

CITY OF HOSCHTON  
CITY COUNCIL  
THURSDAY, OCTOBER 12, 2023 AT 6:00PM  
HOSCHTON COMMUNITY CENTER  
65 CITY SQUARE, HOSCHTON



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WORK SESSION

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AGENDA

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CALL TO ORDER

AGENDA APPROVAL

REPORTS BY MAYOR, COUNCIL, AND STAFF

OLD BUSINESS

- 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 planned unit development (334 units which may include up to 90 fee simple townhouse units) and open space *[Public Hearings held May 11, 2023 and June 15, 2023]*  
*Continued from September 18, 2023 Meeting]*
- 2. 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] [Continued from September 18, 2023 Meeting]*

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. *[Continued from September 18, 2023 Meeting]*

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.” *[Continued from September 18, 2023 Meeting]*

#### NEW BUSINESS

1. **Resolution 2023- 21** Adoption of the Comprehensive Plan, 2023 Annual Update of Capital Improvements Element and Community Work Program and for Other Purposes
2. **Resolution 2023-22** To Approve Final Design of Mulberry Park
3. **Temporary Alcohol Special Event Permit—Sperata LLC**
4. **Oak Street Pocket Park Project DDA recommendation**
5. **Consideration of 2024 Budget** (discussion only- no action required- scheduled for vote at Regular Meeting in November)

#### CITIZEN INPUT

EXECUTIVE SESSION (If needed)

ADJOURN

Monthly  
Departmental  
Reports

# Building Department Activity Report-September 2023

## A. Building department activity

### a. Permits Issued

- i. June - 64 Building / 16 Miscellaneous
- ii. July - 45 Building / 8 Miscellaneous
- iii. August - 22 Building / 21 Miscellaneous
- iv. September - 52 Building / 9 Miscellaneous
- v. 2023 YTD – 428 Building / 92 Misc.

### b. Inspection Activity

- i. August Total Inspections
  1. Building Inspections – 362
  2. Water Meter Install Inspections – 69

### c. Commercial Permit Activity

1. Publix permit issued
2. Publix rental units (8 unit) permit issued
3. TEC 8000 sq. ft. addition nearing completion



## SEPTEMBER 2023 Monthly Report

### Water

- Daily water route check of connections, water tank and random sample sites
- Daily checks and operations of both city wells
- Daily water sampling
- Weekly well cleanings
- Monthly Meter high usage and non-read meter reading
- Pulled monthly Reporting EPD Samples
- Pulled monthly Bacteriological samples throughout the water system.
- Replenished Chemicals at both Wells
- Daily utility locates, 304 water/sewer locates for the month of September.
- Recorded all daily, weekly, and monthly Data.
- Completed and Submitted Monthly Water Reports to EPD
- Finished Large Project Locate along 332 for Gas Main replacement.
- Repaired 9 water leaks throughout town.
- Dirt Works Completed the first tie-in at the intersection of White Street and West Broad Street.
- Dirt Works Chlorinated and Flushed the new water Main. Then Pulled Bacteriological Samples, all samples Passed.
- Rebuilt Caustic pump at Cabin Drive Well
- Rebuilt Chlorine pump at White Street Well
- Attended a Mueller training class at Braselton Civic Center. (Water Distribution, hydrants, and valves)
- Installed **75** new Water Meters, (this might be a new monthly record).

## Wastewater

- Daily Plant check of equipment and processes
- Daily sampling and testing of plant Effluent.
- Daily Instrument calibrations
- Daily lab equipment temperature checks
- Weekly process control lab work
- Weekly Automatic samplers turned on and checked.
- Pulled Weekly permit samples.
- Performed weekly permit Lab testing.
- Recorded all daily, weekly, and monthly Data.
- Performed Maintenance on Dewatering Belt Press
- Performed Weekly and monthly Maintenance on Clarifiers
- Performed Weekly Sewer pump station and generator check.
- Ran Belt Press daily to remove excess solids in Plant.
- Weekly Washdown and cleaning of tanks, troughs, and filter
- Daily utility locates, 304 water/sewer locates for the month of September.
- Completed and Submitted Monthly Wastewater Report (DMR) to EPD
- Assisted in Water Leak repairs.
- Installed Sewer tap at 466 White Street
- Jacob with EPS came out and replaced bad control panel circuit board on Brook Glen lift station.
- Monumental Pump came out and replaced pump chains at Wildflower and Brook Glen Lift stations.
- Monumental pulled and unclogged pump at Wildflower.
- Monumental replaced WWTP influent pump 1 starter, and pump 3 impeller
- Performed maintenance on sludge pump at the WWTP.
- Monumental installed new mix/flush valve on pump 1 at Twin Lakes Lift station

## **Police Department Report 10/03/2023**

1. **Reports and Citations**- The Police Department has generated over 1800 incident numbers since January and wrote 52 citations in the month of September.
2. **Court**- We will have court again on October 19th at the new City Hall.
3. **Other**- We purchased each officer an active shooter vest that is rated for rifle rounds. These vests will be used to protect officers in an active shooter incident or when someone is suspected to have a rifle type firearm.
4. **Training**- Steven Bradberry attended a three-day interview and interrogations class at the Georgia Public Safety Training Center in Forsyth. This training will assist in investigations throughout the city.

## **DDA Director Monthly Report**

### **September 2023**

- Continued to join Chamber Events, including ribbon cuttings, weekly meetings (Business & Breakfast, Small Business Lunch & Learns)
- NAMI Community Rally- Partnered with Judge Moore, local businesses, and non-profit executive directors to organize a community rally for mental illness. September is mental illness awareness month and a lot of people in our community are affected by it. 120+ people were in attendance to learn more about what our community can do to help.
- Attended the first Leadership Jackson 2023 Class on Economics. Toured facilities like Ace Hardware, Toyota Distribution center and Southern Power.
- Historic Preservation Webinar.
- Discussed partnership with the Hoschton Heritage Art Council on some art projects downtown. Will be visiting them again.
- Attended partners in Education, where I spoke with principals from West Jackson schools to discuss partnerships with the DDA.
- Worked on and completed the T- Mobile Hometown Grant with Marsha. Decisions will be made for this grant in November. 25 communities will be selected. If we receive this grant, we want to use it for the Oak Street Project.
- Juke & Jive opened, and I introduced the owner Cona to some of our business owners.
- The Depot by Four Brothers had their soft opening and City ribbon cutting on Friday 09/29. The Grand Opening is set for 10/24.
- Continued to visit with our businesses in the downtown area, attended their business networking events and supported them in any way I can on behalf of the DDA.
- Ended the Farmers Market early due to the fall season. Could not compete with larger markets and festivals. Will regroup with the volunteers and decide on how we want to have the event next year.



# OLD BUSINESS

## ITEM #1

(Z-23-02 Annexation and Zoning and Rezoning:  
Sell/Cheek)

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



**TO:** Honorable Mayor and City Council, City of Hoschton

**FROM:** Jerry Weitz, Consulting City Planner

**DATE OF REPORT:** Version #3 August 8, 2023

**SUBJECT REQUEST:** **Z-23-02:** Annexation and PUD (Planned Unit Development District) Zoning; Rezoning from A (Agricultural District) to PUD (Planned Unit Development District)

**CITY COUNCIL HEARINGS:** May and June 2023

**VOTING SESSION:** August 17, 2023

**APPLICANT:** The Providence Group of Georgia, LLC

**OWNER(S):** Shannon C. Sell, Paul T. and Brenda A. Cheek, and West Jackson, LLC

**PROPOSED USE:** Residential planned unit development consisting of 334 dwelling units

**LOCATION:** Fronting approximately 824 feet on the north side of Pendergrass Road (SR 332) west of E.G. Barnett Road; fronting approximately 640 feet on the west side of E.G. Barnett Road; fronting on the east side of East Jefferson Street; fronting approximately 1,115 feet on the west side of East Jefferson Street; fronting approximately 1,230 feet on the south side of West Jackson Road

**PARCEL(S) #:** 119/019 (part), 113/003A, and 119/018

**ACREAGE:** 33.0 (annexation); 109.72 (zoning/rezoning to PUD)

**EXISTING LAND USE:** Conservation use (part of Sell property (119/019) (excludes two dwellings on same parcel of record); single-family dwelling (Cheek property) (113/003A); Single-family dwelling and agricultural (West Jackson LLC Property)

**SURROUNDING LAND USE AND ZONING:**  
(see later descriptions in report)

**RECOMMENDATION:** Approval, Conditional

## INTRODUCTION TO REVISED REPORT

This is a third (revised) version of a staff report for the above-referenced request. It is written in response to the applicant's revised application materials which were submitted via e-mail to the city on August 7, 2023.

**Interaction with applicant and property owner.** The planning staff and city manager met with the applicant at least three times to discuss the project, in particular, the recommended conditions of zoning approval if annexed and zoned in Hoschton. Planning staff met also met with the property owner and was scheduled to have a second meeting with the property owner that did not occur.

**Annexation objection.** The county formally objected to the annexation per letter dated May 4, 2023, The county opposed the annexation and recommended rejection of it. Chief reasons for the county's opposition were that higher residential density is proposed in the city than is allowed in the county, and because of excessive and burdensome impacts on facilities, Because of this formal objection, planning staff supplemented the findings in this report to include evaluation of the county's comprehensive plan regarding the extent the application is consistent or inconsistent with the county's comprehensive plan. As noted in the county's letter, the city is a partner with the county in providing public facilities and services, and going against its recommendation is counter to a healthy and productive, cooperative city-county relationship.

The county withdrew its objection to the annexation with the condition that the number of units in the PUD would be limited to 334.

**Revised application.** This staff report has been revised to include components of the applicant's revised zoning application as attachments.



**Aerial Image/Tax Map of Subject Property (Part of 119/019) (Sell Property)**

**SURROUNDING AND NEARBY LAND USE AND ZONING**

**North of 119/019 (part):** Single-family dwellings, R-1; Brighton Park HOA common property, R-3 (Single Family Moderate Density Residential District); Single-family dwellings, R-3 (Brighton Park Subdivision)

**East of 119/019 (part):** Single-family dwelling, A (Agricultural District); Single-family dwelling (Cheek Property), A (proposed for annexation and PUD zoning); Single-family dwelling and vacant, A-2 (Agricultural Rural Farm District)

**South of 119/019 (part):** Single-family dwellings and conservation use on the remainder of 119/019 (part), A; Single-family dwellings (Legacy Oaks Subdivision), R-2 (Single Family Suburban Residential District)

**West of 119/019 (part):** Single-family dwellings and conservation use on the remainder of 119/019 (part), A (Agricultural); Single-family dwelling, R-1 (Single Family Low Density Residential District); Single-family dwelling, R-1 (across East Jackson Street); Single-family dwelling and agricultural, A (across East Jackson Street)



**Aerial Image/Tax Map of Subject Property (113/003A) (Cheek Property)  
Annexation (contiguous to Hoshton via Sell property annexation shown above)**

**North of 113/003A:** Vacant (Sell tract), A (Agricultural) (proposed to be annexed)

**East of 113/003A:** Vacant/agricultural, A-2 (Agricultural Rural Farm District) (unincorporated); Single-family dwellings, A-2 (unincorporated)

**South of 113/003A:** Single-family dwellings and conservation use, A-2 (Agricultural Rural Farm District) (unincorporated) (across Pendergrass Road (SR 332))

**West of 113/003A:** Single-family dwelling, R-2 (Single Family Suburban Residential District); Vacant (Sell tract), A (Agricultural)



**Aerial Image/Tax Map of Subject Property (119/018) (West Jackson LLC)**

**North of 119/018:** Single-family dwelling, R-1; Vacant, R-3 (Single Family Moderate Density Residential District); Two duplexes, R-3

**East of 119/019:** Vacant – part of Sell Property, A (proposed for PUD); single-family dwelling and agricultural (part of Sell Property), A; Single-family dwelling, R-1 Single-Family Low Density Residential District)

**South of 119/019:** Single-family dwelling, R-1; Public school, INST (Institutional)

**West of 119/019:** School access drive, INST

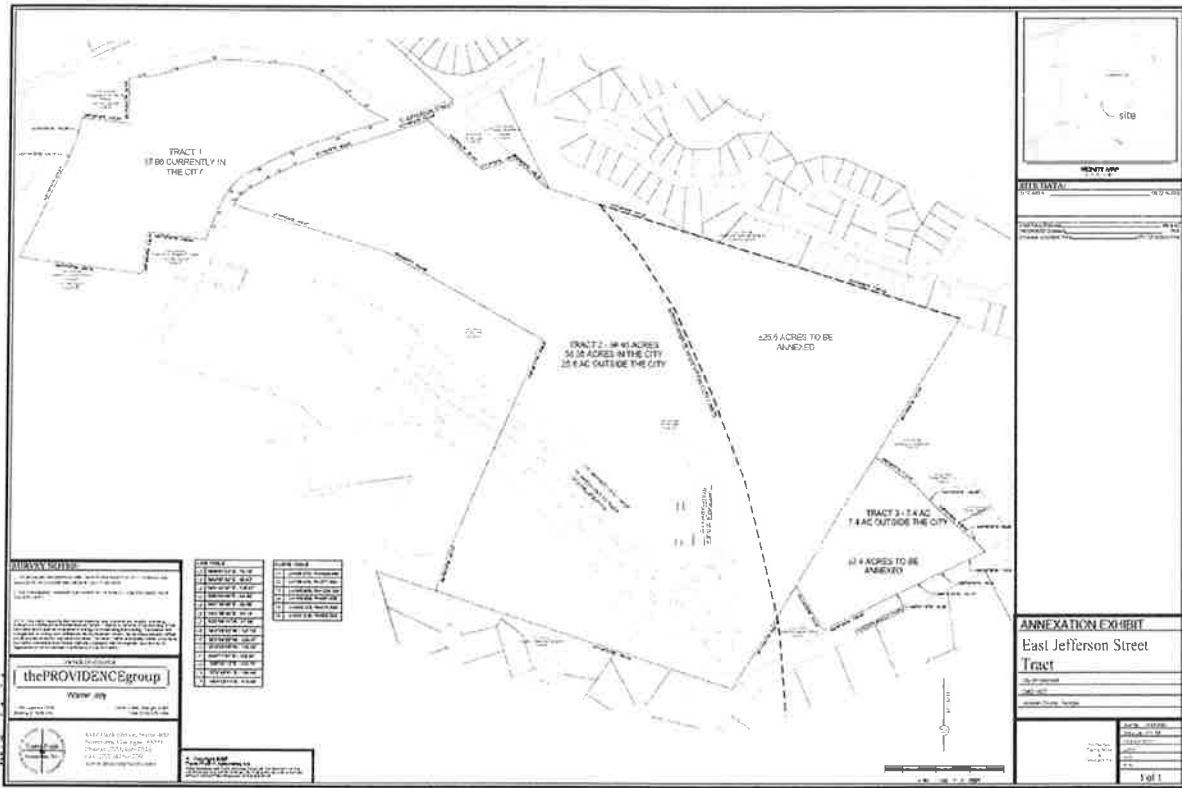


City of Hoschton Zoning Map Excerpt

**APPLICATION DESCRIPTION AND EVALUATION (REVISED)**

**Annexation**

The Providence Group seeks annexation of property and development of it, along with property already in the city limits, as a Planned Unit Development. The proposed annexation involves bringing into the city the remainder of a large tract (Map/Parcel 119/019) (approximately 25.6 acres to be annexed) (Shannon C. Sell, owner) and all of Map/Parcel 113/003A (approximately 7.4 acres), referred to in this report as the Cheek property. The lands proposed to be annexed are shown on the following exhibit. The proposed zoning is PUD (Planned Unit Development District), and the properties proposed for annexation are currently zoned A-2 (Agricultural Rural Farm District) in unincorporated Jackson County.



**Annexation Exhibit**

**PUD Proposal: Land Use**

The applicant for a PUD zoning district proposes land uses and a set of development dimensional requirements. If approved by the City Council, the use restrictions and dimensional requirements become binding. In this case, the applicant proposes varieties of detached, single-family lots. The original application included fee simple townhouse lots on that part of the PUD west of East Jefferson Street. The revised site plan shows that part of the PUD as single-family detached units, but the applicant wishes to reserve the right to substitute an equal number of fee-simple townhouses on the 17.86-acre site (west of East Jefferson Street).



The PUD rezoning proposal involves a total of 109.72 acres of land and 334 dwelling units. The PUD site plan and supporting material show “front entry” lots and “rear entry” lots. By “front entry” it means the front of the dwelling unit will face the street from/to which access is gained. By “rear entry,” it means garages will be to the rear of the dwelling, accessed via an alley.

#### **PUD Proposal: Overall Subdivision Access**

Access to the PUD is to be provided by: West Jackson Road, which connects SR 53 to East Jefferson Street; East Jefferson Street, which connects to SR 53 and Maddox Road; and Pendergrass Road (SR 332), which connects SR 53 to SR 124. West Jackson Road and East Jefferson Street are city streets, while Pendergrass Road is a state route under the jurisdiction of the Georgia Department of Transportation. No individual residential lot is proposed to have direct access to an existing city street or state route, but rather, new subdivision streets will provide access to each proposed lot.

The townhouse portion of the PUD would have one access onto West Jackson Road, where all dwelling units would gain access. No street connection is proposed from the townhouse portion of the PUD to East Jefferson Street. Staff initially recommended a condition requiring access to provide a second entrance to this part of the PUD (west of East Jefferson Street). Planning staff dropped that recommended condition in the process of negotiating agreement with conditions of zoning approval. For the detached residential subdivision, the PUD site plan now shows a proposed round-about; it previously showed one street entrance to East Jefferson Street lining up with West Jackson Road to form a four-way intersection, and one entrance onto Pendergrass Road (SR 332).

#### **PUD Proposal: Internal Street and Alley Design and Connectivity**

**Revised considerations.** The original application posed the option of having public or private streets. The revised application proposes private-only streets. The applicant made clear during negotiations with planning staff that lots within gated communities add a premium purchase price of approximately \$20,000, and the applicant indicated that the gated characteristic of the PUD was needed especially considering that the county reduced the allowable number of units down to 334. Therefore, the single-family subdivisions in the PUD are proposed to be gated with private streets.

Planning staff does not favor gated private streets, even if they are advantageous in the sense that the city does not have to maintain them. Staff has included a condition that the subdivision provide private street connectivity between East Jefferson Street and Pendergrass Road (SR 332). This will ensure that at least the residents of the PUD east of East Jefferson Street will have two ways in and out of the community. Also, planning staff and the applicant have agreed to reservation and dedication of a right of way for a future public street along the southern part of the PUD east of East Jefferson Street. Some of the paragraphs below substantiate why that was a critical issue for planning staff.

**Substandard street network.** The Shannon Sell tract represents almost a full quadrant of the original circular city limits, and the subject request includes a large portion of the Sell farm. The city’s road network serving the area is limited primarily to East Jackson Street, West Jackson Road, and Maddox Road, three streets that are local but that serve collector street functions, to provide interconnectivity and through traffic. As noted in this report, these streets are substandard. Furthermore, the local street network connecting to these collector streets south of

this area (for instance, New Street) are even more substandard, with deficient right of ways and narrow pavement widths and with no formalized drainage systems. No matter what happens with the Sell tract, New Street is destined to become a through route (if it isn't already one) for school traffic and through traffic. New Street is built only for low-volumes and cannot be widened or even upgraded without detrimentally impacting the abutting neighborhood. The limited, substandard road network is already constrained by continuously increasing regional traffic, particularly there is a public school in the middle of this area.



**New Street, South of the Proposed Planned Unit Development**

**The need for a public collector through street.** Virtually every local government goes about approving developments without adequate consideration of the need to add collector and arterial streets to the local street network. In the case of Hoschton and this subject development, ignoring those needs or dismissing them could be catastrophic in terms of future neighborhood livability and traffic congestion. When a city approves adding hundreds of new homes, and literally thousands of additional vehicle trips, it is a recipe for traffic congestion and excessive impacts on local streets unless consideration is given to adding collector and as appropriate arterial streets. The proposed PUD, if approved, will generate an estimated 3,774 or more new total daily vehicle trips. The local street network is not equipped to handle additional traffic without problems. This is one particular reason why planning staff recommended that the proposed development, if approved, be required to include a public, through-street designed to collector street standards of the city, to connect the intersection of East Jackson Street/ West Jackson Road/ Maddox Road with Pendergrass Road (SR 332). During the negotiations over conditions of approval, the applicant and planning staff agreed to an alternative to that original recommendation: reserve a right of way for a future public street connecting to property owned/ retained by Shannon Sell and agree to dedicate the right of way to the city for a future public street. This falls short of the original request by planning staff that would have had the applicant construct a public street through the PUD. The applicant has legitimate concerns with having to shoulder the burden of building a public through street, given it would serve as a "system"

improvement in part, not just a “project improvement,” and because the county had limited the number of units through the annexation arbitration process to 334.

**On-street parking.** There are places where on-street parking is specifically included, mostly around the “greens” or open spaces provided in the proposed development, as well as alongside the amenity area in the subdivision with detached, single-family homes. These are considered acceptable since they will be on private streets.

#### **PUD Proposal: Open Space and Recreation**

The only standard specified for a PUD in the Hoschton zoning ordinance is a minimum open space requirement of 20% of the total site area. The zoning ordinance specifically provides: “A minimum of 20 percent of the total site area of the district development shall be open space, greenspace, passive recreation, community recreation, or pervious landscaped areas or combination thereof. No more than one-half of open waterway and delineated wetlands shall count as the minimum required open space. Rights-of-way for streets, drainage easements, and detention ponds shall be excluded from land considered for open space.”

The site plan indicates the minimum, or slightly more than the minimum amount of open space will be provided. However, it is not clear to staff that the 20% figure excludes detention ponds as required by city regulation. Generally, the site plan utilizes the principle of “town greens,” or setting aside small open spaces/ parks throughout the PUD.

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

***Note: The City Council may adopt the findings and determinations of staff as written (provided below), or it may modify them. The council may cite one or more of these in its own determinations, as it determines appropriate. Council may modify the language provided here, as necessary, in articulating its own findings. Or, the council can reject these findings and make its own determinations and findings for one or more of the criteria provided below. Council does 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: (note: the applicant has provided responses to these criteria which are included at the end of this staff report):

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

**Findings:** This criterion addresses compatibility (suitability). A thorough description of the surrounding land uses for each tract included in the PUD proposal is provided above in this report. This section of the report evaluates those details in a broader context.

**Findings: Brighton Park:** The single-family detached portion of the proposed PUD abuts a large subdivision known as Brighton Park, which consists of 175 homes and open spaces. The lot sizes in Brighton Park range from approximately 7,000 square feet to more than 12,000 square feet, and the lot width is a minimum of 60 feet. The lots in Brighton Park abutting the proposed subdivision have rear yards of approximately 60 feet. The PUD proposes 50-foot-wide lots with lot areas of 5,000 square feet abutting Brighton Park. The PUD site plan has been revised to take into account planning staff’s concerns about incompatibility with Brighton Park.

As revised, the lot sizes and minimum building setbacks proposed are considered compatible with the abutting lots in Brighton Park (**supports request**). There is HOA common area property along a portion of the north property which will provide some separation between the proposed subdivision, if approved, and Brighton Park; smaller lots are not incompatible with the common area. If approved, a condition is included and the applicant has agreed to it and redesigned the lot layout to have 60-foot lot widths and 7,000 square foot minimum lot areas where the subdivision abuts rear yards of lots in Brighton Park (this does not apply to the abutting common area within Brighton Park). Further, staff recommends a minimum lot depth of 120 feet with a rear building setback of 20 feet where the subdivision abuts rear yards of lots in Brighton Park (only a 10 foot rear setback is proposed for 50-foot wide lots) (**supports conditional approval if approved**). By adhering to these conditions (and as redesigned), staff believes the subdivision will be compatible along the north property line with abutting homes in Brighton Park.

**Findings: remainder of north property line:** The subdivision if approved will abut two single-family lots with one acre or more in area and homes on them, bringing the back yards of several new homes close to these low-density lots (**does not support request**). As proposed, the site plan shows some open space to separate these R-1 (low-density) lots from the subdivision. The open space is considered by planning staff to be essential to ensure compatibility of the proposed subdivision with those two abutting lots, and a condition of approval to that affect is proposed (**supports conditional approval if approved**). The applicant has redesigned the subdivision to comply with this consideration.

**Findings: Sell property to the south:** The Sell family is the current owner of most of the property in the PUD east of East Jefferson Street. The Sell family will maintain two homes and parts of the agricultural land if this project is approved. As such, the seller is aware of the potential impacts the subdivision will have on the remainder of the parcel. While the subdivision if approved and developed will impact the remainder of the Sell property, the seller is in effect agreeing to live with any such impacts by virtue of proposing the property for sale. The conditions of approval have a requirement for the owner/ developer to construct a fence along all parts of the PUD abutting land retained by the Sell family.

**Findings: properties along north side of Pendergrass Road (SR 332):** A new subdivision entrance is proposed on SR 332. A deceleration lane is proposed on SR 332 at this entrance. Though not shown on the site plan, the applicant may also be required by GDOT to construct a left turn lane into the subdivision for eastbound traffic. As originally designed, the subdivision entrance and improvement would have changed the character of the low-density residential homes on the south side of Pendergrass Road (SR 332) because eight homes would have backed up to the highway. The proposal will also leave a single family home/lot isolated (partially in the city and partially unincorporated) (i.e., Map/Parcel 113/004); the applicant has acquired this lot; staff has included a condition of approval that that parcel be annexed and included in the PUD application. This lot, if left as is, may hinder future annexation of property on the south side of Pendergrass Road, since it would be left as a unincorporated island (part of the lot) unless included in a future annexation proposal. The dwelling on Map/Parcel 113/004 would have been impacted by the first development proposal had it not been acquired by the owner/ developer of the PUD. In response to recommendations by planning staff, the applicant redesigned the PUD at the southern end near SR 332 and E.G. Barnett Road so that lots that abut SR 332 are a minimum 70-foot-wide lots with minimum lot areas of 7,000 square feet as well as a rear building setback (backing up to SR 332) of 40 feet where the subdivision abuts rear yards of existing lots. Development according to these standards (included as conditions of zoning and reflected in the revised site plan) will soften the impact of the subdivision on single-

family residential lots on abutting dwellings fronting on SR 332 (***supports conditional approval if approved***).

**Findings: properties along E.G. Barnett Road:** The site plan does not show E.G. Barnett Road, an unimproved road without right of way but with an apparent prescriptive easement that serves two lots on its east side and also provides access to a large (600+ acre tract) to the east. Like with other parcels fronting SR 332, the original site plan was not compatible with the low-density character of the homes along the east side of E.G. Barnett Road. To mitigate impacts, the subdivision was redesigned per staff suggestion so that the PUD if approved will have 70-foot lot widths and 7,000 square foot minimum lot areas where the subdivision abuts the two lots on the east side of E.G. Barnett Road (Map/Parcels 113/002 and 113/002A). Staff also recommends that once property abutting E.G. Barnett is final platted, access to E.G. Barnett Road shall be prohibited (***supports conditional approval if approved***).

**Findings: properties in Legacy Oaks Subdivision:** The PUD proposal shows a dozen lots backing up to six lots in the Legacy Oaks subdivision. The lots in Legacy Oaks abutting the proposed PUD are 0.59 acre or larger (25,500 square feet or more). The lots in Legacy Oaks abutting the proposed subdivision have lot widths in the rear of approximately 200 feet. The proposed subdivision with 50-foot-wide lot widths and 5,000 square foot lot areas are considered incompatible because, for every home in Legacy Oaks, the proposed subdivision proposes some five lots abutting them (***does not support request***). Staff considered suggesting larger lot areas and wider lot widths abutting Legacy Oaks subdivision, but any such increase would probably be out of character with the rest of the proposed PUD. To provide compatibility, planning staff initially recommended that the PUD eliminate these 31 lots proposed on the south side of the stream (***supports conditional approval***). Nonetheless, the applicant did not agree to this recommendation of consulting planning staff, and as a result that recommendation was eliminated.

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

**Findings:** Prior findings are applicable here and are proposed in partial response to this criterion. As noted above, there are residential subdivisions of detached homes and scattered (one acre) lots abutting the subject properties that would, absent conditions of zoning approval, be adversely affected in terms of peaceful and quiet enjoyment of property. Such potential impacts include increases in outdoor lighting, possible lights shining from cars, modification of daytime shading patterns (i.e., decreases with taller structures and increases via clearcutting), modification of prevailing wind patterns (i.e., channeling of winds in between structures), reduction or elimination of privacy, noise from pets and additional people, additional traffic via more residents and deliveries, aesthetic impacts from detention ponds, and possible increases in pests due to detention ponds (***does not support request***). Such impacts are largely expected as suburban and urban development occurs, and they cannot be entirely mitigated. However, by adhering to the recommended conditions described under the analysis of the previous criterion, they can be partially mitigated (***supports conditional approval if approved***).

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

**Findings:** Some use of A-zoned land is possible, and the property zoned A in the city can be divided into lots with lot sizes of 1.5 acres or more. The A (Agricultural) zoning district of the city,

however, is generally considered to be a “holding” category in anticipation of development that is supported by the future land use plan and comprehensive plan policies. As such, it is not considered to provide a reasonable economic use over the long-term (***supports request***). Similarly, the A-2 zoning in unincorporated Jackson County allows similar development as the A zone in Hoschton and is therefore unlikely to provide a reasonable economic use in the long-term (***supports annexation and zoning from A-2***).

**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.**

**Findings (transportation/trip generation):** See prior discussion of the deficient local roadway network in the vicinity which is incorporated herein as findings. The applicant deliberately avoided the development of regional impact (DRI) process by proposing one less housing unit than would meet the 400 unit threshold for following procedures for DRIs (since revised to reduce to 389 units). The most immediate implication is that the applicant has not provided a traffic impact study. However, trip generation rates are generally well known, and the overall impact is expected to be about 10 trips per day for detached dwellings. This means a trip generation of more than 3,000 daily vehicle trips. With peak hour trips usually estimated at 10% of total trips, the a.m. and p.m. peak hour trip generation for the PUD if approved is estimated to be well above 300 trips. Further, the impacts on the city’s street system can be reasonably anticipated and conditions of zoning approval proposed to mitigate the impacts, in the absence of a traffic impact study. Now, the applicant has agreed to the road improvements suggested by planning staff but has also changed the proposed intersection from a four-way stop with ultimately a traffic signal to a roundabout. Staff does not necessarily believe a round-about will be the best option due to traffic backups from the school in the area; however, conditions of approval address the possibility of having a round-about in lieu of specified intersection improvements at the intersection of West Jackson Road and East Jefferson Street.

**Findings (West Jackson Road):** West Jackson Road is a 55-foot wide right of way, and the road serves as a collector street. The existing right of way is substandard for both local and collector street classifications. At minimum, a 60 foot right of way is specified for a local street without curb and gutter. The pavement width of West Jackson Road is estimated at 18 (perhaps 20) feet in width, which is substandard when compared with the city’s local road standard of 26 feet from back of curb to back of curb (or 24 feet wide without curbs). It is even more substandard if one considers West Jackson Road should be upgraded to a collector standard (i.e., an 80-foot-wide right of way with a pavement width of 36 feet from back of curb to back of curb). The additional traffic would be considered to cause an excessive and burdensome use of West Jackson Road unless certain improvements are required as conditions of zoning (***does not support request or supports conditional approval***). Consulting planning staff recommends conditions of approval with regard to West Jackson Road:

- Dedication of an additional five feet of right of way along the entire property frontage.
- Installation of an additional four feet of pavement (13 feet from the centerline), and vertical curb and gutter along with a five-foot wide sidewalk along the entire property frontage of West Jackson Road.
- Installation of a deceleration lane eastbound into the subject townhouse development.

**Findings (Intersection of West Jackson Road and East Jackson Street):** This intersection is substandard in that it does not intersect at a 90 degree angle. The intersection as it exists today will become inadequate with development of this PUD. As such, the additional traffic would be considered to cause an excessive and burdensome use of the intersection of West Jackson

Road and East Jefferson Street, unless certain improvements are required as conditions of zoning approval (**does not support request or supports conditional approval**). Staff recommends the following improvements be made a condition of approval if this PUD zoning is approved:

- Dedication of additional right of way sufficient to allow for the realignment of West Jackson Road to intersect East Jefferson Street at a 90 degree angle.
- Realignment of West Jackson Road to intersect East Jefferson Street at a 90 degree angle.
- Improvement/widening of the realigned intersection of West Jackson Road and East Jefferson Street with three lanes at all four intersection approaches (i.e., including left turn lane, a separate through lane and a lane for opposing traffic), with stacking/ queuing distances for the left turn lanes as approved by the city's public works director and zoning administrator. The applicant has requested and zoning conditions include the potential option of a roundabout, based on study by an independent traffic engineer.
- Payment to the city (to be held in escrow) of \$100,000 toward installation of a traffic signal at the intersection of West Jackson Road and East Jefferson Street,

Note: while the applicant has agreed to these zoning conditions, the site plan has been revised to show a roundabout instead of a four-way, stop-sign controlled (and ultimately traffic signal controlled) intersection. Staff has not evaluated the merits of the roundabout; however, because there are already reportedly back-ups of traffic in the vicinity due to the adjacent school, one might question the effectiveness of a roundabout at the subject location in times of school opening and closing hours (which requires police directing traffic now). It may be that traffic will be gridlocked with a roundabout, with forced backups in all directions. If the city wanted to seriously consider a roundabout at the subject location instead of a signalized four-way intersection, a traffic study would be needed at the cost of the applicant. This option is incorporated into the conditions of approval.

**Findings (East Jefferson Street):** East Jefferson Street has a 60 foot right of way which is standard for a local street without curb and gutter but deficient if considered a collector street (and it serves a collector street function). The pavement width is an estimated 22 feet without curbs and gutters or sidewalks. The additional traffic would be considered to cause an excessive and burdensome use of East Jefferson Street, unless certain improvements are required as conditions of zoning (**does not support request or supports conditional approval**). Staff recommends the following conditions of approval:

- Additional right of way along both sides of East Jefferson Street if necessary to provide for the intersection improvement required by the condition of zoning approval for West Jackson Road, as approved by the city's public works director and zoning administrator.
- Widening of East Jefferson Street along the entire property frontage to a total pavement width of 36 feet, including vertical curb and gutter and a five-foot wide sidewalk on both sides (both property frontages). As already noted, the applicant has agreed to these conditions but also shows the intersection as a roundabout rather than an four-way intersection.

**Finding: State Route 332.** Staff recommends conditions of approval requiring improvement of SR 332 at the intersection of the proposed street as may be required by the Georgia Department of Transportation as a condition of encroachment permit approval. Also, a condition

is included to reserve and dedicate right of way for a future public street to connect to Sell property to the west.

**Finding (schools):** The school impact policy in the Hoschton comprehensive plan reads as follows: "Evaluate impacts of residential development on the public school systems. Where impacts are evident, seek a development agreement to provide school site(s) or otherwise mitigate the impact of residential development on the public school system." The Jackson County 2050 comprehensive plan has school student generation multipliers (year 2019) that are recommended for use in evaluating development proposals. For all grades, the data show that a residential development will generate 0.5291 public school students per household. As proposed, with 334 dwelling units, and utilizing that multiplier, the proposed development would generate approximately a substantial number of additional students. With an average desirable class size of 20 students, this would mean an impact of several additional classrooms. Jackson County required, as a condition of dropping its objection over the annexation, a reduction of the total number of units, to 334. The applicant has noted that the development product proposed has a lower public school student generation rate than suggested in the county's comprehensive plan. Because impact fees cannot be charged for school impacts, there is no way for the applicant to further mitigate these impacts except by development agreement, other than phasing of the development over a longer time period (4 to 7 years proposed per letter of intent), or through some acreage dedication, or through a reduction in the overall number of dwelling units constructed. As noted, density reduction per the county is the primary mitigation technique.

**Finding: water and sewer:** This project has generally been considered within the overall scope of public improvements to the city's sewer system. Whether the project can be accommodated with regard to future water and sewer systems depends on a number of factors, including whether other projects are approved which will compete for available water and sewer system capacities. The city has a policy in its comprehensive plan to continue determining how to obtain long-term future water supplies **(inconclusive or tends to not support the request)**.

**Findings (other facilities):** Hoschton has adopted impact fees for police and park and open space land. Also, in its comprehensive plan the city has adopted by reference certain county level of service standards for public facilities and services. These include the following. The impact of the development on those standards for public facilities and services is also provided below:

- **Law enforcement:** two officers per 1,000 population. The proposed development at original proposed buildout (will include 334 units) which would generate a population of approximately 900 people in the detached subdivision, creating an additional population of more than 1,000 people and hence a demand for almost two additional police officers. Those additional officers are also required to be equipped with vehicles and other equipment. While the proposed development upon construction will generate property taxes for the city, the overall impact on the police department's operations will not be fully mitigated **(does not support request)**. See a separate memo from the City's police chief, which suggests a higher LOS standard of 2.4 officers per 1,000 population. The memo also indicates the police department is already short-staffed based on population estimates.
- **Police capital facilities:** A per residential unit impact fee (city) will be required and assessed for police capital facilities. Thus, that impact will be mitigated **(supports request)**.



- **Park and open space land.** A per residential unit impact fee (city) will be required and assessed for park and open space land. In addition, the project is proposed to include a community building and other active recreational amenities in addition to open spaces controlled by the homeowners association. Thus, the impact on park and open space land and recreational facilities is expected to be mostly if not entirely mitigated.
- **Emergency medical services (EMS):** Jackson County adopted an EMS impact fee in 2022. Although it does not apply in Hoschton, the level of service standard of 0.1926 square feet of EMS space per functional population is utilized here. The project would have an estimated 900 residents at buildout, thus generating a need for approximately 173 square feet of EMS facility space. The EMS impact will not be mitigated (**does not support request**).
- **Fire stations and rolling stock.** Hoschton adopted a fire impact fee, but it has been discontinued. The level of service standard for fire facilities adopted in the city's capital improvements element (to be discontinued) is 0.87 square feet of fire and rescue building per functional population and 0.41 fire and rescue vehicle per 1,000 functional population. The county's level of service standard for fire, as adopted in its comprehensive plan, is one square foot of fire department building space per functional population and one fire engine per 4,000 functional population (comprehensive plan). Utilizing the city's standard, the project will generate an impact on the West Jackson fire district of hundreds of square feet of fire building space, plus part of a fire vehicle. These impacts will be partially mitigated by the project via property taxes paid to the West Jackson Fire District, but such taxes are also utilized to pay for administrative and operating costs of the fire district. Therefore, the project is anticipated to only partially mitigate the project's proportionate share of fire service capital and operating costs to the city (**does not support request**).
- **Administrative space:** 0.5 square feet per functional population. Estimated impact is approximately 500 square feet of administrative space. This impact is, at best, only partially mitigated with property taxes. The city is constructing new city hall space; however, 100% of the city hall space has already been allocated, meaning there is no room for growth that may be attributed to this development.

**Criterion: 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 subject property is partially contained within Hoschton and partially unincorporated. Therefore, findings regarding both the city's comprehensive plan and the county's comprehensive plan are necessary.

**Connectivity:** Connectivity of streets is required per the county's urban character area description. The proposed PUD site plan shows the subdivision streets would provide through street capability from East Jefferson Street to Pendergrass Road (SR 332). However, the applicant proposes a gated community with private streets. Such a proposal, while it has certain merit, does provide connection between East Jefferson Street and Pendergrass Road but only for residents of the gated community. A better standard of connectivity is to have public travel through the subdivision but that will be prevented by gates (**inconsistent/ does not support request**). As noted above, an alternative to a through street is provided by the conditions of

zoning approval; in particular, the applicant would reserve and dedicate a right of way for a future public street connecting to Shannon Sell's property to the west of the PUD boundary, thus enabling a future public through street as other properties are developed.

**Adequate public facilities (county policy):** The county comprehensive plan specifies the following for adequate public facilities in the urban character area:

"Adequate Public Facilities. As a condition of approval, all subdivisions and land developments should be required to demonstrate availability of public water, fire protection, law enforcement, roads, stormwater management, parks and recreation, and public school facilities. Subdivisions and land developments that cannot demonstrate all such facilities are available or planned at the time of development or within a reasonable period of time thereafter may gain approval only if they mitigate the lack of such facilities, through the dedication of land in the subdivision or off-site, on-site and/or off-site improvements, payment of impact fees if imposed by the county, or payment of in-lieu fees or other acceptable arrangements via development agreements."

Evaluation of the adequacy of public facilities and services is provided under a subsequent section of this staff report (see discussion of zoning criteria below. Because the application does not demonstrate *all* necessary facilities are available, does not offer mitigation of impacts, does not offer the payment of any fees (though some city impact fees are required), and does not offer additional land of facilities to be constructed as part of the development, the application is considered inconsistent with this portion of the county's urban character area description (***inconsistent/ does not support request***).<sup>1</sup> This finding is further substantiated by the rule of interpretation provided in the county's comprehensive plan text with regard to findings of adequate public facilities.<sup>2</sup>

**Finding: County future land use plan map and policies:** The properties proposed to be annexed by Hoschton are shown on the county's future land use plan map as "residential;" the application is therefore consistent with this portion of the county's comprehensive plan (***supports request***).

**Finding: County comprehensive plan (other):** There are a number of other policies listed in the county's comprehensive plan that could be further evaluated (***inconclusive***). However, since the majority of the subject property is within the city of Hoschton, those policies are not

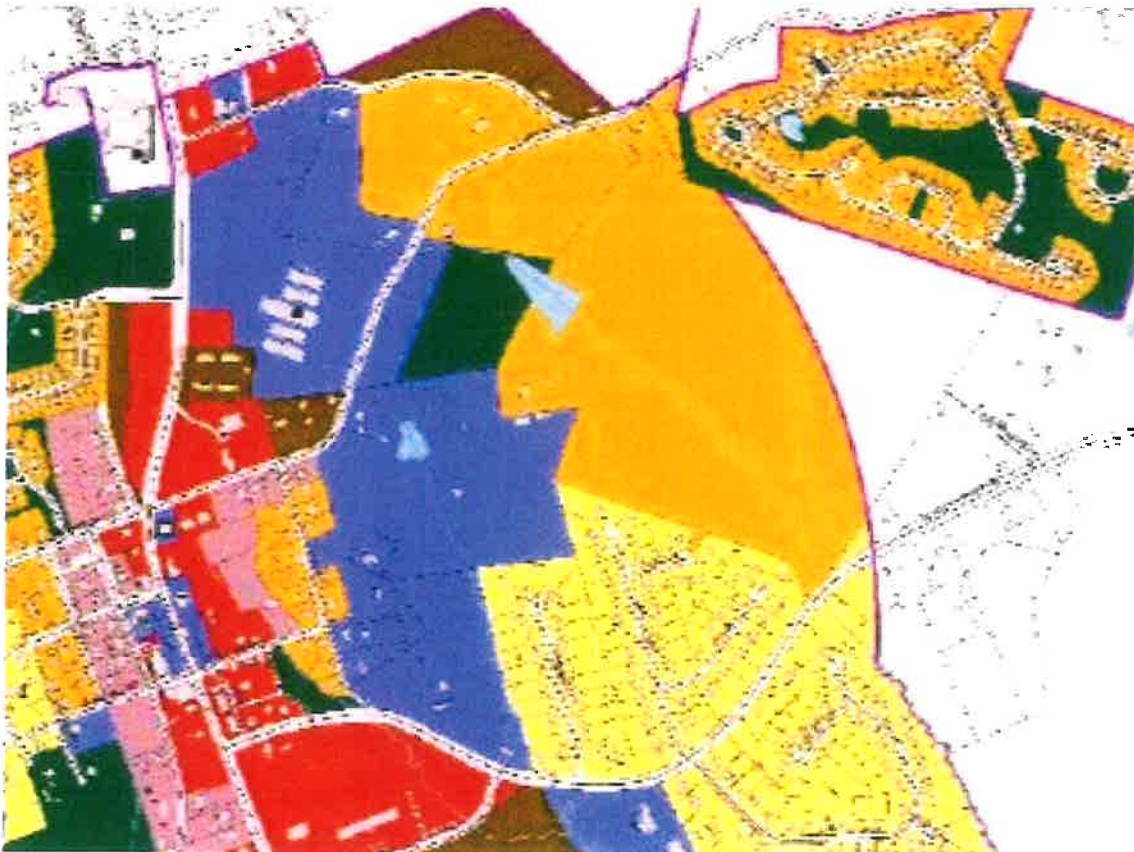
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<sup>1</sup> The applicant has incorporated conditions recommended by planning staff in the first staff report with regard to improvement of roads, but has also shown the primary local intersection as becoming a new roundabout. To the extent the applicant agrees to the staff recommended conditions, the application would result in the mitigation of traffic impacts. This finding is not based on a traffic study, which would be required if the application qualified as a development of regional impact.

<sup>2</sup> From the county's comprehensive plan: "Rule of interpretation: mitigation. A development proposal that on first review appears to be inconsistent with the description for the character area and character area policies may still be considered, if there are clear proposals by way of voluntary conditions of zoning or development approval that would mitigate the inconsistent aspects of the subject proposal. In such cases the applicant must indicate in writing the conditions that will satisfactorily mitigate inconsistencies. Density/intensity and sewer service inconsistencies cannot be mitigated."

further evaluated here in favor of an examination of consistency with city comprehensive plan policies.

**Finding: Future land use (city):** The future land use plan for the City of Hoschton shows public institutional, parks/ recreation and open space, and residential, medium density use for the subject properties. See the land use map excerpt below: (orange is medium density residential; blue is public-institutional); dark green is park/recreation/conservation).



**Future Land Use Plan Map Excerpt**

The text of the comprehensive plan describes the medium density residential land use category as follows:

**“Residential, medium density:** Single-family dwelling units, detached, site-built on individual lots at cross densities ranging from approximately 2 to 5 units per acre (depending on context and location.”

The proposed PUD is basically consistent with the future land use plan map’s medium density residential category (**supports request**). Medium density residential means somewhere in the range of 2 to 5 units per acre, depending on location and context. The current context is extensive overcrowding of public schools and excessive impacts on other facilities, which suggests that any approval should be at the lower end of the recommended density range.

**Finding (adequate public facilities) (city):** One city comprehensive plan policy that is relevant is as follows: “Development should not occur or be approved which will or could cause an excessive or burdensome use of existing streets, ... Major subdivisions and major land developments that cannot demonstrate all such facilities are available or planned at the time of development or within a reasonable period of time thereafter may gain approval only if they mitigate the lack of such facilities, through the dedication of land in the subdivision or off-site, on-site and/or off-site improvements, ...” This is identical to the county’s policy with regard to adequate public facilities. The project does not meet entirely this policy (**does not support request**).

**Finding: land development and transportation policy (city):** “When development occurs it should be the responsibility of developer to improve facilities along the public street frontages and internal to the development.” The PUD application is inconsistent with this policy, because there is no proposal on the part of the developer to improve facilities along the street frontages (**does not support request**). However, it could be consistent with this plan policy if conditions of zoning approval recommended by the consulting planning staff are required (**supports conditional approval**).

**Finding: residential neighborhoods (city):** The comprehensive plan’s residential neighborhoods policy is as follows: “Maintain and preserve quiet, stable neighborhoods of residences at low (or current) densities. Preserve and enhance the stability of existing residential neighborhoods. Protect residential areas (whether rural, suburban, or urban) from nuisances (e.g., excessive noise, odor, traffic and lighting) and from encroachment by incompatible land uses. The consideration of the preservation of the integrity of residential neighborhoods shall be considered to carry great weight in all rezoning decisions.” Unless approved with conditions recommended by the consulting planning staff, the project will not be consistent with this plan policy (**supports conditional approval**).

**Finding: single-family residential (city).** The comprehensive plan includes a policy which reads: “When a rezoning is proposed for an area designated as low-density or medium-density residential, lots that abut existing low-density residential subdivisions should be similar or compatible in lot size, lot width, and building orientation. When a rezoning is proposed for an area designated as medium-density residential, conservation and/or open space area should be set-aside to offset smaller lots/higher density.” Unless approved with conditions recommended by the consulting planning staff, the detached subdivision portion of the project will not be consistent with this plan policy (**supports conditional approval**). As redesigned, the proposed PUD meets this policy.

**Finding: conservation subdivisions (city).** The comprehensive plan includes a policy supportive of conservation subdivisions. In certain key respects, the proposed single-family subdivision component is consistent with the policy to follow principles of conservation subdivision and design, especially because a substantial number of the detached single-family lots have frontage on open space or recreation land, or both (**supports request**).

**Finding: sidewalk installation:** New subdivisions need to be required to provide sidewalks along streets internal to the subdivision and all subdivisions and land developments should provide sidewalks within the right-of-way of public roadways abutting or fronting the subdivision or land development. The project could be consistent with this plan policy if conditions of zoning approval recommended by the consulting planning staff are required (**supports conditional approval**).

**Finding (housing policy):** Consistent with the comprehensive plan housing policy of providing a diverse mix of housing types, the proposed PUD would add housing forms that are not currently provided in the city to any significant degree (i.e., rear-loaded single-family) **(supports request)**.

**Finding (road connectivity):** The city's comprehensive plan provides the following connectivity policy:

"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. "All new roadways except low volume, local residential subdivision streets, should connect at both termini with the existing road network, and that local streets should be planned where possible with more than one connection to the existing public road network."

**Criterion: 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.**

**Findings:** Additional analysis by the city's consulting engineer relative to water and sewer availability casts doubt on the city's ability to plan and program water and sewer improvements to handle all proposed development projects, and the subject PUD must be considered in the context of that ability **(inconclusive)**.

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

**Finding:** Because the site contains multiple parcels and is generally consistent with the land use recommendations of the comprehensive plan, if approved with conditions, the PUD zoning district cannot be considered isolated in nature for that portion that is within the city limits **(supports request)**.

**Criterion: 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:** if approved with conditions recommended by the consulting planning staff, the project if zoned and developed is not expected to have a detrimental impact on the environment **(supports request)**.

**Finding:** Environmental policy adopted in the comprehensive plan includes the suggestion that "new, major residential subdivisions should be required to ensure that adequate funding is available for maintenance of any non-public on-site stormwater detention facilities." This policy is not implemented, unless the applicant agrees to set aside a sizable dollar amount in escrow to meet future needs of the homeowner's association that will be tasked with maintaining the stormwater facilities in the PUD **(does not support request or supports conditional approval)**.

**CONCLUSION**

After several meetings during which agreement in principle to most if not all of the zoning conditions was reached, and with the county's lifting of its objection to the annexation with the condition that the project be limited to 334 units, consulting planning staff recommends conditional approval. Staff has included a number of conditions for the zoning action, if the City Council elects to approve the proposal.

**RECOMMENDED CONDITIONS OF APPROVAL**  
**Z-23-02 PUD ZONING PROVIDENCE GROUP**

If this request for PUD zoning is approved, it should be approved PUD conditional, subject to the applicant's agreement to abide by the following:

1. **Site plan and letter of intent.** Development shall be in substantial accordance with the letter of intent and community benefit statement dated August 7, 2023, attached to this ordinance Z-23-02, except as modified by these conditions of zoning approval. Development shall be in substantial accordance with the site plan titled "Zoning Plan for East Jefferson Tract" and The Providence Group, dated August 7, 2023, by Edward J. Anderson, landscape architect, for the firm Travis Pruitt & Associates, Inc., attached to this ordinance Z-23-02, except as modified by these conditions of zoning approval; provided, however, that modifications to the site plan may be proposed by the applicant and approved by the City Council as a part of preliminary plat approval so long as they do not change a condition of zoning approval. Any notes on said zoning plan inconsistent with these conditions of approval shall not apply.
2. **Permitted uses.**
  - (a) Uses in the PUD shall be limited to detached, single-family dwellings, fee-simple townhouses, uses and structures accessory to said uses, active and passive recreational facilities and amenities, and open space, as more specifically provided and limited in these conditions of zoning approval.
  - (b) Uses within that portion of the PUD west of East Jefferson Street (Map/Parcel 119/018; 17.91 acres) shall be limited to fee-simple townhouses and/or detached, single-family dwellings, uses and structures accessory to said uses, active and passive recreational facilities and amenities, and open space.
  - (c) Uses within that portion of the PUD east of East Jefferson Street (part of Map/Parcel 119/019 and Map/Parcel 013/003A; approximately 84.62 acres and 7.24 acres, respectively) detached, single-family dwellings, uses and structures accessory to said use detached, single-family dwellings, active and passive recreational facilities and amenities, and open space.
3. **Maximum densities/housing units.**
  - (a) The PUD shall not exceed a total of 334 dwelling units.
  - (b) That portion of the PUD west of East Jefferson Street (Map/Parcel 119/018; 17.91 acres) shall not exceed a maximum density of five (5) dwelling units per acre (measured on the basis of land area before any right of way dedication) (i.e., 90 units) (i.e., the maximum recommended by the medium density residential future land use plan category of the Hoschton comprehensive plan).
4. **Dimensional requirements.** The PUD shall be subject to the dimensional requirements specified in these conditions of zoning approval.
  - (a) **Maximum building height, all units:** 35 feet.

- (b) **Minimum driveway length.** From edge of sidewalk (front loading) or alley (rear loading) to face of garage, all units: 20 feet.
- (c) **Parking, all units:** A two-car garage is required for each unit.
- (d) **Dimensional requirements by lot type:** The following dimensional requirements and limitations shall apply to dwellings and lots:

Lot Type Identifier	Minimum Lot Size (sq. ft.)	Minimum Lot Width (ft.)	Minimum Front, Side Rear Building Setbacks (ft.)	Maximum Number of Lots (not to exceed 334 total)
B (alley loaded)	4,000	40	5, 5, 10	None
A (front loaded)	5,000	50	10, 5, 10	None
E (front loaded)	7,000	60	10, 5, 20	None
F (front loaded)	7,000	70	10, 5, 40	None
G (front loaded)	4,000	40	10, 5, 10	None
C (fee simple townhouse alley loaded)	2,000	24	5, 0, 10 (20' between buildings)	90
D (fee simple townhouse front loaded)	2,000	24	10, 0, 10 (20' between buildings)	

- (e) **Lots abutting Brighton Park:** All subdivision lots that abut a residential lot within Brighton Park subdivision shall be required to be Type "E" front loaded lots.
- (f) **Lots abutting Pendergrass Road (SR 332) and Map/Parcels 113/004, 113/002 and 113/002A:** All subdivision lots that abut Pendergrass Road (SR 332) and Map/Parcels 113/004, 113/002 and 113/002A shall be required to be Type "F" front loaded lots.
- (g) **Dimensional requirement not specified.** Where the approved PUD application and these conditions of zoning fail to articulate a given regulation, such as accessory building setbacks, maximum lot coverage, and the like, the project shall be required to adhere to dimensional requirements of the MFR (Multi-family Residential) zoning district and general provisions of the Hoschton zoning ordinance, unless a variance is applied for and obtained.
- (h) **Special open space and buffer.** Abutting Map/Parcels 119/019D and 119/046, there shall be common open space with a minimum depth of 30 feet, within which a minimum 20-foot-wide buffer shall be planted and maintained, prior to final plat approval for the applicable phase of development.
- (i) **Buffer and fence abutting Legacy Oaks subdivision lots.** All subdivision lots abutting the Legacy Oaks Subdivision shall have a 20-foot graded and replanted buffer including a six-foot high privacy fence. The buffer and fence shall be maintained by the



homeowner's association and a maintenance easement shown across all such lots on the final plat for the applicable phase of development.

- (j) **Fence abutting remainder of Map/Parcel 119/019 and 119/019A (Sell Tracts).** The owner/developer shall install a six-foot high privacy fence with the finished side of the fence facing outward from the development along all property lines abut the remainder of property known as Map/Parcel 119/019 (i.e., that part not included in the PUD) and Map/Parcel 119/019A. No certificate of occupancy shall be issued for a lot abutting said property until the fence is installed along that lot. The fence shall be maintained by the homeowner's association, and a maintenance easement shall be shown across all such lots on the final plat for the applicable phase of development.
- (k) **Open space.** Open space tracts shall be required to be delineated separately from stormwater detention tracts, unless the zoning administrator accepts calculations of open space that separate stormwater facilities from lands authorized to be counted as open space per the PUD requirement for open space in the city's zoning ordinance.
- (l) **Minimum heated floor area per dwelling unit:** 1,400 square feet.

5. **Minimum/maximum required entrances/exits.**

- (a) **West Jackson Road.** There shall be no more than one street entrance/exit, which will be private unless a public street is approved by City Council, onto West Jackson Road to/from that portion of the PUD west of East Jefferson Street (i.e., Map/Parcel 119/018). A private street entrance/exit street may be gated.
- (b) **East Jefferson Street.** There shall be no more than one street entrance/exit, which will be private unless a public street is approved by City Council, onto East Jefferson Street, to/from that portion of the PUD east of East Jefferson Street (i.e., Map/Parcel 119/019). This street connection shall align with West Jackson Road, as required to be realigned by these conditions of zoning approval. A private street entrance/exit street may be gated.
- (c) **Pendergrass Road (SR 332).** There shall be one street entrance/exit serving the PUD connecting to Pendergrass Road (SR 332), which will be private unless a public street is approved by City Council. the location and design of which shall be subject to the approval of Georgia Department of Transportation. If private, the private street entrance/exit may be gated. In addition, there shall be a right of way reserved for a future public street onto Pendergrass Road, as shown on the site plan, the location and design of which shall be subject to the approval of Georgia Department of Transportation (see further description below).
- (d) **Private through street.** The PUD subdivision design shall be required to include a street (private and gated unless otherwise approved by the City Council) that connects Pendergrass Road (SR 332) and East Jefferson Street which shall be constructed by the owner/developer as the PUD is developed/phased.
- (e) **Public through street right of way (reservation and dedication).** The owner/ developer shall reserve land (in substantial conformance with that shown on the site plan or as otherwise approved by City Council, the exact alignment of which may be modified

if necessitated by site planning and engineering) for a future public street right of way connecting Pendergrass Road (SR 332) within the boundary of Map/Parcel 113/ 004 (controlled by the owner/developer at the time of this ordinance approval but not included within the boundary of the PUD), and extending across all of the southern boundary of that portion of Map/Parcel 119/019 controlled by the owner/ developer, to a point westerly where it intersects with the common property line of Map/Parcel 119/ 019 (within the PUD) and 119/019A (i.e., adjacent tract owned by Shannon Sell). There shall be no development authorized within the reserved right of way unless specifically approved by the City Council. If this future right of way is shown on an "official corridor map" as a future public street (or similarly titled planning document or component of the comprehensive plan) adopted by the City Council, then prior to issuance of final plat approval for any phase in the PUD, the owner/ developer shall dedicate the future public right of way in fee simple title at no cost to the city. If Map/Parcel 113/004, that part of Map/Parcel 119/019, or any other part of the land showing the future public street is sold or ownership transferred to another entity, such sale or ownership transfer shall be required to be deed restricted so that this obligation to reserve and dedicate the future public street right of way shall survive and be binding on any future owner of Map/Parcel 113/004 and that part of Map/Parcel 119/019. Furthermore, any subsequent owner of the right of way shall be required via deed restriction to dedicate said future public street right of way to the city at no cost to the city, prior to development permit approval for any development on Map/Parcel 113/ 004 or that portion of Map/Parcel 119/019A showing the future public street reservation. Once the right of way for the future public street is dedicated to the city, this zoning condition shall not be construed in any way to prohibit completion of the PUD by the owner/ developer per this ordinance.

- (f) **Annexation of Map/ Parcel 113/004.** To facilitate the above condition relative to the future public street right of way, the owner/ developer agrees to annexation of Map/Parcel 113/ 004 and agrees to apply for annexation of Map/Parcel 113/004 within six months of the effective date of this ordinance and to apply for zoning of said parcel to PUD to be incorporated into the PUD approved by this ordinance.
- (g) **No access easements and other limitations.** No individual lot for any dwelling unit shall be allowed a driveway or direct vehicular access to West Jackson Road, East Jefferson Street, or Pendergrass Road (SR 332). A 10-foot wide no access easement and planting strip shall be required along the entire property frontage along all such routes and shall be shown on all final plats. This limitation shall not apply to any private streets within the PUD.
- (h) **E.G. Barnett Road access.** No access other than for dwellings existing at the time of this PUD approval shall be permitted to E.G. Barnett Road, and such access if utilized shall be discontinued upon final plat approval for that portion of the subdivision and a 10-foot-wide no access easement and planting strip shall be required and shown on any final plat with frontage on E.G. Barnett Road.

**6. Internal subdivision streets and alleys.**

- (a) **Street standards; reduction.** The standards for private streets, shall be as depicted on the site plan and in the application, unless otherwise approved by the City Council at the time of preliminary plat approval, in which case Council may authorize a reduction of right of way width or pavement width. Rolled curbs shall be authorized. Paving

standards, including but not limited to thickness of asphalt, shall meet City of Hoschton subdivision and land development standards.

- (b) **Gates.** If gates to local private subdivision streets are provided, the gates shall be setback from the applicable right of way a minimum distance determined safe and appropriate by a traffic engineer and as approved by the city's public works director.
  - (c) **Alleys; reduction.** Any alleys included, shall be private, not public. Easements for alleys shall be a minimum of 30 feet in width, and the minimum pavement width for alleys shall be a 16 feet (curbs not required); provided however, that the owner may propose and the Hoschton City Council may approve reductions to such standards for private alleys, including but not limited to reduction of right of way or reduction of pavement width, during the process of considering and approving a preliminary plat for the subdivision, without the need to modify these conditions of zoning approval.
  - (d) **On-street parking.** On-street parking on private streets may be permitted at the discretion of the owner.
7. **West Jackson Road improvements.** Prior to final plat approval for that portion of the PUD west of East Jefferson Street, the subdivider shall be required to complete the following:
- (a) **Right of way.** Dedication of an additional five feet of right of way along the entire property frontage of West Jackson Road.
  - (b) **Pavement, curb and gutter, and sidewalk.** Installation of an additional four feet of pavement (or 13 feet from the centerline), and vertical curb and gutter along with a five-foot wide sidewalk along the entire property frontage of West Jackson Road.
  - (c) **Deceleration lane.** Installation of a deceleration lane eastbound on West Jackson Road into the development.
8. **Improvement of intersection of West Jackson Road and East Jefferson Street.** Prior to any final plat approval for the respective property with frontage, the subdivider shall be required to complete the following:
- (a) **Right of way.** Dedication of additional right of way sufficient along East Jefferson Street and West Jackson Road to allow for the realignment of West Jackson Road to intersect East Jefferson Street at a 90 degree angle or as required for the installation of a round-about, if authorized by the city.
  - (b) **Realignment.** Realignment of West Jackson Road to intersect East Jefferson Street at a 90 degree angle or as required for the installation of a round-about.
  - (c) **Consideration of round-about.** Prior to or in conjunction with preliminary plat approval, the owner/ developer may propose, and the City Council may approve, a round-about in lieu of a four-way realigned intersection of West Jackson Road and East Jefferson Street. The applicant shall be required to fund the cost of a third-party (independent and disassociated with the owner/ developer) traffic engineer approved, chosen and managed by the city to provide a conceptual design of a round-about and to evaluate the traffic impacts in comparison with a signalized, four-way intersection. Said evaluation

shall take into account traffic patterns and conditions when Jackson County public schools are in session.

- (d) **Pavement, curb and gutter, and sidewalk.** Improvement/ widening of the realigned intersection of West Jackson Road and East Jefferson Street with three lanes at all four intersection approaches (i.e., including left turn lane, a separate through lane and a lane for opposing traffic), with stacking/ queuing distances for the left turn lanes or as specified by a third-party traffic engineer approved, chosen and managed by the city. These improvements may be replaced with a round-about improvement if approved by the City Council after consideration by the third-party traffic engineer and affirmative recommendation of the city's public works director and zoning administrator.
  - (e) **Traffic signal contribution.** Payment to the city/escrow of \$100,000 toward installation of a traffic signal at the intersection of West Jackson Road and East Jefferson Street, \$25,000 of which shall be paid prior to final plat approval for the final phase of that part of the PUD west of East Jefferson Street, and \$75,000 of which must be paid prior to final plat approval for the final phase of the PUD east of East Jefferson Street. This payment shall be encumbered for the specified purpose by the city within six years of the date the full amount of such funds are received by the city, or else such funds shall be refunded by the city to the subdivider. This condition shall be null and void if a round-about is approved by the city.
9. **East Jefferson Street.** Prior to any final plat approval for the respective property with frontage, the subdivider shall be required to complete the following:
- (a) **Right of way.** Additional right of way along both sides of East Jefferson Street if necessary to provide for the intersection improvement required by the condition of zoning approval (or round-about if approved by the city) for West Jackson Road, approved by the city's public works director and zoning administrator.
  - (b) **Pavement, curb and gutter, and sidewalk.** Widening of East Jefferson Street along the entire property frontage to a total pavement width of 36 feet, or an alternative pavement width as specified by a third-party traffic engineer and approved by the city's public works director and zoning administrator, including vertical curb and gutter and a five-foot wide sidewalk on both sides (both property frontages) This shall include sufficient pavement for a deceleration (right turn) lane northbound into the single-family detached residential subdivision on the east side of East Jefferson Street if specified by a third-party traffic engineer, as approved by the city's public works director and zoning administrator.
10. **Improvement of Pendergrass Road (SR 332).** Prior to any final plat approval for the respective property with frontage, the subdivider shall be required to install improvements as may be required by the Georgia Department of Transportation for the private street entrance/exit serving the PUD.
11. **Deed restriction regarding ownership.** Except for the subdivision declarant, no more than 20 percent of the homes in the portion of the PUD west of East Jefferson Street (Map/Parcel 119/018; 17.91 acres) shall be owned by any one individual, firm, or corporation. Except for the subdivision declarant, no more than 20 percent of the homes in the portion of the PUD east of East Jefferson Street (part of Map/Parcel 119/019 and Map/Parcel 013/003A; approximately 84.62 acres and 7.24 acres, respectively) shall be

owned by any one individual, firm, or corporation. A deed restriction shall be incorporated to this effect in the project conditions, covenants and restrictions.

12. **Water and Sewer; front water line easement.** All dwellings in the PUD and any active recreation buildings/facilities shall be connected to City of Hoschtton water and sanitary sewer. Unless otherwise approved by the city engineer, there shall be a 10-foot-wide easement along the front of each lot as required by the city's water and sewer specifications and standard drawings. Easements may be authorized by the city to overlap with other access and utility easements if approved by the city engineer.
13. **Architectural elevations and external building material finishes.** The owner/developer shall submit for City Council's consideration and approval, prospective front, side and rear elevations of all dwelling types included in the PUD, prior to issuance of a building permit for any such building. Once approved the elevation drawings shall be binding on all builders and enforceable at the time of building permit issuance.
14. **Recreational amenities.** There shall be recreational amenities for the PUD provided by the owner in substantial accordance with those described in the letter of intent made a part of the PUD application and attached to this ordinance.
15. **No waiver of codes.** Unless specified otherwise or in conflict with these conditions of approval, the PUD shall be governed by city ordinances in effect at the time of development, as may be amended, including but not limited to applicable portions of the zoning ordinance, subdivision and land development ordinance, development impact fee ordinance, stream buffer ordinance, stormwater management ordinance, stormwater utility ordinance, flood damage prevention ordinance, sign ordinance, building and life safety codes, and adopted water and sewer specifications and standard drawings.

Rezoning Application, City of Hoschton, GA (continued)

**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 residential use is suitable. Properties to the north and south are developed as residential subdivisions. A seller is maintaining property to the west as a home, and West Jackson Elementary School is to the west.

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

Response: The proposed development is similar to many nearby properties and will not adversely impact the adjacent or nearby uses.

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

Response: The subject properties are currently zoned Agricultural limiting the property to agricultural uses or 65,340 square foot residential lots. These uses are not suitable given the development patterns in the area. In order for the property yield a reasonable development, it must be rezoned to an appropriate district.

- (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: The proposed development will not cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The design has three (3) points of ingress/egress allowing residents options to reach local highways without being overly burdensome. Water and sewer utilities in the area have capacity for the proposed development. The proposed product types do not typically yield a burdensome number of school age children.

**Applicant's Response to Criteria (1 of 2)**

Rezoning Application, City of Hoschton, GA (continued)

- (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 City of Hoschton Future Land Use Plan (February 2021) included in the Comprehensive Plan, 2021 – 2040, 2022 Update designates these properties as Residential Moderate Density (MDC) allowing 2 - 5 units per acre. The PUD district allows the flexibility to deliver a moderate density community aligned with the Comprehensive Plan with a greater variety of housing options and amenities than could be achieved with a traditional zoning district.

- (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: The surrounding areas of Hoschton, Braselton, and unincorporated Jackson County are seeing residential growth to compliment the areas job opportunities and excellent transportation access.

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

Response: The proposed PUD is compatible with the nearby residential subdivisions.

- (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: The proposed PUD will not significantly impact the environment. All local, state, and federal measures will be followed to mitigate negative impacts.

**Applicant's Response to Criteria (2 of 2)**



City of Hoschton Police Department  
Chief Brad Hill



May 3, 2023

To: Mayor and Council

I would like to address my concerns about the potential added residential developments to the City of Hoschton and how this will affect the Police Department.

Our Police Department is currently staffed with three full-time officers and one part-time clerk. We have an estimated population of 4000-5000 inhabitants currently. In 2019 the FBI completed a study, and it showed that the average ratio of officers to inhabitants is 2.4 per 1000. With this information we are already 6.6 officers short of the national and regional average (supporting documents attached).

It is important to remember our department is not a twenty-four-hour department, we rely on the Sheriff's Office to cover most nights from 12am-7am. If a large incident occurs me or Captain Bradberry must return back to work to cover it. If there is an incident that occurs during those hours that require investigations, that case is then turned over to my department and we complete the investigation. If we continue to add residential housing in any form, we must be prepared to add additional staffing and equipment to the department. We are already behind the curve on staffing.

In response to what type of residential units are allowed, such as apartments, town homes or single-family units, it is a fact that the more inhabitants allowed to live in a smaller space the more the call volume. Apartment complexes and town homes take up a smaller footprint but allow for more call volume. This is due to alarms, disputes among people in the same house and neighbors and vehicles being entered. Most thieves want to get

Hoschton Police Department, 4162 Hwy 53, Hoschton, Georgia 30548  
Phone (706) 684-6000 | Fax (706) 654-9834  
[www.cityofhoschton.com](http://www.cityofhoschton.com)





City of Hoschton Police Department

Chief Brad Hill



as much as they can when performing entering autos and establishments with the greater number of targets making it more beneficial for them. Please review the attached call sheet for the Blakely Apartments in Pendergrass since October of 2022 to validate this concern.

It is of the utmost importance to consider the increase in traffic that will be added to our already problematic area, which can create the potential for more accidents. The other day I spoke with Major Hamm at Barrow County Sheriff's Office, he advised that they put a Flock Camera on Hwy 53 at the county line and from Friday to Monday there were over thirty thousand cars that went north bound toward our city. We must be prepared and staffed for that traffic.

I work traffic at the school every morning. This takes a deputy on Hwy 53 and myself in front of the school just to keep the traffic we have now flowing properly.

I understand that growth in this area is inevitable. I have lived here all my life and have seen the changes. My request for consideration is to be allowed more time to get prepared fiscally for staffing the growth prior to it consuming us.

Thank you for your time,

A handwritten signature in black ink, appearing to read "Brad Hill".

Brad Hill-Chief of Police



## WEST JACKSON FIRE DEPARTMENT

Station 1 69 West Jackson Rd, Braselton, GA 30517

Station 2 1875 Ednaville Rd, Braselton GA 30517

706-654-2500 Office • 706-654-9227 Fax



April 25, 2023

To: Mayor O'Leary, City of Hoschton  
City Manager Kidd Harrison, City of Hoschton  
Cc: West Jackson Fire District Board  
From: Chief Ben Stephens  
Ref: Further growth potential in the City

Greetings,

I would like to start out by thanking the City for this opportunity to discuss growth. We are always appreciative of better communication in the planning process of our community. As a part of this communication process I am going to give you a quick summary of the current state of Residential Developments in our District since we serve part of the Town of Braselton, part of Jackson County and the entire City.

Current Project Approvals by the numbers (Using the Jackson County School Board Data):

Sta 2's Primary Area (North of I-85) will see 1043 more homes built, an approximately 50% increase in homes.

Sta 1's Primary Area (South of I-85) will see 3357 more homes built. This is a more than 165% increase in homes.

District Wide: There are currently 4402 residences approved which will more than double the current subdivision homes that we provide service to.

Mrs. Kidd-Harrison told me today that there are three other projects being considered for the City that will bring in an additional 1600+ homes/apartments. These projects, along with those already approved will necessitate a lot of growth within the Department in the way of station locations, apparatus needs, and staffing in order to keep response times down, increase capacity needed to meet the demand of multiple incidents at once due to the increased volume of homes and traffic, and to keep insurance rates low for property insurance for our citizens.

We see a need of the following during the next 5 years:

New Station in Hoschton: Cost Estimate of \$3 Million

New Station 3 plus Training Facility/District Headquarters: \$7 Million (Possible Collaboration with Jackson County EMS, EMA, JCSC & JCSS)

In order to pay for this in the next five years, we would need to fund over \$2 Million per year to Capital Improvements. Our current Operating Budget is \$3.2 Million. Additionally, we would need to rapidly increase our staffing to be in a position to respond to the increase in emergency calls during this period. This is obviously not a realistic goal for us during the next 5 years.

Position on the additional growth under consideration by the City.

The current growth that our District is seeing at the moment is unprecedented. If approved, the City of Hoschton will be adding residences equivalent to the entire City of Jefferson as of the 2020 Census. Our Fire Board has historically funded 3 budgetary areas on a rotating basis each year. 1 Staffing, 2 Benefits to attract and retain Staff, 3 Capital Improvements. This has allowed us to add personnel, compensate them competitively, and increase stations, apparatus, and equipment in a steady direction of improvement. This growth (approved and potential) will necessitate us trying to do all of the above, all at once. The proverbial "ship has sailed" when it comes to growth happening at a gradual rate that would have allowed us to keep pace on a yearly basis as we have in the past. The fact of the matter is that we can only afford to "catch up" to the growth using the funding that this growth brings to a more robust Tax Digest. We have been fortunate that our Fire Board supported our Fleet Replacement and Station 2 initiative to make sure we are on a solid footing during this rapid growth spurt in our 30 square miles. Whether you approve these additional projects or not is a decision process

where we have no vote. Your citizens elect a Mayor and Council to make these decisions and it would not be appropriate for an appointed Fire Chief to give or withhold a blessing that could be construed as undermining the Will of the People that placed them in their positions of leadership. Regardless of the outcome, we will always be here to provide service to the citizens of our District to the best of our ability. Together we will all continue climbing.

Yours in Service,



**Ben Stephens, Fire Chief**

Fortis Fortuna Adiuvat ~ Fortitude Favors the Brave

CITY OF HOSCHTON  
STATE OF GEORGIA

ORDINANCE Z-23-02

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF LAND TO THE EXISTING CORPORATE LIMITS OF THE CITY OF HOSCHTON, GEORGIA; TO PROVIDE FOR THE ZONING CLASSIFICATION FOR SUCH ANNEXED PROPERTY; TO REZONE PROPERTY NOW WITHIN THE CITY LIMITS; TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HOSCHTON TO REFLECT ANNEXATION, ZONING AND REZONING; TO PROVIDE NOTICE OF THE APPROVED ANNEXATION TO THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS AND JACKSON COUNTY AS WELL AS THE LEGISLATIVE AND CONGRESSIONAL REAPPORTIONMENT OFFICE OF THE GENERAL ASSEMBLY; TO PROVIDE FOR AN EFFECTIVE DATE FOR AD VALOREM TAX AND OTHER PURPOSES; TO LIMIT REZONING OF THE PROPERTY ANNEXED TO A HIGHER DENSITY OR INTENSITY FOR A SPECIFIED PERIOD; AND FOR OTHER PURPOSES

**WHEREAS**, the Providence Group of Georgia, LLC, applicant, Shannon C. Sell, and Paul T. and Brenda A. Cheek, property owners, have filed a complete application to annex approximately 33.0 acres with PUD (Planned Unit Development) District zoning, said property proposed to be annexed consisting of that part of Map/Parcel 119/019 not currently in the city limits of Hoshton (approximately 25.6 acres) (Shannon C. Sell, owner) and all of Map/Parcel 113/003A (approximately 7.4 acres) (Cheek property), said property proposed to be annexed fronting approximately 824 feet on the north side of Pendergrass Road (SR 332) west of E.G. Barnett Road and also fronting approximately 640 feet on the west side of E.G. Barnett Road (Cheek property) and

**WHEREAS**, said annexation application includes the written and signed applications of all (100%) of the owners of all of the land, except the owners of any public street, road, highway, or right of way, proposed to be annexed, as required by O.C.G.A. § 36-36-21; and

**WHEREAS**, additionally, the applicant seeks to rezone approximately 84.46 acres contiguous to the proposed annexation, said lands including a part of Map/Parcel 119/019, i.e., part of remainder of Sell property, 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); and

**WHEREAS**, The total estimated acreage within the proposed PUD site plan/ zoning district is 109.72 acres; of which and

**WHEREAS**, the property to be annexed and zoned PUD (Planned Unit Development District), conditional, and the property to be rezoned from A (Agricultural District) to PUD

**Ordinance Z-23-02 Providence Group PUD**

(Planned Unit Development District, conditional, are described in detail in Exhibit A which by reference is incorporated herein;

**WHEREAS**, the property to be annexed is a “contiguous area” to the existing city limits of Hoschton as that term is defined by O.C.G.A. § 36-36-20(a); and

**WHEREAS**, the Property to be annexed does not result in an “unincorporated island” as that term is defined in O.C.G.A. § 36-36-4; and

**WHEREAS**, pursuant to O.C.G.A. § 36-36-6, the city provided written notice of the proposed annexation to the governing authority of the County (the Jackson County Board of Commissioners) as required by law; and

**WHEREAS**, pursuant to O.C.G.A. § 36-36-111, notice by verifiable delivery of the proposed annexation and the proposed zoning district or districts by the city was sent to the county governing authority and the affected school system, said notice having been accomplished by certified mail or statutory overnight delivery, return receipt requested, as required; and

**WHEREAS**, the Jackson County Board of Commissioners objected to the proposed annexation pursuant to O.C.G.A. § 36-36-113, and served the city with proper notice of such objection; and

**WHEREAS**, after negotiating in good faith, the City of Hoschton and Jackson County agreed to a settlement and the county’s objection was withdrawn pursuant to an annexation dispute final order approved by Jackson County, the City of Hoschton, and the applicant and approved by the Annexation Arbitration Panel appointed by the Georgia Department of Community Affairs, with the provisions that the city must limit the proposed Planned Unit Development zone/rezone to no more than 334 dwelling units and would attach conditions of approval to said approval if annexed; and

**WHEREAS**, the Hoschton City Council has authority pursuant to O.C.G.A. § 36-36-1 *et seq.* to annex certain property and authority pursuant to the Hoschton Zoning Ordinance to amend the City of Hoschton’s Official Zoning Map; and

**WHEREAS**, the Hoschton City Council held two public hearings on the application and has complied with all applicable laws and ordinances with respect to the public notice for public hearings and for the processing of such application; and

**WHEREAS**, the city’s consulting planner has prepared a report on the annexation and zoning and rezoning request, and such report provides findings with regard to the application and the extent to which the application is consistent with standards governing the exercise of zoning power articulated in the Hoschton zoning ordinance; and

**WHEREAS**, it has been determined by the Mayor and Council that such application meets the requirements of law pertaining to said application as required by applicable provisions

**Ordinance Z-23-02 Providence Group PUD**

in Chapter 36 of Title 36 of the Georgia Code and that it is desirable, necessary and within the public's interest to approve the annexation application and zoning application of the applicant and to amend the City of Hoschton's Official Zoning Map accordingly; and

**WHEREAS**, per the requirements of HB 1385 (amending O.C.G.A. § 36-36-3), effective July 1, 2022, the city is required to file a report identifying any property annexed with the Legislative and Congressional Reapportionment Office of the General Assembly, in addition to the Georgia Department of Community Affairs and the county wherein the property annexed is located;

Now, Therefore, IT IS HEREBY ORDAINED by the Hoschton City Council as follows:

**Section 1.**

The property proposed for annexation, described in Exhibit A, is hereby annexed to the existing corporate limits of the City of Hoschton, Georgia, and is hereby zoned PUD, Planned Unit Development, conditional, subject to conditions of zoning specified in Exhibit B attached to this ordinance.

**Section 2.**

The property already inside the city limits and proposed for rezoning, described in Exhibit A, is hereby rezoned from A (Agricultural District) to PUD, Planned Unit Development, conditional, subject to conditions of zoning specified in Exhibit B attached to this ordinance.

**Section 3.**

An identification of the property annexed by this ordinance shall be filed with the Georgia Department of Community Affairs and with the governing authority of Jackson County (Jackson County Board of Commissioners) in accordance with O.C.G.A. § 36-36-3, as well as with the Legislative and Congressional Reapportionment Office of the General Assembly as required by HB 1385 (amending O.C.G.A. § 36-36-3), effective July 1, 2022. The city clerk is directed to coordinate the submission of Geographic Information System (GIS) shape files by the Jackson County Geographic Information System (GIS) Department to the City of Hoschton for transmittal to said Reapportionment office as required by law. The city clerk is further directed to enter the annexation information and signed annexation ordinance into the Georgia Department of Community Affairs' online annexation reporting system.

**Section 4.**

For ad valorem tax purposes, the effective date of this annexation and zoning shall be on December 31 of the year during which such annexation occurred.

**Section 5.**

For all purposes other than ad valorem taxes, the effective date of this annexation and zoning shall be the first day of the month following the month during which this ordinance approving the annexation and zoning was adopted.

**Section 6.**

The zoning administrator is directed to update the official zoning map of the city to reflect the new city limits and the zoning classification of the property annexed as well as the property rezoned by this ordinance.

**Section 7.**

By no later than the next five-year update of the comprehensive plan, the zoning administrator is directed to show the area annexed on the future land use plan map of the city's comprehensive plan with a land use category that most closely approximates the zoning district or districts assigned to the annexed area.

**Section 8.**

Pursuant to O.C.G.A. § 36-36-112 and the approved annexation settlement agreement, the city shall not change the zoning or land use plan relating to the annexed property to a more intense density than that stated in the notice provided to the County pursuant to § O.C.G.A. 36-36-111 for two years.

So ORDAINED, this the 16<sup>th</sup> Day of October, 2023.

---

James Lawson, Acting Mayor

This is to certify that I am City Clerk of the City of Hoschton. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this ordinance was adopted as stated and will be recorded in the official minutes.

ATTEST:

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Jennifer Kidd-Harrison, City Clerk

**Ordinance Z-23-02 Providence Group PUD**

APPROVED AS TO FORM

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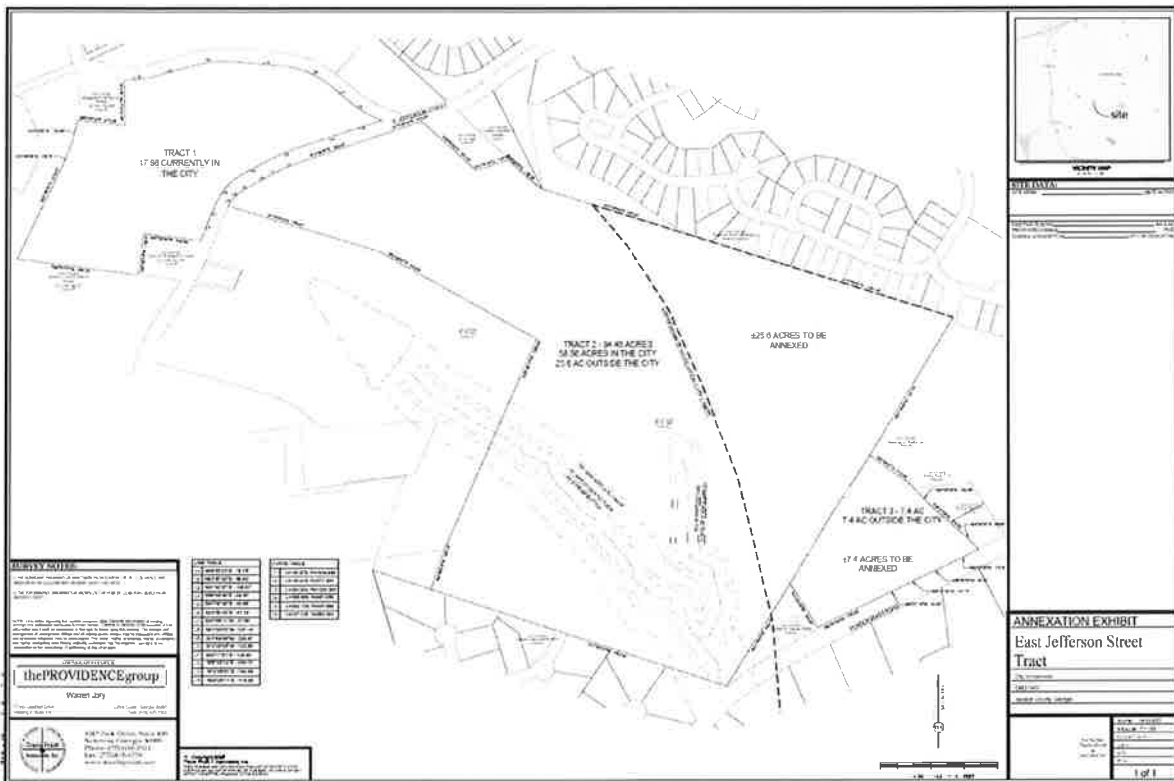
Abbott S. Hayes, Jr., City Attorney



**EXHIBIT A  
DESCRIPTIONS OF PROPERTY**

**DESCRIPTION OF PROPERTY  
ANNEXED AND ZONED PUD CONDITIONAL**

That portion of Map/Parcel 119/019 not already inside the city limits of Hoschton, and Map/Parcel 113/003A, constituting approximately 33 acres, said property fronting on the north side of Pendergrass Road (SR 332) and the west side of E.G. Barnett Road, as shown on annexation exhibit incorporated in this exhibit, and as shown on the tax maps for Map/Parcel 119/019 and, Map/Parcel 113/003A, incorporated in this exhibit, and as described by metes and bounds incorporated in this exhibit:







Tax Map/Aerial Photograph of Map/Parcel 113/003A

**DESCRIPTION OF  
East Jefferson Street Property - Annexation**

All that tract or parcel of land lying and being in Georgia Militia District 1407, Jackson County, Georgia and being more particularly described as follows:

**COMMENCING** at a point at the intersection of the Northerly right of way line of East Jefferson Street and the Southwesterly right of way line of West Jackson Road; **THENCE** following a tie line South 88 degrees 57 minutes 14 seconds East a distance of 179.18 feet to a point on the Southerly right of way line of East Jefferson Street, said point being the **'TRUE POINT OF BEGINNING**.

**THENCE** from said **TRUE POINT OF BEGINNING** leaving the Southerly right of way line of East Jefferson Street and proceeding South 48 degrees 06 minutes 53 seconds East a distance of 331.00 feet to a point; **THENCE** North 71 degrees 47 minutes 54 seconds East a distance of 150.00 feet to a point; **THENCE** South 48 degrees 48 minutes 27 seconds East a distance of 192.25 feet to a point; **THENCE** South 72 degrees 36 minutes 05 seconds East a distance of 607.87 feet to a point; **THENCE** South 72 degrees 35 minutes 55 seconds East a distance of 1347.30 feet to a point; **THENCE** South 31 degrees 14 minutes 05 seconds West a distance of 727.10 feet to a point; **THENCE** South 54 degrees 54 minutes 27 seconds East a distance of 215.32 feet to a point; **THENCE** South 43 degrees 49 minutes 00 seconds East a distance of 146.80 feet to a point; **THENCE** South 49 degrees 07 minutes 30 seconds East a distance of 219.08 feet to a point; **THENCE** South 43 degrees 54 minutes 30 seconds East a distance of 68.60 feet to a point on the Northwesterly right of way line of Pendergrass Road; **THENCE** proceeding along the Northwesterly right of way line of Pendergrass Road the following courses and distances; South 63 degrees 47 minutes 28 seconds West a distance of 170.95 feet to a point; **THENCE** South 65 degrees 00 minutes 59 seconds West a distance of 90.30 feet to a point; **THENCE** South 64 degrees 21 minutes 20 seconds West a distance of 157.77 feet to a point; **THENCE** South 64 degrees 01 minutes 18 seconds West a distance of 40.00 feet to a point; **THENCE** South 64 degrees 01 minutes 00 seconds West a distance of 349.00 feet to a point; **THENCE** leaving the Northwesterly right of way line of Pendergrass Road and proceeding North 31 degrees 34 minutes 00 seconds West a distance of 233.81 feet to a point; **THENCE** South 31 degrees 53 minutes 57 seconds West a distance of 542.72 feet to a point; **THENCE** North 71 degrees 53 minutes 22 seconds West a distance of 1392.00 feet to a point; **THENCE** North 71 degrees 53 minutes 22 seconds West a distance of 8.88 feet to a point; **THENCE** North 18 degrees 06 minutes 38 seconds East a distance of 187.16 feet to a point; **THENCE** North 23 degrees 46 minutes 17 seconds East a distance of 1036.20 feet to a point; **THENCE** North 60 degrees 58 minutes 57 seconds West a distance of 814.08 feet to a point; **THENCE** North 73 degrees 09 minutes 30 seconds West a distance of 708.67 feet to a point on the Southeasterly right of way line of East Jefferson Street; **THENCE** proceeding along said right of way line the following courses and distances; North 33 degrees 58 minutes 42 seconds East a distance of 41.14 feet to a point; **THENCE** North 47 degrees 40 minutes 48 seconds East a distance of 40.66 feet to a point; **THENCE** North 58 degrees 04 minutes 49 seconds East a distance of 44.80 feet to a point; **THENCE** North 61 degrees 42 minutes 07 seconds East a distance of 105.87 feet to a point; **THENCE** North 62 degrees 57 minutes 42 seconds East a distance of 56.62 feet to a point;

**Ordinance Z-23-02 Providence Group PUD**

THENCE North 66 degrees 51 minutes 23 seconds East a distance of 76.75 feet to a point;  
THENCE North 71 degrees 08 minutes 57 seconds East a distance of 282.40 feet to a point;  
THENCE North 71 degrees 29 minutes 12 seconds East a distance of 312.44 feet to a point, said  
point being the **TRUE POINT OF BEGINNING**.

Said tract contains 4,001,561 square feet or 91.86 acres.

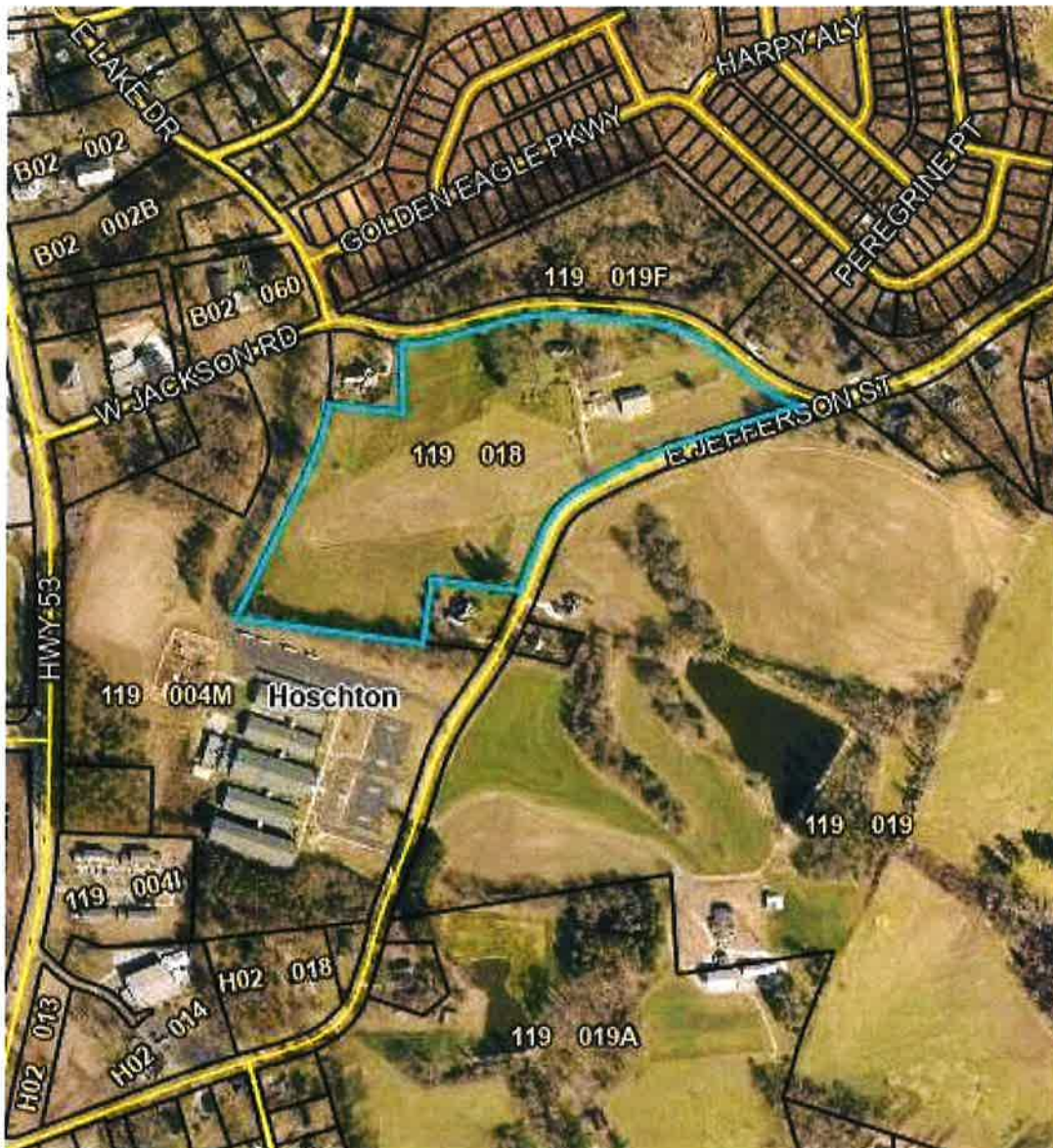
Less and Except

+/-58.86 acres currently within the limits of the City of Hoschton as shown on the attached  
Annexation Exhibit.

This will leave the remaining +/-33 acres to be annexed into the city.

**EXHIBIT A (CONTINUED)  
DESCRIPTION OF PROPERTY  
REZONED FROM A (AGRICULTURAL) TO PUD CONDITIONAL**

A total of approximately 76.72 acres described herein separately from the approximate 33 acres annexed and zoned PUD, Conditional; said 76.72 acres including a portion of Map/Parcel 119/019 already inside the city limits of Hoschton which is a portion of that property described in the following metes and bounds (approximately 58.86 acres); and Map/Parcel 119/018, constituting approximately 17.86 acres, as shown on a tax map incorporated into this exhibit and which is described in its entirety in the following metes and bounds:



**Tax Map/Aerial Photograph of Map/Parcel 119/018**

**DESCRIPTION OF  
East Jefferson Street Property**

All that tract or parcel of land lying and being in Georgia Militia District 1407, City of Hoschton, Jackson County, Georgia and being more particularly described as follows:

**COMMENCING** at a point at the intersection of the Northerly right of way line of East Jefferson Street and the Southwesterly right of way line of West Jackson Road; **THENCE** following a tie line South 88 degrees 57 minutes 14 seconds East a distance of 179.18 feet to a point on the Southerly right of way line of East Jefferson Street, said point being the **TRUE POINT OF BEGINNING**.

**THENCE** from said **TRUE POINT OF BEGINNING** leaving the Southerly right of way line of East Jefferson Street and proceeding South 48 degrees 06 minutes 53 seconds East a distance of 331.00 feet to a point; **THENCE** North 71 degrees 47 minutes 54 seconds East a distance of 150.00 feet to a point; **THENCE** South 48 degrees 48 minutes 27 seconds East a distance of 192.25 feet to a point; **THENCE** South 72 degrees 36 minutes 05 seconds East a distance of 607.87 feet to a point; **THENCE** South 72 degrees 35 minutes 55 seconds East a distance of 1347.30 feet to a point; **THENCE** South 31 degrees 14 minutes 05 seconds West a distance of 727.10 feet to a point; **THENCE** South 54 degrees 54 minutes 27 seconds East a distance of 215.32 feet to a point; **THENCE** South 43 degrees 49 minutes 00 seconds East a distance of 146.80 feet to a point; **THENCE** South 49 degrees 07 minutes 30 seconds East a distance of 219.08 feet to a point; **THENCE** South 43 degrees 54 minutes 30 seconds East a distance of 68.60 feet to a point on the Northwesterly right of way line of Pendergrass Road; **THENCE** proceeding along the Northwesterly right of way line of Pendergrass Road the following courses and distances; South 63 degrees 47 minutes 28 seconds West a distance of 170.95 feet to a point; **THENCE** South 65 degrees 00 minutes 59 seconds West a distance of 90.30 feet to a point; **THENCE** South 64 degrees 21 minutes 20 seconds West a distance of 157.77 feet to a point; **THENCE** South 64 degrees 01 minutes 18 seconds West a distance of 40.00 feet to a point; **THENCE** South 64 degrees 01 minutes 00 seconds West a distance of 349.00 feet to a point; **THENCE** leaving the Northwesterly right of way line of Pendergrass Road and proceeding North 31 degrees 34 minutes 00 seconds West a distance of 233.81 feet to a point; **THENCE** South 31 degrees 53 minutes 57 seconds West a distance of 542.72 feet to a point; **THENCE** North 71 degrees 53 minutes 22 seconds West a distance of 1392.00 feet to a point; **THENCE** North 71 degrees 53 minutes 22 seconds West a distance of 8.88 feet to a point; **THENCE** North 18 degrees 06 minutes 38 seconds East a distance of 187.16 feet to a point; **THENCE** North 23 degrees 46 minutes 17 seconds East a distance of 1036.20 feet to a point; **THENCE** North 60 degrees 58 minutes 57 seconds West a distance of 814.08 feet to a point; **THENCE** North 73 degrees 09 minutes 30 seconds West a distance of 708.67 feet to a point on the Southeasterly right of way line of East Jefferson Street; **THENCE** proceeding along said right of way line the following courses and distances; North 33 degrees 58 minutes 42 seconds East a distance of 41.14 feet to a point; **THENCE** North 47 degrees 40 minutes 48 seconds East a distance of 40.66 feet to a point; **THENCE** North 58 degrees 04 minutes 49 seconds East a distance of 44.80 feet to a point; **THENCE** North 61 degrees 42 minutes 07 seconds East a distance of 105.87 feet to a point; **THENCE** North 62 degrees 57 minutes 42 seconds East a distance of 56.62 feet to a point;

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THENCE North 66 degrees 51 minutes 23 seconds East a distance of 76.75 feet to a point;  
THENCE North 71 degrees 08 minutes 57 seconds East a distance of 282.40 feet to a point;  
THENCE North 71 degrees 29 minutes 12 seconds East a distance of 312.44 feet to a point, said point being the **TRUE POINT OF BEGINNING**.

Said tract contains 4,001,561 square feet or 91.86 acres.

Together With:

All that tract or parcel of land lying and being in Georgia Militia District 1407, City of Hoschton, Jackson County, Georgia and being more particularly described as follows:

**BEGINNING** at a point at the intersection of the Northerly right of way line of East Jefferson Street and the Southwesterly right of way line of West Jackson Road, THENCE proceeding along the Northerly right of way line of East Jefferson Street the following courses and distances; South 72 degrees 26 minutes 05 seconds West a distance of 130.56 feet to a point; THENCE South 71 degrees 54 minutes 55 seconds West a distance of 226.47 feet to a point; THENCE along a curve to the left with a radius of 1220.39 feet and an arc length of 198.93 feet, said curve having a chord bearing of South 67 degrees 14 minutes 44 seconds West and a chord distance of 198.71 feet to a point; THENCE South 61 degrees 34 minutes 33 seconds West a distance of 107.14 feet to a point; THENCE along a curve to the left with a radius of 277.80 feet and an arc length of 183.41 feet, said curve having a chord bearing of South 43 degrees 39 minutes 41 seconds West and a chord distance of 180.10 feet to a point; THENCE along a curve to the left with a radius of 1604.96 feet and an arc length of 100.67 feet, said curve having a chord bearing of South 22 degrees 57 minutes 00 seconds West and a chord distance of 100.65 feet to a point; THENCE South 21 degrees 09 minutes 11 seconds West a distance of 87.59 feet to a point; THENCE departing the Northwesterly right of way line of East Jefferson Street and proceeding North 82 degrees 28 minutes 43 seconds West a distance of 258.96 feet to a point; THENCE South 07 degrees 33 minutes 35 seconds West a distance of 189.75 feet to a point; THENCE North 82 degrees 27 minutes 17 seconds West a distance of 550.75 feet to a point; THENCE North 25 degrees 58 minutes 30 seconds East a distance of 470.50 feet to a point; THENCE North 21 degrees 38 minutes 50 seconds East a distance of 109.73 feet to a point; THENCE North 14 degrees 12 minutes 51 seconds East a distance of 104.05 feet to a point; THENCE South 83 degrees 22 minutes 16 seconds East a distance of 215.25 feet to a point; THENCE North 01 degrees 15 minutes 11 seconds West a distance of 203.33 feet to a point on the Southerly right of way line of West Jackson Road; THENCE proceeding along said right of way line the following courses and distances; North 84 degrees 26 minutes 11 seconds East a distance of 114.04 feet to a point; THENCE North 73 degrees 45 minutes 01 seconds East a distance of 184.46 feet to a point; THENCE along a curve to the right with a radius of 568.00 feet and an arc length of 207.32 feet, said curve having a chord bearing of North 84 degrees 12 minutes 24 seconds East and a chord distance of 206.17 feet to a point; THENCE South 85 degrees 20 minutes 12 seconds East a distance of 209.13 feet to a point; THENCE along a curve to the right with a radius of 401.56 feet and an arc length of 243.12 feet, said curve having a chord bearing of South 67 degrees 59 minutes 32 seconds East and a chord distance of 239.42 feet to a point; THENCE South 50 degrees 17 minutes 51 seconds East a distance of 126.40 feet



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to a point; THENCE along a curve to the left with a radius of 461.85 feet and an arc length of 155.97 feet, said curve having a chord bearing of South 60 degrees 36 minutes 50 seconds East and a chord distance of 155.23 feet to a point, said point being the **TRUE POINT OF BEGINNING**.

Said tract contains 777,817 square feet or 17.86 acres.

**EXHIBIT B**  
**CONDITIONS OF ZONING/REZONING APPROVAL**

1. **Site plan and letter of intent.** Development shall be in substantial accordance with the letter of intent and community benefit statement dated August 7, 2023, attached to this ordinance Z-23-02, except as modified by these conditions of zoning approval. Development shall be in substantial accordance with the site plan titled “Zoning Plan for East Jefferson Tract” and The Providence Group, dated August 7, 2023, by Edward J. Anderson, landscape architect, for the firm Travis Pruitt & Associates, Inc., attached to this ordinance Z-23-02, except as modified by these conditions of zoning approval; provided, however, that modifications to the site plan may be proposed by the applicant and approved by the City Council as a part of preliminary plat approval so long as they do not change a condition of zoning approval. Any notes on said zoning plan inconsistent with these conditions of approval shall not apply.
2. **Permitted uses.**
  - (a) Uses in the PUD shall be limited to detached, single-family dwellings, fee-simple townhouses, uses and structures accessory to said uses, active and passive recreational facilities and amenities, and open space, as more specifically provided and limited in these conditions of zoning approval.
  - (b) Uses within that portion of the PUD west of East Jefferson Street (Map/Parcel 119/018; 17.91 acres) shall be limited to fee-simple townhouses and/or detached, single-family dwellings, uses and structures accessory to said uses, active and passive recreational facilities and amenities, and open space.
  - (c) Uses within that portion of the PUD east of East Jefferson Street (part of Map/Parcel 119/019 and Map/Parcel 013/003A; approximately 84.62 acres and 7.24 acres, respectively) detached, single-family dwellings, uses and structures accessory to said use detached, single-family dwellings, active and passive recreational facilities and amenities, and open space.
3. **Maximum densities/housing units.**
  - (a) The PUD shall not exceed a total of 334 dwelling units.
  - (b) That portion of the PUD west of East Jefferson Street (Map/Parcel 119/018; 17.91 acres) shall not exceed a maximum density of five (5) dwelling units per acre (measured on the basis of land area before any right of way dedication) (i.e., 90 units) (i.e., the maximum recommended by the medium density residential future land use plan category of the Hoschton comprehensive plan).
4. **Dimensional requirements.** The PUD shall be subject to the dimensional requirements specified in these conditions of zoning approval.

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- (a) **Maximum building height, all units:** 35 feet.
- (b) **Minimum driveway length.** From edge of sidewalk (front loading) or alley (rear loading) to face of garage, all units: 20 feet.
- (c) **Parking, all units:** A two-car garage is required for each unit.
- (d) **Dimensional requirements by lot type:** The following dimensional requirements and limitations shall apply to dwellings and lots:

<b>Lot Type Identifier</b>	<b>Minimum Lot Size (sq. ft.)</b>	<b>Minimum Lot Width (ft.)</b>	<b>Minimum Front, Side Rear Building Setbacks (ft.)</b>	<b>Maximum Number of Lots (not to exceed 334 total)</b>
B (alley loaded)	4,000	40	5, 5, 10	None
A (front loaded)	5,000	50	10, 5, 10	None
E (front loaded)	7,000	60	10, 5, 20	None
F (front loaded)	7,000	70	10, 5, 40	None
G (front loaded)	4,000	40	10, 5, 10	None
C (fee simple townhouse alley loaded)	2,000	24	5, 0, 10 (20' between buildings)	90
D (fee simple townhouse front loaded)	2,000	24	10, 0, 10 (20' between buildings)	

- (e) **Lots abutting Brighton Park:** All subdivision lots that abut a residential lot within Brighton Park subdivision shall be required to be Type “E” front loaded lots.
- (f) **Lots abutting Pendergrass Road (SR 332) and Map/Parcels 113/004, 113/002 and 113/002A:** All subdivision lots that abut Pendergrass Road (SR 332) and Map/Parcels 113/004, 113/002 and 113/002A shall be required to be Type “F” front loaded lots.
- (g) **Dimensional requirement not specified.** Where the approved PUD application and these conditions of zoning fail to articulate a given regulation, such as accessory building setbacks, maximum lot coverage, and the like, the project shall be required to adhere to dimensional requirements of the MFR (Multi-family Residential) zoning district and general provisions of the Hoschton zoning ordinance, unless a variance is applied for and obtained.
- (h) **Special open space and buffer.** Abutting Map/Parcels 119/019D and 119/046, there shall be common open space with a minimum depth of 30 feet, within which a minimum 20-foot-wide buffer shall be planted and maintained, prior to final plat approval for the applicable phase of development.

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- (i) **Buffer and fence abutting Legacy Oaks subdivision lots.** All subdivision lots abutting the Legacy Oaks Subdivision shall have a 20-foot graded and replanted buffer including a six-foot high privacy fence. The buffer and fence shall be maintained by the homeowner's association and a maintenance easement shown across all such lots on the final plat for the applicable phase of development.
  - (j) **Fence abutting remainder of Map/Parcel 119/019 and 119/019A (Sell Tracts).** The owner/developer shall install a six-foot high privacy fence with the finished side of the fence facing outward from the development along all property lines abut the remainder of property known as Map/Parcel 119/019 (i.e., that part not included in the PUD) and Map/Parcel 119/019A. No certificate of occupancy shall be issued for a lot abutting said property until the fence is installed along that lot. The fence shall be maintained by the homeowner's association, and a maintenance easement shall be shown across all such lots on the final plat for the applicable phase of development.
  - (k) **Open space.** Open space tracts shall be required to be delineated separately from stormwater detention tracts, unless the zoning administrator accepts calculations of open space that separate stormwater facilities from lands authorized to be counted as open space per the PUD requirement for open space in the city's zoning ordinance.
  - (l) **Minimum heated floor area per dwelling unit:** 1,400 square feet.
5. **Minimum/maximum required entrances/exits.**
- (a) **West Jackson Road.** There shall be no more than one street entrance/exit, which will be private unless a public street is approved by City Council, onto West Jackson Road to/from that portion of the PUD west of East Jefferson Street (i.e., Map/Parcel 119/018). A private street entrance/exit street may be gated.
  - (b) **East Jefferson Street.** There shall be no more than one street entrance/exit, which will be private unless a public street is approved by City Council, onto East Jefferson Street, to/from that portion of the PUD east of East Jefferson Street (i.e., Map/Parcel 119/019). This street connection shall align with West Jackson Road, as required to be realigned by these conditions of zoning approval. A private street entrance/exit street may be gated.
  - (c) **Pendergrass Road (SR 332).** There shall be one street entrance/exit serving the PUD connecting to Pendergrass Road (SR 332), which will be private unless a public street is approved by City Council. the location and design of which shall be subject to the approval of Georgia Department of Transportation. If private, the private street entrance/exit may be gated. In addition, there shall be a right of way reserved for a future public street onto Pendergrass Road, as shown on the site plan, the location and design of which shall be subject to the approval of Georgia Department of Transportation (see further description below).
  - (d) **Private through street.** The PUD subdivision design shall be required to include a street (private and gated unless otherwise approved by the City Council) that connects

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Pendergrass Road (SR 332) and East Jefferson Street which shall be constructed by the owner/developer as the PUD is developed/phased.

- (e) **Public through street right of way (reservation and dedication).** The owner/ developer shall reserve land (in substantial conformance with that shown on the site plan or as otherwise approved by City Council, the exact alignment of which may be modified if necessitated by site planning and engineering) for a future public street right of way connecting Pendergrass Road (SR 332) within the boundary of Map/Parcel 113/ 004 (controlled by the owner/developer at the time of this ordinance approval but not included within the boundary of the PUD), and extending across all of the southern boundary of that portion of Map/Parcel 119/019 controlled by the owner/ developer, to a point westerly where it intersects with the common property line of Map/Parcel 119/ 019 (within the PUD) and 119/019A (i.e., adjacent tract owned by Shannon Sell). There shall be no development authorized within the reserved right of way unless specifically approved by the City Council. If this future right of way is shown on an “official corridor map” as a future public street (or similarly titled planning document or component of the comprehensive plan) adopted by the City Council, then prior to issuance of final plat approval for any phase in the PUD, the owner/ developer shall dedicate the future public right of way in fee simple title at no cost to the city. If Map/Parcel 113/004, that part of Map/Parcel 119/019, or any other part of the land showing the future public street is sold or ownership transferred to another entity, such sale or ownership transfer shall be required to be deed restricted so that this obligation to reserve and dedicate the future public street right of way shall survive and be binding on any future owner of Map/Parcel 113/004 and that part of Map/Parcel 119/019. Furthermore, any subsequent owner of the right of way shall be required via deed restriction to dedicate said future public street right of way to the city at no cost to the city, prior to development permit approval for any development on Map/Parcel 113/ 004 or that portion of Map/Parcel 119/019A showing the future public street reservation. Once the right of way for the future public street is dedicated to the city, this zoning condition shall not be construed in any way to prohibit completion of the PUD by the owner/ developer per this ordinance.
- (f) **Annexation of Map/ Parcel 113/004.** To facilitate the above condition relative to the future public street right of way, the owner/ developer agrees to annexation of Map/Parcel 113/ 004 and agrees to apply for annexation of Map/Parcel 113/004 within six months of the effective date of this ordinance and to apply for zoning of said parcel to PUD to be incorporated into the PUD approved by this ordinance.
- (g) **No access easements and other limitations.** No individual lot for any dwelling unit shall be allowed a driveway or direct vehicular access to West Jackson Road, East Jefferson Street, or Pendergrass Road (SR 332). A 10-foot wide no access easement and planting strip shall be required along the entire property frontage along all such routes and shall be shown on all final plats. This limitation shall not apply to any private streets within the PUD.
- (h) **E.G. Barnett Road access.** No access other than for dwellings existing at the time of this PUD approval shall be permitted to E.G. Barnett Road, and such access if utilized shall

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be discontinued upon final plat approval for that portion of the subdivision and a 10-foot-wide no access easement and planting strip shall be required and shown on any final plat with frontage on E.G. Barnett Road.

**6. Internal subdivision streets and alleys.**

- (a) **Street standards; reduction.** The standards for private streets, shall be as depicted on the site plan and in the application, unless otherwise approved by the City Council at the time of preliminary plat approval, in which case Council may authorize a reduction of right of way width or pavement width. Rolled curbs shall be authorized. Paving standards, including but not limited to thickness of asphalt, shall meet City of Hoschton subdivision and land development standards.
- (b) **Gates.** If gates to local private subdivision streets are provided, the gates shall be setback from the applicable right of way a minimum distance determined safe and appropriate by a traffic engineer and as approved by the city's public works director.
- (c) **Alleys; reduction.** Any alleys included, shall be private, not public. Easements for alleys shall be a minimum of 30 feet in width, and the minimum pavement width for alleys shall be a 16 feet (curbs not required); provided however, that the owner may propose and the Hoschton City Council may approve reductions to such standards for private alleys, including but not limited to reduction of right of way or reduction of pavement width, during the process of considering and approving a preliminary plat for the subdivision, without the need to modify these conditions of zoning approval.
- (d) **On-street parking.** On-street parking on private streets may be permitted at the discretion of the owner.

**7. West Jackson Road improvements.** Prior to final plat approval for that portion of the PUD west of East Jefferson Street, the subdivider shall be required to complete the following:

- (a) **Right of way.** Dedication of an additional five feet of right of way along the entire property frontage of West Jackson Road.
- (b) **Pavement, curb and gutter, and sidewalk.** Installation of an additional four feet of pavement (or 13 feet from the centerline), and vertical curb and gutter along with a five-foot wide sidewalk along the entire property frontage of West Jackson Road.
- (c) **Deceleration lane.** Installation of a deceleration lane eastbound on West Jackson Road into the development.

**8. Improvement of intersection of West Jackson Road and East Jefferson Street.** Prior to any final plat approval for the respective property with frontage, the subdivider shall be required to complete the following:

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- (a) **Right of way.** Dedication of additional right of way sufficient along East Jefferson Street and West Jackson Road to allow for the realignment of West Jackson Road to intersect East Jefferson Street at a 90 degree angle or as required for the installation of a round-about, if authorized by the city.
  - (b) **Realignment.** Realignment of West Jackson Road to intersect East Jefferson Street at a 90 degree angle or as required for the installation of a round-about.
  - (c) **Consideration of round-about.** Prior to or in conjunction with preliminary plat approval, the owner/ developer may propose, and the City Council may approve, a round-about in lieu of a four-way realigned intersection of West Jackson Road and East Jefferson Street. The applicant shall be required to fund the cost of a third-party (independent and disassociated with the owner/ developer) traffic engineer approved, chosen and managed by the city to provide a conceptual design of a round-about and to evaluate the traffic impacts in comparison with a signalized, four-way intersection. Said evaluation shall take into account traffic patterns and conditions when Jackson County public schools are in session.
  - (d) **Pavement, curb and gutter, and sidewalk.** Improvement/ widening of the realigned intersection of West Jackson Road and East Jefferson Street with three lanes at all four intersection approaches (i.e., including left turn lane, a separate through lane and a lane for opposing traffic), with stacking/ queuing distances for the left turn lanes or as specified by a third-party traffic engineer approved, chosen and managed by the city. These improvements may be replaced with a round-about improvement if approved by the City Council after consideration by the third-party traffic engineer and affirmative recommendation of the city's public works director and zoning administrator.
  - (e) **Traffic signal contribution.** Payment to the city/escrow of \$100,000 toward installation of a traffic signal at the intersection of West Jackson Road and East Jefferson Street, \$25,000 of which shall be paid prior to final plat approval for the final phase of that part of the PUD west of East Jefferson Street, and \$75,000 of which must be paid prior to final plat approval for the final phase of the PUD east of East Jefferson Street. This payment shall be encumbered for the specified purpose by the city within six years of the date the full amount of such funds are received by the city, or else such funds shall be refunded by the city to the subdivider. This condition shall be null and void if a round-about is approved by the city.
9. **East Jefferson Street.** Prior to any final plat approval for the respective property with frontage, the subdivider shall be required to complete the following:
- (a) **Right of way.** Additional right of way along both sides of East Jefferson Street if necessary to provide for the intersection improvement required by the condition of zoning approval (or round-about if approved by the city) for West Jackson Road, approved by the city's public works director and zoning administrator.

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- (b) **Pavement, curb and gutter, and sidewalk.** Widening of East Jefferson Street along the entire property frontage to a total pavement width of 36 feet, or an alternative pavement width as specified by a third-party traffic engineer and approved by the city's public works director and zoning administrator, including vertical curb and gutter and a five-foot wide sidewalk on both sides (both property frontages) This shall include sufficient pavement for a deceleration (right turn) lane northbound into the single-family detached residential subdivision on the east side of East Jefferson Street if specified by a third-party traffic engineer, as approved by the city's public works director and zoning administrator.
10. **Improvement of Pendergrass Road (SR 332).** Prior to any final plat approval for the respective property with frontage, the subdivider shall be required to install improvements as may be required by the Georgia Department of Transportation for the private street entrance/exit serving the PUD.
11. **Deed restriction regarding ownership.** Except for the subdivision declarant, no more than 20 percent of the homes in the portion of the PUD west of East Jefferson Street (Map/Parcel 119/018; 17.91 acres) shall be owned by any one individual, firm, or corporation. Except for the subdivision declarant, no more than 20 percent of the homes in the portion of the PUD east of East Jefferson Street (part of Map/Parcel 119/019 and Map/Parcel 013/003A; approximately 84.62 acres and 7.24 acres, respectively) shall be owned by any one individual, firm, or corporation. A deed restriction shall be incorporated to this effect in the project conditions, covenants and restrictions.
12. **Water and Sewer; front water line easement.** All dwellings in the PUD and any active recreation buildings/facilities shall be connected to City of Hoschton water and sanitary sewer. Unless otherwise approved by the city engineer, there shall be a 10-foot-wide easement along the front of each lot as required by the city's water and sewer specifications and standard drawings. Easements may be authorized by the city to overlap with other access and utility easements if approved by the city engineer.
13. **Architectural elevations and external building material finishes.** The owner/developer shall submit for City Council's consideration and approval, prospective front, side and rear elevations of all dwelling types included in the PUD, prior to issuance of a building permit for any such building. Once approved the elevation drawings shall be binding on all builders and enforceable at the time of building permit issuance.
14. **Recreational amenities.** There shall be recreational amenities for the PUD provided by the owner in substantial accordance with those described in the letter of intent made a part of the PUD application and attached to this ordinance.
15. **No waiver of codes.** Unless specified otherwise or in conflict with these conditions of approval, the PUD shall be governed by city ordinances in effect at the time of development, as may be amended, including but not limited to applicable portions of the zoning ordinance, subdivision and land development ordinance, development impact fee ordinance, stream buffer ordinance, stormwater management ordinance, stormwater utility ordinance, flood



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damage prevention ordinance, sign ordinance, building and life safety codes, and adopted water and sewer specifications and standard drawings.

16. **Active recreation amenity.** The active recreational amenity for the PUD shall be constructed and ready for issuance of a certificate of occupancy no later than the city's issuance of the 168<sup>th</sup> dwelling unit in the PUD.
17. **Sewage lift station.** If a sewage lift station is required to serve the development, the following conditions shall apply:
  - (a) There shall be no more than one such lift station for the PUD.
  - (b) The sewage lift station shall be constructed by the owner/developer at no cost to the city, except as otherwise conditionally provided in this zoning condition.
  - (c) Unless otherwise approved by the city, the sewage lift station shall be dedicated to the city of Hoschton, shall be on a lot twice the size needed for the lift station to allow for expansion, or replacement while still being operational as approved by the city engineer, and said lift station lot shall be deeded in fee simple title to the city within one year of final construction approval. Said lot shall have at least 30 feet of frontage on a public or private street unless such frontage is not feasible in the zoning administrator's opinion, in which case a 20-foot-wide access easement shall be acceptable.
  - (d) The city may present an option or options to the owner/ developer regarding the location, design, and capacity of the sewage lift station, if one is provided, but such option(s) shall be presented by the city to the owner/ developer prior to issuance of a land disturbance permit and development permit for any portion of the PUD connected to the city public sewer system. If determined in the public interest by the city, the city may require and the owner/developer shall authorize: (1) the oversizing of the sewage lift station prior to development to serve other development with the additional costs of oversizing the lift station paid by the city or another developer; and (2) relocating the sewage lift station further downstream with the additional connection costs resulting from relocation borne by the city and/or another developer. The additional costs of oversizing or relocating the sewer lift station and final cost sharing arrangement of such oversizing or relocation shall be as mutually agreed upon by the city and owner /developer.
  - (e) After construction of the sewage lift station by the owner/developer (if provided) and dedication to the city, if determined in the public interest by the city, the city may on its own initiative initiate a capital project to oversize the lift station to serve subsequent additional development upstream of the sewer lift station.
  - (f) The applicant shall be required to pay sewage lift station maintenance fees as adopted by the Hoschton City Council.

**Ordinance Z-23-02 Providence Group PUD**

**18. Project Phasing.** Prior to approval of any preliminary plat for Planned Unit Development, the owner/ developer shall submit a phasing plan for the residential development that provides discrete numbers of units to be constructed for each phase and year intervals (start and finish years) for each phase proposed.

**19. Pre-payment of water and sanitary sewer connection charges.** Owner/developer (The Providence Group) and its successor and assigns) agrees to assist the city in funding the costs incurred by the City in constructing capital improvements for water supply and sanitary sewerage capacity and treatment to serve the proposed Planned Unit Development. To that end, owner/developer (The Providence Group and its successor and assigns) agrees that as a condition of the city providing water and sanitary sewer service for the Planned Unit Development, owner/developer shall be required to pre-purchase water and sanitary sewer connection fees per dwelling unit according to the adopted connection fees in effect at the time of payment, according to the following schedule:

<b>Connection Fee Pre-payment Due</b>	<b>Number of Dwelling Unit Water and Sanitary Sewer Connections Required to be Purchased/ Pre-paid</b>
Within 60 days of preliminary plat approval for the planned unit development or any portion thereof	30
Prior to the first final plat approval for any portion of the PUD	30

Pre-paid connections for water and sewer shall be not be transferable or assigned to another project or owner/developer in the City of Hoschton without explicit approval of the City Council.

EXHIBIT C  
LETTER OF INTENT



Letter of Intent & Community Benefit Statement  
Revised: August 7, 2023

The Providence Group of Georgia, LLC ("TPG" or "Applicant") proposes development of a residential master planned community in the City of Hoschton.

At The Providence Group, our strategic advantage as a homebuilder is our ability to find, entitle and develop land opportunities into premier, one of a kind neighborhoods in the most desirable locations around Atlanta. Our accessibility to the best land in Atlanta is unrivaled as most large private or public builders lack the ability or willingness to develop the innovative site plans and diverse home designs required to maximize the potential of these sites. Long-standing collaboration with the area's best land-planners, architects and tenured operational staff have resulted in a portfolio of creative, award-winning communities with traditional home design that set the standard for excellence in homebuilding and development in the region. The Providence Group has a unique strategic advantage with our position as a subsidiary of Green Brick Partners. This partnership provides us the operational ability to act entrepreneurially and combines our local expertise in the Atlanta market with the strong financial resources of a publicly traded company.

TPG proposes to develop the community pursuant the City of Hoschton Zoning Ordinance Section 4.08 - PUD, Planned Unit Development District. The PUD allows us the flexibility and creativity to plan the project with a unique mixture of housing types, amenities, active open spaces, and preserved, natural open spaces.

These properties have historically been used for agricultural purposes and remain agricultural today. The Shannon C. Sell Family will be retaining a portion of their property as their home.

The Sell and Cheek tracts are contiguous and generally bound by East Jefferson Street/Maddox Road to the north, the Brighton Park subdivision and EG Barnett Road to east, Pendergrass Road (Highway 332) to the south, the Legacy Oaks subdivision and the remaining Sell Farm to the west. The West Jackson LLC tract is to the north of these tracts and is generally bound by West Jackson Road to the north and east, East Jefferson Street to the south, and West Jackson Elementary school to the west.

The proximity of the property to the growing downtown/commercial areas of Hoschton and Braselton make the site a prime candidate for residential development. Additionally, easy access to Highway 53 and Interstate 85 is provided by proposed entrances on E. Jefferson Street, W. Jackson Road, and Pendergrass Road (Highway 332).

The City of Hoschton Future Land Use Plan (February 2021) included in the Comprehensive Plan, 2021 – 2040, 2022 Update designates these properties as Residential Moderate Density (MDC). The subject property, the Sell Farm, is specifically mentioned for low and medium residential development. The PUD district allows the flexibility to deliver a moderate density community aligned with the Comprehensive Plan with a greater variety of housing options and amenities than could be achieved with a traditional zoning district.

## Ordinance Z-23-02 Providence Group PUD



A portion of the Sell Tract (Parcel Number 119 019: +/- 25.6 acres) and the entire Cheek Tract (Parcel Number 113 003A: +/- 7.24 acres) are currently in unincorporated Jackson County. The Applicant concurrently requests annexation of this +/- 32.84 acres into the City of Hoschton.

### Development Plan

The Development Plan is attached as Exhibit "A".

### Land Uses and Development Summary

The zoning application includes approximately 109.77 acres consisting of the following:

- +/- 84.62 acres – Jackson County Parcel Number: 119 019 (a portion of) – Owner: Shannon C. Sell
- +/- 7.24 acres – Jackson County Parcel Number: 113 003A – Owner: Paul T. Cheek, Jr. & Brenda A. Cheek
- +/- 17.91 acres – Jackson County Parcel Number: 119 018 – Owner: West Jackson LLC

The community will consist of multiple housing types with traditional home designs to include front entry single family homes, rear load single family homes with alleys, front entry townhomes, and rear entry townhomes with alleys. Example elevations are filed with this Letter of Intent in the attached "Pattern Book". In addition, the project will include a community clubhouse, swimming pool, pickleball courts, community green spaces, a dog park, and accessible natural areas such stream buffers. These open spaces and recreation areas will make up a minimum of 20% of the total site area. We believe our proposed variety of housing types, home designs, and outstanding amenities will be compatible with the surrounding uses, blend harmoniously into the area, and result in a community that will be a great asset to the City of Hoschton.

The community is proposed to be gated with private roads to be maintained by the Homeowner's Association. The road frontages of West Jackson Road, East Jefferson Street/Maddox Road, and Pendergrass Road shall have decorative aluminum picket fences or privacy fences. Property lines abutting EG Barnett road, adjacent subdivisions, and the Sell Farm shall have a 6-foot privacy fence.

Membership in the Homeowner's Association will be mandatory for all residents. In addition to maintaining the roads, amenities, and common areas, it will maintain all landscaping to allow a maintenance free lifestyle and a high aesthetic standard. In attached housing, the exterior maintenance and roof replacement will also be covered by the association.

The project will be developed in phases to be determined as engineering plans progress. Following an approved zoning by the third quarter of 2023, the first phase will likely begin development no later than the first quarter of 2024. The first home closings are anticipated to occur between the fourth quarter of 2024 and the first quarter of 2025. Depending on market conditions, sales should be complete in four to seven years.

Six (6) single family residential lot/unit types and associated amenities and open spaces shall be allowed by the application. The housing types shall be defined and quantified as follows:

## Ordinance Z-23-02 Providence Group PUD



**Type A: 50' Front Entry Detached Lots**

**Type B: 40' Rear Entry (Alley) Detached Lots**

**Type C: Rear Entry (Alley) Townhomes**

**Type D: Front Entry Townhomes**

**Type E: 60' Front Entry Detached Lots (Lots abutting Brighton Park)**

**Type F: 70' Front Entry Detached Lots (Lots abutting Pendergrass Road (SR 332) and Map/Parcels 113/004, 113/002, and 113/002A)**

**Type G: 40' Front Entry Detached Lots**

TPG shall have the right to make modifications to the site layout and number of each unit type as engineering plans progress with the total unit count not to exceed 334 units.

### **Dimensional Requirements**

Each housing type's Dimensional Requirements shall be defined as follows in Exhibits "B-1 – B-6".

### **Improvement Requirements**

Improvement Requirements shall be defined as follows in Exhibits "B-1 – B-6".

### **Example Elevations/Pattern Book**

Example architectural elevations are depicted in the "Pattern Book" attached as Exhibit "C". Pursuant to the proposed Conditions, final architectural elevations and external finishes shall be approved by the City Council prior to issuance of building permits.

### **Conditions of Zoning**

Conditions of Zoning are attached as Exhibit "D".

### **Justification for Rezoning and Annexation**

Please find attached letter of Justification for Rezoning and Annexation submitted by Melody Glouton of Anderson, Tate, & Carr, P.C. via email and hand delivery to the City of Hoschton Mayor and City Council on May 11, 2023 as Exhibit "E".





**Jerry Weitz & Associates, Inc.  
Planning & Development Consultants**

1225 Rucker Road, Alpharetta, Georgia 30004  
Phone: (404) 502-7228 E-Mail: [jweitz@bellsouth.net](mailto:jweitz@bellsouth.net)

Growth Management  
Comprehensive Planning  
Zoning & Land Use Regulations  
Land Development Applications  
Expert Testimony  
Zoning Administration

**MEMORANDUM**

TO: Honorable Mayor and City Council, City of Hoschton

FROM: Jerry Weitz, Consulting Planner

DATE: August 17, 2023

RE: City Council Work Session Agenda Item: Z-23-02 Annexation and Zoning and Rezoning: from county and A (Agricultural) District to PUD (Planned Unit Development) District, State Route 332, East Jefferson Street, and West Jackson Road

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This memorandum provides planning staff's recommended modifications to the set of zoning conditions attached to Ordinance Z-23-02, along with a rationale for changing the conditions.

The city planner and city manager have been involved in negotiations with the applicant, the Providence Group, since June 2023 in an effort to gain agreement on conditions of zoning approval for the development. We had succeeded in gaining agreement on many if not most of the conditions of approval. However, one of the points of disagreement during negotiations between planning staff and the Providence Group was staff's urging that the subject property be required to include a public street connection between SR 332 and East Jefferson Street (i.e., "interconnection") through the developed portion of the Planned Unit Development (PUD). I refer to this as option "A" and the "preferred" or "initial" recommendation and is shown on a map attached to this memo.

For various reasons, the applicant would not agree to Option "A" interconnection. At the last meeting between city staff and Providence Group, with participation of Shannon Sell (the major of three property owners), consensus was reached: the applicant agreed to reserve a future right of way that would allow for a road south of the developed part of the PUD connecting to other parts of the Sell farm and beyond. The ordinance, made part of the council's work session package for today, includes conditions relating to that alternative proposal for interconnectivity. That alternative is referred to here as option "B" or the alternative recommendation, and is shown on a map attached to this memo (along with other staff-proposed interconnecting streets).

For reasons not necessarily made evident to planning staff, The Providence Group has now terminated its agreement with the property owners and is no longer the applicant for the project. The major landowner, Shannon Sell, wishes to proceed with the project and has received letters that authorize him to continue with the subject application as applicant. City staff continued to negotiate with Mr. Sell, and the result was the recommended changes to zoning conditions in this memorandum. The remainder of this memo explains briefly the rationale for the changes.

Mr. Sell has agreed to modify the condition so that it *may* include Option A interconnection, at the option of the applicant. Again, this was the first and preferred alternative of planning staff to provide public street connectivity between SR 332 and East Jefferson Street. But there is no certainty that another developer would be willing to reserve and construct the public interconnecting road as urged by planning staff. That is, the owner/ developer would still be able to make the interconnecting street through the developed part of the PUD a *gated private street*. Hence a first change is to reinsert the option originally preferred by planning staff that it may (but is not required to) be an interconnecting *public* street.

Other conditions in Ordinance Z-23-02 would require that the owner/developer dedicate the right of way for Option "B" prior to approval of a final plat for the PUD. Another condition in Ordinance Z-23-02 would require the owner/ developer to purchase a piece of land not now in the city, and not part of the PUD but which was per Providence Group under contract, which provides the connection for Option "B" to SR 332. Mr. Sell, who again has assumed the status of applicant for Z-23-02, has indicated he is unable or unwilling to purchase the small piece of additional land. Also, Mr. Sell has indicated that the city has, or would still retain, leverage to ensure that an alternative such as "option B" interconnection could still occur. He noted that if planning staff insisted on getting the right of way reservation proposed by Providence Group, it would be basically a path to nowhere for now, and that through future rezoning and/or future development permitting of abutting parcels the city could still accomplish the objective of an interconnecting public street (through multiple parcels) even if the owner/developer elected not to make "Option A" a interconnecting public street.

Staff agrees that, through the technique referred to in a separate memo as an "official corridor map," the city can ensure that land is reserved for an Option B in the event that Option A is not satisfied. Planning staff will explain this further during the work session.

Attachment

c: Shannon Sell



## RECOMMENDED CHANGES TO CONDITIONS OF ZONING APPROVAL, Z-23-02

### 5. Minimum/maximum required entrances/exits.

- (c) **Pendergrass Road (SR 332).** There shall be one street entrance/exit serving the PUD connecting to Pendergrass Road (SR 332), which will be private ~~unless a~~ **or** public street ~~is approved by City Council.~~ the location and design of which shall be subject to the approval of Georgia Department of Transportation. If private, the private street entrance/exit may be gated. In addition, **if private,** there shall be a right of way reserved for a future public street onto Pendergrass Road, as shown on the site plan, the location and design of which shall be subject to the approval of Georgia Department of Transportation (see further description below).
- (d) **Public or** private through street. The PUD subdivision design shall be required to include a street (private and gated ~~unless otherwise approved by the City Council~~ **or public**) that connects Pendergrass Road (SR 332) and East Jefferson Street which shall be constructed by the owner/developer as the PUD is developed/phased.
- (e) **Public through street right of way (reservation and dedication).** ~~The owner/ developer shall reserve land (in substantial conformance with that shown on the site plan or as otherwise approved by City Council, the exact alignment of which may be modified if necessitated by site planning and engineering) for a future public street right of way connecting Pendergrass Road (SR 332) within the boundary of Map/Parcel 113/ 004 (controlled by the owner/developer at the time of this ordinance approval but not included within the boundary of the PUD), and extending across all of the southern boundary of that portion of Map/Parcel 119/019 controlled by the owner/ developer, to a point westerly where it intersects with the common property line of Map/Parcel 119/ 019 (within the PUD) and 119/019A (i.e., adjacent tract owned by Shannon Sell). There shall be no development authorized within the reserved right of way unless specifically approved by the City Council. If this future right of way is shown on an "official corridor map" as a future public street (or similarly titled planning document or component of the comprehensive plan) adopted by the City Council, then prior to issuance of final plat approval for any phase in the PUD, the owner/ developer shall dedicate the future public right of way in fee simple title at no cost to the city. If Map/Parcel 113/004, that part of Map/Parcel 119/019, or any other part of the land showing the future public street is sold or ownership transferred to another entity, such sale or ownership transfer shall be required to be deed restricted so that this obligation to reserve and dedicate the future public street right of way shall survive and be binding on any future owner of Map/Parcel 113/004 and that part of Map/Parcel 119/019. Furthermore, any subsequent owner of the right of way shall be required via deed restriction to dedicate said future public street right of way to the city at no cost to the city, prior to development permit approval for any development on Map/Parcel 113/ 004 or that portion of Map/Parcel 119/019A showing the future public street reservation. Once the right of way for the future public street is dedicated to the city, this zoning condition shall not be construed in any way to prohibit completion of the PUD by the owner/ developer per this ordinance.~~
- (f) **Annexation of Map/ Parcel 113/004.** ~~To facilitate the above condition relative to the future public street right of way, the owner/ developer agrees to annexation of Map/Parcel 113/ 004 and agrees to apply for annexation of Map/Parcel 113/004 within six months of the effective date of this ordinance and to apply for zoning of said parcel to PUD to be incorporated into the PUD approved by this ordinance.~~



# OLD BUSINESS

## ITEM #2

(Z-23-06: G.P.'s Enterprises, Inc )

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



**TO:** Honorable Mayor and City Council, City of Hoschton

**FROM:** Jerry Weitz, Consulting City Planner

**DATE OF REPORT:** September 5, 2023

**SUBJECT REQUEST:** **Z-23-06:** Rezoning from M-1 (Light Industrial District) to PUD (Planned Unit Development District)

**COMPANION APP:** Development of Regional Impact #4047 (completed)

**CITY COUNCIL HEARING:** September 14, 2023 @ 6:00 p.m.

**VOTING SESSION:** September 18, 2023 @ 6:00 p.m.

**APPLICANT:** G.P.'s Enterprises, Inc. by Charles "Chuck" Ross

**OWNER(S):** G.P.'s Enterprises, Inc.

**PROPOSED USE:** Mixed use development including consisting of 712 units (360 apartments and 352 fee simple townhouses) and 63,000 square feet of retail, restaurant, office and civic space

**LOCATION:** 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

**PARCEL(S) #:** 113/030 and 113/018

**ACREAGE:** 54.99

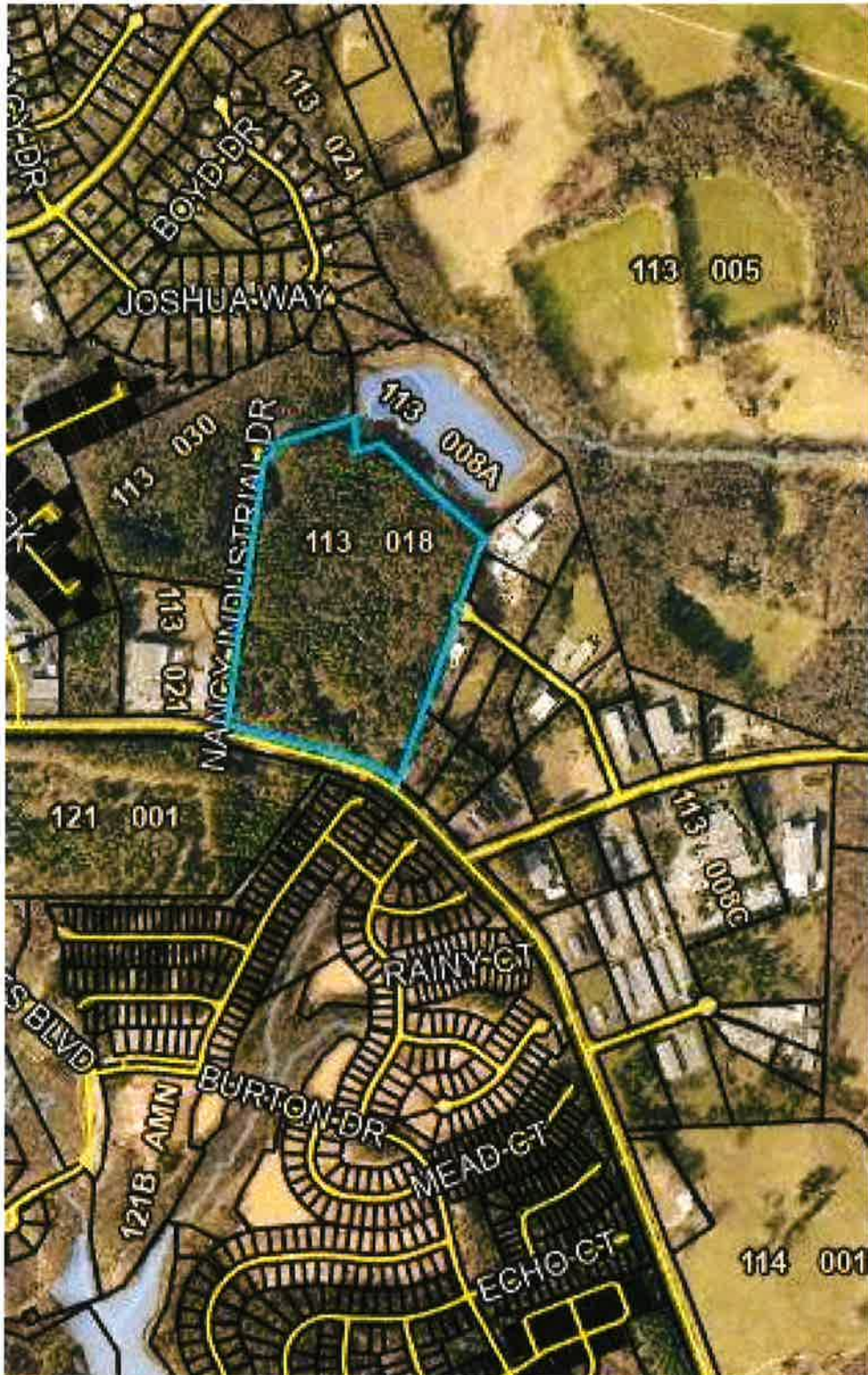
**EXISTING LAND USE:** Vacant

**SURROUNDING LAND USE AND ZONING:**

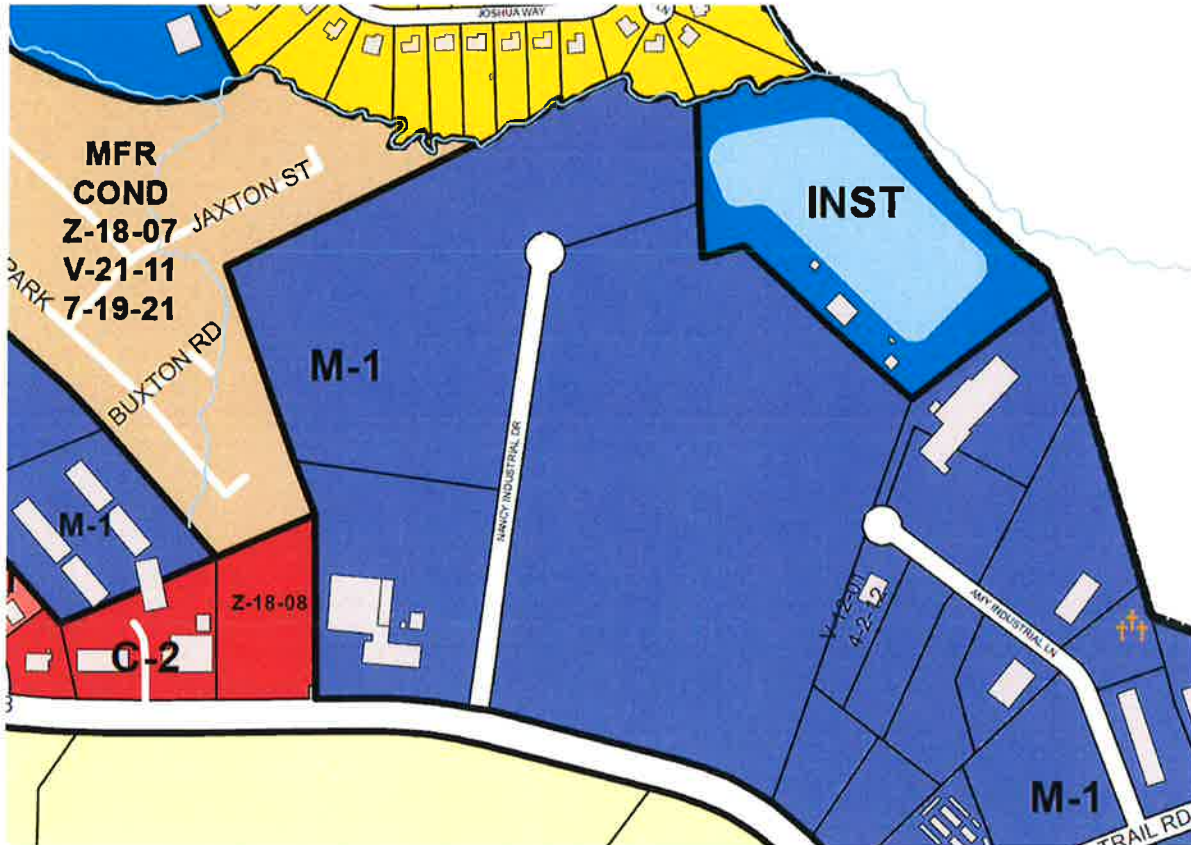
**North:** Fee simple townhouses, MFR (Multi-family Residential District) Conditional (Z-18-07) (platted); open space, Cambridge at Towne Center common area, MFR Conditional, Single-family dwellings (Town Park Subdivision), R-2 (Single-family Suburban Residential District); wastewater treatment facility, INST (Institutional District)

**East:** Wastewater treatment facility, INST; Storage/warehouse/ light industrial, M-1 (Light Industrial District) (Hoschton Business Park), M-1; vacant, M-1





Tax Map/Aerial Photograph: 2 of 2



Zoning Map Excerpt

### **PROPOSED PLAN AND LAND USES**

The overall PUD is 55 acres of private land in two tracts. The applicant's letter of intent indicates the applicant is requesting that the city abandon the 1.19 acres of right of way constituting Nancy Industrial Drive, redesign/reconfigure it, and then dedicate the new road back to the city. Counting the right of way of Nancy Industrial Drive between the two tracts, the total area of the PUD is approximately 56.1 acres. The PUD would be developed in three phases: fee simple townhouses (phase 1), apartments (phase 2) and commercial (phase 3).

### **Commercial**

The PUD concept plan proposes three commercial buildings (retail/office/ restaurant) along the frontage of SR 53 east of Nancy Industrial Drive. Total area for commercial would be approximately 6.6 acres. Total building space in the commercial component would be 63,000 square feet, for a commercial development intensity of approximately 9,500 square feet of building space per acre. The commercial buildings would be two stories or at least have the appearance of two stories, per the architectural examples submitted with the application.

The three commercial buildings would access Nancy Industrial Drive via a curb cut close to (within 100 feet of) the intersection of Nancy Industrial Drive and SR 53, and via one proposed new connection onto SR 53. The curb cut onto SR 53 would be for a public or private street that would provide access to the commercial area and would also wrap around behind the

commercial component and intersect with Nancy Industrial Drive about 200 feet north of the proposed commercial driveway.

### **Apartments**

The public or private access road, described above, would also provide access at a cul-de-sac or traffic circle to the multi-family residential portion of the Planned Unit Development (three apartment buildings totaling 360 units on approximately 11.4 acres for an overall density of approximately 31.5 apartment units per acre).

An elevation drawing for the multi-family portion for the PUD shows a four-story building. The maximum height proposed is 50 feet. Some if not all of the dwelling units would have porches.

### **Municipal**

Behind (north of) the commercial component, the site plan shows a park and four municipal office buildings on approximately 5 acres. Three of the buildings would be on the east side of Nancy Industrial Drive, and one would be on the west side of Nancy Industrial Drive. The community benefit statement provided by the applicant indicates that the municipal property could consist of utility, public safety and administrative facilities, in addition to a central green.

### **Fee Simple Townhouses**

Fee-simple townhouses would comprise most of the northern part of the two tracts, except for a detention pond tract along the north property line. Except for one proposed municipal building, the entire western side of Nancy Industrial Drive would be a neighborhood of fee-simple townhouses. Townhouses would also be developed along the east side of Nancy Industrial Drive, north of the municipal area. An amenity area would be incorporated into the development north of the municipal area. A total of 352 fee-simple townhouse units are shown on the site plan, to be developed on approximately 33.1 acres for an overall density of approximately 10.6 townhouse units per acre.

The fee-simple townhouse lots are proposed to be of two varieties: "front loaded" and "alley loaded." The city's townhouse regulations do not necessarily apply within a PUD, since the applicant can propose a unique set of regulations. The improvements requirement comparison shows the minimum lot size for townhouses would be 1,680 square feet, whereas the city's requirements are for 2,400 square foot lots. The proposed lot width is 20 feet, whereas if developed under the city's townhouse regulations a 24-foot lot width would be required. The site plan indicates that some of the fee-simple townhouse buildings will consist of eight (8) units, whereas the townhouse rules would otherwise limit the units to six (6) per building. Townhomes are proposed to be two-story and three-story, per elevation drawings submitted.

### **Open Spaces and Recreation**

The site plan does not demonstrate that 20% of the site area (11 acres) would consist of open space as required by the PUD zoning district regulations in the Hoschton zoning ordinance. Further, it does not appear the 55-acre site can accommodate all of the uses proposed and meet the 20% open space requirement for the PUD zoning district.

The largest open space area would be approximately one acre or more in the municipal area. A linear open space would be incorporated into the townhouse portion of the PUD west of Nancy



Industrial Drive. An open space buffer would be maintained between the proposed townhouses and the city's wastewater treatment plant. Other open spaces are proposed, including an amenity area which would consist of a swimming pool, restroom building, and pickleball courts. Detention ponds are proposed but cannot count toward PUD minimum open space requirements per the PUD regulations in the city's zoning ordinance.

#### **Other Notes Regarding Access**

The proposed roads would be 50 foot rights of ways with 26 feet of pavement from back of curb to back of curb. Rolled-type curbs are proposed rather than vertical curbs. The application proposes the extension of Amy Industrial Lane as a street, some of which would have on-street parking. Detention ponds would be constructed at the very north end of the site and along the eastern property line north of where Amy Industrial Lane terminates in a cul-de-sac.

The city's wastewater treatment facility's access is through the subject property. Plans show a relocation of that access with a public or private street also serving fee simple townhouses.

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

***Note: The City Council may adopt the findings and determinations of staff as written (provided below), or it may modify them. The council may cite one or more of these in its own determinations, as it determines appropriate. Council may modify the language provided here, as necessary, in articulating its own findings. Or, the council can reject these findings and make its own determinations and findings for one or more of the criteria provided below. Council does 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: (note: the applicant has provided responses to these criteria which are included at the end of this staff report):

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

Finding (general land use): Abutting uses and zoning are described on the cover page of this report. They consist of a variety of uses, including detached, single-family dwellings to the north, fee-simple townhouses to the west, the city's waste water treatment plant to the north, and light industrial uses to the east and along the west side of Nancy Industrial Drive. The tracts proposed to be developed as a PUD are within an area designated for light industrial development, and zoned for light industrial uses. As noted, Nancy Industrial Drive has one existing commercial/ industrial use on the west side of it, fronting SR 53. The only other use currently accessing Nancy Industrial Drive is the city's wastewater treatment facility, which has a gravel drive running across the subject property, between city property and Nancy Industrial Drive (running along the common property line of the two PUD tracts). Generally, the mixture of residences with light industrial uses on the same street is not recommended (***does not support request***).

Finding (commercial uses): Commercial uses fronting on SR 53 are considered appropriate and suitable as an alternative to light industrial uses on the site (***supports request in part***).

Finding (fee simple townhouses): The fee-simple townhouses would be smaller in lot size and lot width than those existing or authorized to be constructed in the abutting townhouse project, Cambridge at Towne Center. While the townhouses proposed would generally be compatible in terms of use, the PUD project is considered somewhat incompatible with the Cambridge at Towne Center project due to smaller lot sizes and lot widths, more units in a building, and an overall higher density (**does not support request**). The proposed PUD would provide a strip of open space between the townhouses and the city's waste water treatment facility, but dozens of townhouse units would abut the city's waste water treatment facility. Residential uses adjacent to a sewer treatment plant are considered generally unsuitable and to be discouraged where possible (**does not support request**). Furthermore, the city has institutional/utility buildings within 20 to 30 feet of the property line, and dozens of townhouse units are proposed to be located within approximately 50 feet of the plant's property line (**does not support request**).

Finding (apartments): The location of the proposed apartments next to Hoschton Business Park (with its light industrial uses) and connecting to Amy Industrial Lane, is considered unsuitable, given potential for impacts by light industrial uses on residences and households (**does not support request**). The density proposed for the apartments (at 30+ dwelling units per acre) and buildings with more than 100 units in them is considered unsuitable (**does not support request**).

Finding (municipal uses): The proposed municipal uses and park would be across the street from a heavy commercial/ light industrial use (heavy equipment sales). The municipal uses and park could be considered potentially unsuitable given the incompatibility of such uses with the open air nature vehicle storage, unimproved parking area, and other characteristics of the abutting commercial/ light industrial site (**does not support request**).

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

Finding: The single-family lots north of the proposed PUD would be buffered from the PUD by a stream buffer and impervious surface setback. This suggests that the proposal would not adversely affect the existing use or usability of the detached residential dwellings north of the PUD (**supports request**).

Finding: Because the townhouse units proposed in the PUD are on smaller, narrower lots and at a higher density than the adjacent Cambridge at Towne Center townhome project, it may have some adverse effects on abutting units in that development (**does not support request**).

The existing commercial/ light industrial use at the northeast corner of SR 53 and Nancy Industrial Drive has expansion potential to the north, and that property may also be adversely affected in the sense that future development would be incompatible with abutting townhouses and out of character with the proposed municipal building complex (**does not support request**).

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

Finding: The property has reasonable economic uses under the current M-1 zoning, including several commercial uses (e.g., automobile sales and service), and a wide variety of light industrial and light manufacturing uses (**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 (generally): With 712 dwelling units, the residential components of the PUD would result in a new residential population of anywhere between an estimated 1,200 and 2,000 persons (a discrete estimate is 1,500). The 63,000 square feet of office/commercial/restaurant space could generate employment of approximately 150, in staff's estimation. Municipal uses would generate additional employment within the PUD.

Findings: (streets): A traffic impact study has been submitted with the application, and a Development of Regional Impact (DRI) report has also been completed. The traffic impact study assesses an impact of 770 dwelling units (more than the 712 units proposed) and 63,000 square feet of commercial, office and restaurant space. The traffic study recommends improvements at the two project intersections (including Nancy Industrial) with SR 53 as well as improvements at the intersection of Peachtree Road and SR 53 (including traffic signalization if warranted). Peachtree Road at SR 53 already operates at deficient levels of service, with an LOS "D" during a.m. peak hours and LOS "F" at p.m. peak hours. Similarly, Twin Lakes Boulevard at its intersection with SR 53 also currently operates at deficient levels of service, with an LOS "D" during a.m. peak hours and LOS "E" at p.m. peak hours. Hence, there are already delays getting onto SR 53 from these two roads without considering any additional trips generated by the proposed development. The traffic study assumes traffic count increases in the magnitude of 3% annually, which likely results in a vast underestimation in planning staff's view.

Without any reductions for mixed use factored in (but with pass by trip reductions assumed), the proposed PUD at buildout is expected to generate 11,521 vehicle trips in a given 24-hour time period. With mixed use factored into trip reduction, the estimate is 8,537 vehicle trips per day. As noted, these numbers may slightly overstate the overall impact, given the number of units evaluated was 770 rather than 712. For the peak hours, with mixed use reductions accounted for, the PUD at buildout is expected to generate 586 a.m. peak hour trips and 699 p.m. peak hour trips. The project at buildout will result in unacceptable levels of service at the Jopena Boulevard/ Twin Lakes Boulevard intersection with SR 53 ("E's" and "F's"), Nancy Industrial Drive and SR 53 ("D's" and "F's"), and at Peachtree Road and SR 53 (LOS "F's") **(does not support request; requires conditions of approval to mitigate traffic impacts).**

Findings: (utilities): The subject request has not been factored into the city's expansion plans for water and sanitary sewer. For planning purposes, water consumption of 250 gallons per day is used to account for peak usage. At that rate, the residential part of the project along will consume an estimated 178,000 gallons of water per day during peak conditions. Actual average water usage would be probably about half that. The city is increasingly concerned about securing future water supplies to serve future development and has efforts ongoing to explore for and develop municipal wells and to increase purchases of water from other local governments **(does not support request)**. Similarly, the anticipated sanitary sewer demand has not been factored into expansion plans, and the city has not fully planned out the expansion of the city's wastewater treatment plan to 2.0 mgd that would be needed to support this PUD if approved and other anticipated development if approved **(does not support request)**. As a result, sewer capacity is not currently available and cannot be guaranteed. Whether the project can be accommodated with regard to future water and sewer systems depends on a number of factors, including whether other projects are approved which will compete for available water and sewer system capacities.

Finding (schools): The school impact policy in the Hoschton comprehensive plan reads as follows: "Evaluate impacts of residential development on the public school systems. Where impacts are evident, seek a development agreement to provide school site(s) or otherwise mitigate the impact of residential development on the public school system." The Jackson County 2050 comprehensive plan has school student generation multipliers (year 2019) that are recommended for use in evaluating development proposals. For all grades, the data show that a residential development will generate 0.5291 public school students per household. At that multiplier, the proposed PUD would generate 376 additional public school students. That is a functional equivalent of almost 19 classrooms at 20 students per classroom. Apartment and townhouse units are probably not going to generate public school students at this rate of 0.5291 students per household. Therefore, this is most likely an overstatement of the impact the proposed units would have on the county school system. Nonetheless, whatever impacts the PUD would have on the county school system are not mitigated by the proposal, and the county public school system is reportedly already overcrowded and expected to continue being overcrowded even considering current capital spending programs (**does not support request**).

Findings (other facilities): Hoschton has adopted impact fees for police and park and open space land. Also, in its comprehensive plan the city has adopted by reference certain county level of service standards for public facilities and services. These include the following. The impact of the development on those standards for public facilities and services is also provided below:

- **Law enforcement:** two officers per 1,000 population. The proposed development would create an additional population of an estimated 1,500 people and hence a demand for 2.5 additional police officers. Those additional officers are also required to be equipped with vehicles and other equipment. While the proposed development upon construction will generate property taxes for the city, the overall impact on the police department's operations will not be fully mitigated (**does not support request**).
- **Police capital facilities:** A per residential unit impact fee (city) would be required and assessed for police capital facilities. Thus, that impact will be mitigated (**supports request**). In addition, the applicant proposes to dedicate municipal land which could be used to build a police headquarters large enough to support all long-term projected municipal law enforcement needs (**supports request**).
- **Park and open space land.** A per residential unit impact fee (city) would be required and assessed for park and open space land. In addition, the project is proposed to include active recreational amenities in addition to open spaces controlled by a homeowners association. Thus, the impact on park and open space land and recreational facilities is expected to be mostly if not entirely mitigated (**supports request**). However, as already noted, the PUD site plan does not demonstrate compliance with the requirement to provide a minimum of 20% open space (**does not support request**).
- **Emergency medical services (EMS):** Jackson County adopted an EMS impact fee in 2022. Although it does not apply in Hoschton, the level of service standard of 0.1926 square feet of EMS space per functional population is utilized here for purposes of assessing impacts. The project will generate a need for approximately 317 square feet of EMS facility space. Although municipal property proposed to be dedicated to the city

could be utilized for fire and emergency medical services needs, the EMS impact would not be mitigated with the subject proposal (**does not support request**).

- **Fire stations and rolling stock.** Hoschton adopted a fire impact fee in 2020, but it has been discontinued as of 2023. The level of service standard for fire facilities adopted in the city's capital improvements element (now discontinued) is 0.87 square feet of fire and rescue building per functional population and 0.41 fire and rescue vehicle per 1,000 functional population. The county's level of service standard for fire, as adopted in its comprehensive plan, is one square foot of fire department building space per functional population and one fire engine per 4,000 functional population (comprehensive plan). Utilizing the city's standard, the project will generate a need by the West Jackson Fire District for 1,435 square feet of additional fire building space, and 0.67 fire vehicle. These impacts will be partially mitigated by the project via property taxes paid to the West Jackson Fire District, but such taxes are also utilized to pay for administrative and operating costs of the fire district. Therefore, although municipal property proposed to be dedicated to the city could be utilized for fire and emergency medical services needs, the project is anticipated to only partially mitigate the project's proportionate share of fire service capital and operating costs to the fire district (**does not support request**).
- **Administrative space:** 0.5 square feet per functional population. Estimated impact is approximately 825 square feet of administrative space. Although municipal property proposed to be dedicated to the city could be utilized for general government, this impact would, at best, be only partially mitigated with property taxes if the project is approved (**does not support 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 city's future land use plan map shows the site as being suitable for industrial use. The requested PUD is inconsistent with that recommendation (**does not support request**).

Finding (adequate public facilities): One comprehensive plan policy that is relevant is as follows: "*Development should not occur or be approved which will or could cause an excessive or burdensome use of existing streets, ... Major subdivisions and major land developments that cannot demonstrate all such facilities are available or planned at the time of development or within a reasonable period of time thereafter may gain approval only if they mitigate the lack of such facilities, through the dedication of land in the subdivision or off-site, on-site and/or off-site improvements, ...*" Even though the application proposes the dedication of land to the city, the project does not meet this policy without additional proposals to mitigate public facility and service impacts (**does not support request**). All in all, this policy forms a substantial basis for disapproval of the project, or a reduction in density (**supports disapproval or conditional approval**).

Finding (economic development): The comprehensive plan suggests that "the city may need to take more aggressive measures to preserve its nonresidential land supply and prevent conversion to residential that would impede future economic development" (p. 7). That warning in the comprehensive plan, written initially in 2020, is even more applicable today. The proposed PUD would replace some future light industrial development with more intensive commercial development (**supports request**), but the conversion of nonresidential zoning and vacant land to townhouse and multi-family residential development would be inconsistent with the city's need to preserve sufficient land for nonresidential development (**does not support request**).

Finding (street connectivity): The comprehensive plan provides that "local streets should be planned where possible with more than one connection to the existing public road network." The proposed PUD would provide for a connection of the development with Amy Industrial Lane (**supports request**). While in most instances such a connection is desirable, in the subject case the connection would result in mixtures of residential developments going through a business park developed with mostly light industrial uses, which implies some potential conflicts (**does not support request**).

Finding (multi-family residential density): The comprehensive plan provides that the maximum density for multi-family residential is 12 units per acre (per the zoning ordinance). The PUD zoning district allows the applicant to propose different development standards and therefore there is no beginning density maximum for PUD projects. However, the proposed apartment density of more than 30 units per net acre is inconsistent with this provision of the comprehensive plan (**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: The extensive residential development already approved in the city, including two townhouse projects already approved on property controlled by the applicant (193 on West Jefferson Street and 24 units on Henry Street), tend to give supporting grounds for disapproval of this request (**does not support request**). While there may be housing demand for the proposed townhouse product, there is not any sort of residential housing market information provided in the application to support the request. The applicant already has sufficient opportunity to construct fee-simple townhouses in the city (217 units), and it might be prudent for the city to see those projects get underway and developed and occupied prior to rezoning for more than 300 additional townhouse units as proposed in the subject project (**does not support request**).

Finding: The housing mix would be improved with regard to multi-family units (apartments) if the subject request were approved. In planning staff's view, apartments are a necessary part of the future housing mix in Hoschton. However, the density proposed and the location are both considered unsuitable and inappropriate (**does not support request**).

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

There is PUD zoning across SR 53 to the south. Therefore, a PUD zoning if approved would not be considered an isolated zoning district (**supports request**). However, zoning districts that are not fully supported by the comprehensive plan policies and future land use map can and are considered to be isolated to the extent that they do not relate to abutting and adjacent zoning districts (**does not support 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 project, if zoned and developed would not be expected to have a detrimental impact on the environment (**supports request**), although it would result in extensive deforestation since the subject property is heavily wooded.

## CONCLUSION

The applicant, G.P.'s Enterprises, has significant residential development permissions in Hoschton, with 217 fee simple townhouse units already approved and able to be permitted. Until those units are developed, it is worth seriously examining whether the city desires to entitle another 700+ units for the same developer, at least until the others are constructed and begin to be occupied. Otherwise, the PUD proposal may be considered too speculative in nature. The proposed PUD, with mostly residential uses, is not the most ideal fit in staff's view given for the site, because of the industrial development existing to the east along Amy Industrial Lane. The road network would be forced to accept residential traffic mixed with light industrial traffic. The introduction of residential uses within a mostly light industrial area is not the most desirable land use pattern.

The proposed PUD is too intense for Hoschton in all respects, and the concept plan does not demonstrate it will meet 20% minimum open space requirements for the PUD zoning district. The development of 360 apartment units in three buildings with four stories each (100 or more units in each building), at a total net density of more than 30 units per acre, is excessive and would be out of character with the city, which still strives to retain some of its small town character. The proposal in this PUD rezoning application for hundreds more fee-simple townhouse units, with smaller and narrower lots than approved for other townhouse projects in the city and at a net density of about 10 or more units per acre, is similarly considered to be excessive. Even the commercial development proposed would be at an intensity (almost 9,500 square feet per acre) that would exceed what would typically be expected in other commercial zones of the city. The city has already approved hundreds of future dwelling units and has many areas of the city where additional residential development is approved or expected to occur. Taking away land from nonresidential uses is inconsistent with the overall need for the city to preserve its existing commercial and industrially zoned land. Conversion of more nonresidential land for more residential use is not in the long-term interests of the city, in the consulting planner's opinion. Replacement of light industrial land with commercial development is acceptable.

The city has not planned for the water and sanitary sewer capacity that would be needed for this development, if approved. Even if the city begins immediately to fully implement another phase of capacity expansion to 2 mgd at the city's treatment plant, it appears that it is going to be some time (18-24 months) before the city could serve the dwelling units proposed with sewer. It is not desirable for the city to plan and program treatment plant expansion too far in advance, particularly if there is any risk of economic recession or economic downturn. The city must protect itself against having to pay debt on facility expansion that might not be utilized right away, in the case of an extended economic recession or downturn. As the traffic study submitted with the application indicates, existing development and regional traffic conditions are such that street intersections in the vicinity along SR 53 are already at levels of service that exceed the city's standards of acceptance during most peak a.m. and pm. peak hours. The addition of 8,500+ more vehicle trips per day promises to swamp existing intersections unless improved. Even with improvements proposed, traffic conditions would worsen considerably if this project is approved.

The impact on other public facilities, in addition to roads, is not fully mitigated. For all of these reasons, consulting planner recommends **DENIAL**. However, conditions of approval are specified in the event the City Council elects to approve the subject request.

**RECOMMENDED CONDITIONS OF APPROVAL**

If this request for PUD zoning is approved, it should be approved PUD conditional, subject to the applicant's agreement to abide by the following:

1. **Permitted uses.** The PUD shall be limited to fee-simple townhouses, apartments, and office, institutional, and commercial uses, as well as accessory uses and structures normally incidental to such uses, and including open space and active recreation facilities, as more fully authorized and restricted in these conditions of zoning approval.
  - a. There shall be no more than 400 dwelling units total in the PUD.
  - b. No more than 136 of the dwelling units may be apartments. The remaining units shall be fee-simple townhouse units.
  - c. Except for the subdivision declarant, no more than 20 percent of the homes in the townhouse portion of the PUD shall be owned by any one individual, firm, or corporation. A deed restriction shall be incorporated to this effect in the project conditions, covenants and restrictions.
  - d. Commercial uses shall be limited to uses permitted in the C-2 zoning district of the Hoschton zoning ordinance, and uses listed as conditional in the C-2 zoning district may be authorized as conditional uses following conditional use procedures of the Hoschton zoning ordinance.
  - e. The following commercial uses are specifically prohibited: Adult establishment, automobile-oriented use (sales, service, repair), check cashing/ payday loan facility, gas station, dollar store, fireworks sales, funeral home, hookah/vapor bar or lounge, self-storage or mini-warehouse; smoke or vape shop, tattoo or body piercing parlor, and title loan facility.
  - f. Open space tracts shall be required to be delineated separately from stormwater detention tracts, unless the zoning administrator accepts calculations of open space that separate stormwater facilities from lands authorized to be counted as open space per the PUD requirement for open space in the city's zoning ordinance.
2. **Dimensional requirements and improvement standards generally.**
  - a. The PUD shall be subject to the dimensional requirements specified by these conditions of zoning approval.
  - b. Where the PUD application or these conditions of zoning approval fail to articulate a given regulation, such as accessory building setbacks, maximum lot coverage, and the like, residential uses in the project shall be required to adhere to dimensional requirements of the MFR zoning district and general provisions of the Hoschton zoning ordinance, unless a variance is applied for and obtained.
  - c. Commercial uses shall be required to adhere to dimensional requirements for the C-2 zoning district.



- d. The PUD shall be subject to the improvement requirements specified in the application, except as modified by these conditions of zoning approval. Where the PUD application or these conditions of zoning fail to articulate a given improvement standard, such as the depth of sidewalk concrete and the like, the project will be required to adhere to the Hoschton subdivision and land development regulations, unless a variance is applied for and obtained.

**3. Dimensional requirements – apartments.**

- a. Building height for apartments buildings shall not exceed three (3) stories or 50 feet.
- b. No more than 36 apartment units shall be included in any one building.
- c. Building setbacks for apartment buildings shall be 20 feet front, 10 feet side, and 20 foot rear.
- d. Minimum separation between apartment buildings: 30 feet.
- e. Each apartment unit shall have an external balcony or (if on ground level) a patio.
- f. The minimum heated floor area for an apartment unit shall be 700 square feet, and the maximum heated floor area per unit shall be 1,400 square feet.
- g. No more than fifty percent (50%) of the apartment units shall be two or more bedrooms.
- h. The owner/developer shall submit management plans and occupancy/ maintenance rules and regulations for apartment tenants to follow, to the zoning administrator for review and approval by the City Council. There shall be a single entity established to manage the apartment units. There shall be an on-site apartment manager office with dedicated space within the PUD project boundary and with a 24-hour phone contact posted at the management office.

**4. Dimensional requirements – fee simple townhouses.**

- a. Building height for apartments buildings shall not exceed three (3) stories or 40 feet.
- b. The minimum lot size shall be 2,400 square feet.
- c. The minimum lot width shall be 24 feet.
- d. The number of units per building shall be limited to six.
- e. The minimum heated floor area per dwelling unit for fee simple townhouses shall be 1,400 square feet.
- f. Building setbacks for townhouse buildings shall be 20 feet front, 0 feet side, and 20 foot rear.
- g. Minimum separation between townhouse buildings: 20 feet.

- h. Each townhouse unit shall have at least a one-car garage.

**5. Improvement requirements for streets.**

- a. Whether public or private, the streets within the PUD shall be required to meet or exceed the right of way, pavement width, radii, and cul-de-sac right of way and paving specifications, sidewalks, curbing (rolled curbs authorized) of the City of Hoschton subdivision and land development regulations, as may be amended from time to time.
- b. If alleys are proposed and included, they shall be private. Easements for alleys shall be a minimum of 30 feet in width. The minimum pavement width for alleys shall be a 16 feet.
- c. Street stubs (dead-ends) within fee-simple townhouse portions of the PUD, if authorized during preliminary plat approval, shall not exceed 150 feet in length measured from the centerline of the intersecting street.
- d. Any on-street parking, if provided, shall be located outside the right of way of any public street.

**6. Minimum/maximum required entrances/exits.**

- a. There shall be no more than one street or driveway connection to SR 53 other than the existing Nancy Industrial Drive. The location of such new curb cut/street connection is subject to the approval of Georgia Department of Transportation.
- b. The road network within the PUD shall be required to connect to Amy Industrial Lane.
- c. The road network shall be configured in a way that provides vehicular access to the city's wastewater treatment facility in more or less the same existing access location. The owner/developer shall be required to maintain access throughout the construction process.

**7. Road improvements.**

- a. The owner/developer shall install road improvements along SR 53 as recommended in the traffic study submitted as part of Development of Regional Impact (DRI) application, dated June 13, 2022, as approved by the Georgia Department of Transportation and the zoning administrator.
- b. Prior to the issuance of a final plat for more than 50 townhomes or prior to the issuance of a development permit for commercial uses or apartments, the owner/developer shall contribute at no cost to the city \$125,000 toward the cost of installing a traffic signal at the intersection of SR 53 and Peachtree Road.

**8. Architectural elevations and external building material finishes.** The owner/developer shall submit for City Council's consideration and approval, prospective front, side and rear elevations of fee simple townhouse buildings, apartment buildings, and commercial buildings, prior to issuance of a building permit for any such building. Once approved, the

elevation drawings shall be binding on all builders and enforceable at the time of building permit issuance.

9. **Recreational amenities.** There shall be recreational amenities for the PUD provided by the owner/ developer to include, at minimum, a swimming pool with surface area commensurate with the number of residential units served, a bathroom, and four pickleball courts.
10. **Municipal land.** The owner/developer shall dedicate at no cost to the city no less than three (3) acres of land for purposes of mitigation of project impacts on public safety and general government facilities. Said land shall be platted and dedicated to the city no later than final plat approval for more than 50 townhouse units or prior to the issuance of a development permit for apartments, whichever occurs first. The owner/developer and city may negotiate an earlier dedication date.
11. **Residential development phasing; sewer capacity.**
  - a. Prior to approval of any preliminary plat for subdivision for fee-simple townhouse units, and prior to issuance of a development permit for apartment units, the owner/ developer shall submit a phasing plan for the residential development components that provides discrete numbers of units to be constructed for each phase and year intervals (start and finish years) for each phase proposed.
  - b. In order to have the capital funds needed to construct wastewater treatment plant capacity to serve the subject PUD, the city may, prior to and as a condition of preliminary plat approval or development permit approval require the owner/ developer to pay in advance of building permitting a certain number of water connection and sanitary sewer connection fees during each specified phase.
  - c. The owner/developer shall acknowledge as part of these conditions of approval that the PUD project is not vested with rights to connect to sanitary sewer until the connection fees are paid. No sewer capacity will be available until the 2.0 MGD facility is on line and operating.

**12. Sewage system lift station requirements.**

- a. The PUD shall be designed so that, if gravity sewer cannot be accomplished, there is no more than one sanitary sewer lift station to serve the entire development.
- b. The sewage lift station, if required to serve the development, shall be constructed by the owner/developer at no cost to the city.
- c. Unless otherwise approved by the city, the sewage lift station if constructed shall be dedicated to the city of Hoschton, shall be on a lot twice the size needed for the lift station to allow for expansion, or replacement while still being operational as approved by the city engineer, and said lift station lot shall be deeded in fee simple title to the city within one year of final construction approval. Said lot shall have at least 30 feet of frontage on a public street.

- d. The applicant shall be required to pay sewage lift station maintenance fees as adopted by the Hoschton City Council, if a sewage lift station is included in the project.
13. **No waiver of codes.** Unless specified otherwise or in conflict with these conditions of approval, the PUD shall be governed by city ordinances in effect at the time of development, as may be amended, including but not limited to applicable portions of the zoning ordinance, subdivision and land development ordinance, development impact fee ordinance, stream buffer ordinance, stormwater management ordinance, stormwater utility ordinance, flood damage prevention ordinance, sign ordinance, building and life safety codes, and adopted water and sewer specifications and standard drawings.



Tony Powell  
Brian Edwards  
Nathan Powell  
W. Charles Ross



Jay Crowley  
Mandy Williams  
Laura Walsh  
Laura Shoop

August 3, 2023

City of Hoschton  
Planning and Zoning Department  
Received

AUG 03 2023

Dr. Jerry Weitz  
City Planner  
City of Hoschton  
79 City Square  
Hoschton, Georgia 30548

**RE: REZONING APPLICATION AND LETTER OF INTENT FOR TAX  
PARCELS 113-018 & 113-030**

Dear Dr. Weitz:

Powell & Edwards, P.C. submits this Letter of Intent on behalf of G.P.'s Enterprises (the "Applicant") to request a rezoning from the M-1, Light Industrial District down to the PUD, Planned Unit Development District to allow for a true mixed-use development to be created upon Applicant's industrial zoned property located at Highway 53 and Nancy Industrial Drive and further identified as tax parcels 113-018 and 113-030.

Hoschton, like the rest of Jackson County, and the surrounding counties, continues to experience significant residential growth. Along with that comes the demand for a diversity of housing styles, restaurants, retailers, public spaces and services to support that growth and quality of life. The south end of the city where this site is located is currently dominated by industrial uses which present a compatibility challenge and use imbalance with the adjacent single-family housing. Rather than developing this fifty-five (55) acre site with a by-right use such as a trucking distribution hub, the Applicant's proposal would be considerably more harmonious and useful to the surrounding residential areas by providing a transition between the existing single family homes and the industrial properties.

This application proposes a walkable "town center" aesthetic currently missing in Hoschton, offering community-based, lifestyle-centric uses. Housing options would include a mix of multi-family and townhome residences with facades that blend in to the "town center" theme. Proposed public open spaces could serve for outdoor lawn concerts, street festivals, and passive recreation. Proposed commercial development would complement the gathering spaces with restaurants, pubs, shops, or boutiques. The Applicant also anticipates dedicating a portion of the property to provide for needed city infrastructure and services in this area of Hoschton. The Applicant believes this fifty-five (55) acre site provides Hoschton with an opportunity to provide its citizens with an iconic destination that its citizens will be proud of for decades to come.

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As elaborated in the attached Community Benefit Statement, the PUD designation would be consistent with the surrounding areas and provide a much-needed buffer between the industrial areas and adjacent single family residential properties. Adjacent properties owners would enjoy not only access to these new amenities, but also an increased value in their property as being adjacent to a vibrant community hub is certainly more attractive to a potential buyer than being next to a trucking company or other industrial use currently permitted by right on the property.

As observed in the site plan, Applicant is submitting property on both sides of Nancy Industrial Drive. The City of Hoschton owns the road and right of way across the Applicant's property where it leads to a cul-de-sac at the north end of the property and also a dirt road leading to the City's wastewater treatment facility. The Applicant is proposing that the City abandon this 1.19 acres of right away to allow for the Applicant to reconfigure Nancy Industrial Drive to go slightly past the existing cul-de-sac and to also build a paved road that will lead to the wastewater facility. Upon completion, the Applicant will dedicate these new and improved roads back to the City.

It is proposed that the development will occur through three (3) distinct phases. The exact starting date is subject to many variables including the timing of approval of the PUD by the Mayor and City Council, architectural design, review and engineering and the issuance of land disturbance permits. Based upon previous experience in similar developments it is anticipated that Phase 1, which will consist of the construction of the single-family townhouses, will begin approximately August 2024 and last until August 2026. Phase 2 will begin in December 2024 and will consist of the construction of multi-family residences. Phase 3 will see the retail, restaurant and commercial properties take shape and should be completed in the first half of 2027. During these phases, it is expected that there would be construction of municipal infrastructure projects and development amenities.

The Applicant and its representatives welcome the opportunity to meet with you to answer any questions or to address any concern relating to the matters set forth in this Letter of Intent or in its Application for Rezoning filed herewith. The Applicant respectfully requests your approval of this Application.

Respectfully submitted,

POWELL & EDWARDS, P.C.



W. Charles "Chuck" Ross  
Attorney for Applicant

Enclosures

Tony Powell  
Brian Edwards  
Nathan Powell  
W. Charles Ross



Jay Crowley  
Mandy Williams  
Laura Walsh  
Laura Shoop

**COMMUNITY BENEFIT STATEMENT FOR  
NANCY INDUSTRIAL DRIVE PLANNED UNIT DEVELOPMENT**

G.P.'s Enterprises (the "Applicant") is excited to present its application for the proposed Planned Unit Development District because it believes that this project will truly benefit the entire community of Hoschton. While most developments provide benefit primarily to the property owner and sometimes community members through the offering of services, the Nancy Industrial Drive Project is something that the entire City of Hoschton can be proud of and will provide a destination for both locals and out of town visitors to come and see what all the City of Hoschton has to offer.

The City of Hoschton has invested considerably in designing and implementing its Comprehensive Plan. The Future Land Use Map shows that Highway 53 as it runs through town serves as a clear demarcation line separating land uses. The southeast portion of Hoschton on the north and eastern side of Highway 53 are designated entirely industrial with one small pocket of commercial property. The other side of Highway 53 on the southside of Hoschton is reserved entirely for Twin Lake PUD. As one travels toward the downtown area along Highway 53, after passing the Nancy Industrial Drive, the properties become commercial and multi-family. This is no accident, but the product of careful review and study of not just current uses, but future trends. The Nancy Industrial Project seeks to build upon this strategic planning and provide a mix of residential, commercial, and institutional uses as a transition between industrial property and the residential/commercial properties closer to town.

This project proposes a true mixed-use development to benefit the community. While offering the traditional "mixed-use" of residential and commercial, this project adds provision for institutional uses as well. In particular, the Applicant recognizes the infrastructure required to provide City services to this new community and has set aside dedicated space for utility, public safety and administrative facilities to assist in providing public services to the Nancy Industrial Project. While the significant property set aside for municipal use is more valuable to the Applicant if it could be used for commercial or residential purposes, the Applicant recognizes this as an opportunity to create synergy from a true city center. It is an investment in the future of the project and provides better access to services for all Hoschton.

The Applicant looks forward to the upcoming rezoning process and working together with the City Staff to make this dream project a reality.

Planned Unit Development  
Received

**AUG 03 2023**

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Improvement Requirement Comparison

Improvement	PUD	M-1: Light Industrial
1 Right-of-way width	50 feet	50 feet
2 Street Type	Residential	Industrial
3 Pavement width	26 feet	26 feet
4 Curb type	Roll back curb	NA
5 Sidewalk location and dimensions	4' Sidewalk with 4' grass strip	NA
6 Open Space (Landscaped areas)	20%	15%
7 Building Height	50 feet	75 feet
8 Front building setback	2 feet	40 feet
9 Rear building setback	5 feet	40 feet
10 Side Building setback	2 feet	20 feet
11 Minimum building separation	20 feet	20 feet
12 Minimum lot size	1,680 sf	40,000 sf
13 Minimum lot width	20 feet	100 feet
14 Parking	1,168 spaces	1 per 1,300 sf
15 Amenity area	Bathroom building, pool, Pickleball courts	NA

City of Hoschton  
 Planning and Zoning Department  
 Received

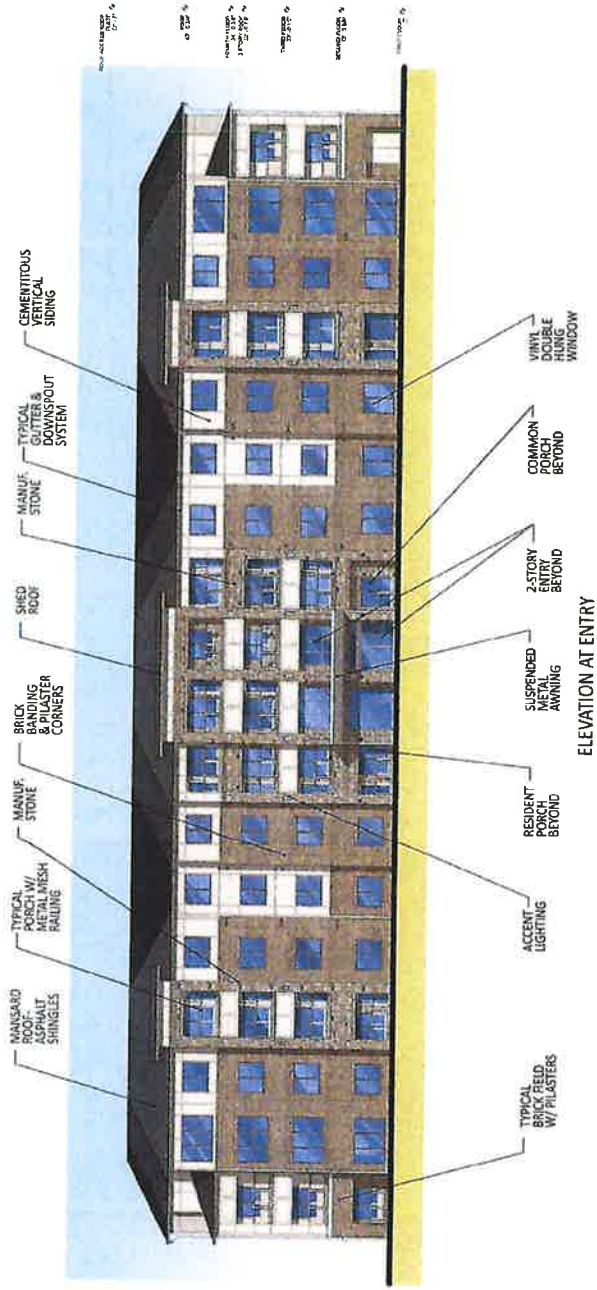
AUG 03 2023

ALL REPRESENTATIVE ELEVATIONS OF RESIDENTIAL AND COMMERCIAL ARCHITECTURE  
SHOULD BE CONSIDERED AS GENERAL, NOT SPECIFIC IN NATURE  
FINAL ELEVATIONS TO BE APPROVED BY PLANNING STAFF AT TIME OF BUILDING PERMIT



City of Hecchi  
Planning and Zoning Department  
Received

'AUG 03 2023



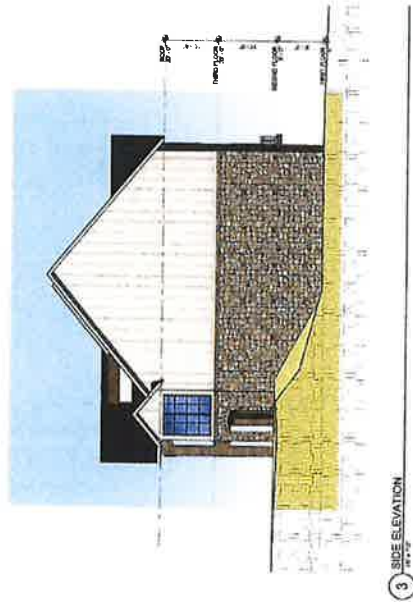
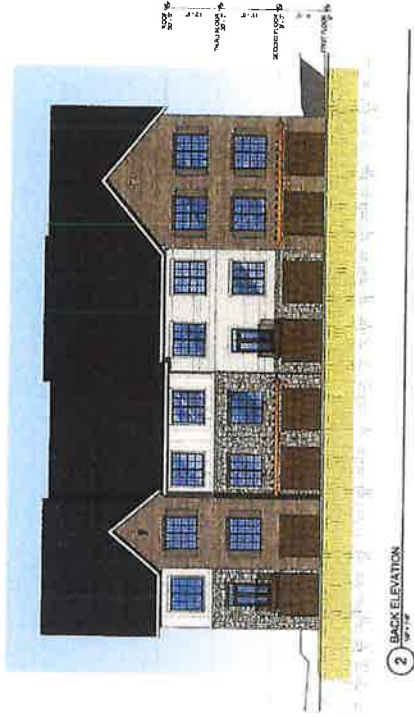
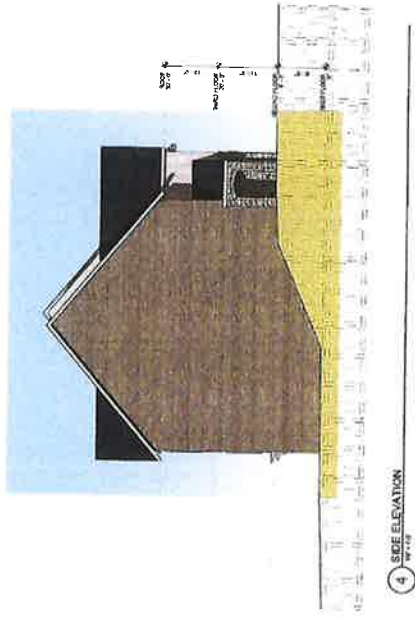
7.13.2023

G.P.'s Enterprises, Inc.  
1500 Hwy 128  
Auburn, Barrow County, GA 30013

**HWY 53 / NANCY INDUSTRIAL - MULTI-FAMILY**

City of Hazelton, Jackson County, GA

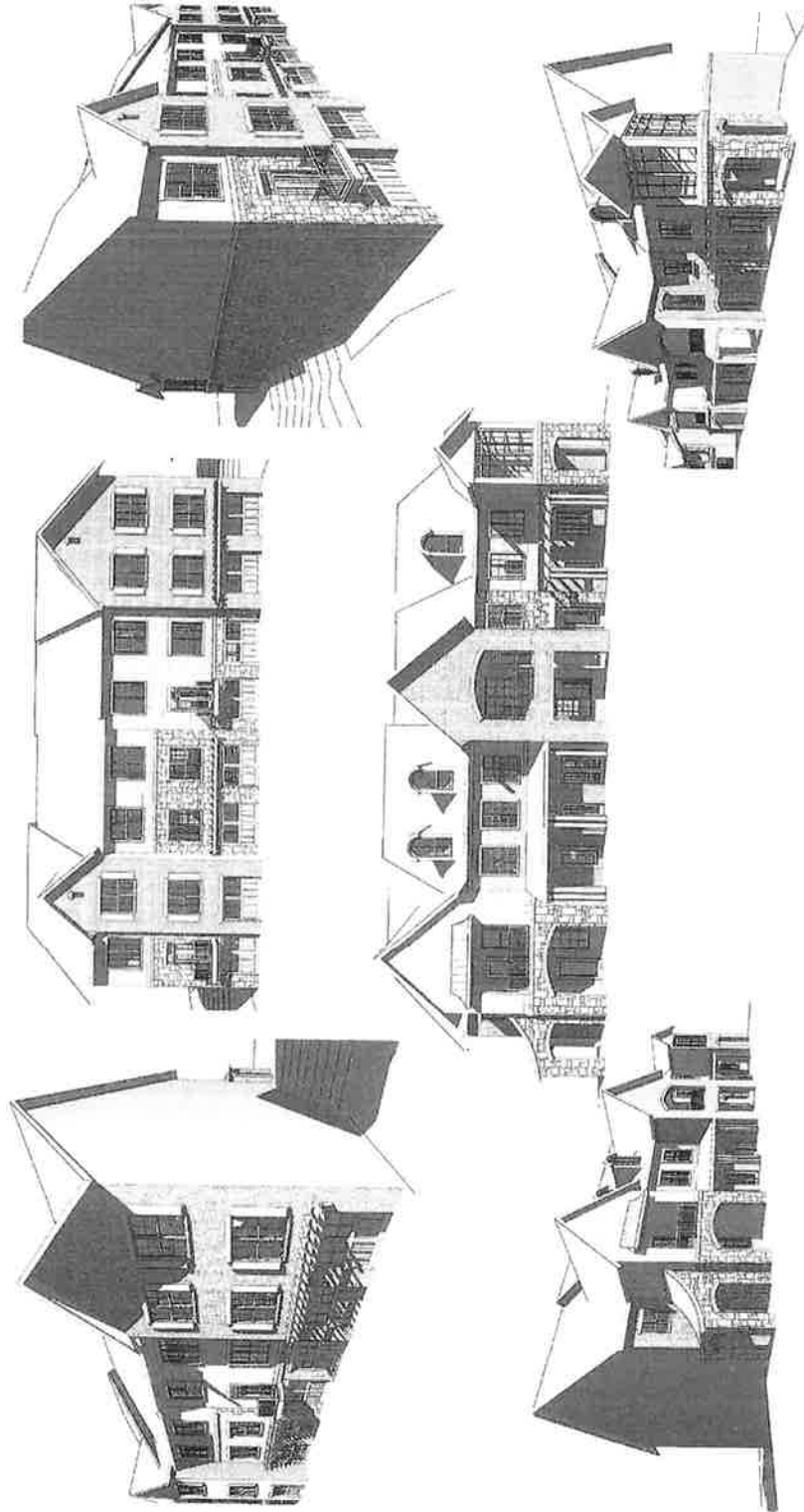
**FOLEY DESIGN**  
www.foleydesign.com



FOLEY DESIGN  
www.foleydesign.com

HWY 53 / NANCY INDUSTRIAL - TOWNHOMES  
City of Hordston, Jackson County, GA

7.13.2023  
G.P.'s Enterprises, Inc.  
1509 Hwy 124  
Auburn, Barrow County, GA 30201



7.13.2023  
G.P.'s Enterprises, Inc.  
1300 Hwy 124  
Auburn, Barrow County, GA 30011

**HWY 53 / NANCY INDUSTRIAL - TOWNHOMES**  
City of Hopewell, Jackson County, GA

FOLEY DESIGN  
www.foleydesign.com

The Northeast Georgia Regional Commission (NEGRC) has completed its review of the following Development of Regional Impact (DRI). This report contains the NEGRC's assessment of how the proposed project relates to the policies, programs, and projects articulated in the Regional Plan and Regional Resource Plan. Also included is an assessment of likely interjurisdictional impacts resulting from the proposed development, as well as all comments received from identified affected parties and others during the fifteen-day comment period.

The materials presented in this report are purely advisory and under no circumstances should be considered as binding or infringing upon the host jurisdiction's right to determine for itself the appropriateness of development within its boundaries.

Transmittal of this DRI report officially completes the DRI process. The submitting local government may proceed with whatever final official actions it deems appropriate regarding the proposed project, but it is encouraged to take the materials presented in the DRI report into consideration when rendering its decision.

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<b>Project I.D.:</b>	DRI #4047
<b>Name of Project:</b>	Nancy Industrial Drive Tract
<b>Name of Host Jurisdiction:</b>	City of Hoschton

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### **Background**

The developer's request to the City of Hoschton for rezoning initiated the review. The site would be rezoned from M-1 (Light Industrial) to PUD (Planned Unit Development). Potentially affected parties were asked to submit comments on the proposal during the 15-day period of 8/15/23–8/30/23.

### **Proposed Development**

G.P.'s Enterprises, Inc., is proposing construction of a mixed-use planned unit development on a 56-acre site on the north side of State Route 53 at Nancy Industrial Drive in Hoschton. The parcel numbers are 113 030 and 113 118. A 1.2-acre portion of the current right-of-way for Nancy Industrial Drive would also be included within the project site. The development would include 352 townhouses, 360 multi-family housing units, 43,000 square feet of commercial and office space, and 20,000 square feet of civic space. The project would be completed in one phase with an estimated completion date in 2027.

According to the site plan, the multi-family residential housing would consist of three apartment buildings surrounding a central parking lot. At the north end of the parking lot, four smaller, unlabeled buildings are shown that might be either covered parking or storage buildings, based on their size and location. The townhouse area is depicted with a traditional gridded street pattern and includes an amenity area, including what appears to be a swimming pool. Four municipal buildings would surround a shared parking lot, with a small park area next to one of the municipal buildings. The municipal buildings would be directly accessible from Nancy Industrial Drive. Three retail/office/restaurant buildings are shown on the portion of the site

fronting State Route 53. Two are shown as strip-style buildings with parking in front, and the third is shown as a standalone building with parking on all four sides.

A creek forms part of the property line on the northern end of the site, and a small portion of the northern end of the site is within the 100-year floodplain; no construction is proposed within the floodplain or creek. Two detention ponds are shown on the site plan, the larger of which would be next to the creek and floodplain.

Currently the site is forested, except that a portion of an existing road (Nancy Industrial Drive) is within the site. Nancy Industrial Drive currently provides vehicular access to the City of Hoschton’s wastewater treatment facility, which is located immediately northeast of this site. The northern end of Nancy Industrial Drive would be rerouted slightly as part of this project, and 1.2 acres of right-of-way for Nancy Industrial Drive would be abandoned, as noted on the site plan. The site plan also notes that there are existing sewer lines and other utilities on the site that would be relocated to conform with the plan.

**Compatibility with Existing Plans**

In the City of Hoschton Comprehensive Plan (dated 2/15/21), the site is identified as “Industrial” on the Future Land Use Map. The proposed development is not consistent with the Future Land Use Map, as summarized in the table below:

**City of Hoschton Future Land Use Compatibility**

FUTURE LAND USE	LAND USE CATEGORY DESCRIPTION	PROPOSED DEVELOPMENT’S COMPATIBILITY WITH CHARACTER AREA
INDUSTRIAL	“Manufacturing facilities, processing plants, factories, warehouses and wholesale trade facilities.”	<p>The proposed development would include a mix of residential, commercial, office, and civic uses. None of these uses are compatible with the plan’s description of Industrial land uses.</p> <p>Furthermore, the parcels immediately to the east of the project site are also shown as Industrial on the Future Land Use Map. Because of this, significant vegetative buffering is recommended along the east side of the development to separate the proposed residential and office uses from the sights and noise of current and potential future industrial uses of the adjoining parcels.</p> <p>If the City of Hoschton determines that it is in the best interest of the city to have a mixed-use development on this site, instead of the industrial uses envisioned in the comprehensive plan, then it should amend its comprehensive plan to change the designated future land use for this parcel to “PUD” prior to taking action to approve the proposed development.</p>

The site is identified as “Developed” on the Regional Land Use Map in the Northeast Georgia Regional Plan (dated 6/15/2023). The Regional Plan recommends developments that contain six characteristics that benefit the region’s people, economy, environment, and communities. The proposed project’s compatibility with these recommendations is summarized below:

**Regional Plan Compatibility**

<b>REGIONAL PLAN RECOMMENDATIONS</b>	<b>PROPOSED PROJECT’S COMPATIBILITY WITH RECOMMENDATION</b>
<b>Enhance economic mobility and competitiveness</b>	<p>The applicant states that the regional work force is sufficient to fill the demand created for the proposed project.</p>
<b>Elevate public health and equity</b>	<p>As a mixed-use development, the proposed development has the potential to elevate equity and public health by enabling residents to be able to walk or bike to access goods, services, and potential employment nearby, especially if at least some of the housing units are available at price points that are affordable for people who work within the development.</p> <p>The site plan shows “open space” between this site’s residential units and adjoining industrial and utility sites, including the city’s wastewater treatment plant. However, it is unclear from the site plan whether this open space will include tall-enough and thick-enough vegetation to buffer residents from neighboring industrial and wastewater treatment uses.</p>
<b>Support and add value to existing communities</b>	<p>As a dense development with a well-connected street network that uses existing road and utility infrastructure where possible, this proposal represents an efficient use of land.</p> <p>However, as noted in the application, wastewater treatment capacity is a current concern in Hoschton. The proposed development would add many new users to an already-stressed wastewater treatment system. Before approving this project, Hoschton should confirm that the waste generated by this project would not exceed the capacity increases expected from its ongoing wastewater treatment plant upgrades.</p> <p>No information was provided about the project’s architectural design elements. The Regional Plan recommends new development that contributes to the region’s character and sense of place, and that uses context-sensitive design principles.</p>
<b>Create housing that is diverse, adequate, equitable, and affordable</b>	<p>This project would add to the diversity of housing within Hoschton, as the proposal includes townhouses and multi-family housing units, which are both currently uncommon in the city. The different types of housing units are likely to be available at different price points. Further variation in home prices could be realized by including a range of finish levels for each housing type.</p> <p>No information was provided that would enable evaluation of whether this development would create affordable housing, except to note that multi-family housing is typically more affordable than single-family housing.</p>
<b>Include transportation choices and is well-connected with existing and planned transportation options</b>	<p>The street network is well-connected, both within the site (i.e., gridded streets) and between the project site and neighboring parcels (i.e., two street stubs facing neighboring parcels, multiple entrances from State Route 53, and a new connection with Amy Industrial Lane, which currently ends in a cul-de-sac).</p> <p>As a mixed-use site, this project has the potential to reduce the number of vehicular trips somewhat, if residents can walk or bike to access goods and services on the site.</p>
<b>Protect natural and historic resources</b>	<p>A small portion of the site is within the 100-year floodplain, but no structures are proposed within the floodplain or stream buffers.</p>



## Potential Interjurisdictional Impacts

### Natural Resources:

The applicant states that the project is unlikely to affect any of the environmental quality factors identified on the DRI Additional Form, including water supply watersheds, groundwater recharge areas, wetlands, protected mountain and river corridors, floodplains, historic resources, and other environmentally sensitive resources.

The chart below summarizes the number of acres within the site area as well as within a one-mile buffer around the site that contain: 1) wetlands, 2) conservation land, 3) Regionally Important Resources, and 4) threatened Regionally Important Resources. Please refer to the footnotes for definitions for each of these terms. No specific Regionally Important Resource sites are identified within one mile of the proposed site.

### Wetland, Conservation, and Regionally Important Resources

	AREA TYPE	AREA (ACRES)	PERCENT OF AREA
<b>SITE AREA (56.3 Acres)</b>	Wetland Acres <sup>1</sup>	0.7	1%
	Conservation Land <sup>2</sup>	1.2	2%
	Regionally Important Resources Land <sup>3</sup>	1.2	2%
	Threatened Regionally Important Resources Land <sup>4</sup>	0.7	1%
<b>1 MILE BUFFER AROUND SITE (2,853.9 Acres)</b>	Wetland Acres	46.3	2%
	Conservation Land	576.1	20%
	Regionally Important Resources Land	233.3	8%
	Threatened Regionally Important Resources Land	20.8	1%

### Water Supply and Wastewater:

The project would be served by the City of Hoschton water and sewer systems with an estimated daily demand of 0.25 MGD for each system. The applicant states that these demands cannot be covered by existing capacity. For water supply, the applicant notes that the city purchases water from the Town of Braselton and the Jackson County Water and Sewerage Authority and is actively engaged in efforts to increase available water supply. For wastewater, the applicant notes that the city is in the process of upgrading the capacity of its sewage treatment plant. No water or sewer line extensions are anticipated.

### Stormwater Management:

According to the applicant, an estimated 80% of the site would be covered in impervious surfaces. Two detention ponds for managing stormwater runoff are shown on the site plan. A stream forms a portion of the northern property border, and required buffers are shown on the site plan. No buildings or roads are proposed within the riparian buffer. The proposal should be designed to minimize disruption to the existing streams, associated wetlands, and floodplains to avoid future erosion, flooding, and degraded water quality onsite and downstream from the site. Low impact design measures, like bioswales, rain gardens, and other green infrastructure should be incorporated into the project design. At minimum, the project should be in accordance

<sup>1</sup> Wetland acres are derived from the National Wetland Inventory (NWI)

<sup>2</sup> Conservation land is derived from the Northeast Georgia Regional Plan's Conservation and Development Map (6/15/2023).

<sup>3</sup> Regionally Important Resources were identified as a part of the Northeast Georgia Resource Management Plan for Regionally Important Resources (2/15/2018).

<sup>4</sup> This area represents the intersection between Conservation areas (identified on the Conservation and Development Map, 6/15/2023), adopted Regionally Important Resources (RIR), and "Developed" and "Developing" Regional Land Use areas (identified on the Regional Land Use Map, 6/15/2023).

with the latest edition of the Georgia Stormwater Management Manual (Blue Book) and meet all relevant EPD requirements.

#### Transportation:

A&R Engineering completed a traffic impact study that projects 8,537 new daily trips resulting from the proposed development, including 586 new AM peak hour trips and 699 new PM peak hour trips. The traffic study recommends that both full access driveways on State Route 53 be configured to include one entering lane and two exiting lanes consisting of left and right turn lanes, a stop sign on the driveway approach, and a left turn lane for entering traffic. One of the two entrances already includes a deceleration lane for entering traffic, and the study recommends adding a deceleration lane for entering traffic at the second entrance. Highway 53 would remain free flow at both entrances.

Additionally, the study recommends system improvements at the intersection of State Route 53 and Peachtree Road, which is located west of the proposed development. This intersection's northbound approach is already operating at level-of-service F in the "existing" condition. The study recommends that a detailed traffic engineering study be prepared for this intersection to see whether a traffic signal is warranted, and if so, that a signal be installed at this location. The study also recommends the construction of turn lanes on Peachtree Road and State Route 53.

#### Solid Waste:

The applicant estimates the project would generate 950 tons of solid waste annually and that sufficient landfill capacity exists to handle this waste. According to annual tonnage reports from the Georgia Environmental Protection Division, almost all municipal solid waste (MSW) generated in Jackson County is disposed of in a landfill in Banks County. The applicant states that no hazardous waste would be generated.

#### Lifecycle Costs and Revenues:

The applicant estimates that the project would be worth \$240 million at build-out in 2027 and generate \$4 million in annual local taxes. On a per-acre basis, the project would be worth approximately \$4.3 million and generate approximately \$71,000 in tax revenue. Prior to approval, the City should measure the life cycle costs of the infrastructure needed to serve this project to ensure that they would not be committing to more maintenance expenses than the new tax revenue can cover.

#### **Comments from Affected Parties**

*Jamie Dove, Public Development Director, Jackson County*  
(See attached)

*Alan Hood, Airport Safety Data Program Manager, Georgia Department of Transportation*

The proposed construction of 352 townhouses, 360 multi-family housing units, 43,000 square feet of commercial/office space, in the city of Hoschton is 12 miles from Jackson County Airport (JCA). It is located outside any FAA approach or departure surfaces, and airport compatible land use areas, and does not appear to impact the airport.

If any construction equipment or construction exceeds 200' AGL, an FAA Form 7460-1 must be submitted to the Federal Aviation Administration according to the FAA's Notice Criteria Tool found here (<https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeRequiredToolForm>). Those submissions for any associated cranes may be done online at <https://oeaaa.faa.gov>. The FAA must be in receipt of the notifications, no later than 120 days prior to construction. The FAA will evaluate the potential impacts of the project on protected airspace associated with the airports and advise the proponent if any action is necessary.



## DEPARTMENT OF PUBLIC DEVELOPMENT

*Planning Division • Engineering Division • Code Enforcement Division*

August 24, 2023

Carol Flaute, Community Planner  
Northeast Georgia Regional Commission  
305 Research Drive  
Athens, GA 30605

**RE: DRI # 4047 – Nancy Industrial Drive Tract, City of Hoschton**

Dear Ms. Flaute,

Jackson County Public Development staff has reviewed the DRI package distributed for review and wishes to provide the following comments:

1. The proposed mixed-use development would be detrimental to the tax-base by ridding the chance of utilizing the property as industrial.
2. The development proposal calls for 712 residential units and if this 56-acre project were to be zoned and utilized for multi-family residential within unincorporated Jackson County, our maximum density would be 448 units. We have high concerns that the 712 residential units is significantly over our density and it is utilizing a much smaller acreage.
3. All stream buffers should be adhered to and protected. The County would like for a 75-foot undisturbed State water buffer to be maintained as well as no construction within wetlands or floodplains, as per the Unified Development Code for unincorporated Jackson County.
4. Currently, there are 20+ developments either under construction or in the process of going under construction soon within the West Jackson Elementary School zone. According to Dr. Philip Brown, Jackson County School System Superintendent, "the impact of growth to our district will leave our community strained to house all our students in permanent classrooms." Due to redistricting and residential growth, we ask that the school system be considering during the decision-making process.

We are appreciative of the opportunity to comment and the job you do in coordinating these reviews.

Sincerely,

Jamie Dove  
Public Development Director

CITY OF HOSCHTON  
STATE OF GEORGIA

ORDINANCE NO. Z-23-06

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF  
HOSCHTON AND FOR OTHER PURPOSES

**WHEREAS**, G.P.'s Enterprises, Inc., applicant and property owner, by Charles "Chuck" Ross, has filed a complete application 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; and

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

**WHEREAS**, The rezoning application qualifies for review as a Development of Regional Impact, and such review has been completed in accordance with applicable state administrative rules (Development of Regional Impact # 4047)

**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 Hoschton City Council held an advertised public hearing on the application and has 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 rezoning application 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 from M-1, Light Industrial District, to PUD, Planned Unit Development District, Conditional, subject to conditions of zoning approval specified in Exhibit B which by reference is incorporated herein.

**Section 2.** The City Clerk is hereby directed to amend the Official Zoning Map to reflect the zoning classification of the subject property.

So ORDAINED this 16th DAY OF OCTOBER, 2023.

---

James Lawson, Acting Mayor

This is to certify that I am City Clerk of the City of Hoschton. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this ordinance was adopted as stated and will be recorded in the official minutes.

ATTEST:

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Jennifer Kidd-Harrison, City Clerk

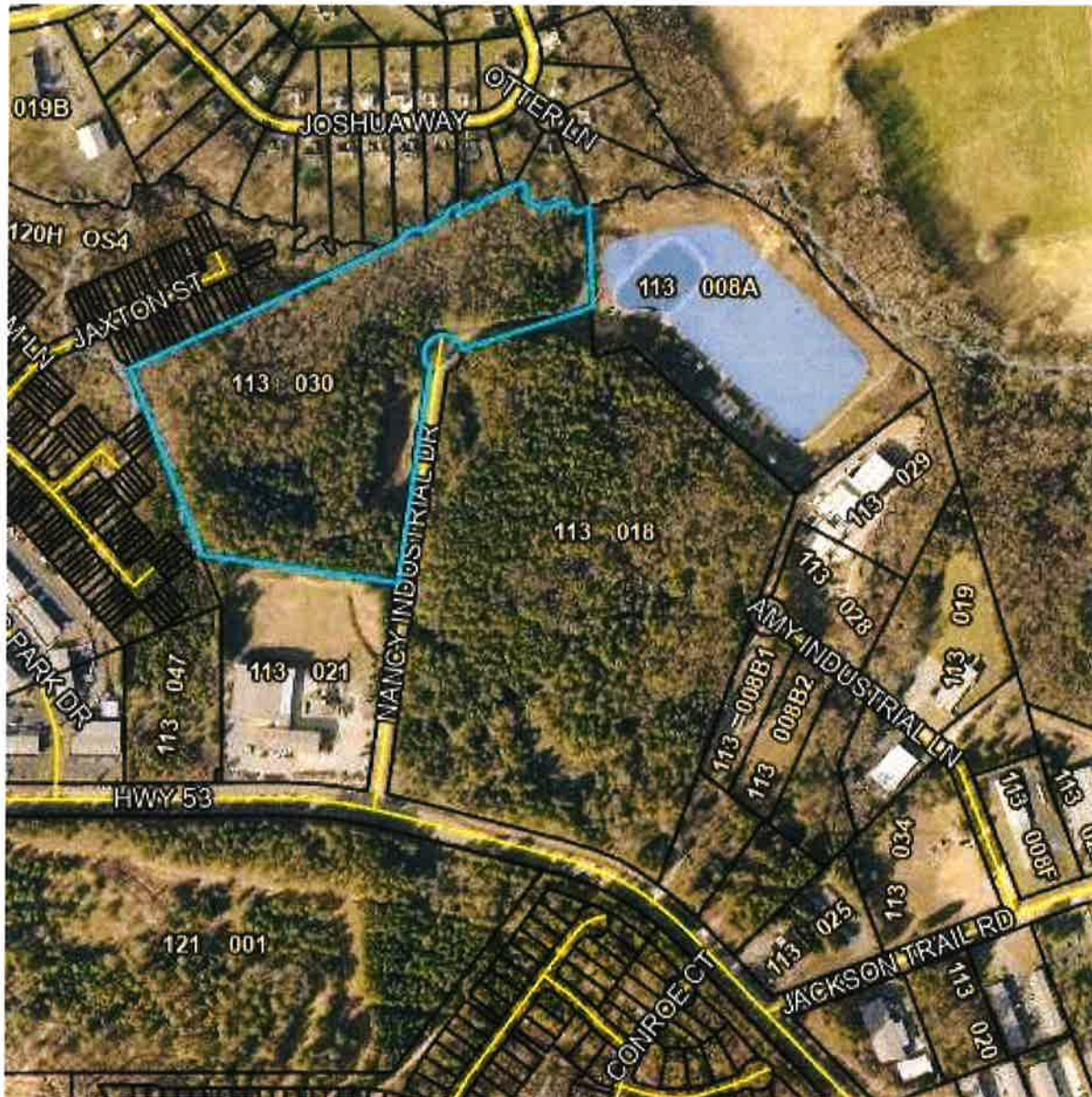
Approved as to Form:

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Abbott S. Hayes, Jr., City Attorney

**EXHIBIT A  
LEGAL DESCRIPTION OF PROPERTY REZONED**

All that tract or parcel of land lying and being in Jackson County, consisting of 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 records of the Jackson County Tax Assessor, shown on the attached tax maps which are hereby made a part of this exhibit; also including the right of way of Nancy Industrial Drive between the two subject tax parcels.



**Tax Map of Property Rezoned (1 of 2)**



Tax Map of Property Rezoned (2 of 2)

**EXHIBIT B**  
**CONDITIONS OF ZONING APPROVAL**

1. **Permitted uses.** The PUD shall be limited to fee-simple townhouses, apartments, and office, institutional, and commercial uses, as well as accessory uses and structures normally incidental to such uses, and including open space and active recreation facilities, as more fully authorized and restricted in these conditions of zoning approval.
  - a. There shall be no more than 400 dwelling units total in the PUD.
  - b. No more than 136 of the dwelling units may be apartments. The remaining units shall be fee-simple townhouse units.
  - c. Except for the subdivision declarant, no more than 20 percent of the homes in the townhouse portion of the PUD shall be owned by any one individual, firm, or corporation. A deed restriction shall be incorporated to this effect in the project conditions, covenants and restrictions.
  - d. Commercial uses shall be limited to uses permitted in the C-2 zoning district of the Hoschton zoning ordinance, and uses listed as conditional in the C-2 zoning district may be authorized as conditional uses following conditional use procedures of the Hoschton zoning ordinance.
  - e. The following commercial uses are specifically prohibited: Adult establishment, automobile-oriented use (sales, service, repair), check cashing/ payday loan facility, gas station, dollar store, fireworks sales, funeral home, hookah/vapor bar or lounge, self-storage or mini-warehouse; smoke or vape shop, tattoo or body piercing parlor, and title loan facility.
  - f. Open space tracts shall be required to be delineated separately from stormwater detention tracts, unless the zoning administrator accepts calculations of open space that separate stormwater facilities from lands authorized to be counted as open space per the PUD requirement for open space in the city's zoning ordinance.
2. **Dimensional requirements and improvement standards generally.**
  - a. The PUD shall be subject to the dimensional requirements specified by these conditions of zoning approval.
  - b. Where the PUD application or these conditions of zoning approval fail to articulate a given regulation, such as accessory building setbacks, maximum lot coverage, and the like, residential uses in the project shall be required to adhere to dimensional requirements of the MFR zoning district and general provisions of the Hoschton zoning ordinance, unless a variance is applied for and obtained.



- c. Commercial uses shall be required to adhere to dimensional requirements for the C-2 zoning district.
- d. The PUD shall be subject to the improvement requirements specified in the application, except as modified by these conditions of zoning approval. Where the PUD application or these conditions of zoning fail to articulate a given improvement standard, such as the depth of sidewalk concrete and the like, the project will be required to adhere to the Hoschton subdivision and land development regulations, unless a variance is applied for and obtained.

**3. Dimensional requirements – apartments.**

- a. Building height for apartments buildings shall not exceed three (3) stories or 50 feet.
- b. No more than 36 apartment units shall be included in any one building.
- c. Building setbacks for apartment buildings shall be 20 feet front, 10 feet side, and 20 foot rear.
- d. Minimum separation between apartment buildings: 30 feet.
- e. Each apartment unit shall have an external balcony or (if on ground level) a patio.
- f. The minimum heated floor area for an apartment unit shall be 700 square feet, and the maximum heated floor area per unit shall be 1,400 square feet.
- g. No more than fifty percent (50%) of the apartment units shall be two or more bedrooms.
- h. The owner/developer shall submit management plans and occupancy/ maintenance rules and regulations for apartment tenants to follow, to the zoning administrator for review and approval by the City Council. There shall be a single entity established to manage the apartment units. There shall be an on-site apartment manager office with dedicated space within the PUD project boundary and with a 24-hour phone contact posted at the management office.

**4. Dimensional requirements – fee simple townhouses.**

- a. Building height for apartments buildings shall not exceed three (3) stories or 40 feet.
- b. The minimum lot size shall be 2,400 square feet.
- c. The minimum lot width shall be 24 feet.
- d. The number of units per building shall be limited to six.

- e. The minimum heated floor area per dwelling unit for fee simple townhouses shall be 1,400 square feet.
- f. Building setbacks for townhouse buildings shall be 20 feet front, 0 feet side, and 20 foot rear.
- g. Minimum separation between townhouse buildings: 20 feet.
- h. Each townhouse unit shall have at least a one-car garage.

**5. Improvement requirements for streets.**

- a. Whether public or private, the streets within the PUD shall be required to meet or exceed the right of way, pavement width, radii, and cul-de-sac right of way and paving specifications, sidewalks, curbing (rolled curbs authorized) of the City of Hoschton subdivision and land development regulations, as may be amended from time to time.
- b. If alleys are proposed and included, they shall be private. Easements for alleys shall be a minimum of 30 feet in width. The minimum pavement width for alleys shall be a 16 feet.
- c. Street stubs (dead-ends) within fee-simple townhouse portions of the PUD, if authorized during preliminary plat approval, shall not exceed 150 feet in length measured from the centerline of the intersecting street.
- d. Any on-street parking, if provided, shall be located outside the right of way of any public street.

**6. Minimum/maximum required entrances/exits.**

- a. There shall be no more than one street or driveway connection to SR 53 other than the existing Nancy Industrial Drive. The location of such new curb cut/street connection is subject to the approval of Georgia Department of Transportation.
- b. The road network within the PUD shall be required to connect to Amy Industrial Lane.
- c. The road network shall be configured in a way that provides vehicular access to the city's wastewater treatment facility in more or less the same existing access location. The owner/developer shall be required to maintain access throughout the construction process.

**7. Road improvements.**

- a. The owner/developer shall install road improvements along SR 53 as recommended in the traffic study submitted as part of Development of Regional Impact (DRI) application, dated June 13, 2022, as approved by the Georgia Department of Transportation and the zoning administrator.

- b. Prior to the issuance of a final plat for more than 50 townhomes or prior to the issuance of a development permit for commercial uses or apartments, the owner/developer shall contribute at no cost to the city \$125,000 toward the cost of installing a traffic signal at the intersection of SR 53 and Peachtree Road.
8. **Architectural elevations and external building material finishes.** The owner/developer shall submit for City Council's consideration and approval, prospective front, side and rear elevations of fee simple townhouse buildings, apartment buildings, and commercial buildings, prior to issuance of a building permit for any such building. Once approved, the elevation drawings shall be binding on all builders and enforceable at the time of building permit issuance.
9. **Recreational amenities.** There shall be recreational amenities for the PUD provided by the owner/ developer to include, at minimum, a swimming pool with surface area commensurate with the number of residential units served, a bathroom, and four pickleball courts.
10. **Municipal land.** The owner/developer shall dedicate at no cost to the city no less than three (3) acres of land for purposes of mitigation of project impacts on public safety and general government facilities. Said land shall be platted and dedicated to the city no later than final plat approval for more than 50 townhouse units or prior to the issuance of a development permit for apartments, whichever occurs first. The owner/developer and city may negotiate an earlier dedication date.
11. **Residential development phasing; sewer capacity.**
  - a. Prior to approval of any preliminary plat for subdivision for fee-simple townhouse units, and prior to issuance of a development permit for apartment units, the owner/ developer shall submit a phasing plan for the residential development components that provides discrete numbers of units to be constructed for each phase and year intervals (start and finish years) for each phase proposed.
  - b. In order to have the capital funds needed to construct wastewater treatment plant capacity to serve the subject PUD, the city may, prior to and as a condition of preliminary plat approval or development permit approval require the owner/ developer to pay in advance of building permitting a certain number of water connection and sanitary sewer connection fees during each specified phase.
  - c. The owner/developer shall acknowledge as part of these conditions of approval that the PUD project is not vested with rights to connect to sanitary sewer until the connection fees are paid. No sewer capacity will be available until the 2.0 MGD facility is on line and operating.

**12. Sewage system lift station requirements.**

- a. The PUD shall be designed so that, if gravity sewer cannot be accomplished, there is no more than one sanitary sewer lift station to serve the entire development.
- b. The sewage lift station, if required to serve the development, shall be constructed by the owner/developer at no cost to the city.
- c. Unless otherwise approved by the city, the sewage lift station if constructed shall be dedicated to the city of Hoschton, shall be on a lot twice the size needed for the lift station to allow for expansion, or replacement while still being operational as approved by the city engineer, and said lift station lot shall be deeded in fee simple title to the city within one year of final construction approval. Said lot shall have at least 30 feet of frontage on a public street.
- d. The applicant shall be required to pay sewage lift station maintenance fees as adopted by the Hoschton City Council, if a sewage lift station is included in the project.

**13. No waiver of codes.** Unless specified otherwise or in conflict with these conditions of approval, the PUD shall be governed by city ordinances in effect at the time of development, as may be amended, including but not limited to applicable portions of the zoning ordinance, subdivision and land development ordinance, development impact fee ordinance, stream buffer ordinance, stormwater management ordinance, stormwater utility ordinance, flood damage prevention ordinance, sign ordinance, building and life safety codes, and adopted water and sewer specifications and standard drawings.

# OLD BUSINESS

## ITEM #3

(Resolution 2023-14: Official Corridor Map)

Acting Mayor  
Mr. James Lawson  
  
City Manager/Clerk  
Ms. Jennifer Kidd-Harrison



Post 2  
Mr. Tracy Carswell  
  
Post 3  
Ms. Fredria Carter-Sterling  
  
Post 4  
Ms. Debbie Martin  
  
Post 6  
Mr. James Lawson

Hoschton City Hall, 79 City Square, Hoschton, Georgia 30548  
City Hall (706) 654-3034 | Fax (706) 654-9834  
[www.cityofhoschton.com](http://www.cityofhoschton.com)

## MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Jerry Weitz, Consulting Planner

DATE: September 5, 2023

RE: **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.

**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.”

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In advance of the September 14<sup>th</sup> public hearing of City Council, on **September 7, 2023**, at 6:00 p.m., the city planner held an information session at the Community Center, 65 City Square, Hoschton, GA, 30548, on these matters. The city planner also met with certain property owners who requested meetings, to discuss the proposed corridor map. The rest of this memo provides information that was sent to affected property owners and other interested parties.

**Why is this action by the city necessary?**

Development is occurring at an unprecedented pace in Hoschton. The city has a critical public interest in avoiding traffic congestion, especially along the State Route 53 and SR 332 corridors (regional through routes), and to try to help facilitate movement of regional traffic and new vehicle trips resulting from development through the city. The tool proposed, called an “official corridor map,” is intended to provide a mechanism for the city to work with property owners and land developers to reserve land for future connecting public roads in the city, and to hopefully engage in a partnership to get the roads built at the time of development. Unless the city takes a proactive stance to identify and reserve a path for these roads and multi-use trails, development can occur in a manner that would frustrate such necessary future road building or extension or multi-use path routes or extensions, or preclude them altogether.

**How might properties be affected?**

No immediate action is proposed with regard to individual properties to implement the proposed corridor map. However, if a preliminary plat or development permit is applied for, Ordinance O-23-05 would trigger a requirement to have a public hearing with the Hoschton City Council to consider whether the proposed development can be adjusted in a manner that will accommodate the proposed right of way reservation. Also, if rezoning is proposed, at that time discussion could take place regarding options and alternatives for the city to possibly acquire the reserved right of way, through donation, conditions of approval, sale to the city, or some combination of any acquisition method available. It would be only among the rarest of circumstances that eminent domain (payment of just compensation) would be considered by the city, and such option is by all means a last resort and not contemplated in any event, at this time.

**How might future roads, if right of way is reserved, get funded?**

The cost of designing and constructing new roads and pathways, and the distribution of those costs to various entities, is not decided at the time of these actions, if approved. However, some combination of state, city, developer, and land owner participation is possible. It is also possible that the city may elect (via future action of City Council) develop and impose an impact fee for roads in the near future.

**Revisions Thus Far**

Based on prospective property owner input (letter also attached), the proposed extension of Jopena Boulevard was removed from the draft official map, due to topographic and site planning considerations. Both the resolution and ordinance have been amended to account for this change.

Attachments: Resolution 2023-14 and Ordinance O-23-05



**SOUTHEASTERN**

DEVELOPMENT • BROKERAGE • CONSULTING

September 1, 2023

Dr. Jerry Weitz  
Consulting City Planner  
City of Hoschton  
79 City Square  
Hoschton, Georgia 30548

Subject: Proposed Jopena Blvd Expansion

Dear Dr. Weitz,

Regarding proposed Resolution 2023-14 and Ordinance O-23-05, we ask the City Hoschton abandon the proposed expansion of Jopena Blvd as shown on Page 5 of the Resolution and on Page 8 of the Ordinance.

We find it problematic where Jopena Blvd will extend beyond the eastern property line of our development and either be routed to the rear of our retail building or routed in front of our retail building. We are unable to route the boulevard in a northerly direction to the rear of the retail building due to the location of Hoschton's new Water Tower on Jopena Blvd. The boulevard is unable to be routed to the front of the building due to the topography which would result in a slope ranging between 8 to 11 degrees making it difficult for traffic to safely decelerate while approaching the turn and the retail building.

At this time, we are unable to explore other options without the input and cooperation of adjoining property owners. With that said, we are open to connecting with adjoining property owners where it creates a safe and efficient travel corridor for all that would utilize the Jopena Blvd expansion.

Therefore, due to the technical reasons listed above, we are unable to support the Jopena Blvd expansion.

Best regards,

Mark Senn  
President  
Southeastern  
Augusta, Georgia

2743 Perimeter Parkway • Bldg. 100 • Suite 370 • Augusta, Georgia • 30909

Office (706)722.5565 • fax (706)722.6960 • www.southeastern.company



**Official Corridor Map  
Public Notice Property owners List**

Paul T. Check, Jr.  
7654 Pendergrass Road  
Hoschton, GA 30548-2339  
(map/parcel 113/003A)

Shannon C. Sell  
328 East Jefferson Street  
Hoschton, GA 30548  
(map/parcel 119/019)  
(map/parcel 119/019A)

Douglas J. Swafford  
7798 Pendergrass Road  
Hoschton, GA 30548  
(map/parcel 113/004)

Matthew T. and Heidi L. Martin  
165 New Street  
Hoschton, GA 30548  
(map/parcel H02/051B)

Luther S. and Mary Morrison  
107 New Street  
Hoschton, GA 30548  
(map/parcel H02/051D)

Ryan J. and Alyssa Mae Mitchell  
203 New Street  
Hoschton, GA 30548  
(map/parcel 120/016)

Virginia Stepp Ledford  
243 New Street  
Hoschton, GA 30548  
(map/parcel 120/017A)

Mihai F Nicoara and Dorin and Lucia Harasemiuc  
2110 Enclave Mill Drive  
Dacula, GA 30019  
(map/parcel 120/017)

Horace J. Healan  
Post Office Box 275  
Hoschton, GA 30548-2346  
(map/parcel 120/018)

Hoschton Exchange LLC  
3425 Duluth Park Lane  
Duluth, GA 30096  
(map/parcel 120/030)

Michael L. Bagwell  
677 Deer Creek Trail  
Hoschton, GA 30548-2127  
(map/parcel H01/024B)  
(map/parcel 120/017C)  
(map/parcel H01/024)  
(map/parcel H01/024D)

Ryan L. Langford  
Post Office Box 293  
Hoschton, GA 30548  
(map/parcel H01/023)  
(map/parcel H01/022)

Davis Automotive, LLC  
2292 Saint Kennedy Lane  
Buford, GA 30518  
(map/parcel 120/013J)

Town Center 53 LLC  
3125 Touchton Court  
Duluth, GA 30097  
(map/parcel 120/013I)

DPLand1 LLC  
8935 Laurel Way  
Alpharetta, GA 30022  
(map/parcel 120/013K)

Hog Mountain Properties, LLC  
c/o Brogden Consulting, Inc.  
3425 Duluth Park Lane, Suite C  
Duluth, GA 30096  
(map/parcel 120/010B)

Highway 53 LLC  
3955 Highway 53  
Hoschton, GA 30548  
(map/parcel 120/010A)

Southeast Peachtree Acquisition LLC  
383 Madison Avenue  
New York, NY 10017  
(map/parcel 120/010)

Copy of correspondence and attachments to:

Tracy Jordan  
[tracyjordanrealtor@gmail.com](mailto:tracyjordanrealtor@gmail.com)

Tommy Saul  
[Tommy.Saul@southeastern.company](mailto:Tommy.Saul@southeastern.company)

Ali Daughtry  
Robertson Lola Roof Architects and Engineers  
[ADaughtry@rlrpc.com](mailto:ADaughtry@rlrpc.com)

Cal McShan  
The Crawford Creek Group of Companies  
[Cal@crawfordcreekcommunities.com](mailto:Cal@crawfordcreekcommunities.com)

Brent Hoffman  
Berkshire Hathaway  
[brent@brenthoffman.com](mailto:brent@brenthoffman.com)

Cole Hudgens  
[Dchlandinvestments@gmail.com](mailto:Dchlandinvestments@gmail.com)

Bruce Williams  
[bruce@bwilliamsprop.com](mailto:bruce@bwilliamsprop.com)

Mayor and City Council and Selected City Staff

CITY OF HOSCHTON  
STATE OF GEORGIA

RESOLUTION 2023-14

A RESOLUTION AMENDING THE COMPREHENSIVE PLAN TO ADOPT AN “OFFICIAL CORRIDOR MAP” AS A PART OF THE TRANSPORTATION COMPONENT/CHAPTERS 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.

WHEREAS; The City of Hoschton has prepared an amendment to its comprehensive plan; and

WHEREAS; The City of Hoschton City Council has conducted a public hearing on the proposed amendment to the comprehensive plan; and

WHEREAS; The city is authorized to adopt an amendment to the comprehensive plan when it determines it is appropriate to do so; and

WHEREAS; Advance review by the Northeast Georgia Regional Commission and Georgia Department of Community Affairs of a comprehensive plan amendment is not required;

Now, Therefore, It Is Hereby RESOLVED As Follows:

1.

The attached amendment to the comprehensive plan to include an official corridor map (maps) and explanatory text is hereby adopted and shall be included in the transportation element of the comprehensive plan.

2.

The city clerk shall transmit a copy of this approved resolution and the comprehensive plan amendment to the Northeast Georgia Regional Commission.

So RESOLVED, this the 16<sup>th</sup> day of October, 2023.

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James Lawson, Acting Mayor

**Resolution 23-14 Comprehensive Plan Amendment**

ATTEST:

---

Jennifer Kidd-Harrison, City Clerk

APPROVED AS TO FORM

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Abbott S. Hayes, Jr., City Attorney

**ATTACHMENT TO RESOLUTION 2023-14  
AMENDMENT TO HOSCHTON COMPREHENSIVE PLAN  
TO ADOPT AN OFFICIAL CORRIDOR MAP**

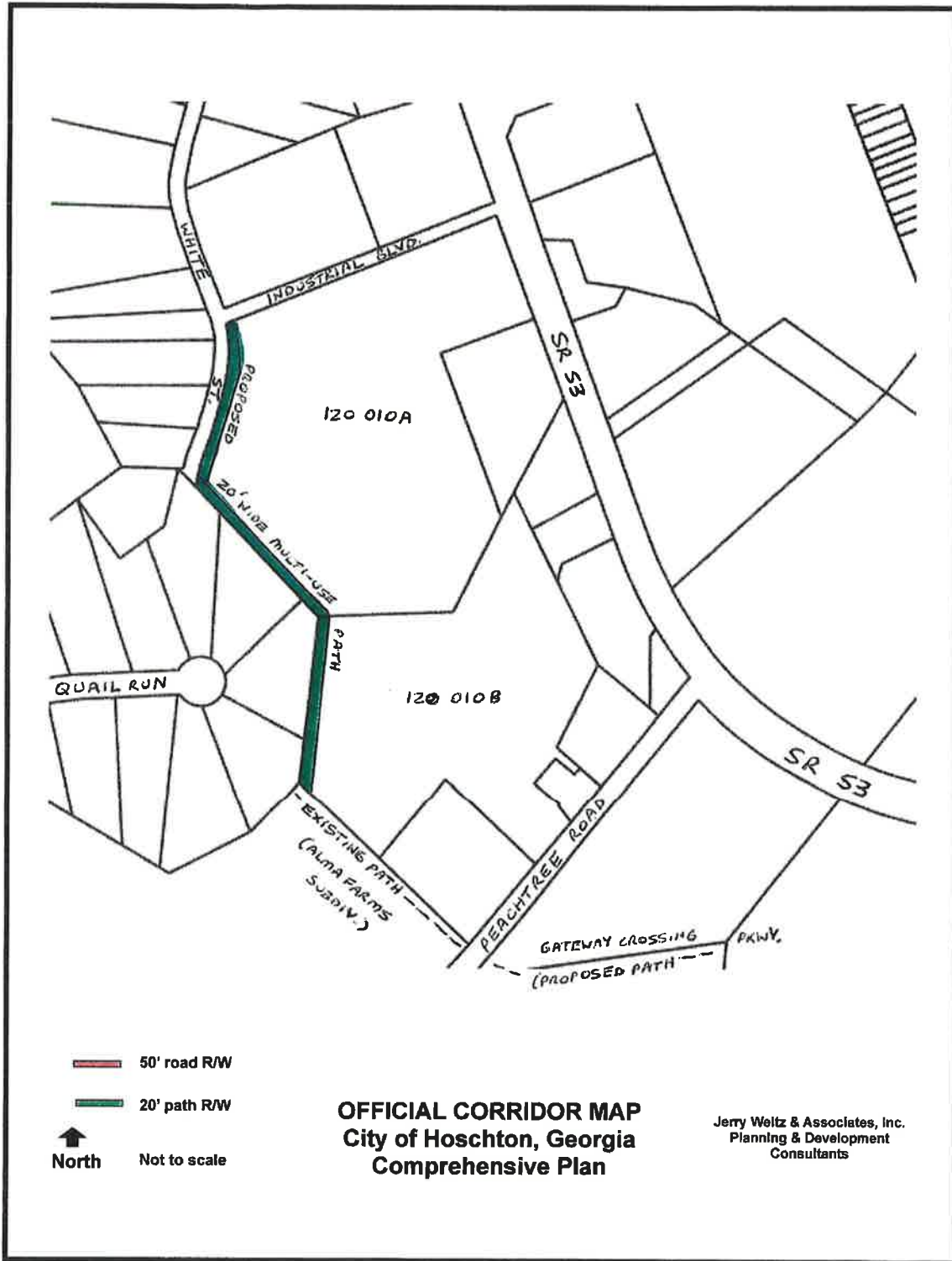
**“OFFICIAL CORRIDOR MAP**

An official corridor map is a growth management technique that seeks to reserve ways for future road connections and multi-use paths needed as development occurs. The technique has its origins in Georgia going back to the planning and zoning enabling act of 1957, and the technique has been utilized since at least the 1920s, though it is not that well known. Modern, model enabling statutes were developed by the American Planning Association in its legislative guidebook in the 2000s to utilize this tool.

A corridor map establishes point-to-point pathways through certain undeveloped lands where road connectivity is needed. In this sense, it is a precursor to a road or thoroughfare plan. A set of regulations is needed to implement the corridor map including, most importantly, the requirement for private development to “reserve” a road corridor of specified width and preventing issuance of a development permit for development in the reserved corridor until the property owner negotiates with the city for the donation, purchase, or acquisition of the road right of way. Also, the general intent is to explore potential at the time of rezoning, preliminary subdivision or development for the developer to participate in constructing the road. It is not an outright mandate to construct the road at owner/developer cost, but that may be negotiated. The city may participate in funding road (system) improvements called for in the corridor map, as may be negotiated, which would be appropriate in the case of so-called “system” improvements.

The need for this tool in Hoschton is imminent. It is beneficial that this corridor map and implementing regulations follow immediately, given rezoning proposals pending and in the pre-application stage east of SR 53 and elsewhere. The corridor map can be amended as needed to include other road corridor proposals. The regulations are proposed to be included in the subdivision and land development regulations of the city.

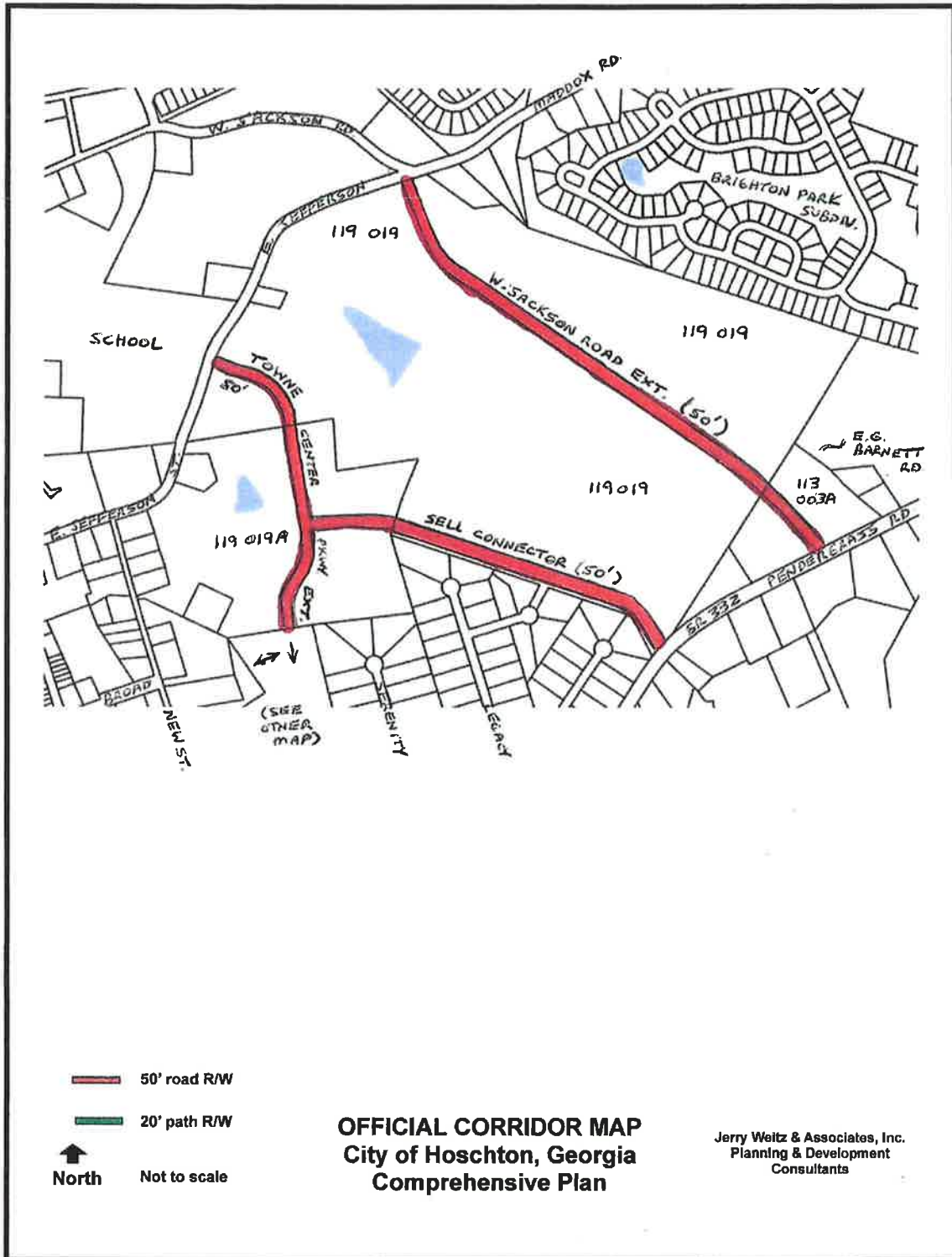
The official corridor map, which consists of four separate maps, is shown on the following pages.











# OLD BUSINESS

## ITEM #4

(Ordinance 0-23-05: Official Corridor Map)

ORDINANCE O-23-05

AN ORDINANCE AMENDING THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE ADOPTED APRIL 4, 2016, AS MOST RECENTLY AMENDED NOVEMBER 21, 2022, TO AMEND 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; 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." TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, The Hoschton City Council desires to amend the Hoschton Subdivision and Land Development Ordinance to add provisions regarding adoption of an Official Corridor Map to reserve future road right of ways necessitated by new development; and

WHEREAS, The city's comprehensive plan was amended September 18, 2023, to include an "official corridor map" and explanatory matter reserving future rights of ways for roads and multi-use paths;

WHEREAS, Written notice of this proposed ordinance was sent to property owners of record with land showing a reservation of right of way on the Official Corridor Map, along with a copy of a draft of this ordinance for review and comment; and

WHEREAS, city staff provided a public information and comment opportunity on this proposed ordinance, to present the proposed ordinance and allow for public comments prior to the public hearing before City Council; and

WHEREAS, The City Council conducted a public hearing on this matter; and

WHEREAS, The City Council finds that it is necessary and in the public health, safety, welfare, and general interests of the city to amend the subdivision and land development ordinance;

Now, therefore, the City Council of Hoschton hereby ORDAINS as follows:

**Section 1.**

The City of Hoschton subdivision and land development ordinance, Article VI, "Access and Design Requirements for Roads," Section 602, "Conformance to Adopted Major Thoroughfare and Other Plans, is retitled and amended to read as follows:

"Sec. 602. Conformance to Adopted Major Thoroughfare, Official Corridor Map and Other Plans.

- (a) All roads, multi-use paths, and other features of the adopted comprehensive plan shall be shown as reserved land on preliminary plats, when required, and development plans by the subdivider or developer ~~platted by the subdivider~~ in the location and, if any, to the dimensions indicated in the transportation element of the comprehensive

plan, official corridor map, or other transportation plan applicable in the city-, **as more specifically provided in Section 910 of this ordinance.**

- (b) Any subdivision or land development with property fronting on an existing city or county public road or state highway may be required to provide road improvements to bring the road or highway up to applicable standards and to handle the traffic generated by the subdivision or land development.”

## Section 2.

The City of Hoschton subdivision and land development ordinance, Article IX, “Development Plans and Permits,” is amended to add a new Section 910, “Official Corridor Map” as follows:

### “Section 910. Official corridor map.

- (a) **Purpose and intent. The purpose of an official corridor map is to implement the city’s comprehensive plan, by reserving land needed for future transportation facilities identified in the comprehensive plan. The corridor map is intended to provide a basis for coordinating the provision of transportation facilities with new development by designating corridors of future right of way where the construction and improvement of transportation facilities is expected. The official corridor map is also intended to restrict the construction or expansion of permanent structures in the intended right-of-way of planned transportation facilities as indicated on a corridor map, at least until a determination is made by the city concerning the proposed transportation facility.**
- (b) **Definitions.**
- 1. Official corridor map: A map or maps adopted by the city, which designates land to be reserved for the construction of future transportation facilities or improvement of existing transportation facilities. The corridor map establishes the width and location of corridors but also provides flexibility in planning the design, location, and width of a transportation facility.**
  - 2. Reserved land: Land shown on the corridor map as “reserved.”**
  - 3. Transportation facilities: Streets, highways, bikeways, sidewalks, and multi-use paths.**
- (c) **Prerequisites to adoption of an official corridor map or the subsequent inclusion of reserved land on said map. No official corridor map shall be adopted, and no such map shall be amended to include a land reservation, until and unless the requirements of this subsection are met to ensure procedural due process:**
- 1. At least fifteen (15) days before the public hearing, the city shall notify the public of the date, time, place, and nature of the public hearing by publication in a newspaper of general circulation in the territory of the local government.**
  - 2. The city shall notify all owners of record according to the Jackson County tax assessor of parcels of land that include proposed reserved land of the date,**

time, place, and nature of the public hearing by mail at least fifteen (15) days before the public hearing.

3. The Hoschton City Council shall hold a public hearing(s) at the date, time, and place advertised, and afford all interested individuals the opportunity to be heard concerning the proposed official corridor map.
- (d) Adoption. That map, or maps, titled "Official Corridor Map for the City of Hoschton," as contained in the adopted comprehensive plan of the City of Hoschton and which is attached to and made a part of this section, is hereby adopted for purposes of subdivision platting, development permitting, and land use regulation in the City of Hoschton.
- (e) Reservation of land. The areas shown on the official corridor map as "future road right of way" and "future multi-use path" shall be interpreted as "reserved land" as defined in this ordinance and shall be shown as such on preliminary plats, if applicable, and on development plans, and final plats (if applicable) in a manner consistent with this section.
- (f) Width of reservation.
1. Unless otherwise specifically shown on the official corridor map, the required right of way width for a future road right of way shall be fifty (50) feet, and the required right of way width for a future multi-use path shall be twenty (20) feet.
  2. If a road right of way width of greater than fifty (50) feet is specified on the official corridor map, the city may authorize a reduction of the required future road right of way width to fifty (50) feet, depending upon evaluation of traffic and travel impacts of the proposed subdivision or land development.
  3. Where a future road right of way intersects with an existing road right of way such as a state route, the width of said reservation may be required by the city to be increased to eighty (80) feet to accommodate road intersection turning lanes.
  4. The city may authorize a reduction of the required future road right of way width or future multi-use path right of way width reservation on a given parcel of land by one-half (i.e., to 25 feet and 10 feet, respectively), if the subdivider/ developer owns abutting property or if there is a formal legal arrangement by an abutting property owner to reserve one-half the width of the proposed right of way or multi-use path right of way. The intent of this provision is to allow one reservation at the specified width to occur that will traverse a common property line to the benefit of properties along both sides of the proposed reservation.
- (g) Location of reservation. In the case of a future right of way shown on the official corridor map, the City of Hoschton shall consider and may approve an alternative alignment proposed by the subdivider or developer on the same parcel of land as is proposed for subdivision and/or development that accomplishes the same point-to-point interparcel connectivity at the specified width. This provision is

intended to offer flexibility to the subdivider or developer to plan the site with the reserved road right of way in a way that optimizes the site plan's design and/or to account for the possible need to modify the location given existing topographic, riparian, or other environmental or field conditions.

- (h) Permitting restriction. The city shall not issue any permit pertaining to land use, zoning or development on land regulated by this section except pursuant to the procedures of and in compliance with this section. This section does not forbid or restrict the use of any reserved land that does not constitute the development of that land, nor does this section forbid or restrict development on the unreserved portion of any tract or parcel that contains reserved land as shown on the official corridor map.
- (i) Preliminary plat or development permit required. An owner of reserved land who proposes to subdivide reserved land shall apply for a preliminary plat. An owner of reserved land who proposes to develop reserved land shall apply for a development permit. It shall be unlawful to subdivide or develop land shown as reserved on the official corridor map without securing a preliminary plat and/or development permit as required by this section.
- (j) Public hearing and notice for preliminary plat or development permit involving reserved land. Upon receiving an application for a preliminary plat, if subdivision is required, or a development permit if subdivision is not proposed, involving reserved land as shown on an the official corridor map, the city shall arrange for the application to be scheduled for public hearing by the Hoschton City Council. The applicant shall be notified in writing of the date, time, and place of the hearing, by written mail, personal service, or electronic mail, at least fifteen (15) days prior to the public hearing. The public shall be given notice of the date, time, place, and nature of the hearing by publication in a newspaper of general circulation in the territory of the local government with jurisdiction at least fifteen (15) days prior to the public hearing. The applicant shall, at the hearing, have an opportunity, personally or through counsel, to present evidence and argument in support of his or her application.
- (k) Action. Following the public hearing, the Hoschton City Council may take one of the following actions:
  - 1. Approve the preliminary plat or development permit as proposed, with or without conditions, modify the mapped corridor to remove all or part of the reserved land from the mapped corridor, and issue with or without conditions the preliminary plat authorizing preliminary subdivision or issue a development permit authorizing development on the land removed from the mapped corridor.
  - 2. Modify the proposed preliminary plat or development permit application and issue it for development as modified, with or without conditions, if the development can reasonably be accomplished on the subject parcel without encroaching on the reserved land.

3. Delay action on the development permit for a defined period of time not to exceed ninety (90) days for the purpose of any of the following: negotiating with the property owner for the purchase of all or a part of the reserved land by the city; acquiring the reserved land from the developer voluntarily; acquiring a negative easement over the reserved land that prevents the property owner from building on the reserved land; or taking the reserved land through eminent domain and the payment of just compensation.

(l) Council authority and action. After considering the preliminary plat or development permit with reserved land pursuant to this section, the Hoschton City Council may, but shall not be obligated to, negotiate for the voluntary dedication of the land, enter into option to purchase, or it may initiate condemnation proceedings subject to applicable state laws and use its powers of eminent domain. If the Hoschton City Council delays action on the preliminary plat or development permit with reserved land as provided by this section. and the Hoschton City Council fails to arrange for the legal acquisition of all or a part of the reserved land within the specified time period which shall not exceed ninety (90) days, then the city shall approve the preliminary plat or the development permit, as the case may be, with or without conditions, or in the absence of such approval, the preliminary plat or development permit as the case may be shall be deemed approved as submitted.”

**Section 3.**

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

**Section 4.**

If any portion of this ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

**Section 5.**

This ordinance shall become effective immediately upon its adoption.

So ORDAINED, this 16<sup>th</sup> day of October, 2023.

---

James Lawson, Acting Mayor



**Ordinance O-2023-05**

This is to certify that I am City Clerk of the City of Hoschton. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this ordinance was adopted as stated and will be recorded in the official minutes.

ATTEST:

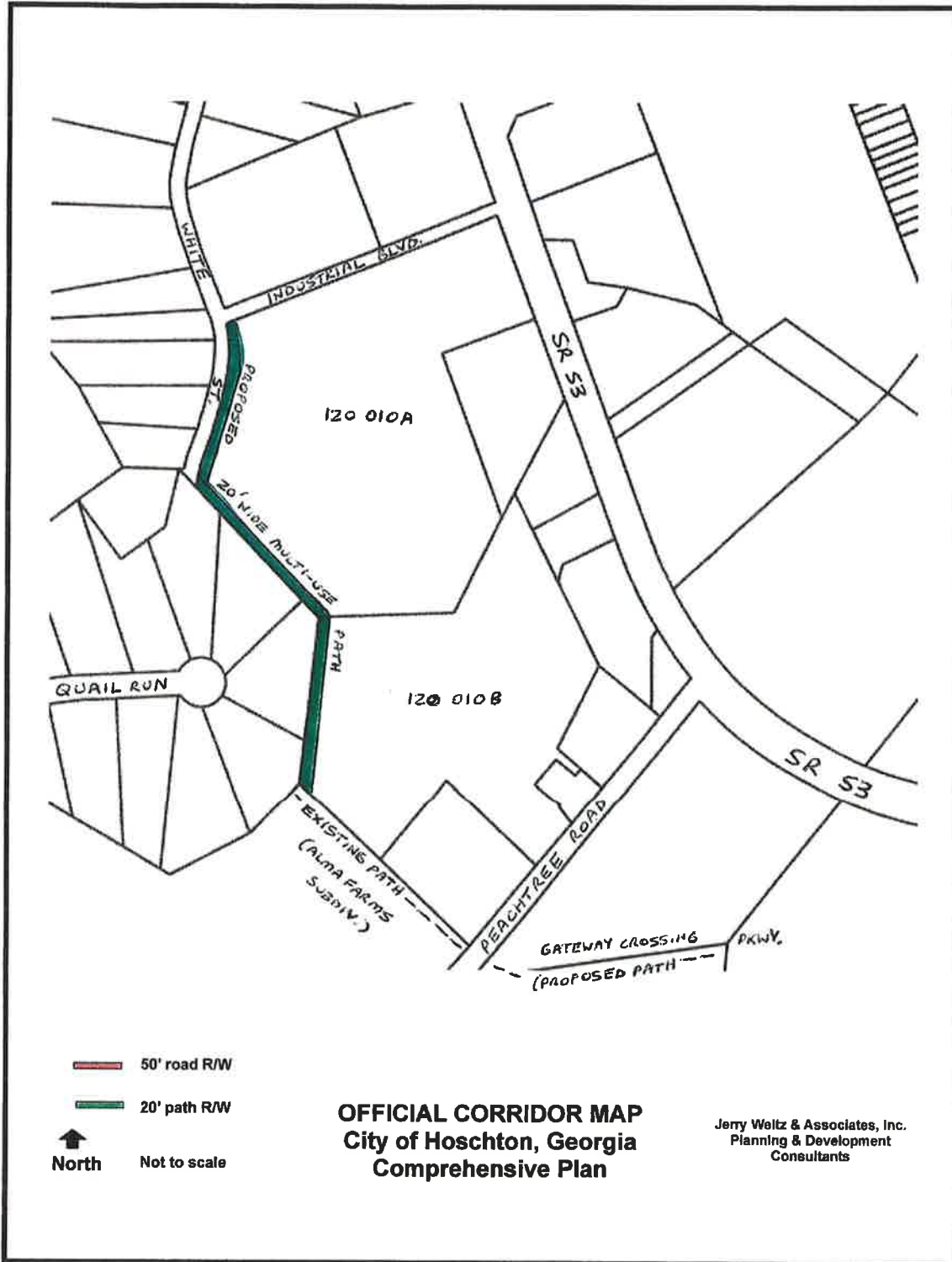
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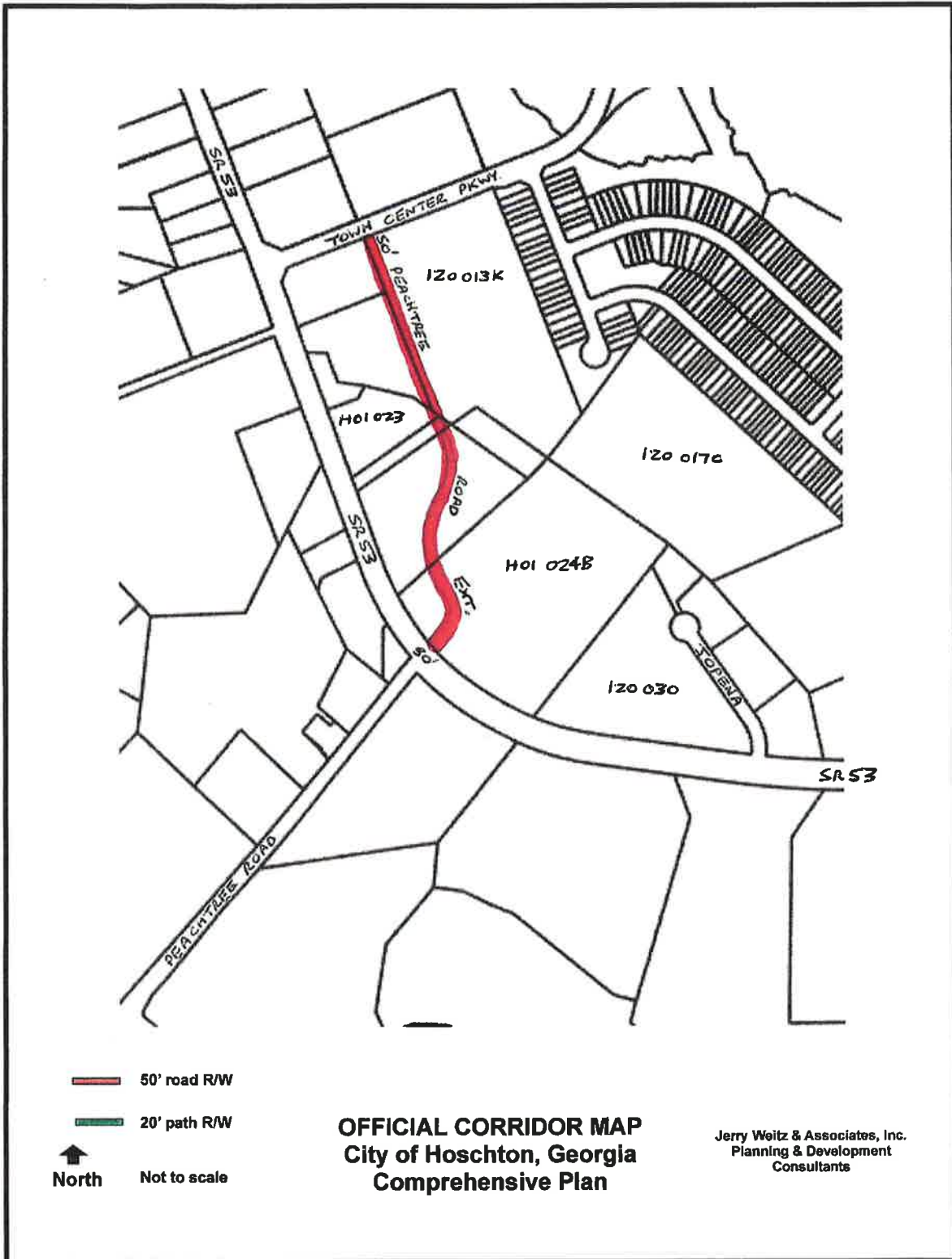
Jennifer Kidd-Harrison, City Clerk

APPROVED AS TO FORM

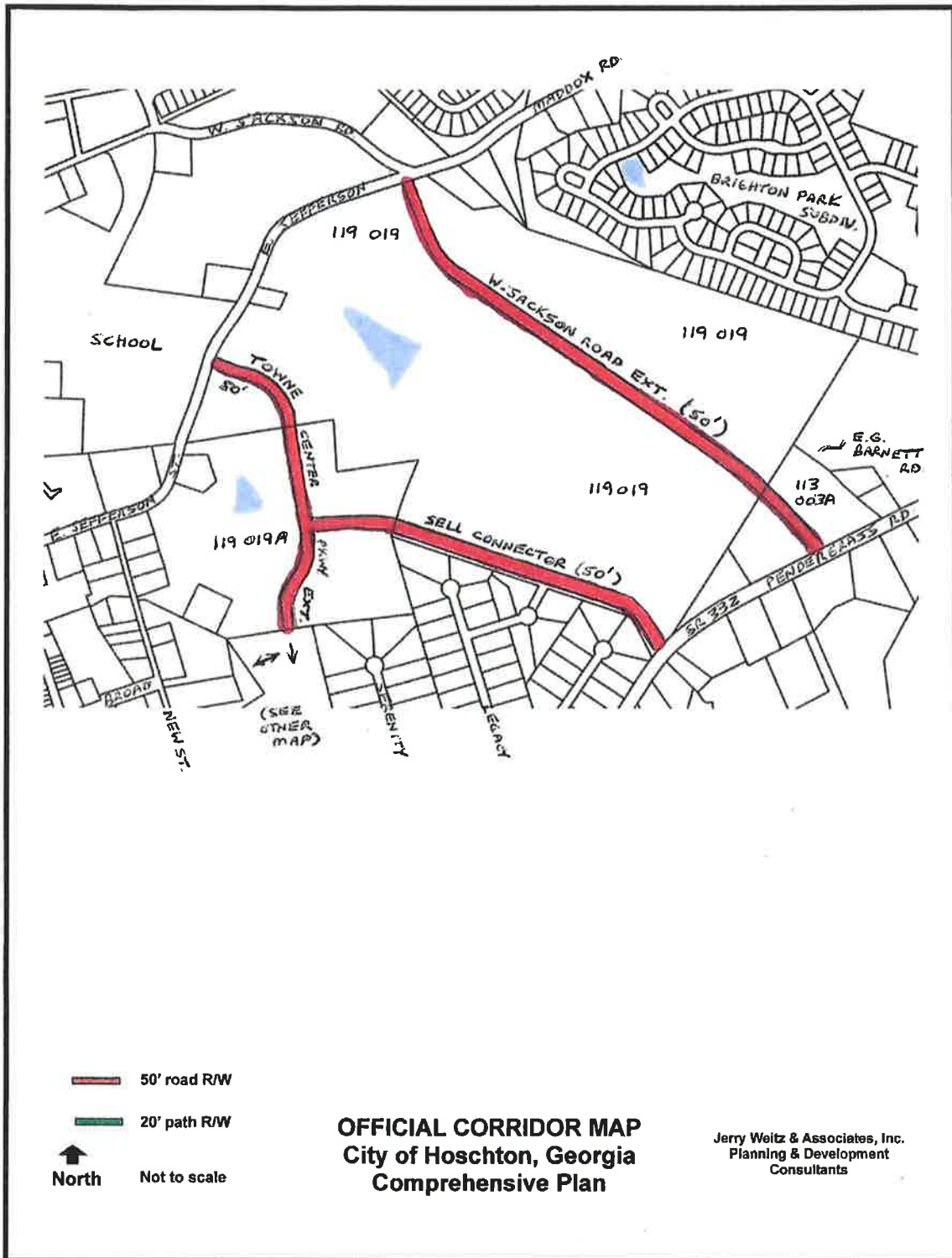
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Abbott S. Hayes, Jr., City Attorney









# NEW BUSINESS

## ITEM #1

(Resolution 2023-21: Adoption of the Comprehensive Plan, 2023 Annual Update of Capital Improvements Element and Community Work Program and for Other Purposes)

STATE OF GEORGIA  
CITY OF HOSCHTON

RESOLUTION 23-21

A RESOLUTION OF THE GOVERNING AUTHORITY  
OF THE CITY OF HOSCHTON ADOPTING THE ANNUAL UPDATE  
OF THE CITY OF HOSCHTON COMPREHENSIVE PLAN INCLUDING CAPITAL  
IMPROVEMENTS ELEMENT (CIE) AND COMMUNITY WORK PROGRAM AND FOR  
OTHER PURPOSES

WHEREAS; The city prepared and adopted a capital improvements element (CIE) of its comprehensive plan per Resolution 20-10 on August 31, 2020; and

WHEREAS; The City of Hoschton completed a five-year update of its comprehensive plan and adopted it via Resolution on February 15, 2021; and

WHEREAS; Rules of the Georgia Department of Community Affairs, Chapter 110-12-2, Development Impact Fee Compliance Requirements require that the city annually update the capital improvements element; and

WHEREAS; The city is also required by state rules to annually update its community work program component of the comprehensive plan; and

WHEREAS; The city's planning consultant has prepared the required annual updates; and

WHEREAS; After public notice, the Hoschton City Council conducted a public hearing on the annual update of the capital improvements element and the community work program, to solicit community input on the draft annual update; and

WHEREAS; The City of Hoschton has followed procedures required by the state, including review by the Northeast Georgia Regional Commission and Georgia Department of Community Affairs, in preparing and adopting an annual update of the city's capital improvements element (CIE) and community work program; and

WHEREAS; The City of Hoschton has been notified by the Northeast Georgia Regional Commission that the annual update of the comprehensive plan including CIE and community work program has been found by the Georgia Department of Community Affairs to be in compliance with the minimum standards and procedures;

Now, Therefore, IT IS HEREBY RESOLVED AS FOLLOWS:

**1.**

The City of Hoschton 2023 annual update of the comprehensive plan, including an updated capital improvements element (attached as Exhibit A) and an updated community work program (attached as Exhibit B), which are hereby made a part of this resolution, are hereby adopted.

**Resolution 23-21**

**2.**

The financial report of impact fees for the year 2022 is adopted. Corrected financial reports for the years 2020 and 2021 are hereby adopted. Said financial reports are made a part of this resolution as Exhibit C.

**3.**

City staff is hereby directed to provide a copy of this adoption resolution and the annually updated comprehensive plan and adopted financial reports within seven days of local adoption to the Northeast Georgia Regional Commission.

**4.**

City staff is hereby directed to publicize the availability of the annually updated comprehensive plan as public information, by posting the adopted comprehensive plan on the city's website.

So RESOLVED, this the 16<sup>th</sup> day of October, 2023.

---

James Lawson, Acting Mayor

This is to certify that I am City Clerk of the City of Hoschton. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

Approved as to form:

---

Abbott S. Hayes, Jr., City Attorney

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Jennifer Kidd-Harrison, City Clerk



**EXHIBIT A  
UPDATED CAPITAL IMPROVEMENTS ELEMENT (CIE)**

**CITY OF HOSCHTON, GEORGIA  
CAPITAL IMPROVEMENTS ELEMENT (CIE)  
OF THE COMPREHENSIVE PLAN  
(2023 Annual Update)**

**SUMMARY**

This document is an element of the City of Hoschton’s comprehensive plan. It specifies capital improvements for which development impact fees are charged in Hoschton. This capital improvements element (CIE) includes information for parks and open space and public safety (police).

**REQUIREMENTS**

To support a development impact fee program, the city’s comprehensive plan must meet state administrative rules for Capital Improvements Elements (CIEs).<sup>1</sup> The rules, among other things, require that, for each facility included in the development impact fee program, the following must be included: a service area must be established; a quantifiable level of service (LOS) standard must be specified; long-term needs (demands) shall be assessed; and a schedule of improvements identifying projects to be funded with impact fees during the next five years must be submitted and then annually updated after its adoption.

**PROJECTIONS, FORECASTS, AND LAND USE ASSUMPTIONS**

Total population is the sum of household population (i.e., persons living in households) and group quarters population (i.e., persons residing in nursing homes, jails, dormitories, etc.). Hoschton does not currently have any group quarters population. Occupied housing units are the same thing as households.

The city’s estimated population (100% decennial census population count) as of April 2020 was 2,666 persons living in 1,038 housing units (977 occupied), for an average household size of 2.73 persons per occupied dwelling unit (Source: U.S. Census Bureau, PL 94-171 data accessible at [www.data.census.gov](http://www.data.census.gov)). All but about 40 of the 1,038 housing units were detached, single-family dwelling units. As of the decennial census, Hoschton did not have any fee simple townhouses or senior apartments. As of April 2020, only an estimated 31 dwelling units had been constructed within the Twin Lakes Planned Unit Development (PUD), which was annexed and zoned in 2018.

Based on review of building permit activity reports, the housing stock in Hoschton has more than doubled to an estimated 2,308 units as of July 2023. The increase in housing units has included mostly detached, single-family dwelling units but also has included fee-simple townhouses and age restricted (senior) attached and non-attached units. Because of the diversification of types of units in Hoschton, the average household size of 2.73 persons per household in 2020 is reduced slightly to 2.70 persons per unit, which is held steady for purposes of projecting the population into future years. Table 1 provides projections and forecasts for the city which were updated in July 2023.

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<sup>1</sup> Rules of Georgia Department of Community Affairs, Chapter 110-12-2, Development Impact Fee Compliance Requirements

**Table 1  
Projections and Forecasts, 2020-2043  
City of Hoschton**

<b>PROJECTION/FORECAST</b>	<b>2020</b>	<b>2023</b>	<b>2028</b>	<b>2033</b>	<b>2038</b>	<b>2043</b>
Total Housing Units	1,123	2,308	4,689	5,631	5,642	5,653
Occupied Housing Units (95% total)	1,066	2,192	4,454	5,349	5,360	5,371
Households	1,066	2,192	4,454	5,349	5,360	5,371
Persons Per Unit	2.70	2.70	2.70	2.70	2.70	2.70
Household Population	2,878	5,918	12,025	14,442	14,472	14,501
Group Quarters Population	0	0	0	95	165	280
Total Population	2,878	5,918	12,025	14,537	14,637	14,781
Employment	532	918	1,488	1,797	2,102	2,162
Functional Population (Total Population + Employment)	3,410	6,836	13,513	16,334	16,739	16,943

Source: Jerry Weitz & Associates, Inc. July 2023. Note: Data are for July 1<sup>st</sup> of each year.

The basis for projecting future population is project approvals which are summarized in the data appendix of this CIE. Hoschton’s population in 2043 is projected to be 14,781 persons. Population growth in Hoschton is definitely not expected to be spread uniformly across the 20-year planning period (horizon). Rather, the vast majority of the new housing units in Hoschton will be constructed by 2028, with housing starts weighted proportionally much heavier in the next five years. The projections of housing units and population in Table 1 are based on the assumption that the city will buildout (almost entirely, if not entirely) its residential lands within the city limits during the twenty-year planning horizon. As noted above, the city does not have any nursing homes or other “group quarters” population. The projections of population include the forecast that, later in the planning horizon, Hoschton will become home to one or more institutionalized residential living arrangements such as nursing or congregate care homes.

Hoschton has a relatively modest economic base, consisting of restaurants, retail trade establishments, services, and institutions and industries. Employment data for transportation analysis zones (TAZs), prepared as a part of the Jackson County Transportation Plan in 2019, were used to prepare employment forecasts for this CIE. The county data by TAZ were for the years 2015 and 2050 only, and thus had to be interpolated to the years utilized in this CIE. A map of TAZs for western Jackson County is provided in the data appendix. Employment increases are forecasted to also be more heavily weighted during the next ten years but will yet be significantly more uniform than residential population increases in terms of spread over the 20-year planning horizon.

Hoschton’s impact fee program includes public safety facilities and services (police). The service population for police is the population plus employment, or in other words, the “functional” population. As indicated in Table 1, the population is added together with employment to determine the functional population.

**PARK AND OPEN SPACE LAND**

**Service Area**

The service area for park and open space land is the city limits.

**Inventory**

Table 2 shows the inventory of park and open space lands within the City of Hoschton as of July 1, 2023. The inventory does not include part of a ballfield that is owned by the Jackson County Board of Education, since the city does not own that portion of the ballfield.

**Table 2  
Park and Open Space Land Inventory, July 1, 2023  
City of Hoschton**

<b>Parcel No.</b>	<b>Address</b>	<b>Acres</b>	<b>Description</b>
120 003R	374 Cabin Drive	8.73	4 ball fields, 2 tennis courts
119 0022	4727 Hwy 53	4.20	Ball field (part)
H02 056	E. Broad St	0.23	Building and open space
H02 082 (pt.)	79 City Square	0.25	Pavilion and open space
H02 058 (pt.)	Highway 53	0.15	Playground beside Depot
H01 003A	New Street	0.32	Undeveloped/open space
H01 003B	Pendergrass Rd	0.18	Undeveloped/open space
H01 004	Pendergrass Rd	0.22	Undeveloped/open space
H01 005	Oak Street	0.22	Undeveloped/open space
H01 006	67 Oak Street	0.20	Undeveloped/open space
H01 007	Oak Street	0.17	Undeveloped/open space
H01 008	Oak Street	0.09	Undeveloped/open space
H01 009	29 Oak Street	0.22	Undeveloped/open space
H01 00	15 Oak Street	0.16	Undeveloped/open space
H01 048	153 Mulberry Street	4.78*	Undeveloped/open space
		20.12	TOTAL

\* total tract is 6.78 acres but 2 acres are subtracted for other uses.

Source: Jerry Weitz & Associates, Inc., July 2023.

**Level of Service (LOS) Measures and Standards**

Since residents are the users of park and open space lands, the level of service measure and standard for park and open space land is based on the residential population. The city established the following level of service measure in the first CIE in 2020: acres of park and open space land per 1,000 residents.

In the initial CIE, adopted in September 2020, the city adopted a level of service standard for park and open space land of 5.33 acres per 1,000 residents, the same as the existing level of service in 2020. No change is proposed to the adopted level of service standard.

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From July 1, 2020, to July 1, 2023, the city has added 4.78 acres of park land but has also added an estimated 3,040 new residents. As a result of the unprecedented population increase, the current park and open space land level of service has dropped substantially to 3.40 acres per 1,000 residents.

**Assessment and Projection of Demands**

Table 3 provides a projection of park and open space land demands based on the projected residential population. The city has a current park and open space land inventory of 20.12 acres as of 2023 (see Table 2 above). That population increase translates into a demand for 31.54 acres to meet the level of service standard for the current (2023) year. This means the city needs to acquire an additional 11.42 acres to meet the current (2023) need per the adopted standard, just to meet the current (2023) population. The city has collected park and open space impact fees since September 2020, which can be used to purchase additional park and open space acreage.

Looking at the upcoming five years, Hoschton’s population will more than double, increasing by 6,107 people from 5,918 in 2023 to 12,025 in the year 2028. This new residential development (a population increase of 6,107 persons) will generate a demand for 32.55 acres of park and open space land at the adopted level of service standard. That is in addition to the need for 31.54 acres as of July 2023.

Looking at the entire 20-year planning horizon, between 2023 and 2043, new residential development (the projected population increase) will generate a demand for 47.24 acres of park and open space land at the level of service standard. Demand for park and open space land will slow considerably after the next decade, since the land use assumptions indicate the city will be mostly built out residentially by 2033. Counting the 11.42 acres to meet the current (2023) need per the adopted standard, the city as of July 2023 needs to acquire (add to the inventory) a total of 58.66 acres of park and open space land.

**Table 3  
Projection of Park and Open Space Land Demands, 2023-2043  
City of Hoschton**

<b>Type of Land</b>	<b>2023</b>	<b>2028</b>	<b>2033</b>	<b>2038</b>	<b>2043</b>
Total Population	5,918	12,025	14,537	14,637	14,781
Cumulative demand for new park and open space acres (@ LOS standard of 5.33 acres per 1,000 residents)	31.54	64.09	77.48	78.01	78.78

Source: Jerry Weitz & Associates, July 2023.

**Schedule of Improvements**

The schedule of improvements for park and open space land is shown in Table 4.

**Table 4**  
**Schedule of Improvements, 2023-2028**  
**Park and Open Space Land Impact Fee Program (Dollars)**  
**City of Hoschton**

Capital Improvement/ Authorized expenditure	2023	2024	2025	2026	2027	2028	Total 2023- 2028	Source of Funds	% Eligible for Funding with Impact Fees
Acquire 11.42 acres of park and open space land (@ \$75,000 per acre)	856,500						856,500	Impact Fees	100%
Acquire 32.55 acres of land (@ \$75,000 per acre)						2,441,250	2,441,250	Impact Fees	100%
Total	856,500					2,441,250	3,297,750	Impact Fees	100%

Source: Jerry Weitz & Associates, August 2023.

**LAW ENFORCEMENT (POLICE AND MUNICIPAL COURT)**

Hoschton was served exclusively by the Jackson County Sheriff for sworn officer law enforcement functions, but as of August 2021 the city hired a police chief and established its own police force. Jackson County Sheriff’s Department still serves backup functions and covers time periods when city police are not working. Since establishment of the police department, the city has added additional personnel.

**Service Area**

The service area for law enforcement (police and municipal court) is the city limits of Hoschton.

**Inventory**

Since establishing the police force, the city acquired building space devoted exclusively to the police department. Specifically, the city purchased 0.40 acre of property at the intersection of SR 53 and SR 332 which contained a 3,100 square foot building. The city then renovated 1,700 square feet of the building space for police department operations.

The original capital plan was for the police department to occupy the 1,700 square feet and finish additional space in the 3,100 square foot building as needed. However, with construction of new city hall administrative space at 61 City Square, the city’s building space at 79 City Square (prior city hall) (3,188 square feet) has been freed up and will be occupied by for police and municipal court space. Upon occupancy by police of the old city hall space at 79 City Square, to be completed in 2023, the inventory of space will be as shown in Table 5. The 1,700 square feet of police department space at SR 53 and SR 332 will no longer be utilized for police department operations and is therefore excluded from the resulting inventory.

**Table 5  
Inventory of Law Enforcement Building Space, City of Hoschton, 2023**

<b>Location of Building Space</b>	<b>Total Building Space (Square Feet)</b>
79 City Square (old city hall)	3,188

Source: City of Hoschton, July 2023.

**Level of Service (LOS) Measures and Standards**

Since both residential and nonresidential development are served by law enforcement facilities and services, the level of service measure and standard for police facilities are based on the functional population.

In September 2020, the city adopted the following level of service measure for law enforcement (police and courts): square feet of police building space per functional population. Police vehicles are not included in the impact fee program, because they do not qualify as “capital improvements” (i.e., they do not have a useful life of 10 years or more).

There was no level of service for police in Hoschton at the time the initial capital improvements element was adopted in September 2020, because the city did not have a police force at that time. In September 2020, the city adopted a level of service standard for law enforcement (police and court) facilities of 0.95 square feet of police building per functional population. No change is proposed to the adopted level of service standard.

**Assessment and Projection of Demands**

Table 5 provides a projection of police and court (law enforcement) space needed. As of 2020, prior to adoption of impact fees, the city needed 3,240 square feet of building space to serve the existing population as of 2020. This means that Hoschton, upon adoption of the police and court impact fee in September 2020, had a “facility deficiency” that is required to be provided by the city without utilizing impact fee funds. As noted above, the 3,188 square feet of old city hall space, converted to use for the police department in 2023, nearly addresses that facility deficiency (it is short by 52 square feet).

**Table 5  
Projection of Police and Court Building Space Demands, 2020-2043  
City of Hoschton**

	<b>2020</b>	<b>2023</b>	<b>2028</b>	<b>2033</b>	<b>2038</b>	<b>2043</b>
Functional population of Hoschton	3,410	6,836	13,513	16,334	16,739	16,943
Cumulative new police and court building space (square feet) needed (@ LOS standard of 0.95 square feet per functional population)	3,240	6,494	12,837	15,517	15,902	16,095

Source: Jerry Weitz & Associates, July 2023.

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**Schedule of Improvements**

The schedule of improvements for police and court facility space is provided in Table 6.

**Table 6  
Schedule of Improvements, 2023-2028  
Police and Municipal Court (Dollars)  
City of Hoschton**

<b>Capital Improvement/ Authorized expenditure</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>	<b>Total 2023-2028</b>	<b>Source of Funds</b>	<b>% Eligible for Funding with Impact Fees</b>
Add 52 square feet of police/court facility space (@ \$300 per square feet)			15,600				15,600	General Fund	0% (facility deficiency as of 2020)
Acquire and prepare site for new police and court space (3 acres @ \$150,000 per acre)		450,000					450,000	IF	100%
Architecture and engineering @ 15% of cost of building space for 3,254 square feet (phase 1 improvement)			146,430				146,430	IF	100% (2023 need)
Add 3,254 square feet of police and court space (@ \$300 per square feet) (phase 1 improvement)			976,200				976,200	IF	100% (2023 need)
Architecture and engineering @ 15% of cost of building space for 6,343 square feet (phase 2 improvement)				285,435			285,435	IF	100% (2028 need)
Add 6,343 square feet of police and court space (@ \$300 per square feet) (phase 2 improvement)					1,902,900		1,902,900	IF	100% (2028 need)
<b>TOTAL SHOWN</b>		<b>450,000</b>	<b>1,138,230</b>	<b>285,435</b>	<b>1,902,900</b>		<b>3,776,565</b>		

Source: Jerry Weitz & Associates, August 2023.

IF = Impact fees.

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As noted above, the city must address the facility deficiency (as of 2020) of 52 square feet with sources of funds other than impact fees. That facility deficiency is shown separately in Table 6. However, it will not be built as a stand-alone project and will be constructed at the time of phase 1 improvement as described below. Any facility additions after the 52 square feet can be funded 100 percent using impact fees.

Due to unprecedented population growth, from 2020 to 2023, the city has a current (year 2023) need to add 3,254 square feet of police and court facility space. This is referred to as a phase 1 improvement in Table 6. That is in addition to the 3,188 square feet of space in old city hall allocated to the police department and municipal court, and it also excludes the 52 square feet of unmet facility need as of 2020 (i.e., 52 square feet).

To meet continued unprecedented growth from 2023 to 2028, the city will need to add 6,343 square feet of police and municipal building space. This is referred to as a phase 2 improvement in Table 6.

A key facility planning issue is whether the city would be better served by planning and constructing a one facility all at once that meets its 20 year needs. Closely related is the issue of whether the city should plan to include the replacement of existing police and court facility space (i.e., the 3,188 square feet in old city hall at 79 Public Square) in a future building project, thus consolidating all facilities in one place. If so, replacement of the 3,188 square feet of existing space in a new facility would not be eligible for funding with impact fees.

To meet the city’s long-term needs for police and court facility space with a single project, and to ultimately consolidate operations into one building, the city could plan and execute a project that includes all of the components needed to meet all needs as of 2043 (Table 7).

**Table 7  
Consolidated Police and Court Facility Space by Component**

<b>Time Period/ Component</b>	<b>Square Feet of Police and Court Building Space</b>	<b>Estimated Cost Including Architecture and Engineering (\$)</b>	<b>Impact Fee Funding</b>
2020 facility deficiency	52	15,600	None (0%)
Site acquisition/preparation	--	450,000	Impact fees (100%)
2020-2023 need (phase 1)	3,254	1,122,630	Impact fees (100%)
2023-2028 need (phase 2)	6,343	2,188,335	Impact fees (100%)
2028-2043 need (phase 3)	3,258	1,124,010	Impact fees (100%)
Relocate 3,188 square feet (existing 2023 space allocated to 79 City Square)	3,188	1,099,860	None (0%)
<b>Total Project</b>	<b>16,095</b>	<b>6,000,435</b>	<b>4,884,975 (81.4%)</b>

Source: Jerry Weitz & Associates, August 2023.

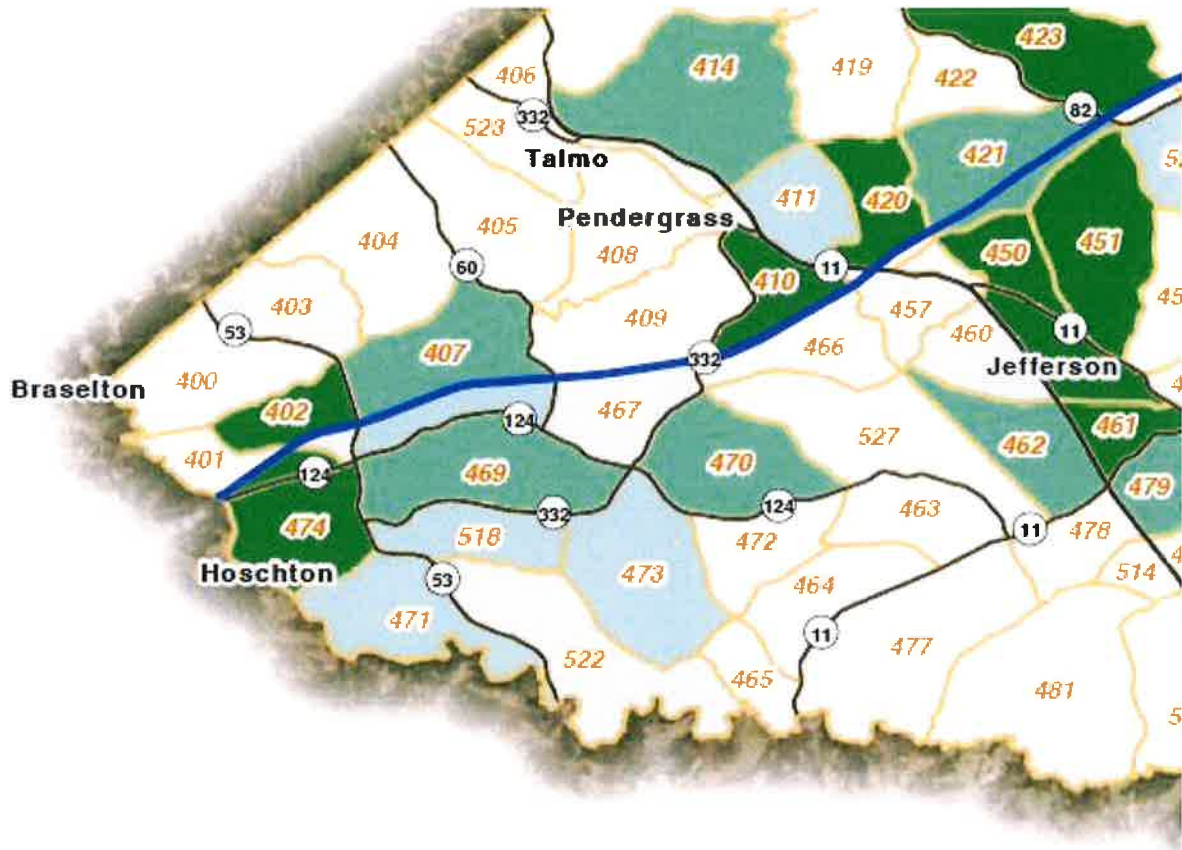


APPENDIX A  
SUPPORTING MAPS



**City Limits of Hoschton (Service Area)**

Source: Jackson County Q Public



**Transportation Analysis Zones (TAZ) (Excerpt)**

Source: Jackson County Transportation Plan

**APPENDIX B  
SUPPORTING DATA TABLES**

**City of Hoschton, Georgia  
Existing Housing Count by Subdivision (July 1, 2020)**

<b>Subdivision</b>	<b>Estimated Housing Units</b>
Panther Court & vicinity	22
Northwest scattered	18
Creskide Village	144
Winterset	39
Brook Glen	98
Village @ Hoschton	92
Deer Creek	106
Wildflower	46
Peachtree Road	2
Quail Crossing	46
Broad St. Apartments	24
White St. S of Broad	19
Downtown W of SR 53	34
Downtown E of SR 53	30
E. Jefferson Street	6
W. Jackson Apts. (SR 53)	16
Legacy Oaks	46
Town Park	54
Brighton Park	160
Century Oaks + Vic.	24
Azalea Senior Village	66
Twin Lakes PUD	31
<b>TOTAL</b>	<b>1,123</b>

Source: Jerry Weitz & Associates, June 2020.

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**Forecast of New Housing Units by Time Period, 2023-2043  
City of Hoschton**

<b>Subdivision/ Project/</b>	<b>Est. New Housing Units 2023-2043</b>	<b>Built 2023- 2027</b>	<b>Built 2027- 2033</b>	<b>Built 2034- 2037</b>	<b>Built 2037- 2043</b>
Infill existing subdivisions	20	5	5	5	5
Azalea Senior Ph. 2	50	50	0	0	0
Cresswind at Twin Lakes	850	650	200	0	0
Twin Lakes at Twin Lakes (including Mixed Use)	750	500	250	0	0
Creekside Townhomes	27	27	0	0	0
Pirkle Road Planned Unit Development	499	168	331	0	0
Cambridge @ Towne Center	270	210	60	0	0
Providence Group PUD (Sell farm pt. and W. Jackson LLC)	334	250	84	0	0
Nunley estate	55	55	0	0	0
W. Jefferson Townhouses	193	193	0	0	0
Henry Street Townhouses	24	24	0	0	0
Townhouse infill E. of SR 53	48	24	12	6	6
Enclave at Hoschton (Kumar)	225	225	0	0	0
<b>TOTAL</b>	<b>3,345</b>	<b>2,381</b>	<b>942</b>	<b>11</b>	<b>11</b>
<b>%</b>	<b>100%</b>	<b>71%</b>	<b>28%</b>	<b>0.5%</b>	<b>0.5%</b>

Source: Jerry Weitz & Associates, July 2023.

**EXHIBIT B  
UPDATED COMMUNITY WORK PROGRAM**

The community work program is amended to remove projects that have been completed, and to add additional projects proposed by the city. The Community Work Program (2023-2027) provides a list of specific activities that the community plans to address as immediate priorities. This work program is updated annually because the city has adopted a capital improvements element (CIE) for development impact fees.

Dept.	Description	Year to be Implemented					Estimated Cost (\$)	Funding Source
		2023	2024	2025	2026	2027		
Water/Sewer	Complete Panther Creek sewer project	X					\$2,000,000	Grant and General Fund
Planning; City Attorney	Prepare ordinance amendments to address state mandates regarding use of city rights of ways for small wireless sites (SB 66) (2019), "Streamlining Wireless Facilities and Antennas Act"	X					\$5,000	General Fund
Administration	Complete recodification project and update of city code of ordinances	X					\$22,000 or as budgeted	General Fund
Administration	Construct City Square building addition (municipal property)	X					\$1,700,000	General Fund
Roads/Grounds	Striping of W. Jefferson Street	X					\$60,000	General Fund
Planning	Prepare a multi-modal plan for city streets and off-site trail networks (including golf cart paths) in consultation with homeowner's associations		X				\$20,000	General Fund
Roads/Grounds	Expand parking lot, correct drainage, repave at Depot		X				\$60,000	General Fund
Recreation	Construct kid's park at ballfields	X					\$125,000	SPLOST
Cemetery	Add Columbarium to cemetery property		X				\$35,000	Cemetery Fund
Inspections	Update city codes to adopt standard state codes when revised and adopted by state	X		X			Staff function	General Fund
Administration	Prioritize and periodically update list of city streets in need of repair/upgrade for purposes of LMIG expenditure and street resurfacing programming	X		X			Included in General Fund	General Fund
Planning	Update future land use plan map to incorporate annexations and changes in zoning		X			X	Staff function or Consultant	General Fund
Water/Sewer	Water meter replacement program	X					\$30,000	Water/sewer fund
Econ. Dev.	Renovate Larry's Garage building and property for business leases	X					TBD	General Fund
Recreation	Oak Street pavilion and community garden	X					TBD	General Fund
Water/Sewer	Phase I water main upgrade	X	X				\$2,900,000	Water/sewer fund
Planning	Place additional administrative forms and procedures on website; develop procedures guidance documents	X	X				\$3,500	General Fund
Econ., Dev.	Construct building addition on Depot property		X				\$800,000	General Fund
Administration	Prepare and implement community signage/wayfinding program for downtown and surrounding neighborhoods		X				\$10,000	General Fund
Administration	Update city safety plan and procedures at regular intervals or as mandated		X		X		Staff function	General Fund
Water/Sewer	Groundwater well study (complete) and develop multiple wells	X \$75,000	X	X		X	\$2,000,000	Water/sewer fund

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		2023	2024	2025	2026	2027		
Water/Sewer	Sewage treatment plant upgrade Phase 1	X	X				\$14,000,000	Water/sewer fund
Water/Sewer	Sewage treatment plant upgrade Phase 2		X	X			\$15,000,000	Water/sewer fund
Planning	Update capital improvements element and this community work program annually	X	X	X	X	X	\$1,000	General Fund
Planning	Implement schedule of improvements of capital improvements element as appropriate	X	X	X	X	X	See CIE	Impact fees; other
Code Enforcement	Continue to pursue teardowns of substandard housing units through code enforcement	X	X	X	X	X	Included in General Fund	General Fund
Planning	Re-evaluate and amend land use regulations as needed	X	X	X	X	X	Staff function	General Fund
Administration	Actively participate in meetings of the Gainesville-Hall Metropolitan Planning Organization to monitor transportation planning proposals	X	X	X	X	X	Staff function	General Fund
Administration/ Engineering	Complete water/sewer projects programmed in 10-year capital improvement plan (2 new water tanks, sewer plant upgrade, additional water supplies, etc.)	X	X	X	X	X	See water/sewer capital program for estimates	Water/ Sewer Fund
Administration	Establish additional funding sources: special assessment districts		X				Staff function	General Fund
Engineering/ Building	Continue to implement Municipal Stormwater Program (MS4) federal mandates	X	X	X	X	X	Consultant (\$25,000 annually)	General Fund
Administration	Re-evaluate personnel needs and propose and budget for new positions as appropriate	X	X	X	X	X	City Manager (cost TBD)	General Fund
Econ. Dev.	Design and construct parking deck downtown						Unfunded, long range	Grant; SPLOST, General Fund
Engineering	Periodically update 10-year capital improvement program for water and sewer		X		X		\$10,000	Water and Sewer Fund
Administration	Participate in five-year update of disaster preparedness/mitigation plan with county				X		Staff function	General Fund
Administration	Interview senior stakeholders and develop a senior service delivery plan, including focus on housing, recreation, and transportation				X		\$10,000 or staff function	General Fund
Administration	Develop benchmarking study to evaluate how Hoschton compares to peer/aspirational communities					X	\$6,000 (consultant)	General Fund
Engineering	Revise standard drawings for water and sewer					X	\$15,000	General Fund

SPLOST = Special Local Option Sales Tax.

**EXHIBIT C  
FINANCIAL REPORTS**

ANNUAL FINANCIAL REPORT FOR (2020) CORRECTED

(1) Public Facility Type	Parks & Recreation	Police	Fire	Administrative Fees	TOTAL
(2) Service Area	CITYWIDE	CITYWIDE	CITYWIDE	CITYWIDE	-----
(3) Beginning Impact Fee Fund Balance	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
(4) Impact Fees Collected	\$42,089.20	\$31,201.76	\$37,067.90	\$0.00	\$110,348.86
(5) Accrued Interest	(\$1.76)	(\$1.96)	(\$1.92)	(\$1.83)	(\$7.47)
(6) Project Expenditures	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
(7) Administrative Fee	\$0.00	\$0.00	\$0.00	\$3,310.34	\$3,310.34
(8) Impact Fee Refunds	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
(9) Ending Impact Fee Fund Balance	\$42,087.44	\$31,199.80	\$37,065.98	\$3,308.61	\$113,651.73
(10) Impact Fees Encumbered	0	0	0	0	0

(5) - The negative amounts shown are due to the account types these funds used to be in were interest bearing as well as fee accounts. This amounts reflects those two numbers to best represent the actual numbers.

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**ANNUAL FINANCIAL REPORT FOR (2021) CORRECTED**

(1) Public Facility Type	Parks & Recreation	Police	Fire	Administrative Fees	TOTAL
(2) Service Area	CITYWIDE	CITYWIDE	CITYWIDE	CITYWIDE	-----
(3) Beginning Impact Fee Fund Balance	\$42,087.44	\$31,199.80	\$37,066.98	\$3,308.51	\$113,661.73
(4) Impact Fees Collected	\$319,446.16	\$241,937.86	\$287,346.44	\$0.00	\$848,730.46
(5) Accrued Interest	\$8.88	\$4.87	\$13.07	(\$17.86)	\$8.96
(6) Project Expenditures	(\$260,000.00)	(\$195,000.00)	\$0.00	\$0.00	(\$445,000.00)
(7) Administrative Fee	\$0.00	\$0.00	\$0.00	\$25,460.82	\$25,460.82
(8) Impact Fee Refunds	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
(9) Ending Impact Fee Fund Balance	\$111,642.48	\$78,142.63	\$324,416.49	\$28,761.47	\$542,861.97
(10) Impact Fees Encumbered	0	0	0	0	0

(5) - The negative amounts shown are due to the account types these funds used to be in were interest bearing as well as fee accounts. This amounts reflects those two numbers to best represent the actual numbers.



**Resolution 23-21**

**ANNUAL FINANCIAL REPORT FOR (2022)**

(1) Public Facility Type	Parks & Recreation	Police	Fire	Administrative Fees	TOTAL
(2) Service Area	CITYWIDE	CITYWIDE	CITYWIDE	CITYWIDE	-----
(3) Beginning Impact Fee Fund Balance	\$111,542.48	\$78,142.53	\$324,415.49	\$28,761.47	\$642,861.97
(4) Impact Fees Collected	\$403,682.30	\$309,101.93	\$282,086.77	\$0.00	\$994,751.00
(5) Accrued Interest	\$528.41	\$527.84	\$1,745.46	\$41.56	\$2,843.27
(6) Project Expenditures	(\$151,917.39)	(\$26,263.69)	\$0.00	\$0.00	(\$178,181.08)
(7) Administrative Fee	\$0.00	\$0.00	\$0.00	\$29,841.79	\$29,841.79
(8) Impact Fee Refunds	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
(9) Ending Impact Fee Fund Balance	\$363,736.80	\$361,508.61	\$608,227.72	\$58,634.82	\$1,392,106.95
(10) Impact Fees Encumbered	0	0	0	0	0

# NEW BUSINESS

## ITEM #2

(Resolution 2023-22: Authorization for Final  
Design of Mulberry Park)

9-28-23

Ms. Jennifer Kidd-Harrison  
City Manager  
City of Hoschton  
79 City Square  
Hoschton, Georgia 30548



400 Galleria Parkway, Suite 1500  
Atlanta, GA 30339 | 770.794.7012

Re: Hoschton Mulberry Park Project Design & Construction Documents Proposal  
City of Hoschton, Georgia  
Civil Engineering Services Proposal

Dear Ms Kidd-Harrison,

Thank you for the opportunity to offer our services for this exciting project. Brewer Engineering, Inc. was founded in 1994. Since 1998 we have provided civil engineering services for over \$2.08 Billion dollars of construction projects, with over 13 Million square feet of educational, governmental, and commercial facilities. We have a 29 year history of working on a vast array of projects in the metropolitan Atlanta area, and the State of Georgia.

This proposal is being submitted as a design partnership between Brewer Engineering, TJ Schell & FSF Architecture to develop the design and construction documents for the approved Concept Plan attached dated 5-25-2023.

This proposal is submitted to provide the design and construction documents to develop the entire scope of the approved Concept Plan attached. The project scope includes; sidewalks along West Broad and Mulberry Street, 8 ft wide trail paths throughout the park, guidance documents for two play structure areas (one for ages 2-5, one for ages 5-12), resurfacing for Mulberry Street, 10 new parking spaces (3 being ADA compliant), 13 concrete pad with benches, outdoor grassed amphitheater type seating areas, outdoor pavilion structure, 300 sf restroom building, concrete stairs from house to amphitheater area walk, and landscape design for the park.

Our professional fee would include the following services:

### **Schematic Design Phase**

#### **1. Survey Review:**

Review survey provided by client for completeness and identify any information that may be missing or need to be included necessary to perform the design services.

#### **2. Utility Confirmation:**

Develop concept utility services layout. Regarding sanitary sewer, it is our understanding that EMI will be designing a sanitary sewer lift station of which we will provide gravity sewer lines from the existing house and the new restroom building to this new lift station.

#### **3. Affirm Project Elements:**

Meeting with client and site visits to affirm proper elements of the design and develop final Schematic Design Plan which will for the basis of Design Development and Construction Document phases.

#### **4. Geotechnical Report Assistance:**

Assist Client with coordination with project geotechnical engineer, assist in reviewing subsurface investigations and understanding subsurface impacts to the project.

#### **5. Permits Review:**

Help client develop list of all permits that might be required for the development of the project.

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**8. Site Visit:**

Perform site visit, photographing portions of the site, make general observations of items that might impact development, review perimeter of the site for development issues or conflicts, if survey available at time of site visit- provide general review of survey with site, and observe traffic movements.

**Design Development Phase****1. Master Plan Assistance:**

Provide assistance in development of master plan and identifying possible development issues.

**2. Preliminary Stormwater Management Approach:**

Prepare a Stormwater Management Approach that will satisfy the regulatory authority requirements for water quality and runoff reduction. Include initial sizing requirements for the stormwater management facilities.

**3. Site & Grading Plan:**

Prepare a conceptual site and grading plan for the project for approval of client. These plans will form the basis for full construction plans and permit plans.

**5. Restroom Building & Pavilion:**

Develop Design Development level plans for the restroom building and pavilion structure.

**Civil Construction Documents Phase**

**1. After Design Development Plan approaches are approved, prepare the construction documents necessary for permitting.**

**2. The Civil Construction drawings for will generally consist of the following:**

- a. Cover Sheet
- b. Project Notes
- c. Overall Site Plan
- d. Demolition Plan
- e. Site Plan
- f. Grading Plan
- g. Utility Plan for On Site Utilities. Utilities located more than 100 feet from client's property may require additional services and billed at attached hourly rate schedule.)
- h. Erosion Control Plans
- i. Sewer Profiles
- j. Construction Details
- k. Outdoor Terraced Lawn Seating (6 ft wide by 18" terraces level changes) Plans
- l. Pavilion structure plans
- m. Rest Room Building (300 sf) Plans
- n. Play Structure guidance documents for owner to be able to secure and select vendor and installer for the plan areas.

**3. Construction Specifications**

a. Prepare Division Specifications) for inclusion in clients project bid manual construction package.

**5. Prepare Stormwater Management Report for the water quality/detention required for the Land Disturbance Permit.**

**6. Services, Plans or Designs that are NOT included in this Proposal and are NOT included in Brewer Engineering's services.**

- a. Land Surveying
- b. Tree Surveys
- e. Irrigation Plans
- f. Retaining Walls
- g. Off-site Utilities or Off-site Hydrological Studies
- h. Septic System Plans or Design

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- j. Wetland Permitting or Wetland Certifications
- k. FEMA or Floodplain Studies or Permitting
- l. As-built plans or surveys or certifications
- m. Permit Fees
- n. Traffic or Signalization Plans or Studies
- o. Geotechnical Investigations
- p. Environmental Reporting or Studies
- q. Soil Surveys
- r. Rezoning, Zoning, or Variances
- s. Site Lighting, Photometric Plans, Electrical Site Plan
- t. Deck and bridge designs

**Permitting Phase**

1. Assist Client in obtaining required site development permits.
2. Submit Civil Construction Plans and Stormwater Management Report for Land Disturbance Permit. Client shall be responsible for any additional reports, plans, designs, etc. that are required by the municipality that and are not listed in the Civil Construction Documents section listed above.
3. Meet as required by LDP permitting municipality and making all revisions required by city/county departments in order to secure the land disturbance permit. In additions attending all meetings with client and project consultants necessary to work out the permit issues.
4. Assist Client with the online GEOS NPDES – Notice of Intent and EPD fee process. Client must apply setup online account and file the NOT.

**Bidding Phase**

1. Prepare Civil Division written specifications and Civil Construction documents and provide to client in electronic form (pdf) for inclusion in Clients Bid Package
2. Assist Client in answering and responding to Request for Information by bidding contractors.
3. Prepare Addenda documents for the proposal design portion of the Bid Package.
4. Assist Client in reviewing bids and analyzing bids.
5. Clients Bid Manual/Package by others.

**Construction Administration Assistance Phase**

Brewer Engineering will provide construction administration assistance, limited construction observation visits, review pay request, prepare civil punch list for project close-out and attend meetings during the construction period as requested by Client, Architect or Client’s Representative. However, this proposal limits the total number of hours for Construction Administration Assistance to 60 hours. Additional hours will be treated as an Add Service and billed per the attached rate schedule.

**The Total Lump Sum Fee for above listed services:**

**\$ 114,250 (One Hundred Fourteen Thousand Two Hundred Fifty Dollars).**

**Fee Broken Out by Discipline:**

Landscape Architect (per attached proposal)	\$ 16,675
Architect & Mechanical, Plumbing, & Electrical (per attached proposal)	\$ 66,500
Civil Engineering Services listed above	\$ 31,000
	<b>\$ 114,250</b>

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**Payment:**

Brewer Engineering will bill monthly for the services listed based on a percentage of completion of the phase or phases performed for that month. Payment due within 30 days of invoice.

Reimbursable Expenses are not included in this proposal fee.

Plotting Expenses, Blueprints, fees and reimbursable expenses.

All expenses will be billed to client at cost plus a 10% administrative fee by Brewer Engineering, Inc.

All development or permit fees are the responsibility of the owner.

Additional Services Unit Rates if requested – Additional Services must be approved in writing before any additional services are performed.

**Brewer Engineering Hourly Rate Schedule:**

Principal Engineer	\$ 165.00/hour
Professional Engineer	\$ 150.00/hour
Project Manager	\$ 95.00/hour
CADD Designer	\$ 85.00/hour
Clerical/Office	\$ 50.00/hour

Once again, thank you for the opportunity to offer our services. If you have any questions or comments, please give us a call. We look forward to working with you.

Sincerely,



Jefferson D. Brewer, P.E.  
President

***Proposal valid for 45 day from date of proposal***

**Client:** Jennifer Kidd-Harrison, City Manager  
City of Hoschton

**Client Address:** 79 City Square  
Hoschton, Georgia 30548

The Terms and Conditions on the following pages of this proposal, when initialed by both parties, are incorporated and made part of this agreement.

**Client Acceptance**

This proposal accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Accepted By:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name / Title

\_\_\_\_\_  
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## Terms and Conditions

**Performance of Services:** Brewer Engineering shall perform the services outlined in this Proposal Agreement and all attachments in consideration of the stated fee and payment terms.

**Reimbursable Expenses:** Reimbursable expenses include actual expenses plus 10% made by Brewer Engineering in the interest of the project. Reimbursable expenses include: printing, plotting, scanning, travel expenses for projects located over 50 miles from offices of Brewer Engineering, submission fees, review fees, testing fees, development fees, etc.

**Access to Site:** Unless otherwise stated, Brewer Engineering will have access to the site for activities necessary for the performance of the services. Brewer Engineering will take reasonable precautions to minimize damage due to these activities, but has not included in the fee the cost of restoration of any resulting damage and will not be responsible for such costs.

**Payment:** Accounts unpaid 30 days after the invoice date may be subject to a monthly charge of 1.5% (or the maximum legal rate) on the unpaid balance. In the event any portion of an account remains unpaid 60 days after billing, Brewer Engineering may institute collection action and the Client shall pay all costs of collection, including reasonable attorneys' fees.

**Identification:** The Client shall, to the fullest extent permitted by law, indemnify and hold harmless Brewer Engineering, its officers, directors, employees, agents, and subcontractors from and against all damage, liability and cost, including reasonable attorney's fees and defense costs, arising out of or in any way connected with the performance of the services under this Agreement, excepting only those damages liabilities, or costs attributable to the sole negligence or willful misconduct of Brewer Engineering.

**Information for the Sole Use and Benefit of the Client:** All opinions and conclusions of Brewer Engineering, whether written or oral, and any plans, specifications or other documents and services provided by Brewer Engineering are for the sole use and benefit of the Client and are not to be provided to any other person, entity without the prior consent of Brewer Engineering. Nothing contained in this Agreement shall create a contractual relationship with or cause of action in favor of any third party against either Brewer Engineering or the Client.

**Certifications, Guarantees and Warranties:** Brewer Engineering shall not be required to execute any document that would result in Brewer Engineering certifying, guaranteeing or warranting the existence of any condition. Brewer Engineering does not warrant or guarantee any particular result from its services under this Agreement.

**Limitation of Liability:** In recognition of the relative risks, rewards, and benefits of the project to both the Client and Brewer Engineering, The Client agrees, to the fullest extent permitted by law, to limit the liability of Brewer Engineering and its sub-consultants to the Client for any and all claims, losses, costs, damages of any nature whatsoever or claims expenses from any cause, including attorney's fees and costs and expert witness fees and costs, so that the total aggregate liability to Brewer Engineering and its sub-consultants to all those named shall not exceed \$ 100,000 Dollars, or Brewer Engineering total fee for services rendered on this project, whichever is the lesser. It is intended that this limitation apply to any and all liability or cause of action however alleged or arising, unless otherwise prohibited by law.

**Ownership of Documents:** All documents prepared or produced by Brewer Engineering under this Agreement are instruments of Brewer Engineering's professional service and shall remain the property of Brewer Engineering and may not be used by the Client for any other purpose without the prior written consent of Brewer Engineering.

**Electronic Media:** No warranties express or implied are made with respect to the electronic form of the Brewer Engineering's drawings or specifications, including any implied warranties of merchantability or fitness for a particular purpose. It is understood that if the Client makes use of the electronic form of Brewer Engineering's drawings or specifications, the Client does so at the Client's sole risk and that the drawings in electronic form are provided "as is" without warranties of any kind. The electronic form of Brewer Engineering's drawings ARE NOT considered part of the CONSTRUCTION DOCUMENTS in any way, and they are provided to the Client only for a convenience. Brewer Engineering shall have no obligation to or through the Client for use of the electronic form of the drawings, including any obligation or liability for the accuracy of the information furnished through the electronic form. In addition to and notwithstanding the foregoing, and to the fullest extent permitted by law, the Client indemnifies and holds harmless Brewer Engineering from and against any and all claims, damages, losses, expenses, consequential or special damages (including but not limited to attorney's fees) and for any loss of profits in connection with or arising from the use of the electronic form of the Brewer Engineering's drawings.

**Standard of Care:** The standard of care for all professional services performed or furnished by Brewer Engineering under this Agreement will be the skill and care ordinarily employed by civil engineers in the performance of similar duties under similar conditions and like surrounding circumstances.

**Dispute Resolution:** Any claims or disputes between the Client and Brewer Engineering arising out of the services to be provided by Brewer Engineering or out of this Agreement shall be submitted to a nonbinding mediation. The Client and Brewer Engineering agree to include similar mediation agreement with all contractors, sub-consultants, subcontractors, suppliers, and fabricators, providing for mediation as the primary method for dispute resolution among all parties.

**Termination of Services:** This Agreement may be terminated at any time by any party should the other party fail to perform its obligations hereunder. In the event of termination for any reason whatsoever, the Client shall pay Brewer Engineering for all services rendered to the date of termination, and all reimbursable expenses incurred prior to termination and reasonable termination expenses incurred as the result of termination.

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## **T J Schell**

2985 GORDY PARKWAY,  
#422  
MARIETTA, GA 30062

September 22, 2023

### **Re: Proposal for 100% Landscape at Mulberry Park**

Jeff Brewer, P.E.

#### **Brewer Engineering**

400 Galleria Parkway, Suite 1500  
Atlanta, GA 30339  
770-794-7012 office, 770-653-8144 cell

Dear Jeff:

Thank you for the opportunity to submit the following proposal to provide Landscape design services for the Mulberry Park site per the approved Concept Landscape Plans T.1 – T-3 Dated 5.25.23. The scope of work for the referenced projects is described below:

#### **Area 1 - Foundation landscape and garden around Mulberry House and amphitheater**

- TJ Schell to coordinate with Engineer and architect related to areas of renovation and preservation directly adjacent to the Mulberry House and the amphitheater.
- Trees and shrubs to remain will be noted on plans in general locations.
- New plant palette to reflect research of past plantings (if available) and to combine with mostly native plantings.
- Plaza brick details/sections showing the base and suggested dimensions.

#### **Area 2 - Overall landscape for site**

- TJ Schell to coordinate with Engineer using the final survey for trail location, materials and (slate) trail details including edging (i.e., typical plan and section details).
- TJ Schell to design trees and landscape to comply with all local ordinances for final development plans.
- TJ Schell to assess all existing trees shown on final tree survey for incorporation to final design.
- TJ Schell to note / flag invasive species to be removed in area noted for removal.
- TJ Schell to update any details/locations related to benches, trash receptables, lighting, pet waste station as needed.

#### **6-8 Contract Administration/construction meetings (4 hrs ea.)**

**Proposed Fee**

**\$16,675.00**

#### **Exclusions include the following:**

- It is our understanding that the city will self-perform most of the work including but not limited to:
  - Installation of amphitheater

- Final selection and installation of the Play structures (i.e., city to work directly with play scape representatives to purchase and install using TJS Concept plans as priced).
- Final selection of deck materials, details, and installation of deck
- Bathroom
- Landscape installation / Irrigation design – City to engage landscape contractor to provide irrigation design as a part of the base bid for landscape installation.

Per our agreement, it is our understanding that the owner will furnish the tree survey and boundary/ topo survey in CAD. It is also our understanding that the engineer / architect will provide architectural and grading plans for the referenced areas (Auto CAD 2023 does not include Civil 3D). Any further changes (i.e., changes in the scope of work changes initiated by the client) made after acceptance of this proposal may require additional services. Additional work will be available at a rate of \$145.00 per hour (Landscape Architect) and may be provided if confirmed in writing.

Our estimate is contingent upon proceeding with the scope as referenced above. Please note the specific project exclusions. Other excluded services include, but are not limited to, subsurface conditions such as soil/water as it pertains to the health of plant materials, and all drainage issues related to the final site plan that is implemented. Also, industry standard reimbursable expenses for prints and mileage are included in the fee, but other possible reimbursable items are not included. (i.e., permitting fees, postage and/or courier charges, etc.) It is our understanding that we will provide the Owner & engineer with a stamped and signed pdf (electronic version) and they will be responsible for all additional printing.

The client agrees to indemnify, defend and hold Landscape Architect harmless from and against any and all claims, liabilities, suits, demands, losses, costs and expenses, including, but not limited to, reasonable attorney’s fees and all legal expenses and fees incurred through appeal, and all interest thereon, accruing or resulting to any and all persons, firms or any other legal entities on account of any damages or losses to property or persons, including injuries or death, or economic losses, arising out of the Project and/or this Agreement, except that the Landscape Architect shall not be entitled to be indemnified to the extent such damages or losses are found by a court or forum of competent jurisdiction to be caused by Landscape Architect’s negligent errors or omissions.

Please review the scope of services. We will gladly discuss any changes that you may require. If you find the scope of services acceptable, please endorse in the appropriate space below and return via e-mail scan to [teresa@tjschell.com](mailto:teresa@tjschell.com) Please call Teresa Eldredge, PLA, ISA at (770) 361-2319 if you have any questions.

Respectfully submitted,

Approved,

**T J Schell, LLC, Landscape Architects**

**Brewer Engineering**

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

27 September 2023

Jeff Brewer  
Brewer Engineering

Re: Mulberry Park  
Hoschton, Georgia

Jeff:

Thank you for calling this week to discuss the plans for Mulberry Park and giving me the conceptual drawings. Hopefully we can work with you on this project and continue our success together with park projects.

### **SCOPE**

We have used the preliminary drawings to attempt to discern the extent of the project that will be required for the first two parts that we will be involved with: the restroom building and the pavilion. Both are relatively simple in nature, but do take a bit of engineering to complete.

Civil: We are assuming that you will cover that entire portion of the project. And your fee will be separate from ours.

Architectural:

First is to design functional restroom facilities that are ADA complaint. The building would also have a small storage area also. While the usage will regularly be minimal, we will need to work with a size that could accommodate small crowds. Probably a reasonable number of fixtures is 3 to 4 on each side.

The pavilion is a simple structure with less coordination with the other engineering consultants. It is assumed to be simple like the provided picture.

Structural:

The restroom building will have a basic slab with block walls and a truss system for the roof. The pavilion will be simple as shown in the picture, but with a more complicated structure to provide stability while remaining very open.

Mechanical / Plumbing:

The restroom building will have water and sanitary sewer to a septic field designed by you. A need for heat for the winter and year round ventilation is needed. The pavilion will need no plumbing or HVAC.

CELEBRATING 30 YEARS

Electrical:

Since this is the first phase of the project, electrical service will need to be designed and also have enough power to support the future parking deck. A service loop through the park will probably be needed for general / security lighting. The restroom building will need electrical for lighting and HVAC. The pavilion should be provided with adequate power to supply small bands / concerts and to power a small sound system that could be permanent or portable.

The architectural fee includes assistance during the permitting, bidding, and construction phases.

### **FEES**

My engineers and I have given the project a careful review based on scope, size and time needed to complete the project. We are pleased to offer the following fees for this project:

Architectural restroom building	\$ 35,000
Architectural pavilion	\$ 10,000
Structural restroom building	\$ 3,000
Structural pavilion	\$ 7,000
MEP restroom and pavilion	\$ 11,500

### **EXPENSES**

We normally charge for reimbursable expenses such as travel and printing, and delivery at cost plus 10%. However, due to my proximity of the project, we will not charge travel expenses.

### **SCHEDULE**

We would be available to begin schematic design in a few weeks after the notice to proceed.

The process schematic process should not be rushed. Some meetings may require some time to contemplate the results of. Allow about 4-6 weeks for the process to be completed.

The completion of the construction documents to be ready for permitting and receive pricing should take approximately two months to three months depending on availabilities of the architect and engineers once notice to proceed is given.

### **INVOICING**

Invoices will be sent monthly, near the beginning of the month, as services are provided. Payment will be expected during the same calendar month or services will be terminated and a 1.5% per month charge added for each month of nonpayment.

**CELEBRATING 30 YEARS**

**CONTRACT**

This Letter will serve as our contract agreement through the completion of schematic design.

I welcome the opportunity to discuss our services and the associated fees with you at your convenience.

Sincerely,

Accepted:



Jeffery M. Seeley  
Partner, Architect

---

Printed Name:  
Title:  
Company Name:  
Billing Address:

**FOREMAN SEELEY FOUNTAIN ARCHITECTURE  
2023 HOURLY RATES**

Principal Architect	\$ 150/hour
Senior Draftsman (C.A.D)	\$ 140/ hour
Interior Designer	\$ 140/ hour
Clerical	\$ 140/ hour

Hourly rates are subject to annual adjustment.

**CELEBRATING 30 YEARS**



# Brewer Engineering & TJ Schell

## Mulberry Park - Budget Estimate - May 25, 2023

ITEM	COMMENTS	ESTIMATED COST	TOTAL COST
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<b>Phase 1 - Concept Plan, Site Clean-up, Walking Trail, Beautification</b>			
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4 Days	Invasive plant removal - stream buffer	100 lf	3 days initial - 1 follow up	2,400.00	9,600.00
150	Perennials and Shrubs - House foundation	1-3 Gal.	See Concept plan	25.00	3,750.00
13	Benches	958	See Concept plan	958.00	12,454.00
	Path Construction				24,000.00
230 tons	Slate minis - Trail - 2" depth		See Concept plan	100 / ton	23,000.00
9,293	stone granite edging for trail		See Concept plan	5.50 / block	51,128.00
75	Solar powered bollards		See Concept plan	630.00	34,875.00
13	Concrete pads for benches		See Concept plan		2,600.00
3	Trash Receptacle		See Concept plan	2,361.00	7,083.00
1	Pet Waste Station		See Concept plan	189.00	189.00
	Clearing, grading, erosion control				32,500.00

**Phase 1 Total**

**\$ 201,179.00**

<b>Phase2 - Playground, Restroom, Parking, Drive improvements, sidewalk along</b>			
---	--	--	--

920 sy	Driveway Asphalt Improvements				42,000.00
1	Structures for ages 2-5 and 5-12		See Concept plan		225,000.00
6,600sf	Engineered Wood fiber for Playground		See Concept plan		11,047.75
70	Shade trees - installed cost	2.5" Cal.	See Concept plan	500.00	35,000.00
50	Evergreen trees - installed cost	6' Ht.	See Concept plan	350.00	17,500.00
200	Native Grasses	4" Pots	See Concept plan	10.00	2,000.00
1	Pet Water Fountain		See Concept plan		3,696.00
230 sy	Parking spaces				9,200.00
720 lf	Concrete sidewalks				34,000.00
4 poles	Site Lighting for parking				32,000.00
300 sf	Restroom Building			300.00	90,000.00
	Grinder Pump System for restrooms				12,000.00
	Signage				5,500.00



**Phase 2 Total**

**583,943.75**

**Phase 3 - Amphitheater & Stage, Connecting Bridge, Plaza, & Connecting paths**

	Amphitheater & Pavillon Stage			220,000.00
3000 sf	Plaza deck	5000 sf	See Concept plan	30.00 90,000.00
1,200 sf	Brick Paver - plaza engraved		See Concept plan	3.00 per sf 3,600.00
	Connecting Bridge to Parking Deck			12,500.00
	Walls / Stairs			39,000.00
	Sitework - Grading, Drainage, Erosion Control			27,000.00

**Phase 3 Total**

**392,100.00**

<b>SUB TOTAL COST</b>	<b>\$</b>	<b>1,177,222.75</b>
10% CONTINGENCY	\$	117,722.28
	<b>\$</b>	<b>1,294,945.03</b>

## **Resolution 2023-22**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF HOSCHTON, GEORGIA  
AWARDING THE DESIGN AND PROFESSIONAL SERVICES AGREEMENT  
TO BREWER ENGINEERING  
FOR THE DESIGN AND RELATED SERVICES IN CONNECTION WITH THE  
MULBERRY PARK DEVELOPMENT PROJECT**

**WHEREAS**, the City of Hoschton, Georgia has planned a project for development of the Mulberry Park on the 6.78 acre City owned property on Mulberry Street and West Broad Street, and

**WHEREAS**, the City of Hoschton, Georgia has completed concept plans for the said development, as approved by the City Council, and

**WHEREAS**, the City has filled a pre-application for a grant through the Land and Water Conservation Fund to assist in the financing of the project, and

**WHEREAS**, the project has been selected for funding by the Georgia Department of Natural Resources, and

**WHEREAS**, plans and specifications preparation needs to be expedited to gain approval by the Georgia Historical Preservation Division, and

**WHEREAS**, Brewer Engineering was selected by the City and the City Engineers for the conceptual phase of the project, and

**WHEREAS**, Brewer Engineering has the project history and capability to effectively complete the final planning, permitting and construction phase of the project.

**NOW THEREFORE** be it resolved by the City Council of the City of Hoschton to award the Professional Services Agreement for the Mulberry Park Project to Brewer Engineering of Atlanta, Georgia.

**BE IT FURTHER RESOLVED** to authorize the Honorable James Lawson, Acting Mayor, and City Manager/Clerk, Jennifer Kidd-Harrison to execute the professional services agreement for the Mulberry park Project on behalf of the City.

**THIS RESOLUTION READ AND PASSED BY A QUORUM OF THE CITY COUNCIL OF THE CITY OF HOSCHTON, GEORGIA, ON THE 16TH DAY OF OCTOBER, 2023 AND HAS NOT BEEN RESCINDED IN ANY WAY.**

---

Mr. James Lawson, Acting Mayor

Attest:

\_\_\_\_\_  
Ms. Jennifer Kidd- Harrison, City Clerk

(Seal)

Approved as to form:

\_\_\_\_\_  
Abbott S. Hayes, Jr., City Attorney

# NEW BUSINESS

## ITEM #3

(Temporary Alcohol Special Event Permit:

Sperata LLC)

**CITY OF HOSCHTON, GEORGIA  
TEMPORARY ALCOHOL SPECIAL EVENT PERMIT**

**Alcohol Vendor Details**

Sperata LLC  
Business Name of Established Alcohol Licensee

09-20-2023  
Date of Application

Christopher A Hope  
Name of Established Manager Responsible for the Sale of Alcoholic Beverages at Special Event

BUFORD HISTORIC CA  
Location of Business

4 EAST MAIN ST BUFORD GA 30518  
Mailing Address

Wine  
Type(s) of Alcohol to be Served by Licensee at Special Event: **BEER/WINE/MIXED DRINKS(PRE MADE)**

678 765 7911  
Telephone Number

sperata1@gmail.com  
Email Address

**Event Details**

Taste of Italy  
Name of Event

10/29/2023 5 to 9 pm  
Date(s) and hours of serving alcohol at event

65 CITY SQUARE Hoschton GA 30548  
Location of authorized area to serve alcohol (Community Center, Lawson funeral Home Lawn, Depot, Municipal Parking lot, City Hall Green Space)

TBC  
Description of mandatory barriers for approved area and estimate of how many seats will be provided

Buffet = appetizers  
Details of mandatory provision for food service

Name and Phone Number of Host or Sponsor of the Event (including name and number of host representative in attendance)

CHRISTOPHER A HOPE 678 765 7911  
Name and Phone Number of Person Providing Food for the Event

**Oath:**

**"I solemnly swear that the above facts are true to the best of my knowledge and that I am actively participating in the management of the operation."**

  
Applicant

  
Signature of Event Organizer

**Subject to Mayor and City Council approval at a regularly scheduled Council meeting.**

10/16/2023  
Council Meeting Date

Approved: JENNIFER HARRISON, City Clerk

This license must be posted in a conspicuous place at the location and available for immediate inspection at all times that the location is open.

For changes to your license:

- Ownership - you must reapply at <https://gtc.dor.ga.gov>.
- Mailing address - update at <https://gtc.dor.ga.gov>.

To ensure you have your license please reapply by November 1 of each year.

Monthly returns and/or reports are required for some licences. For more information on filing requirements, required signs, or to view applicable laws and regulations, visit <https://dor.georgia.gov/> and click the Alcohol & Tobacco tab, or call the Atlanta Regional Office at (404) 417-6605.

Georgia Department of Revenue

(Cut here before displaying)

STATE OF GEORGIA - DEPARTMENT OF REVENUE

**License to Sell Alcoholic Beverages**

As set forth and defined in Title 3

Georgia Alcoholic Beverage Code and Regulations Pertaining Thereto

**Not Valid Without Local License If Required - Non Transferable**

**EFFECTIVE DATE** 01-Jan-2023

**LICENSE EXPIRES** 31-Dec-2023

**BOND EXPIRES**

**STATE TAXPAYER IDENTIFIER**  
20015065940

**LICENSE NUMBER**  
0046850

**DATE ISSUED**  
02-Dec-2022

**LICENSE FEE**  
\$200.00

**LOCAL LICENSE ISSUED BY**  
City BUFORD

**THIS LICENSE AUTHORIZES THE BELOW LICENSEE TO SELL**

CHRISTOPH HOPE: Consumption on Premises - Beer, Wine and Liquor

**DBA**

**AT THE FOLLOWING LOCATION**

9 E MAIN ST BUFORD GA 30518-5712

**COUNTY**

GWINNETT

SPERATA LLC  
9 E MAIN ST  
BUFORD GA 30518-5712

Failure to pay any tax accruing under said Act to the Department of Revenue, or violation of any provisions of said Act or any valid rule and regulation made pursuant thereto, shall be grounds for cancellation of this license by the Commissioner of Revenue



State Revenue Commissioner

**THIS LICENSE MUST BE DISPLAYED CONSPICUOUSLY AT LOCATION SHOWN HEREON**

The items checked above have been completed.

Renter's Signature: [Signature]

Date: 9-17-23

**Community Center Rental Application:**

Full Name or Company Name (PLEASE PRINT):

Sperata Restaurant LLC

Address:

9 East main St BUFORD 30518

Telephone Number:

678 765 7111

E-Mail Address:

Sperata@gmail

Date(s) of Event:

TBC

Type of Event:

Buffet Dinner

Rental Start Time: 3:30 - 9pm Rental End Time: \_\_\_\_\_

Alcohol Present?  Yes or No

(See Alcohol section for information regarding required security)

**FOR OFFICE USE ONLY:**

Security Deposit received: none per JH CASH

**Karen Butler**

---

**From:** noreply@icheckgateway.com  
**Sent:** Friday, September 29, 2023 4:10 PM  
**To:** SPERATA1@GMAIL.COM  
**Subject:** DEBIT Receipt

CHRISTOPHER HOPE,

**This email confirms that you have authorized City of Hoschton General to DEBIT your credit card in the amount of \$50.00.**

Your payment was received at 9/29/2023 4:10:22 PM Eastern Time. The payment date for this transaction is scheduled for 9/29/2023 4:07:33 PM and should be processed in 24 to 48 hours from the scheduled date.

**Confirmation:** b236da3b8c50

**Auth Code:** 101206

**Description:** SPERATA

If you have any questions about this transaction, please contact City of Hoschton General.

A separate Non-Refundable Payment Fee transaction will also be debited from your account in the amount of \$1.75.

---

Powered By: [iCheckGateway.com](https://www.icheckgateway.com)



# NEW BUSINESS

## ITEM #4

(Oak Street Park-DDA Recommendation:  
Paramount Landscape Group)

# Oak Street Park

## **Project Proposal: Creating an Enchanting small park in Downtown Hoschton**

*Paramount Landscape Group (PLG)*

*Date: [08/09/2023]*

### **Introduction:**

We are thrilled to present this proposal on behalf of Paramount Landscape Group, in collaboration with the City of Hoschton, to bring to life a breathtaking small park that promises relaxation, utility, and fun for all ages! At PLG, we understand the importance of creating outdoor spaces that enhance the well-being and enjoyment of the community.

### **Objectives:**

- Create a visually stunning and functional pocket park that caters to the needs of the Hoschton community.
- Develop the park in stages to raise funds while sustaining steady progress towards project completion.
- Provide areas for pavilions, hammocks, and serene foliage, offering a tranquil escape for park visitors.

### **Scope of Work:**

The creation of the pocket park will be divided into three stages, each with its assigned tasks and estimated timelines:

#### **Stage 1: Preparation (30 Working Days):**

- Site evaluation and planning.
- Excavation and ground preparation for pavilions, fence, hammock locations, and foliage.
- Selection and sourcing of high-quality materials required for the park.

#### **Stage 2: Concrete Installation (15 Working Days):**

- Skillful pouring and molding of concrete to create pavilions and hammock areas.
- Adhering to safety standards and ensuring durability of concrete structures.
- Coordination with specialized concrete professionals for flawless execution.

#### **Stage 3: Fence and Foliage Installation (15 Working Days):**

- Expert installation of durable fence material to secure and enhance the park's boundaries.
- Thoughtful selection and placement of foliage to complement the overall aesthetics of the park.
- Implementing proper irrigation systems to support plant growth and long-term maintenance.

**Project Management:**

PLG pledges to oversee the entire project, ensuring seamless coordination, adherence to deadlines, and the utmost quality of work. Our experienced team of workers will be on-site, managing operations and providing regular progress reports.

**Budget and Funding:**

We will collaborate with the City of Hoschton to develop a detailed budget that aligns with the stages of the project, ensuring transparency and accountability in all financial matters.

**Conclusion:**

Paramount Landscape Group would be thrilled to be given the chance to embark on this journey with the City of Hoschton to create a breathtaking park that will serve as a haven for community members of all ages. Our team's dedication, coupled with your support, will transform this shared vision into a remarkable reality.

We eagerly look forward to discussing and planning the next steps towards making this beautiful pocket park a cherished destination for generations to come.

Thank you for considering our proposal.

Sincerely,

**Eric J. Norton**



# ESTIMATE

**paramountlandscapegroup**  
126 Silverstone Cir  
Jefferson, GA 30549

paramountlandscapegroup@outlook.com  
+1 (404) 966-8541  
<https://www.paramountlg.net>



## Jessica Greene

### Bill to

Jessica Greene  
255 chandler bridge rd  
Nicholson GA

### Ship to

Jessica Greene  
255 chandler bridge rd  
Nicholson GA

### Estimate details

Estimate no.: 1084  
Estimate date: 10/02/2023  
Expiration date: 11/02/2023

Product or service		Amount
1. <b>Pavillion</b> 12x16 Timber Pavilion W/ Metal Roof	3 units × \$19,500.00	\$58,500.00
2. <b>Accessories</b> Grilling Stations	3 units × \$600.00	\$1,800.00
3. <b>Hammock Areas</b> Installation of Hammock Frames	2 units × \$4,500.00	\$9,000.00
4. <b>Concrete Installation</b> Forming and Installation - Hammock and Pavilion's	5 units × \$7,500.00	\$37,500.00
5. <b>Grading</b> Ground Preparation for Stone Pathway / Pavilion's / Hammocks		\$11,000.00
6. <b>Fence Installation</b> 690' (+/-) 8' Tall Black Ornamental Aluminum Fence Municipal Grade Spear Top	1 unit × \$45,375.50	\$45,375.50
7. <b>Bush Installation</b> Box woods #3 / Installation	150 units × \$75.00	\$11,250.00
8. <b>Pine Straw</b> installation	175 units × \$13.00	\$2,275.00
9. <b>Management</b> Design Planning and Management of the Project	1 unit × \$25,000.00	\$25,000.00

Note to customer

Thank you for your business.

Total

**\$201,700.50**

Expiry  
date

11/02/2023



PO Box 1, Braselton, GA 30517  
(678) 528-2977 office  
1 (888) 391-7728 fax  
[www.ferngullylandscapes.com](http://www.ferngullylandscapes.com)

## **Oak Street Park Proposal**

### **Site prep work:**

Grading for pavilion and walking path, trees limbed-up and dead tree/limbs hauled away and disposed of

### **Proposed components of initial park establishment:**

Cedar pavilion (approx. 24x36) with concrete footer/slab finished with plantings & mulch bed set at the most level area on lower, left side

Gravel walking path passing along the perimeter of the grounds running approximately ¼ mile at 6ft wide

Parking area designated/striped

### **Future Considerations:**

ADA Compliance (ramps, smooth & safe walking path surface)

Designate spot for a future restroom facility

Safety/security lighting for walking path and electricity to pavilion for fan and lighting

The use of gravel for walking path will be less expensive than concrete or asphalt but will provide a stable walking surface while future plans regarding materials/fundraising (pavers)/etc. are determined, and will be solid base for whatever that future plan turns out to be

Obtain permissions for stream bank clean-up

### **City of Hoschton:**

Benches, chairs, tables, trash receptacles, lighting

Building or other permits

### **Ongoing Maintenance:**

Trash Removal, mowing/weedeating, pinestraw applications, and plant care

FernGully Landscapes  
P.O. Box 1  
Braselton, GA 30517 US  
+1 6785282977



## Estimate

### ADDRESS

The City of Hoschton  
61 City Square St  
Hoschton, GA 30548

ESTIMATE # 9171PARK

DATE 08/09/2023

DESCRIPTION	QTY	RATE	AMOUNT
Limbing-up of trees throughout park and removal of dead tree on Hwy 332 side of park	1		
Clear turf and establish walking track (approx 1/4 mile x 6ft) as represented on design/layout and finished with crusher run gravel (alternative material will require price adjustment)	1		
Materials, prep (including rough and final grading), and installation of pavilion on concrete footing/slab	1		
Mulch and plantings around Pavillion	1		
Pinestraw mulch and plantings on slope near Oak Street	1		
Bench swing as represented on design/layout	1		
Irrigation	1	0.00	
<b>TOTAL</b>			<b>188,500.00</b>

This estimate is ready for your review. We look forward to hearing from you!

**TOTAL**

**\$188,500.00**

Sincerely,  
FernGully Landscapes

Accepted By

Accepted Date

# QUIETT SCAPES

# OAK STREET PROPOSAL

## A little about us

*Quiett Scapes was established in 2015. This company was founded to create an unmatched work environment and provide the best service in the industry. We strive to provide excellent service with open communication with our clients. We specialize in building outdoor living spaces of all shapes and sizes. We treat our customers and employees like family. Quiett Scapes is raising the bar. We make your landscape dreams come to life with our design and installation services.*

## OVERVIEW

Quiett Scapes is pleased to work with the City of Hoschton on this project. Our team looks forward to working closely with the city to provide a park to fit the needs of the community. We envision a fun interactive year-round use of the land on oak street. When events are held on oak street, we want people to hang out and take in what this park will have to offer.

### The Objective




*We want to create a fun interactive park for residents ranging from 5-100 years old. A Park that you can get a little exercise and creating places to hang out and gather. Our vision incorporates the heart of Hoschton and its history into this park. A place the city can hold events and incorporate these events into the park design.*

- **Need #1: Clean up the under brush and remove dead trees along the 50ft easement.**
- **Need #2: Create an attraction at the park and establish a foundation for the future “phase 2-3”**
- **Need #3: Design and implement what the city and community want and need into the Oak Street Park.**




## Interactive Space

 *There is a lot of open space that gives this land potential. The grassy hills and large trees shade areas providing some design advantages. The topography of this property gives us a few locations for lounging areas and or pavilions. The open space gives an area for exercise and interactive activities.*

- **GAME #1: 9-hole putt putt disc golf 50-100ft range/ 18-hole miniature disc golf 25-50ft range for each hole.**
- **GAME #2: Commercial grade permanently mounted corn hole boards.**
- **GAME #3: “Small footprint” tether ball, triple ball, ladder golf, hopscotch, chess board, four square, etc..**


## Rest/Gathering

 *After a round of golf or a tough match of four square you will need to take a break. Natural shade provided by the current trees gives us options. We also feel a need for a few benches with shade covers strategically in the park as well. We think this would be a great opportunity to do something different as far as design. The pavilions and shade covers can be a unique design to make those parts stand out.*


- **Recommendation #1: 2 multi-functional pavilions with tables and seating.**
- **Recommendation #2: “Hammock Beach” a sandy but shady place in the park with fixed metal poles to hang up your own hammock.**
- **Recommendation #3: Strategically placed resting areas with a bench and shade canopy that bring a unique style and vibe to the park.**

These areas can be accented with flowers and bushes that require little maintenance but add beauty and aesthetics to the property. We can incorporate the colors for the City of Hoschton into these areas as well. Adding a few trees to the property such as coral bark maple will not only provide more shade in the future, but also provide four seasons of color at the park. These trees have become a trademark in our landscape design and a customer favorite.

## OUR PROPOSAL

 *In the future we see a park ready for adventure and fun. This will give the city a great addition to compliment the festivals and events held in town. We feel some of the options we have presented can be cost effective to get the park off the ground in phase 1. Disc golf is growing more popular and is a great use of the land given its topography challenges. It is also a cheap option that makes the most use of the whole park in the starting days. As money is raised for the park through the sale of bricks, we can explore some unique options to really make this park a beautiful functional place.*

### Timeline for Execution

 *Upon approval, phase one should be completed rather quickly and get the park open within 3-4 weeks. This would include the disc golf course and clearing of the woods along with the beach hammock area would be a great start. Phase 2 would consist of the T-off pads for the disc golf made from bricks that have been sold. Adding benches and shade covers to the park for phase 2 as well. More games would be ideal so people have something to interact within multiple locations throughout the park. Phase 3 will be building the pavilions and finish adding the interactive games for a completed park. Phase 2-3 are also a good time to implement some trees and low maintenance flower to attract butterflies, and birds to put on a show while you enjoy the park.*

The timeline is a best guess estimate and is subject to change until a contract is executed. Key project dates will be outlined as we get closer to executing a contract and finalize design.

# PRICING

The following table provides a range of prices for the different items that could be built in the park these prices are subject to change based on style and size.

Services Cost Category #1	Price
Disposal fees per ton	\$100.00
Tree removal and under brush clean up along the 50ft easement at the creek	\$10,000.00-\$15,000
Disc golf goal baskets with install labor and materials	\$15,000-\$25,000
T-Pads for disc golf built with paver bricks supplied by city later Phase 2?	\$10,000-\$20,000
Cost per pavilion depending on size and type	<b>\$20,000-\$50,000</b>
Cement chess table and chairs plus shipping and labor	\$5100.00-\$6000.00
Cement corn hole boards plus shipping and labor	\$2200.00-\$2500.00
Cement table tennis plus shipping and labor	\$7700.00-\$8800.00
Trees and flowers depending on plant variety	\$10,000-\$20,000
Fence aluminum/ or black coated chain link left and right side and along creek?	TBD
Benches price per bench installed	\$1,200-\$3,000
Shade canopy for bench price per bench installed	\$3,000-\$10,000
Hammock beach area price depicts on size	<b>\$10,000-\$15000</b>
Shipping and Handling Cost	TBD
<b>Total PHASE ONE</b>	<b>TBD</b>

Disclaimer: the price listed in the proceeding table are an estimate for the services discussed this summary is not of warranty of the final price estimates are subject to change if the project specifications are changed or cost for outsourced services change before a contract is executed.

## QUALIFICATIONS

Quiett Scapes strives to be a leader in the landscape industry with top quality service and products. We work closely with every client to build relationships and trust for years to come.



*Our employees are always continuing their education to be the best in the landscape industry. Our team receives regular training to keep industry leading certifications. Keeping up with the latest building regulations and product standards to ensure a quality installation with the best products.*



*Our Services are provided in house to minimize communication issues on all projects. ICIP Certified, A Preferred Belgard Contractor, A+ Better Business Bureau Rating, 5 Star Customer Review Approved Company*

*Our team will be devoted from start to finish with the Oak Street project to ensure its success in development.*

## CONCLUSION



*We understand the city wants to make this park a useful and safe place for family's and events. We feel we can put together a plan and execute it in a timely manner while working closely with everyone involved on the project. This park could be the place to be in town on a nice day. We can incorporate the history of the town in the signs for the disc golf as well as obstacles for added fun and a challenge in the game. These can all be added as budget allows, or local artists donate statues or sculptures for the park.*

Our team wants to help the City of Hoschtown in effort to develop the land on Oak Street to be an attractive and useful addition to the city. We are confident that we can meet the challenges ahead and stand ready to partner with the City Council in the development of Oak Street. If you have any questions on this proposal, please feel free to contact Korbin at your convenience by email at [quiettscapeslawn@gmail.com](mailto:quiettscapeslawn@gmail.com) or by phone at 678-824-2234.

Thank you for your consideration,

Korbin Quiett

# NEW BUSINESS ITEM #5

(2024 Budget – Discussion Only)

**City of Hoschton  
FYE 2024 Proposed Budget**

	<b>FYE 2023 Budget - Adopted</b>	<b>FYE 2024 Proposed Budget</b>
<b><i>Fund 100 - General Fund</i></b>		
310000 Taxes	1,666,100	2,502,649
320000 Licenses and Permits	2,415,500	1,453,500
330000 Intergovernmental Revenues	32,000	32,000
340000 Charges for Services	475,100	485,300
350000 Municipale	50,000	70,000
360000 Investment Income	2,500	5,000
370000 Contributions and Donations	-	-
380000 Miscellaneous	132,000	150,000
390000 Other Financing Sources	47,000	47,000
Subtotal General Fund Revenues	<u>4,820,200</u>	<u>4,745,449</u>
<b>Fund Balance - (Surplus) Use</b>	-	-
<b>Total General Fund Revenues</b>	<u><u>4,820,200</u></u>	<u><u>4,745,449</u></u>
1000 General Government	633,952	600,700
1300 Executive	369,350	411,300
1565 Facilities	1,137,800	289,850
2650 Municipal Court	19,000	49,000
3200 Police Department	408,786	640,078
4200 Public Works	1,415,400	1,413,350
4950 Cemetery	30,400	16,200
6000 Culture and Recreation	424,000	707,000
6182 Depot	11,500	-
7220 Building Inspections	214,812	152,400
7400 Planning and Zoning	155,200	186,200
Interfund Transfers To Water Fund	-	-
<b>Total General Fund Expenditures:</b>	<u><u>4,820,200</u></u>	<u><u>4,466,078</u></u>
<b>Surplus (Use):</b>	<u><u>-</u></u>	<u><u>279,371</u></u>

DRAFT

**City of Hoschton**  
**FYE 2024 Proposed Budget**

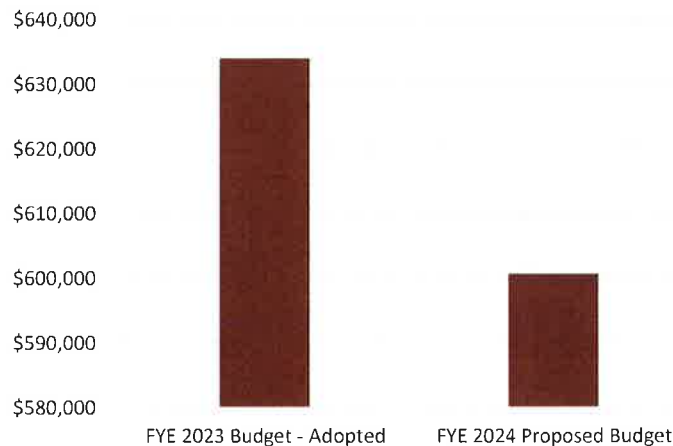
Revenue Detail	FYE 2023 Budget - Adopted	FYE 2024 Proposed Budget
31.1100 Property Taxes	750,000	1,002,649
31.1315 TAVT - Motor Vehicle Taxes	150,000	175,000
31.1710 Franchise Taxes-Electric	125,000	160,000
31.1730 Franchise Taxes-Gas	13,000	18,000
31.1750 Franchise Taxes-Television Cable	25,000	50,000
31.1760 Franchise Taxes-Telephone	10,000	420,000
31.3100 Local Option Sales/Use Taxes	400,000	500,000
31.4200 Alcoholic Beverage Exise Taxes	34,100	40,000
31.4201 Energy Excise Taxes	14,000	12,000
31.6200 Insurance Premium Taxes	125,000	125,000
32.4100 Business License Penalty	2,000	2,000
32.1100 Alcoholic Beverage Licenses	10,000	10,000
32.1200 Business License Fees	20,000	30,000
32.1220 Insurance	8,500	8,500
32.2200 Building/Sign Permit Fees	2,380,000	1,400,000
32.2210 Zoning and Land Use Fees	15,000	3,000
334000 State Grant - LMIG	32,000	32,000
34.1300 Planning and Development Fees	400,000	400,000
34.1910 Election Qualifying Fee	-	-
34.7200 Fall Festival	30,000	40,000
34.7201 Hoschton Special Events	5,000	5,000
34.9100 Cemetery Fees	40,000	40,000
34.9300 Bad Check Fees	100	300
35.1100 Municipal Court Fees	50,000	70,000
36.1000 Interest Revenues	2,500	5,000
37.1000 Contributions and Donations	-	-
38.0000 Miscellaneous Revenue	2,000	2,000
38.1001 4272 Hwy 53 Rental	21,000	33,000
38.1002 73 City Square (Hoschton Coffee)	15,000	14,000
38.1003 15 1st St. Rental (Klip-So)	12,000	15,000
38.1004 4162 Hwy 53 Rentals	15,000	56,000
38.1005 29 W. Broad St. Rental (Larry's)	15,000	-
38.1006 69 City Sq. Rental (Resturant)	30,000	30,000
38.1007 65 City Sq. Rental (Community Room)	12,000	-
38.1008 Old City Hall Rental	10,000	-
39.1004 Transfers In-Impact Fee Fund	42,000	42,000
39.2100 Sale of Assets	5,000	5,000
	-	-
Subtotal Revenues	4,820,200	4,745,449
Fund Balance - (Surplus) Use	-	-
Total Revenues	4,820,200	4,745,449

**City of Hoschton  
FYE 2024 Proposed Budget**

**General Government**

		FYE 2023	FYE 2024
		Budget -	Proposed
Account Description		Adopted	Budget
1000-51.1100	Regular Employees	90,552	124,000
1000-51.2100	Group Insurance	20,700	30,800
1000-51.2200	Social Security (FICA) Contributions	7,000	9,400
1000-51.2400	Retirement Contributions	3,000	3,700
1000-51.2500	Unemployment	2,200	-
1000-51.2700	Workers' Compensation	2,000	3,000
1000-52.1100	Official/Administrative	-	-
1000-52.1200	Professional	183,000	183,000
1000-52.1300	Technical	16,800	16,500
1000-52.2130	Custodial	-	-
1000-52.2200	Repairs/Maintenance	1,500	1,500
1000-52.2320	Rental-equip/Vehicles	5,600	6,800
1000-52.3100	Insurance, <b>other than employee benefits</b>	30,000	36,000
1000-52.3200	Communications	18,000	11,700
1000-52.3300	Advertising	3,000	3,000
1000-52.3400	Printing and Binding	500	-
1000-52.3500	Travel	5,000	5,500
1000-52.3600	Dues and Fees	29,300	34,000
1000-52.3700	Education and Training	5,800	5,800
1000-52.3850	Contract Labor	-	-
1000-52.3900	Other	-	-
1000-53.1100	Supplies and Materials	23,500	20,000
1000-53.1270	Gasoline	2,500	2,500
1000-53.1300	Food	4,000	4,000
1000-53.1600	Small Equipment	4,500	4,500
1000-54.1300	Buildings and Improvements	-	-
1000-54.2200	Vehicles	-	35,000
1000-61.1000	Interfund Transfers Out - DDA	175,000	60,000
<b>Total General Government Expenditures</b>		<b>633,952</b>	<b>600,700</b>

Total General Government Expenditures



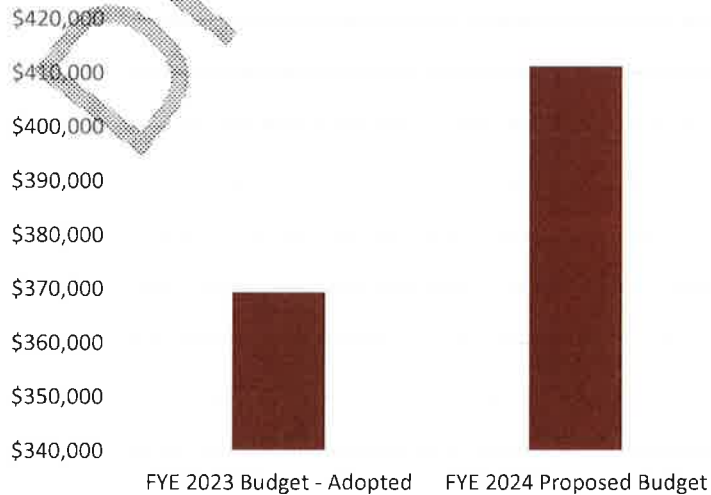


**City of Hoschton  
FYE 2024 Proposed Budget**

***Executive***

<b>Account Description</b>	<b>FYE 2023 Budget - Adopted</b>	<b>FYE 2024 Proposed Budget</b>
1300-51.1100 Regular Employees	158,000	123,000
1300-51.2100 Group Insurance	130,500	187,000
1300-51.2200 Social Security (FICA) Contributions	12,000	9,500
1300-51.2400 Retirement Contributions	5,000	4,000
1300-51.2700 Workers' Compensation	1,200	-
1300-52.1200 Professional Services	2,500	2,500
1300-52.3200 Communications	400	400
1300-52.3300 Advertising	-	1,500
1300-52.3500 Travel	37,000	49,900
1300-52.3600 Dues and Fees	-	2,000
1300-52.3700 Education and Training	16,000	24,500
1300-52.3850 Contract Labor	-	-
1300-53.1100 Supplies and Materials	3,000	3,000
1300-53.1300 Food	2,250	2,000
1300-53.1400 Books and Periodicals	-	-
1300-53.1600 Small Equipment	1,500	2,000
<b>Total Executive Expenditures</b>	<b>369,350</b>	<b>411,300</b>

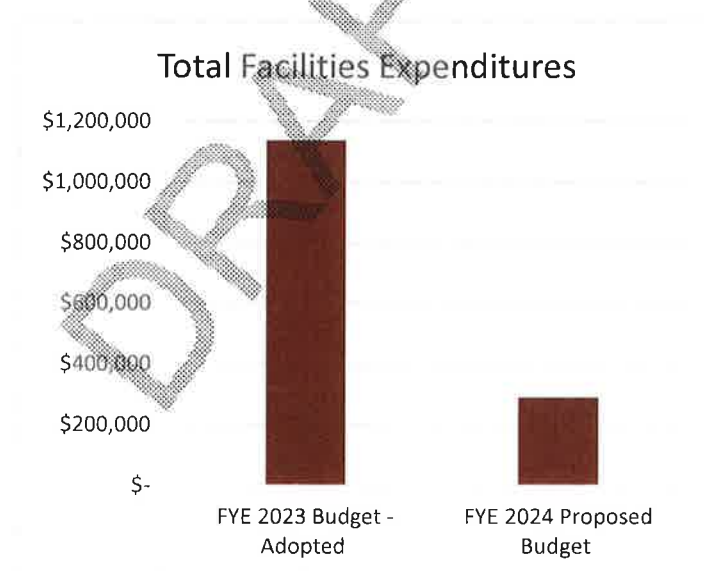
Total Executive Expenditures



**City of Hoschton  
FYE 2024 Proposed Budget**

**Facilities**

<b>Account Description</b>	<b>FYE 2023 Budget - Adopted</b>	<b>FYE 2024 Proposed Budget</b>
1565-52.1300 Technical	47,300	13,650
1565-52.2130 Custodial	7,000	16,600
1565-52.2140 Lawn care	8,500	10,900
1565-52.2200 Repairs/Maintenance	16,000	15,500
1565-52.2320 Rental-Equip/Vehicles	2,500	2,500
1565-52.3200 Communications	-	900
1565-53.1100 Supplies and Materials	107,000	10,000
1565-53.1220 Natural Gas	2,500	2,500
1565-53.1230 Electricity	41,000	51,300
1565-54.1100 Sites	106,000	116,000
1565-54.1300 Buildings	800,000	50,000
<b>Total Facilities Expenditures</b>	<b>1,137,800</b>	<b>289,850</b>

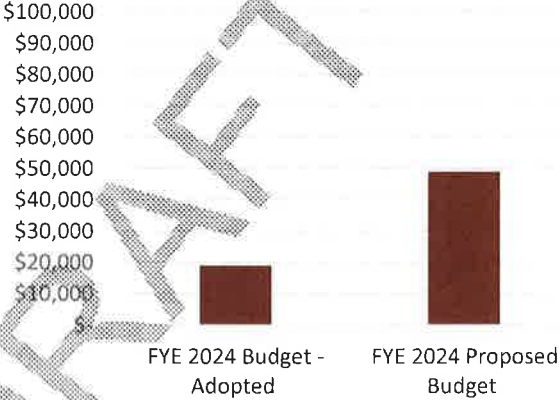


**City of Hoschton  
FYE 2024 Proposed Budget**

***Municipal Court***

<b>Account Description</b>	<b>FYE 2024 Budget - Adopted</b>	<b>FYE 2024 Proposed Budget</b>
2650-52.1200 Professional	16,000	16,000
2650-52.1300 Technical	-	-
2650-52.3600 Dues and Fees	3,000	33,000
2650-53.1100 Supplies and Materials	-	-
<b>Total Municipal Court Expenditures</b>	<b>19,000</b>	<b>49,000</b>

**Total Municipal Court  
Expenditures**

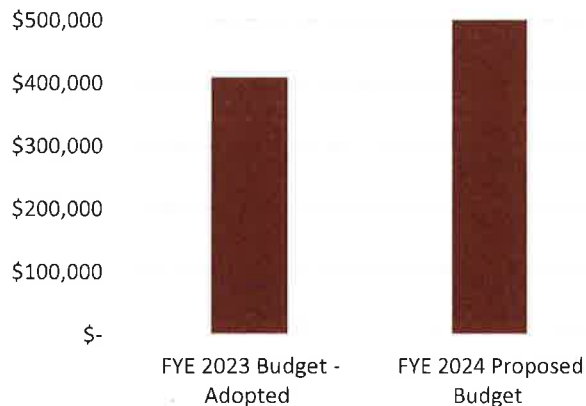


**City of Hoschton  
FYE 2023 Adopted Budget**

***Police Department***

<b>Account Description</b>	<b>FYE 2023 Budget - Adopted</b>	<b>FYE 2024 Proposed Budget</b>
3200-51.0000 Regular employees	255,538	322,600
3200-51.2100 Group insurance	54,000	88,000
3200-51.2200 Social Security (FICA) Contributions	19,548	24,678
3200-51.2400 Retirement Contributions	7,700	9,700
Unemployment insurance	-	-
3200-51.2700 Workers' Compensation	3,000	21,000
3200-52.1300 Technical	5,000	2,200
3200-52.2200 Repairs/Maintenance	2,000	3,300
3200-52.2320 Rental-equip/vehicles	1,800	3,600
3200-52.3200 Communications	8,000	9,300
3200-52.3500 Travel	1,000	4,000
3200-52.3600 Dues and Fees	8,000	9,000
3200-52.3700 Education and Training	3,000	3,000
3200-52.3800 Contract Labor	-	-
3200-53.1100 Supplies and Materials	16,000	18,000
3200-53.1220 Natural Gas	1,200	1,200
3200-53.1230 Electricity	5,000	6,000
3200-53.1270 Gasoline	13,000	14,000
3200-53.1300 Food	-	500
3200-54.1300 Building Improvements	5,000	-
3200-54.2200 Vehicles	-	60,000
3200-54.2500 Other Equipment	-	40,000
<b>Total Police Department Expenditures</b>	<b>408,786</b>	<b>640,078</b>

**Total Police Department  
Expenditures**

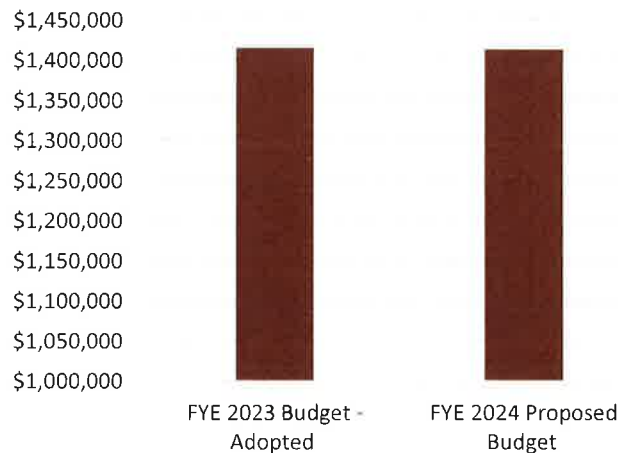


**City of Hoschton  
FYE 2024 Proposed Budget**

**Public Works**

<b>Account Description</b>	<b>FYE 2023 Budget - Adopted</b>	<b>FYE 2024 Proposed Budget</b>
4200-51.1100 Regular Employees	200,000	187,050
4200-51.2100 Group Insurance	61,200	72,600
4200-51.2200 Social Security (FICA) Contributions	15,300	14,300
4200-51.2400 Retirement Contributions	6,000	6,000
4200-51.2700 Workers' Compensation	8,000	8,500
4200-52.1200 Professional	5,000	5,000
4200-52.2110 Disposal	-	-
4200-52.2140 Lawn Care	-	-
4200-52.2200 Repairs/Maintenance	395,000	395,000
4200-52.2320 Rental-Equip/Vehicles	-	-
4200-52.3200 Communications	3,200	3,200
4200-52.3300 Advertising	500	500
4200-52.3600 Dues and Fees	1,200	1,200
4200-52.3700 Education and Training	2,500	2,500
4200-52.3850 Contract Labor	15,000	15,000
4200-53.1100 Supplies and materials	33,000	33,000
4200.53.1100 Uniforms	7,000	7,000
4200-53.1220 Natural Gas	-	-
4200-53.1230 Electricity	-	-
4200-53.1270 Gasoline	15,000	15,000
4200-53.1600 Small Equipment	10,000	10,000
4200-54.1300 Buildings and Improvements	400,000	400,000
4200-54.2100 Machinery	165,000	165,000
4200.54.2200 Vehicle	72,500	72,500
<b>Total Public Works Expenditures</b>	<b>1,415,400</b>	<b>1,413,350</b>

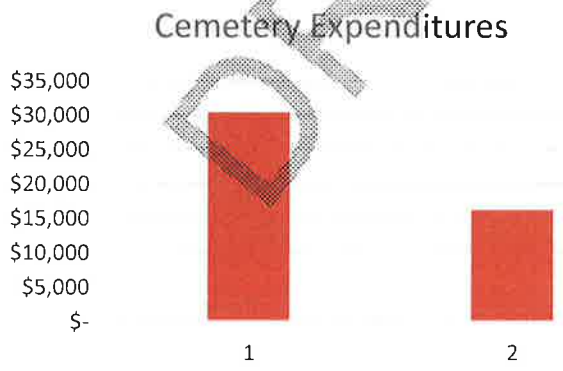
**Total Public Works Expenditures**



**City of Hoschton  
FYE 2024 Proposed Budget**

***Cemetery***

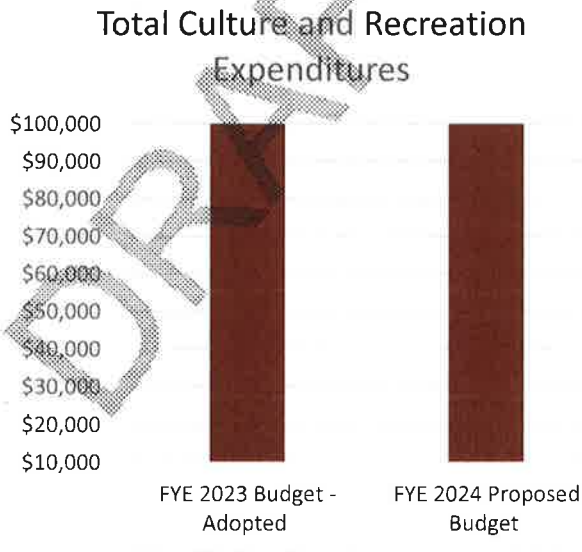
<b>Account Description</b>	<b>FYE 2023 Budget - Adopted</b>	<b>FYE 2024 Adopted Budget</b>
4950-52.2140 Lawn Care	6,300	6,600
4950-52.2200 Repairs and Maintenance	10,000	3,500
4950-52.3200 Communications	100	100
4950-52.3300 Advertising	-	-
4950-52.3600 Dues and Fees	3,000	3,000
4950-53.1100 Supplies and Materials	2,000	2,000
4950-53.1600 Small Equipment	9,000	1,000
4950-54.1300 Buildings and Improvements	-	-
<b>Total Cemetery Expenditures</b>	<b>30,400</b>	<b>16,200</b>



**City of Hoschton  
FYE 2024 Proposed Budget**

***Culture and Recreation***

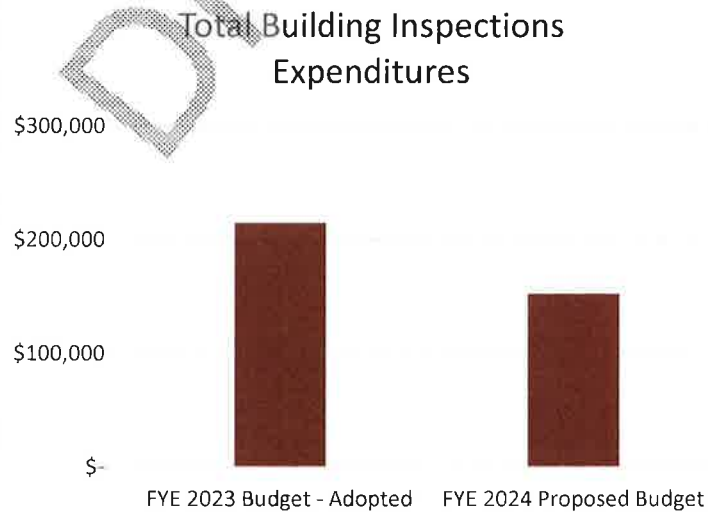
<b>Account Description</b>	<b>FYE 2023 Budget - Adopted</b>	<b>FYE 2024 Proposed Budget</b>
6000-52.2200 Repairs/Maintenance	101,000	500,000
6000-52.3200 Communications	-	-
6000-52.3300 Advertising	2,500	2,500
6000-52.3601 Dues and Fees	-	-
6000-52.3602 Fall Festival	40,000	55,000
6000-52.3603 Hoschton Special Events	21,000	23,000
6000-52.3850 Contract Labor	-	-
6000-53.1100 Supplies and Materials	1,500	1,500
6000-53.1600 Small Equipment	8,000	-
6000-54.1300 Buildings and improvements	250,000	125,000
<b>Total Culture and Recreation Expenditures</b>	<b>424,000</b>	<b>707,000</b>



**City of Hoschton  
FYE 2024 Proposed Budget**

***Building Inspections***

<b>Account Description</b>	<b>FYE 2023 Budget - Adopted</b>	<b>FYE 2024 Proposed Budget</b>
7220-51.1100 Regular employees	125,000	77,000
7220-51.2100 Group insurance	36,000	22,000
7220-51.2200 Social Security (FICA) contributions	9,562	5,890
7220-51.2400 Retirement contributions	3,750	2,310
7220-51.2700 Workers' compensation	1,200	1,200
7220-52.1300 Technical	1,000	1,000
7220-52.2200 Repairs and maintenance	1,500	1,500
7220-52.3200 Communications	1,300	1,500
7220-52.3300 Advertising	-	-
7220-52.3400 Printing and Binding	-	-
7220-52.3500 Travel	3,500	3,500
7220-52.3600 Dues and Fees	16,500	20,500
7220-52.3700 Education and Training	4,000	4,000
7220-53.1100 Supplies and materials	4,000	4,000
7220-53.1270 Gasoline	4,500	5,000
7220-53.1600 Small equipment	3,000	3,000
7220-54.2200 Vehicles	-	-
<b>Total Building Inspections Expenditures</b>	<b>214,812</b>	<b>152,400</b>

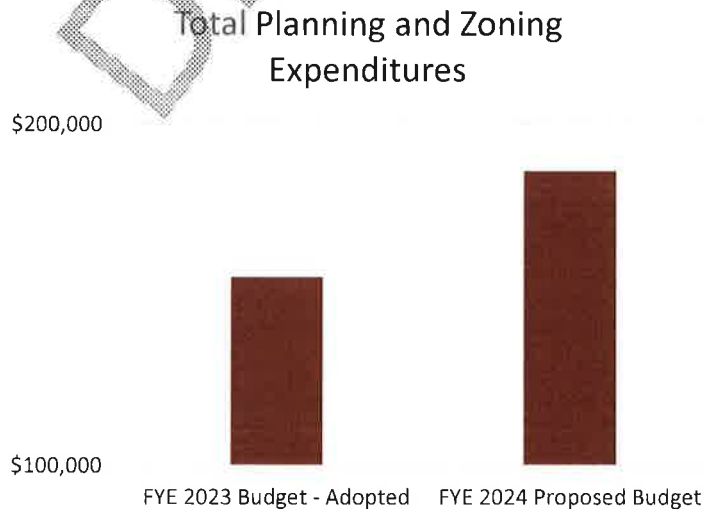




**City of Hoschton  
FYE 2024 Proposed Budget**

***Planning and Zoning***

<b>Account Description</b>	<b>FYE 2023 Budget - Adopted</b>	<b>FYE 2024 Proposed Budget</b>
7400-51.1100 Regular employees	-	-
7400-51.2100 Group insurance	-	-
7400-51.2200 Social Security (FICA) contributions	-	-
7400-51.2400 Retirement contributions	-	-
7400-51.2700 Workers' compensation	-	-
7400-52.1200 Professional	145,000	170,000
7400-52.1300 Technical	-	-
7400-52.3200 Communications	200	200
7400-52.3300 Advertising	5,000	6,000
7400-52.3400 Printing and Binding	-	-
7400-52.3500 Travel	500	500
7400-52.3600 Dues and Fees	500	500
7400-52.3700 Education and Training	1,000	1,000
7400-53.1100 Supplies and materials	3,000	3,000
7400-53.1600 Small equipment	-	5,000
7400-54.2100 Machinery and equipment	-	-
7400-54.2200 Vehicles	-	-
<b>Total Planning and Zoning Expenditures</b>	<b>155,200</b>	<b>186,200</b>





**City of Hoschton  
FYE 2024 Proposed Budget**

***Fund 290 Downtown Development Authority***

		<b>FYE 2023</b>	<b>FYE 2024</b>
		<b>Budget -</b>	<b>Proposed</b>
<b>Account Description</b>		<b>Adopted</b>	<b>Budget</b>
<b>Revenues</b>			
331310	Federal Grant - GDOT	600,000	-
347202	DDA Special Events	2,500	7,000
347901	Farmers Market	3,000	-
371000	Developer/Private Contributions	5,000	2,000
380000	Misc Revenue	2,500	4,000
391200	Operational Transfers In	-	-
		-	-
		-	-
	<b>Subtotal Revenues</b>	<u>613,000</u>	<u>13,000</u>
	Fund Balance - (Surplus) Use	-	-
	<b>Total Revenues</b>	<u>613,000</u>	<u>13,000</u>

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**City of Hoschton  
FYE 2024 Proposed Budget**

***Fund 290 Downtown Development Authority***

<b>Account Description</b>	<b>FYE 2023 Budget - Adopted</b>	<b>FYE 2024 Proposed Budget</b>
7550-51.1100 Regular employees	20,800	20,800
7550-51.2100 Group insurance	9,000	11,000
7550-51.2200 Social Security (FICA) contributions	1,600	1,600
7550-51.2400 Retirement contributions	625	650
7550-51.2700 Workers' compensation	-	-
7550-52.1200 Professional	-	1,000
7550.52.1300 Technical	-	3,500
7550-52.2200 Repairs and Maintenance	5,000	6,000
7550-52.3200 Communications	200	300
7550-52.3300 Advertising	500	1,500
7550-52.3400 Printing and Binding	-	-
7550-52.3500 Travel	500	1,500
7550-52.3600 Dues and Fees	4,000	2,500
7550.52.3604 Dues and Fees: Special Events	5,000	5,000
7550.52.3610 Dues and Fees: Farmer's Market	2,500	-
7550-52.3700 Education and Training	2,500	2,500
7550-53.1100 Supplies and Materials	10,275	6,000
7550.53.1270 Gasoline	-	650
7550-53.1300 Food	500	1,500
7550-53.1600 Small Equipment	-	-
7550-53.1700 Other Supplies	-	-
7550-54.1100 Sites - Sidewalks	-	-
7550-54.1200 Site Improvements	720,000	7,000
<b>Subtotal of Expenditures</b>	<b>750,975</b>	<b>73,000</b>
<b>Other Financing Sources</b>		
39.1200 Transfers In - General Government	50,000	60,000
61.1000 Transfers Out - General Government	-	-
<b>Subtotal Other Financing Sources</b>	<b>50,000</b>	<b>60,000</b>
<b>Total Expenditures and Other Financing Sources</b>	<b>700,975</b>	<b>13,000</b>
Surplus Use	(87,975)	-

**City of Hoschton**  
**FYE 2024 Proposed Budget**

***Fund 320 & 321 SPLOST Funds***

<b>Account Description</b>	<b>FYE 2023 Budget - Adopted</b>	<b>FYE 2024 Proposed Budget</b>
SPLOST - Facilities/Debt Reduction	50,000	372,000
SPLOST - W/S	175,000	72,000
SPLOST - Recreation	10,000	182,400
SPLOST - Roads	45,000	112,800
Interest	500	1,000
Subtotal Revenues	<u>280,500</u>	<u>740,200</u>
Fund Balance - (Surplus) Use	(500)	(1,000)
Total Revenues	<u>280,000</u>	<u>739,200</u>
SPLOST Facilities/Debt Reduction	50,000	372,000
SPLOST Recreation - Oak Street	10,000	182,400
SPLOST Roads Repairs & Maintenance	45,000	112,800
W/S Transfers Out	175,000	72,000
Total Expenditures	<u>280,000</u>	<u>739,200</u>

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**City of Hoschton**  
**FYE 2024 Proposed Budget**

***Fund 355 Impact Fees Fund***

<b>Account Description</b>	<b>FYE 2023 Budget - Adopted</b>	<b>FYE 2024 Proposed Budget</b>
Parks and Recreation Impact Fees	564,438	287,370
Police Impact Fees	486,653	249,587
Fire Impact Fees	-	-
General Government Admin Fees	31,535	16,109
Interest	500	2,000
<b>Subtotal Revenues</b>	<b>1,083,126</b>	<b>555,066</b>
<b>Fund Balance - (Surplus) Use</b>	<b>(500)</b>	<b>(2,000)</b>
<b>Total Revenues</b>	<b>1,082,626</b>	<b>553,066</b>
Parks & Recreation - Sites	564,438	287,370
Police - Sites	486,653	249,587
Fire - Sites	-	-
Transfers Out - General Gov't	31,535	16,109
<b>Total Expenditures</b>	<b>1,082,626</b>	<b>553,066</b>

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**City of Hoschton**  
**FYE 2024 Proposed Budget**

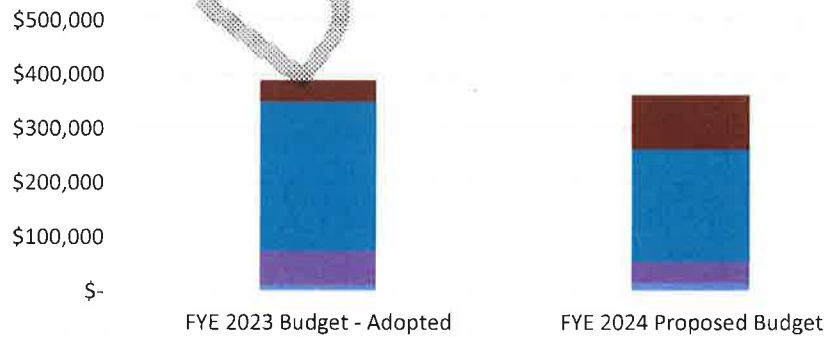
**Dept. 4250, 4300, 4400, 4500**  
**Fund 505 Water & Sewer**

<b>Account Description</b>	<b>FYE 2023 Budget - Adopted</b>	<b>FYE 2024 Proposed Budget</b>
<b>Revenues</b>		
505-33.1310 Federal capital grants (CDGB, ARPA, ARC-GEFA ADMIN)	1,414,000	2,040,000
505-33.6000 Local grants	-	-
505-34.4110 Refuse Collection Charges	-	509,000
505-34.4210 Water charges	1,434,463	1,550,000
505-34.4211 Installation water charge (TAP)	2,100,000	1,050,000
505-34.4212 Water reconnection charge	15,000	15,000
505-34.4213 Meter maintenance fees	-	-
505-34.4255 Sewerage charges	1,221,516	1,152,750
505-34.4256 Sewer connection charge (TAP)	3,500,000	2,100,000
505-34.4260 Stormwater Utility Charges	-	180,000
505-34.6900 Other fees - late fees	35,000	35,000
505-34.6000 Other fees - other	-	-
505-34.9300 Bad check fees	-	-
505-38.0000 Miscellaneous revenue	-	-
505-38.3000 Reimb for damaged property	-	-
505-36.1000 Interest revenues	15,000	20,000
505-37.1001 Developer contribution	-	-
505-39.1200 Transfers in (SPLOST VI)	175,000	175,000
505-39.3001 Proceeds from issuance of debt	-	-
Subtotal Revenues	9,909,979	8,826,750
Net position - (Surplus) Use	(2,733,661)	-
Total Revenues	7,176,318	8,826,750

**City of Hoschton  
FYE 2024 Proposed Budget**

		<b>FYE 2023 Budget - Adopted</b>	<b>FYE 2024 Proposed Budget</b>
<b>Stormwater Department:</b>			
505-4250-51.1100	Regular employees	-	21,147
505-4250-51.2100	Group insurance	-	11,000
505-4250-51.2200	Social Security (FICA)	-	1,620
505-4250-51.2400	Retirement contributions	-	635
505-4250-51.2700	Workers' compensation	-	500
505-4250-51.2900	Other employee benefits	-	-
505-4250-52.1200	Professional	45,000	55,000
505-4250-52.1300	Technical	-	-
505-4250-52.2200	Repairs and maintenance	54,000	55,000
505-4250-52.3200	Communications	-	200
505-4250-52.3500	Travel	-	1,500
505-4250-52.3600	Dues and fees	6,000	8,000
505-4250-52.3700	Education and training	-	1,500
505-4250-53.1100	Supplies and materials	-	2,000
505-4250.53.1100.01	Uniforms	-	-
505-4250-53.1270	Gasoline	-	3,000
505-4250-53.1600	Small equipment	-	-
505-4250-54.2100	Machinery	-	-
505-4250-54.2200	Vehicles	-	-
<b>Total Stormwater Department Expenses</b>		<b>105,000</b>	<b>161,102</b>

**Total Stormwater Operating Expenditures**





**City of Hoschton  
FYE 2024 Proposed Budget**

		<b>FYE 2023 Budget - Adopted</b>	<b>FYE 2024 Proposed Budget</b>
<b>Wastewater Department:</b>			
505-4300-51.1100	Regular employees	295,800	314,200
505-4300-51.2100	Group insurance	81,900	111,100
505-4300-51.2200	Social Security (FICA)	22,700	24,300
505-4300-51.2400	Retirement contributions	8,874	9,426
505-4300-51.2700	Workers' compensation	3,000	4,000
505-4300-51.2900	Other employee benefits	-	-
505-4300-52.1100	Official/administrative	-	-
505-4300-52.1200	Professional	30,000	30,000
505-4300-52.1300	Technical	5,000	25,000
505-4300-52.2110	Disposal	75,000	170,000
505-4300-52.2201	Repairs and maintenance	130,000	156,000
505-4300-52.2204	Scada	-	-
505-4300-52.2320	Rental-equip/vehicles	-	-
505-4300-52.3100	Insurance	20,000	30,000
505-4300-52.3200	Communications	11,500	9,700
505-4300-52.3300	Advertising	200	300
505-4300-52.3500	Travel	4,000	4,000
505-4300-52.3600	Dues and fees	15,510	16,260
505-4300-52.3700	Education and training	4,400	4,400
505-4300-53.1100	Supplies and materials	38,000	80,000
505-4300-53.1100.01	Uniforms	4,000	4,000
505-4300-53.1220	Natural Gas	800	800
505-4300-53.1230	Electricity	80,000	100,000
505-4300-53.1270	Gasoline	8,800	8,800
505-4300-53.1300	Food	500	1,000
505-4300-53.1600	Small equipment	7,000	9,500
505-4300-54.1300	Buildings and Building Improvements	-	-
505-4300-54.2100	Machinery	188,000	260,000
505-4300-56.1000	Depreciation	150,000	150,000
<b>Total Wastewater Department Expenses</b>		<b>1,184,984</b>	<b>1,522,786</b>

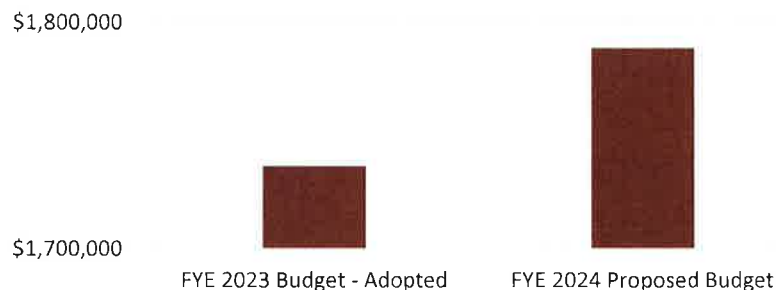
**Total Wastewater Operating  
Expenditures**



**City of Hoschton  
FYE 2024 Proposed Budget**

		<b>FYE 2023 Budget - Adopted</b>	<b>FYE 2024 Proposed Budget</b>
<b>Water Department:</b>			
505-4400-51.1100	Regular employees	390,000	362,300
505-4400-51.2100	Group insurance	128,700	137,500
505-4400-51.2200	Social Security (FICA)	29,800	27,720
505-4400-51.2400	Retirement contributions	11,700	10,869
505-4400-51.2700	Workers' compensation	4,000	22,700
505-4400-51.2900	Other employee benefits	-	-
505-4400-52.1200	Professional	25,000	40,000
505-4400-52.1300	Technical	11,000	33,000
505-4400-52.2200	Repairs and maintenance	350,000	262,000
505-4400-52.2204	Scada	-	-
505-4400-52.2320	Rental-equip/vehicles	6,200	6,200
505-4400-52.3100	Insurance	-	30,000
505-4400-52.3200	Communications	13,800	14,000
505-4400-52.3300	Advertising	600	600
505-4400-52.3400	Printing and binding	-	-
505-4400-52.3500	Travel	4,000	4,000
505-4400-52.3600	Dues and fees	7,900	8,700
505-4400-52.3700	Education and training	3,000	3,000
505-4400-53.1100	Supplies and materials	75,000	55,000
505-4400-53.1100.01	Uniforms	6,000	8,000
505-4400-53.1230	Electricity	26,400	52,000
505-4400-53.1270	Gasoline	12,000	15,000
505-4400-53.1300	Food	500	1,000
505-4400-53.1510	Water purchased for resale	350,000	425,000
505-4400-53.1600	Small equipment	6,000	20,000
505-4400-54.1300	Buildings and Building Improvements	-	-
505-4400-54.2100	Machinery	125,000	60,000
505-4400-54.2200	Vehicles	-	40,000
505-4400-56.1000	Depreciation	150,000	150,000
<b>Total Water Department Expenses</b>		<b>1,736,600</b>	<b>1,788,589</b>

**Total Water Operating Expenditures**



**City of Hoschton  
FYE 2024 Proposed Budget**

<b>Solid Waste Department:</b>		<b>FYE 2023 Budget - Adopted</b>	<b>FYE 2024 Proposed Budget</b>
505-4500-52.1200	Professional	-	-
505-4500-52.2110	Disposal	320,800	381,000
505-4500-52.2200	Repairs and maintenance	-	10,000
505-4500-53.1100	Supplies and materials	-	10,000
		-	-
	<b>Total Stormwater Department Expenses</b>	<b>320,800</b>	<b>401,000</b>



**City of Hoschton  
FYE 2024 Proposed Budget**

**Water & Sewer Fund Capital Projects Budget**

		<b>FYE 2023</b>	<b>FYE 2024</b>
		<b>Budget -</b>	<b>Proposed</b>
		<b>Adopted</b>	<b>Budget</b>
<b>Wastewater Department:</b>			
505-4300-54-1300	Buildings and Building Improvements (Shed 1/2 split)	30,000	-
505-4300-54.1401	WWTF Expansion to 0.5 MGD to 0.95 MGD	700,000	9,300,000
505-4300-54.1400E	Upgrade Main Outfall Line	-	-
505-4300-54.1404	Panther Court Sewer Upgrade	900,000	950,000
505-4300-54.2100	Machinery	-	-
39.1000	Other Financing Sources	-	-
<b>Total Wastewater Capital Projects</b>		<b>1,630,000</b>	<b>10,250,000</b>
<b>Water Department:</b>			
505-4400-54.1300	Buildings and Building Improvements (Shed 1/2 split)	30,000	-
505-4400-54.1409	Groundwater Wells	200,000	225,000
505-4400-54.1405	North Water Tank	200,000	-
505-4400-54.1411	In Town Main Line Upgrade	600,000	1,000,000
505-4400-54.1410	Water Booster Pump	400,000	758,000
505-4400-54.1407	South Water Tank	160,000	3,800,000
505-4400-54.1412	Winder Water Connection Upgrade	680,000	600,000
505-4400-54.2100	Machinery	-	-
<b>Total Water Capital Projects</b>		<b>2,270,000</b>	<b>6,383,000</b>
<b>Total Water &amp; Wastewater Capital Projects Budget:</b>		<b>3,900,000</b>	<b>16,633,000</b>
<b>Debt Service:</b>			
505-58.1000	Principal - other (GEFA - 2013L27WQ)	293,312	317,655
505-58.2000	Interest - other (GEFA - 2013L27WQ)	61,422	37,077
<b>Total Debt Service Expenses:</b>		<b>354,734</b>	<b>354,732</b>
<b>Total Operating Expense Budget:</b>		<b>2,921,584</b>	<b>3,873,477</b>
<b>Total Operating, Capital, Other and Debt Service Expenses</b>		<b>7,176,318</b>	<b>20,861,209</b>
<b>Surplus (Use)</b>		<b>-</b>	<b>(12,034,459)</b>