

MINUTES
HOSCHTON PLANNING AND ZONING COMMISSION
December 18, 2024 at 6:00 p.m.
Hoschton Community Center
65 City Square, Hoschton, GA, 30548

I. Call to Order/Roll Call

The meeting was called to order by Chair Moody at 6:00 p.m.

Commissioners in Attendance (all):

Ms. Christina Moody, Chair
Mr. Geoffrey Horney
Mr. Scott Butler
Ms. Brenda Stokes
Mr. Ace Acevedo, Vice Chair
Mr. Chuck Jonaitis
Mr. Tom Vivelo

Staff Present:

Ms. Jen Williams, Asst. City Clerk
Mr. Hu Blackstock, Planning / Inspector
Dr. Jerry Weitz, Consulting Planner

II. Recognitions:

Mayor Martin, Councilmember Tina Brown and Councilmember Dave Brown were in attendance and were recognized.

III. Pledge of Allegiance

The pledge was led by Chair Moody.

IV. Moment of Silence for Individual Prayer and Self-Reflection

Chair Moody called for individual prayer and self-reflection.

V. Approval of Minutes

Minutes of the November 20, 2024, meeting were reviewed. A motion to approve as presented was made by Tom Vivelo, seconded by Geoffrey Horney, and passed unanimously (7-0).

VI. Public Comment (5-minute time limit) (for items unrelated to public hearings on agenda items) (sign-in required)

No public comments were made.

VII. New Business – Public Hearings

CU-24-01 Conditional Use: Frank Pittman, applicant, Christian Stewart and Ashishumar Patel, property owners, seek a conditional use permit for a day care center in an MU, Mixed-Use Zoning District for 2.0 acres (part of Map/Parcel 119/004N1) fronting on the south side of Eagles Bluff Way and the west side of SR 53. [consulting planner recommendation: approval, conditional]

Frank Pittman was present to explain the application. He represents a day care group out of Watkinsville. He indicated there are many commercial uses allowed outright in the MU zoning district and that it was appropriate to have a day care center constructed on the site. Mr. Pittman indicated the site plan shows 13,406 square feet of day care center and a 4,000 square foot retail center which is a placeholder for the leftover land on the tract. No one else spoke in favor. There was no one to speak in opposition to the request. The public hearing was closed.

Commissioner Scott Butler indicated the project if approved would pose financial hardship on the city. He mentioned traffic studies that have exponential increases in traffic including p.m. peak conditions. According to the mobility study for Braselton-Hoschton, several intersections along SR 53 are operating at levels of service “E” and “F” currently. Mr. Butler stated that the car wash proposed on the site to the south was spot zoned and that other commercial uses would not have the same peak hour traffic as the day care center. A hotel would generate taxes. A traffic signal if needed at Eagles Bluff Way and SR 53 would be costly. The day care center would add 600+ cars on Eagles Bluff Way, in addition to traffic from 144 single-family homes and 30 or so fee simple townhomes. Mr. Butler also addressed the letter from Georgia Department of Transportation that was made a part of the consulting planner’s report. He indicated that GDOT felt differently now about possible required road improvements once it was made evident to them that a day care center was also proposed. Mr. Butler indicated a study was need with regard to turn lanes, that GDOT mentioned the need for a crash analysis, and that he could not support the project without driveway and crash analyses submitted by a traffic engineer in a study paid for by the applicant.

Commissioner Ace Acevedo also discussed the access issues for the day care center, in particular who would build additional access to SR 53 and the timing for construction. Frank Pittman indicated he didn’t think a right out driveway onto SR 53 would help that much and that it may not be a benefit. Mr. Pittman indicated he believed his client would be willing to do a traffic study of the type requested but that the conditional use permit would need to go forward and the study would be a condition of conditional use approval. Also, any recommendations of such a study could become conditions of approval of a land disturbance/development permit.

Consulting planner Weitz indicated that he liked Council member David Brown’s idea of using the triangle of property owned by the city at the intersection of Main Street, SR 53, and West

Jefferson Street. Making some such arrangement might distribute traffic from the area better than any right out driveway onto SR 53.

There was discussion among the members about wording of conditions and additional conditions. **A motion was made by Chuck Jonaitis, seconded by Geoffrey Horney, and passed unanimously (7-0) to approve the conditional use permit application with the following conditions:**

1. **Access.** The owner/ developer shall construct a two-way driveway, no less than 24 feet wide, connecting Eagles Bluff Way to the south property line of the 2-acre tract and shall authorize and provide inter-parcel access to the tract to the south (1.38 acres, part of Map/ Parcel 119/004N1, approved for a car wash).
2. [condition removed].
3. **Building height.** Building height on the subject property shall be limited to two stories and 40 feet.
4. **Hours of operation limitations.** Any establishment authorized on the subject property shall not be open 24 hours a day, and all outdoor activities shall cease by no later than 11:00 p.m.
5. **Dumpster service.** Servicing of dumpsters (emptying) shall not occur between the hours of 11:00 p.m. and 7:00 a.m.
6. **State route improvements.** If an additional access driveway is authorized by the Georgia Department of Transportation to/from the subject property onto SR 53, the owner/ developer shall install road improvements specified by GDOT as a condition of such driveway or encroachment authorization.
7. **Exterior building material finishes.** All buildings on the subject property shall be finished on all sides with exterior building material finishes consistent with Article V of the zoning ordinance.
8. **Sidewalk.** A five-foot-wide sidewalk shall be installed along the entire property frontage of Eagles Bluff Way, prior to issuance of a certificate of occupancy for any building on the subject property. If necessary to construct said sidewalk in the right of way, the owner/ developer shall dedicate at no cost to the City additional right of way along the entire property frontage on the south side of Eagles Bluff Way prior to issuance of a certificate of occupancy for any building on the subject property.
9. **Multi-use path.** The owner/developer shall construct an eight-foot-wide multi-use path along the entire property frontage along SR 53 as approved by the Georgia Department of Transportation and the zoning administrator, prior to issuance of a certificate of occupancy for any building on the subject property.

10. **State permit.** A copy of the state-issued permit, required per Rules for Child Care Learning Centers, Chapter 591-1-1, Georgia Department of Early Care and Learning, updated March 16, 2014, as may be amended from time to time, for the day care center shall be submitted to the zoning administrator prior to the commencement of operations.
11. **Traffic study.** The applicant shall be required to provide a traffic study prepared by a traffic engineer including crash analysis. Recommendations of the study will become requirements of development permit approval.
12. **Parking lot traffic.** There shall be one-way traffic flow in the parking lot.

Z-24-03 Annexation and Zoning: JTG Holdings, LLC, applicant, Ida Cook Charitable Trust by Ida Cook, Trustee, property owner, seeks annexation and R-3 (Single Family Moderate Density Residential District) zoning for 16.177 acres (part of Map/Parcel 112/035) fronting on the north side of Maddox Road across from Stanford Way. Proposed use: Detached, single-family residential subdivision (37 lots). [consulting planner recommendation: denial of annexation; conditional approval of R-3 zoning if annexed]

Alex Mitchem with LJA Engineers was present to explain the application. He stated his client is doing the subdivision to the west. The client had requested annexation into Braselton but that request was denied. He also stated, in response to the point made about possible lack of sewer capacity in Hoschton, that the project might be served by Braselton in terms of water and sewer if desired. No one else spoke in favor.

Mr. Randall Cathey, 1127 Maddox Road, spoke in opposition to the application. He noted he wanted to be sure his access easement was retained. An access easement is shown on the site plan. Mr. Cathey indicated he did not want the driveway to have stormwater in it and that the driveway needed to drain onto the subject property rather than his property. He also indicated he would like to have a 50-foot-wide buffer abutting his property.

No one else spoke in opposition. The public hearing was closed.

The planning commission discussed the applications for annexation and zoning. One issue was who would own the water and sewer lines if Braselton served the project. Planner Weitz responded that if annexed and the subdivision is built the lines in the streets would be owned by the city of Hoschton even if Braselton treated the sewage effluent from the subdivision.

Commissioner Ace Acevedo stated he would like to see the minimum house size increased to 1,800 square feet. Also, he proposed that garages be wide (18 feet width by 24 feet in depth). Commissioner Scott Butler indicated that the annexation if approved would generate little revenue.

Weitz indicated that the motion on annexation should be addressed first and separate from the zoning. Then, if the recommendation was to approve the annexation, the planning commission could address further the zoning issue.

A motion was made by Scott Butler, seconded by Tom Vivello, and passed unanimously (7-0), to recommend denial of the annexation application. Because of the recommendation to deny the annexation, the commission made no recommendation on the zoning.

VIII. Other Business

Discussion of Hoschton Sign Ordinance

Commissioner Ace Acevedo provided a list of suggested considerations in amending the sign ordinance. He discussed several of them, including a desire to restrict signs within 150 feet of a crosswalk, the need to prohibit violence and hate in advertising, to prohibit hand-written sign copy, and to limit signs on vacant properties. Commissioner Scott Butler indicated there was no cohesive plan to benefit business signage and that additional (city sponsored) advertising might be a better benefit to businesses. Commissioner Chuck Jonaitis indicated that he had received and reviewed Forsyth County's sign ordinance and that he would make it available if anyone wanted to see it.

The recommendations made by the commission can be further considered in future sign code amendment efforts.

IX. Adjournment.

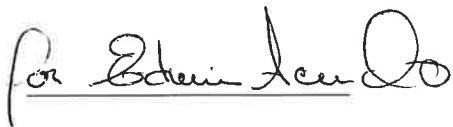
The meeting was adjourned at 7:49 p.m.

Respectfully submitted,



Jerry Weitz, Consulting Planner

Approved by the Commission:



Christine Moody, Chair