

CITY OF HOSCHTON
THURSDAY, JUNE 15, 2023
HOSCHTON COMMUNITY CENTER AT 6:00PM
65 CITY SQUARE, HOSCHTON



PUBLIC HEARING

MINUTES

WELCOME AND CALL TO ORDER *at 6:00pm by O'Leary, seconded by Martin, and all in favor*

INVOCATION *by Councilmember Lawson*

PLEDGE OF ALLEGIANCE *by Councilmember Martin*

AGENDA APPROVAL *Motion to approve by O'Leary, seconded by Lawson, and all in favor*

NEW BUSINESS:

City Attorney Abbott Hayes stated rules of Public Hearing.

- 1. 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 (389 units including 291 detached single-family units and 108 fee simple townhouse units) and open space. [consulting planner's recommendation: denial of annexation] [public hearing held May 11, 2023; second public hearing] *City Manager/Clerk Jennifer Harrison verified that proper notice of the hearing was given.*

City Planner, Dr. Jerry Weitz, stated that the applicant has made some adjustments to their proposal, but not enough to mitigate impact on water supply, sewer capacity, and emergency services.

Comments In Support:

Clint Walters, Melody Glouton, and Mike Smith of The Providence Group (applicant), presented proposed development, stated that this would be a 5-7 year project, HOA maintained, high quality development.

Attorney John Stell, Winder, spoke on behalf of Shannon Sell, detailed Sell family history in Hoshton, pointed out that Sell is selling only a portion of his land. Requested that no action be taken until arbitration is completed.

Shannon Sell, property owner, stated that new schools follow new residents.

Opposing comments from the community:

Ms. Debbie Altieri, 462 Chatuge Dr, expressed concerns about impact on schools, water pressure; urged council to slow the growth.

Mr. Scott Butler, 448 Deer Creek Trl, stated concerns for the impact on the school system—he suggests that the maintenance and operation costs would increase by 46 million.

Mr. Gary McGowan, 205 Quail Run, stated his desire for a smaller development with larger, more expensive homes.

Ms. Tina Brown, 205 Quail Run, stated objections to the development because of impact on schools, emergency services, and water/sewer.

Ms. Brittany Dozier, 68 Kingston Pl (not in city limits), stated concerns about impact on schools, roads, and traffic.

Mr. Mike Cope, 157 Ontario Ln, expressed his concerns about safety and asked if a DRI was completed.

Ms. Janet Davis, 7765 Pendergrass Rd, stated her concerns about traffic on Hwy 332, water/sewer, emergency services, schools, and taxes; urged council to slow down the growth,

Ms. Rachel Allred, Lamar Ln (not in city limits), expressed her concerns about traffic and safety.

- 2. 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 200,000 square feet of commercial use with 6.6 acres of outparcels, church and 5.5 acres of church expansion, 404 townhome units, 651 single-family lots and 3.6 acres of civic space. [consulting planner's recommendation: denial of annexation] [public hearing held May,11, 2023; second public hearing] *City Manager/Clerk Jennifer Harrison verified that proper notice of the hearing was given.*

City Planner Dr. Jerry Weitz noted 14 areas of concern, including traffic, water, and sewer. The Development of Regional Impact(DRI) report has not been completed and is still open for comments. Arbitration with Jackson County has been scheduled for July 10, 2023.

Comments in support:

Shane Lanham, Kenneth Wood, Rocklyn Homes, stated that the applicant has modified their proposal to add a donation of 3.3acres to the City for a public safety complex, which would be in addition to the civic space previously discussed. Applicant is also in conversation with Jackson County School System to carve out space for a school campus.

Opposing comments from the community:

Mr. Scott Butler, 448 Deer Creek Trl, stated concerns about water/sewer costs, sewer debt, and the cost of new facilities.

Mr. Gary McGowan, 205 Quail Run, stated concerns about water/sewer; urged Council to take recommendation of Dr. Weitz.

Ms. Brittany Dozier, 68 Kingston Pl (not in city limits), stated concerns about public safety.

Mr. Mike Cope, 157 Ontario Ln, urged Council to get any promises from the developer in writing, asked that Council table vote until the upcoming election, and urged Council to heed advice of Dr. Weitz.

Ms. Tina Brown, 205 Quail Run, asked council to listen to Dr. Weitz and expressed concerns about taxes, water supply, wastewater capacity, public roads/ traffic, and the approval of too many townhomes in city limits.

- 3. Z-23-04 Modification of Zoning Conditions:** KLP Twin Lakes, LLC, applicant and property owner, seeks rezoning from PUD (Planned Unit Development District) to PUD (Planned Unit Development District) to modify conditions of zoning approved via Ordinance Z-2018-05 to authorize a convenience store with gasoline pumps on 2.392 acres (part of Map/Parcel 121/004) fronting on the west side of State Route 53, the north side of Crystal Lakes Parkway, and the east side of Burton Drive. Proposed use: commercial and convenience store with gasoline pumps. [consulting planner's recommendation: approval conditional] *City Manager/Clerk Jennifer Harrison verified that proper notice of the hearing was given.*

Comments in Support:

Mr. Sean Stefan, KLP Twin Lakes, requested leeway with the landscape plans, as needed, to work around existing water lines, etc, that might be discovered once work begins.

Opposing comments from community:

Ms. Tina Brown, 205 Quail Run, opposes a gas station in the Hoschton Hwy 53 corridor.

4. **V-23-03 Variance:** George Flanigan of G.P's Enterprises, by Aaron Frampton, applicant and property owner, seeks a variance to the Hoschton zoning ordinance, Article VI, "Specific Use Restrictions," Section 6.55, "Fee Simple Townhouse," to increase the maximum number of dwelling units in a building from six to eight, to reduce the minimum lot size for a fee-simple townhouse lot from 2,400 square feet to 2,000 square feet, and to reduce the minimum lot frontage on a public street from 24 feet to 20 feet, for 2.37 acres fronting on the south side of Henry Street (Map/Parcel 119/004N). Zoning is MFR (Multiple Family Residential District), conditional, per Ordinance Z-22-14. Proposed use: 24 fee simple townhomes. [Consulting planner's recommendation: approval] *City Manager/Clerk Jennifer Harrison verified that proper notice of the hearing was given.*

Comments in support:

Mr. Minton O'Neal, on behalf of George Flanigan, reminded the council that the only reason the variance needs to be requested is that these are fee simple townhomes. If the townhomes were for rent and not for sale, the dwelling size and number of units would already be allowed under the zoning ordinance.

No opposing comments.

ADJOURN Motion to adjourn at 7:47PM by O'Leary, seconded by Carswell, and all in favor.

Roll Call:

Mayor Lauren O'Leary

Mayor Pro-Tem Tracy Carswell

Councilmember James Lawson

Councilmember Debbie Martin

Absent:

Councilmember Fredria Sterling

Also Present:

Jennifer Harrison, City Manager/Clerk

Abbott Hayes, Jr., City Attorney

Dr. Jerry Weitz, City Planner

Media