

CITY OF HOSCHTON
CITY COUNCIL
THURSDAY, SEPTEMBER 14, 2023 AT 6:00PM
HOSCHTON COMMUNITY CENTER
65 CITY SQUARE, HOSCHTON



PUBLIC HEARING

MINUTES

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

INVOCATION *by Councilmember Fredria Sterling*

PLEDGE OF ALLEGIANCE *by Councilmember Sam Waites*

ADMINISTER THE OATH OF OFFICE TO COUNCILMEMBER SAM WAITES

Oath administered by City Attorney Abbott Hayes

AGENDA APPROVAL *motion to approve with no changes by Sterling, seconded by Councilmember Tracy Carswell, 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]

Comments in Support:

Chuck Ross on behalf of G.P.'s Enterprises- Property is zoned for and could support a truck terminal, but unnamed city leaders reached out to Mr. Flanigan, the property owner, to ask him not to put such a project in that location. Mr. Flanigan then came up with the project at hand. The area is lacking in commercial and retail spaces, along with other types of housing, which this project would address. Over 5 acres would be dedicated to the City. Mr. Ross stated that \$125,000 would be paid by the owner/developer toward a traffic signal at the Hwy 53/Peachtree Rd intersection. Their impact fee cost would be around \$9,000 per unit.

Comments Opposed:

Christina Brown, 205 Quail Run, began by stating that this project does not align with the zoning ordinance. The City lacks the water supply and sewer capacity necessary to support this development. The number of public safety employees required to service this area exceeds what the City can currently handle.

Bob McDevitt, 117 Powell Court, stated his agreement with Dr. Weitz's opinion and Ms. Brown's statements, also that the City is not ready for a project of this size because of the lack of infrastructure.

Jack Flynn, 585 Cumberland Trail, asked the Council to consider the required setbacks, signage, and proximity to Hwy 53.

Tawna King, 689 Creek Nation Road, asked how much the developers are paying per unit to offset the impact to our school system and infrastructure. The impact fees are not high enough. Consider requiring developers to provide green space elsewhere within the City to offset development of this magnitude.

Janie Brown, 556 Cumberland Trail, asked for clarity on the location of the recently approved gas station in relation to the proposed development. [Acting Mayor Lawson answered that the gas station is further down the road (hwy 53) toward Winder. This property is right next to the Tractor Company close to our sewer plant facility.] Ms. Brown continues by stating that she agrees that the water/sewer infrastructure is not in place at this time for this type of development.

"Dr. Champ" Nicholas Lee Sutton, 51 Main Street, thanked the developers for their work. He mentioned that people need to be paying attention to things that can affect radiation levels and people's health. There is an opportunity for research and natural medicines in the farmlands and we are losing farmlands.

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]

Dr. Weitz pointed out that the primary reason for his recommendation of denial is that this application is for a car wash (auto-oriented use) in a residential area.

Comments in Support:

Stanton Porter, on behalf of the applicant, stated that this is a modern drive-thru car wash design with vacuum stations. If the zoning is approved, it would be C-3 but for this one particular use: if someone tore down the car wash in the future, they would not be

able to put just any other C-3 business in its place. Mr. Porter presented pictures of similar car wash facades for the Council to review.

Comments Opposed:

Christina Brown, 205 Quail Run, said that this "spot zoning" would lower the quality of life for the Creekside subdivision. This parcel is zoned MU (Mixed Use) and should be used for one of the many businesses that fall within that category. Typical car washes use approximately 9,500 gallons per day, which would be an issue for the City.

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.

Dr. Weitz explained that the purpose of the Corridor Map is to plan for the future needs of the City. Letters were mailed to affected property owners and a public meeting was held during which Dr. Weitz presented the plan and answered questions from residents.

Comments in Support:

Debbie Caffin, 167 Montvale Drive, said that planning for this connectivity is important. She urged Council to plan future developments with a focus on preserving green spaces.

Comments Opposed:

Rodney Cato, 140 Hawthorn Way, stated that Map #4 of the proposal emptied into already heavy traffic beside the elementary school.

Rosemary Bagwell, 677 Deer Creek Trail, does not want to see a through road on Map #2 as this is the area of a proposed future shopping center. A through road might jeopardize the development of the whole property.

Ryan Mitchell, 203 New Street, has lived here for two years and believes it is vital for the downtown area to be preserved. Map #3 would interrupt the downtown feeling. He believes more multi-use paths and greenways are needed.

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."
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.

Dr. Weitz recommends that the Council approve amendments.

Comments Opposed:

[no name stated] suggested that the City fine those individuals who are causing the issues instead of creating a new ordinance.

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.

Dr. Weitz reiterated that this is a state requirement and the City is just codifying the change in zoning procedures law.

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.

Dr. Weitz reiterated that this is a state law.

Comments in Support:

Howard Borsa, 73 Sinclair Circle, is in favor of anything that will improve cell phone coverage.

Comments Opposed:

"Dr. Champ" Nicholas Lee Sutton, 51 Main Street, expressed concerns about the proximity to homes and the negative health effects caused by these amplifiers. 28 minutes near these kinds of sites will "cook organs".

ADJOURN *motion to adjourn at 7:13 by Lawson, seconded by Carswell, and all in favor*

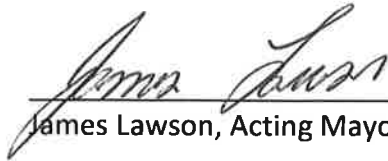
Roll Call:

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

Also Present:

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

Approved:


James Lawson, Acting Mayor

10-16-2023
Date


Jennifer Williams, Assistant City Clerk

