10	\$40.00
Material E	\$5.00	5	\$25.00
Material F	\$6.00	2	\$12.00
Material G	\$7.00	1	\$7.00
Material H	\$8.00	0	\$0.00
Material I	\$9.00	0	\$0.00
Material J	\$10.00	0	\$0.00
Material K	\$11.00	0	\$0.00
Material L	\$12.00	0	\$0.00
Material M	\$13.00	0	\$0.00
Material N	\$14.00	0	\$0.00
Material O	\$15.00	0	\$0.00
Material P	\$16.00	0	\$0.00
Material Q	\$17.00	0	\$0.00
Material R	\$18.00	0	\$0.00
Material S	\$19.00	0	\$0.00
Material T	\$20.00	0	\$0.00
Material U	\$21.00	0	\$0.00
Material V	\$22.00	0	\$0.00
Material W	\$23.00	0	\$0.00
Material X	\$24.00	0	\$0.00
Material Y	\$25.00	0	\$0.00
Material Z	\$26.00	0	\$0.00
Material AA	\$27.00	0	\$0.00
Material AB	\$28.00	0	\$0.00
Material AC	\$29.00	0	\$0.00
Material AD	\$30.00	0	\$0.00
Material AE	\$31.00	0	\$0.00
Material AF	\$32.00	0	\$0.00
Material AG	\$33.00	0	\$0.00
Material AH	\$34.00	0	\$0.00
Material AI	\$35.00	0	\$0.00
Material AJ	\$36.00	0	\$0.00
Material AK	\$37.00	0	\$0.00
Material AL	\$38.00	0	\$0.00
Material AM	\$39.00	0	\$0.00
Material AN	\$40.00	0	\$0.00
Material AO	\$41.00	0	\$0.00
Material AP	\$42.00	0	\$0.00
Material AQ	\$43.00	0	\$0.00
Material AR	\$44.00	0	\$0.00
Material AS	\$45.00	0	\$0.00
Material AT	\$46.00	0	\$0.00
Material AU	\$47.00	0	\$0.00
Material AV	\$48.00	0	\$0.00
Material AW	\$49.00	0	\$0.00
Material AX	\$50.00	0	\$0.00
Material AY	\$51.00	0	\$0.00
Material AZ	\$52.00	0	\$0.00
Material BA	\$53.00	0	\$0.00
Material BB	\$54.00	0	\$0.00
Material BC	\$55.00	0	\$0.00
Material BD	\$56.00	0	\$0.00
Material BE	\$57.00	0	\$0.00
Material BF	\$58.00	0	\$0.00
Material BG	\$59.00	0	\$0.00
Material BH	\$60.00	0	\$0.00
Material BI	\$61.00	0	\$0.00
Material BJ	\$62.00	0	\$0.00
Material BK	\$63.00	0	\$0.00
Material BL	\$64.00	0	\$0.00
Material BM	\$65.00	0	\$0.00
Material BN	\$66.00	0	\$0.00
Material BO	\$67.00	0	\$0.00
Material BP	\$68.00	0	\$0.00
Material BQ	\$69.00	0	\$0.00
Material BR	\$70.00	0	\$0.00
Material BS	\$71.00	0	\$0.00
Material BT	\$72.00	0	\$0.00
Material BU	\$73.00	0	\$0.00
Material BV	\$74.00	0	\$0.00
Material BW	\$75.00	0	\$0.00
Material BX	\$76.00	0	\$0.00
Material BY	\$77.00	0	\$0.00
Material BZ	\$78.00	0	\$0.00
Material CA	\$79.00	0	\$0.00
Material CB	\$80.00	0	\$0.00
Material CC	\$81.00	0	\$0.00
Material CD	\$82.00	0	\$0.00
Material CE	\$83.00	0	\$0.00
Material CF	\$84.00	0	\$0.00
Material CG	\$85.00	0	\$0.00
Material CH	\$86.00	0	\$0.00
Material CI	\$87.00	0	\$0.00
Material CJ	\$88.00	0	\$0.00
Material CK	\$89.00	0	\$0.00
Material CL	\$90.00	0	\$0.00
Material CM	\$91.00	0	\$0.00
Material CN	\$92.00	0	\$0.00
Material CO	\$93.00	0	\$0.00
Material CP	\$94.00	0	\$0.00
Material CQ	\$95.00	0	\$0.00
Material CR	\$96.00	0	\$0.00
Material CS	\$97.00	0	\$0.00
Material CT	\$98.00	0	\$0.00
Material CU	\$99.00	0	\$0.00
Material CV	\$100.00	0	\$0.00



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