

CITY OF HOSCHTON
CITY COUNCIL AGENDA
THURSDAY, MAY 11, 2023
CITY HALL COUNCIL ROOM AT 6:00PM
79 CITY SQUARE, HOSCHTON



PUBLIC HEARING

AGENDA

WELCOME AND CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

NEW BUSINESS:

Ordinance 23-02: An Ordinance to Amend the Code of Ordinances of the City of Hoschton, Georgia, to amend Ordinance O-20-06, known by short title as the Development Impact Fee Ordinance, fully titled as follows: An Ordinance Relating to the Regulation of the Use and Development of Land in the City of Hoschton, Georgia; Imposing a Development Impact Fee on Land Development in the City of Hoschton for Providing Public Safety, Park and Recreation and Related Facilities Necessitated by Such New Development; Stating the Authority for Adoption of the Ordinance; Making Legislative Findings; Providing Definitions; Providing a Short Title and Applicability; Providing Intents and Purposes; Providing Rules of Construction; Providing Definitions; Providing for the Computation of the Amount of the Development Impact Fee; Providing for the Payment of a Development Impact Fee; Providing for a Development Impact Fee Service Area; Providing for the Establishment of a Development Impact Fee Trust Fund; Providing for the Use of Funds; Providing for the Refund of Fees Paid; Providing for Exemptions and Credits; Providing for Review of the Fee Schedule; Providing for Appeals; Providing a Penalty Provision; Providing for Severability; Providing a Repealer; Providing for Codification; Providing an Effective Date; and For Other Purposes *(2nd Public Hearing)*

Z-23-01 Rezoning: McNeal Development LLC, by Bradley Dunckel of Rochester/DCCM, applicant, Alinad and Mihai F. Nicoara, c/o Orin and Lucia Harasemiuc, property owners, seeks to rezone 12.224 acres (Map/Parcel 120/017) (8422 Pendergrass Road) fronting approximately 690 feet on the north side of Pendergrass Road (SR 332) approximately 60 feet west of its intersection with Towne Center Parkway, and also fronting approximately 210 feet on the northeast side of New Street from A (Agricultural District) to PUD (Planned Unit Development District). Proposed use: Multi-family Residential (210 apartment units). *[Planning staff recommendation: denial]*

Z-23-02: Annexation and Zoning and Rezoning: The Providence Group of Georgia, LLC, applicant, Shannon C. Sell, 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, owner). 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 the 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 (399 units including 291 detached single-family units and 108 fee simple townhouse units) and open space. *[Planning Staff Recommendation: Deferral]*

Z-23-03: Annexation and Zoning (Development of Regional Impact #3960): Rocklyn Homes, by Mahaffey Pickens Tucker, LLP, applicant, Mary Ann Kenerly and New Hope AME Church, property owners, seek to annex 287.14 acres with PUD (Planned Unit Development) District zoning. The property proposed to be annexed and zoned PUD consists of Map/Parcels 114/001A, 114/001B1, 114/002A and 114, 001B, fronting approximately 5,550 feet on the east side of State Route 53 approximately 410 feet south of Pearl Industrial Avenue (1688 and 2512 Highway 53). Current zoning is A-2, Agricultural-Rural Farm District in unincorporated Jackson County. Proposed use: Mixed use development including approximately 200,000 square feet of commercial use with 6.6 acres of outparcels, church and 5.5 acres of church expansion, 404 townhome units, 651 single-family lots and 3.6 acres of civic space. *[Planning Staff Recommendation: Deferral]*

ADJORN

City of Hoschton

Ordinance No. 23- 02

ORDINANCE

AN ORDINANCE TO AMEND SECTIONS 7(A), 10(C), AND 11(C) OF ORDINANCE NO. O-20-06 OF THE CITY OF HOSCHTON BY AMENDING THE LANGUAGE AS SET FORTH BELOW; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, after conducting public hearings regarding this Ordinance on March 16, 2023, and on April 13, 2023, the Mayor and Councilmembers desire to amend Ordinance No. O-20-06 as more specifically described herein in order to change provisions relating to impact fees.

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF HOSCHTON HEREBY ORDAINS as follows:

SECTION I.

Section 7(A) of Ordinance No. O-20-06 is hereby amended by eliminating it in its entirety and substituting in its place the following:

- A. At the option of the applicant, the amount of the development impact fee may be determined by the following fee schedule.

**Residential Development Impact Fee Schedule
(per dwelling unit)**

RESIDENTIAL	Park/Open Space Impact Fee (\$)	Police Impact Fee (\$)	Admin Fee (3%) (\$)	Total Impact Fees (\$)
Per dwelling unit (other than dwelling units that are in age-restricted subdivisions and townhome dwelling units)	\$935.59	\$791.96	\$51.83	\$1,779.38
Per dwelling unit in age-restricted subdivisions	\$701.73	\$657.33	\$40.77	\$1,399.83
Per townhome dwelling unit	\$776.54	\$657.33	\$43.02	\$1,476.89

Non-residential Development Impact Fee Schedule
(\$ per 1,000 square feet of building unless indicated otherwise)

INDUSTRIAL AND RELATED	NAICS	Police Impact Fee (\$)	Admin. Fee (3%) (\$)	Total Impact Fees (\$)
Construction company	23	962.96	28.89	991.85
Data processing	5182	1095.84	32.88	1128.72
General freight trucking	4841	439.98	13.20	453.18
Industrial, light	--	315.31	9.46	324.77
Industrial, heavy	--	157.51	4.73	162.24
Materials recovery facility	56292	1842.04	55.26	1897.30
Mini-warehouse	--	62.77	1.88	64.65
Mining (acre)	21231	20.53	0.62	21.15
Nursery stock wholesaler (acre)	42493	199.75	5.99	205.74
Manufacturing	31-33	504.51	15.14	519.65
Petroleum bulk storage (acre)	4247	711.00	21.33	732.33
Research laboratory	--	1095.84	32.88	1128.72
Septic tank services	562991	1036.29	31.09	1067.38
Solid waste collection	562111	1513.53	45.41	1558.94
Warehousing	4931	439.98	13.20	453.18
Wholesale trade	42	315.31	9.46	324.77
RETAIL TRADE/SERVICE	NAICS	Police Impact Fee (\$)	Admin. Fee (3%) (\$)	Total Impact Fees (\$)
Amusement arcade	71312	733.30	22.00	755.30
Amusement park (acre)	713	3154.06	94.62	3248.68
Arena	--	1576.88	47.31	1624.19
Art store	45392	602.18	18.07	620.25

Automobile, new car dealer	44111	630.63	18.92	649.55
Automobile, used car dealer	44112	733.30	22.00	755.30
Automotive repair/maintenance	8111	1211.41	36.34	1247.75
Automotive parts store	44131	630.63	18.92	649.55
Automobile rental and leasing	53211	733.30	22.00	755.30
Bank	52211	1261.27	37.84	1299.11
Baked goods store	445291	733.30	22.00	755.30
Bar, drinking place or tavern	7224	906.35	27.19	933.54
Beer, wine and liquor store	44531	418.27	12.55	430.82
Book store	4512	733.30	22.00	755.30
Bowling center	71395	733.30	22.00	755.30
Building materials store	4441	188.89	5.67	194.56
Car wash (principal use)	811192	1202.61	36.08	1238.69
Caterer	72232	1173.28	35.20	1208.48
Cemetery (acre)	81222	25.22	0.76	25.98
Clothing store	4481	526.50	15.80	542.30
Consumer lending	522291	1022.51	30.68	1053.19
Cosmetic or beauty supply store	44612	556.42	16.69	573.11
Day care center	6244	788.44	23.65	812.09
	NAICS	Police Impact Fee (\$)	Admin. Fee (3%) (\$)	Total Impact Fees (\$)
Department store	4521	733.30	22.00	755.30
Dry cleaning/laundry	8123	1446.94	43.41	1490.35

Electronics store	443142	733.30	22.00	755.30
Fitness center	71394	733.30	22.00	755.30
Florist	4531	256.65	7.70	264.35
Formal wear/ costume rental store	53222	526.50	15.80	542.30
Fuel dealer	45431	657.91	19.74	677.65
Funeral home	81221	457.57	13.73	471.30
Furniture or home furnishings store	442	339.66	10.19	349.85
Gasoline with convenience store	44711	1627.92	48.84	1676.76
Golf course/country club (acre)	71391	78.90	2.37	81.27
Hardware store	44413	299.18	8.98	308.16
Hobby, toy, game store	45112	526.50	15.80	542.30
Home improvement store	44411	526.50	15.80	542.30
Household appliance store	443141	733.30	22.00	755.30
Insurance carrier	5241	1261.27	37.84	1299.11
Janitorial service	56172	1242.21	37.27	1279.48
Jewelry store	44831	733.30	22.00	755.30
Landscaping services	56173	1361.00	40.83	1401.83
Linen or uniform supply	81233	434.99	13.05	448.04
Lodging (hotel or motel, including extended stay (per guest room)	72111	252.25	7.57	259.82
Lodging, bed and breakfast inn (per guest room)	721191	126.12	3.78	129.90
Marina	71393	1173.28	35.20	1208.48

Merchandise (general) store	4529	733.30	22.00	755.30
Merchandise (used) store	4533	526.50	15.80	542.30
Mobile food service (per vehicle)	72233	1041.28	31.24	1072.52
Movie Theater	71111	469.31	14.08	483.39
Museum	71211	366.65	11.00	377.65
Musical instrument store	45114	526.50	15.80	542.30
Nursery, garden, farm supply store	44420	340.25	10.21	350.46
Office, general	--	945.95	28.38	974.33
Office, medical or dental	--	1891.91	56.76	1948.67
Office supply store	4532	733.30	22.00	755.30
Optical goods store	44613	733.30	22.00	755.30
Paint or wallpaper store	44412	414.46	12.43	426.89
Personal care service	8121	916.91	27.51	944.42
Pet care (excludes veterinary)	81291	1085.28	32.56	1117.84
Pet/pet supply store	45391	398.62	11.96	410.58
Pharmacy or drug store	44611	526.50	15.80	542.30
Recreational vehicle dealer	44121	526.50	15.80	542.30
Recreational vehicle park or campground (per camp site)	7212	21.99	0.66	22.65
Rental center	53231	733.30	22.00	755.30
Restaurant	7225	1531.13	45.93	1577.06
	NAICS	Police Impact Fee (\$)	Admin. Fee (3%) (\$)	Total Impact Fees (\$)
Securities brokerage	52312	1085.28	32.56	1117.84

Shoe store	44821	526.50	15.80	542.30
Specialty food store	4452	733.30	22.00	755.30
Supermarket/ grocery	44511	526.50	15.80	542.30
Sporting goods store	45111	526.50	15.80	542.30
Tennis or racquet club (principal) (court)	--	75.67	2.27	77.94
Tire store	44132	526.50	15.80	542.30
Tobacco/vape store	453991	733.30	22.00	755.30
Veterinary or animal hospital	54194	890.81	26.72	917.53
Video rental	53223	623.30	18.70	642.00
TRANSPORTATION AND COMMUNICATION	NAICS	Police Impact Fee (\$)	Admin. Fee (3%) (\$)	Total Impact Fees (\$)
Ambulance services	62191	1217.27	36.52	1253.79
Courier or express delivery	4921	747.96	22.44	770.40
Limousine service	48532	868.22	26.05	894.27
Motor vehicle towing	48841	1217.27	36.52	1253.79
Newspaper publisher	51111	629.75	18.89	648.64
Parking lot/garage (acre)	81293	2103.69	63.11	2166.80
Radio/TV broadcasting	5151	377.20	11.32	388.52
Sound recording studio	51224	246.38	7.39	253.77
Taxi service	48531	1217.27	36.52	1253.79
Wireless telecommunication carrier	51721	733.30	22.00	755.30
INSTITUTIONAL	NAICS	Police Impact Fee (\$)	Admin. Fee (3%) (\$)	Total Impact Fees (\$)
Church/religious organization	8131	157.51	4.73	162.24

Civic or social organization	8134	315.31	9.46	324.77
Crisis center	6242	824.81	24.74	849.55
Hospital	622	1025.15	30.75	1055.90
Nursing home/ assisted living	623	1488.59	44.66	1533.25
Recreational community center	--	630.63	18.92	649.55
School, general education	61111	315.31	9.46	324.77
School, business	6114	733.30	22.00	755.30
School, technical/trade	6115	513.31	15.40	528.71
School, cosmetology/barber	611511	733.30	22.00	755.30
School, fine arts	61161	733.30	22.00	755.30
Rooming or boarding house	7213	1692.45	50.77	1743.22

1. If a building permit is requested for mixed uses, then the fee shall be determined through using the above schedule by apportioning the space committed to uses specified on the schedule.
2. In the case of change of use, redevelopment, or expansion or modification of an existing use which requires the issuance of a building permit, the development impact fee shall be based upon the net positive increase in the development impact fee for the new use as compared to the previous use.

SECTION II.

Section 10(C) of Ordinance No. O-20-06 is hereby amended by eliminating it in its entirety.

SECTION III.

Section 11(C) of Ordinance No. O-20-06 is hereby amended by eliminating it in its entirety.

SECTION IV.

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

SECTION V.

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 VI.

The effective date of this ordinance shall be July 1, 2022.

Adopted this _____ day of _____, 2023.

Lauren O'Leary, 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:

Jennifer Kidd-Harrison, City Clerk

APPROVED AS TO FORM

Abbott S. Hayes, Jr., City Attorney

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



TO: Mayor and City Council, City of Hoschton

FROM: Jerry Weitz, Consulting City Planner

DATE OF REPORT: May 1, 2023

SUBJECT REQUEST: **Z-23-01:** Rezone from A (Agricultural District) to PUD (Planned Unit Development District)

CITY COUNCIL HEARING: May 11, 2023 @ 6:00 p.m.

VOTING SESSION: May 15, 2023 @ 6:00 p.m.

APPLICANT: McNeal Development LLC, by Bradley Dunckel, Rochester/DCCM

OWNER(S): Alinad and Mihai F. Nicoara, c/o Orin and Lucia Harasemiuc

PROPOSED USE: Multi-family residential (210 apartment units)

LOCATION: Fronting approximately 690 feet on the north side of Pendergrass Road (SR 332) approximately 60 feet west of its intersection with Towne Center Parkway, and also fronting approximately 210 feet on the northeast side of New Street

PARCEL(S) #: 120/017

ACREAGE: 12.224

EXISTING LAND USE: Single-family dwelling and outbuildings

SURROUNDING LAND USE AND ZONING:

North: Vacant/agricultural (conservation use), A (Agricultural District)

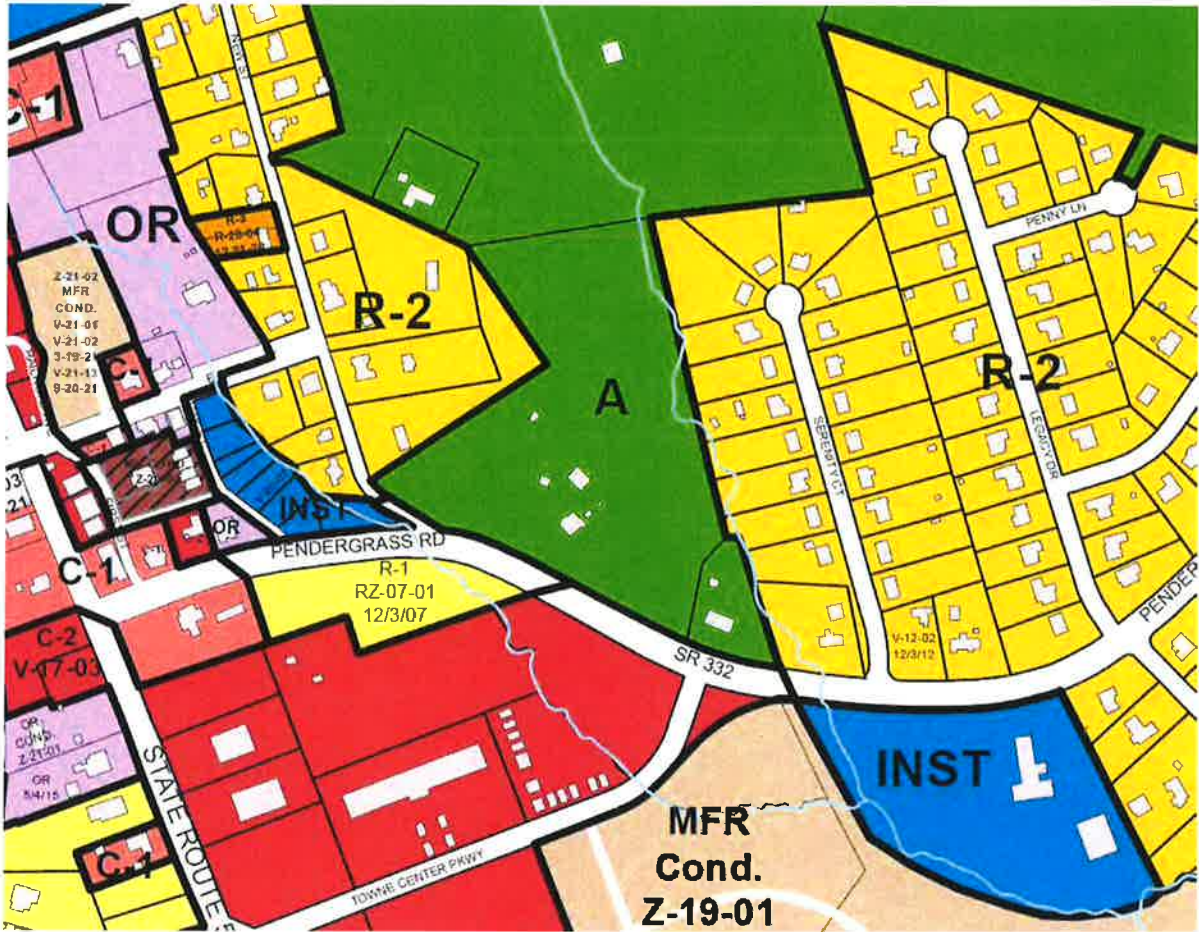
East: Single-family dwelling, A (fronting SR 332); Single-family dwellings, R-2 (Single-Family Suburban Residential District) (fronting Serenity Court)

South: (across SR 332): Vacant, R-1; and vacant C-2 (General Commercial/Highway Oriented District)

West: Vacant, INST; and single-family dwelling, R-2

RECOMMENDATION: Denial (conditional approval to MFR if approved)

Z-23-01, A to MFR, 8422 Pendergrass Road (SR 332) and New Street



Zoning Map Excerpt



Axonometric View of Area

APPLICATION SUMMARY

The applicant seeks rezoning from A (Agricultural) to PUD (Planned Unit Development) for an apartment complex consisting of 210 units on the 12.2-acre site. The project would consist of 84 one-bedroom, 102 two-bedroom and 24 three-bedroom apartments in seven buildings. The site plan also shows an amenity area. The applicant proposes one off-site improvement: a six-foot wide sidewalk along New Street to Broad Street. The project is described in greater detail in the attached Planned Unit Development District proposed regulations and community benefit statement.

DEVELOPMENT REQUIREMENTS (PUD and other Regulations)

A minimum size of 10 acres is required to rezone to the PUD (Planned Unit Development) District. The only standard specified for the PUD is a minimum open space requirement of 20% of the total site area. 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.

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.

Findings: There is agricultural zoning to the north of the subject site, and a single isolated lot is zoned A to the east. Residential development is authorized in the Agricultural zoning district but requires a minimum lot size of 1.5 acre and a minimum lot width of 150 feet. Thus, it is considered very low density residential development. The agricultural zoning district is considered to be more or less a "holding category," meaning it is expected to eventually change land use in accordance with the recommendations of the future land use plan in the comprehensive plan of the city.

Findings: In addition to the agricultural zoning described above, the pattern of land use in the vicinity, and existing zoning, are single-family in nature and character. North of the site, along New Street, are single-family dwellings on lots that range in size from about one-quarter acre to more than one-acre, but most are approximately one-half acre in size (see photo). Homes to the east, in the Century Oaks subdivision, are about two-thirds of an acre in typical lot size. The zoning authorizes a ½ acre lot size in the abutting R-2 zoning districts (2 units per acre). The

proposed use (multi-family) and residential density of more than 17 units per acre is not suitable in view of use and development of adjacent and nearby property (**does not support request**).



Findings: The site plan proposes to situate three apartment buildings along the front property line in relatively close proximity (i.e., within 10 feet) to the right of way. This will result in a line of buildings and units several hundred feet along SR 332; that design is considered unsuitable and incompatible with the character of the area (**does not support request**).

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

Finding: The proposed apartment complex would be separated from the abutting neighborhood of detached homes to the east by a stream buffer and impervious surface setback (75 feet from the stream on the subject property). This will create a sizable buffer from the Century Oaks subdivision. Even so, the homes in that subdivision are likely to be impacted (adversely to some extent) by development on the site, including additional lighting and potentially noise and other activities. The residential neighborhood to the north along New Street is also anticipated to be impacted by traffic on New Street, noise, and lack of buffer/setbacks as proposed. The dwelling fronting on Pendergrass Road between the subject site and Century Oaks subdivision, zoned agricultural, will similarly become isolated and probably adversely affected. Therefore, the proposed development if approved and constructed would adversely affect existing use or usability of adjacent or nearby property (**does not support request**).

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

Findings: The subject property was purchased by the current owner in 2019 at a price of \$335,000. The property is improved with a single-family dwelling of approximately 2,200 square

feet, and there are several outbuildings on the site including barn, detached garage, and two lean-to's according to the tax assessor's records. The current value of improvements is shown to be \$130,000. The current (2022) land value is shown by the tax assessor as \$167,000 which is approximately \$13,688 per acre. These values are likely to vastly underestimate the current value of the property and improvements, in consulting planning staff's opinion.

Findings: Residential development is authorized in the agricultural zoning district but requires a minimum lot size of 1.5 acre and a minimum lot width of 150 feet. With 12 acres, the parcel could be subdivided under the existing A zoning district for several detached, single-family homes. A variety of agricultural uses are also authorized in the A zone. Very low density residential use and agriculture may be considered reasonable economic uses for the site, and property immediately to the north appears to remain viable in the agricultural zoning district **(may not support request)**. However, they are certainly not the highest or even the recommended land use over the long-term **(tends to support rezoning of some sort but not necessarily to the PUD district)**.

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 (transportation): New Street, which would receive some traffic from the apartment development if approved and constructed, is a substandard right of way width of 40 feet. The city's standard for a local street with curb and gutter is 50 feet and without curb and gutter is 60 feet. New Street's pavement width is approximately 18 feet, without curbs and gutters or a formalized drainage system (i.e., no ditches); hence it is also substandard with regard to pavement width. Further, the connection of New Street to Pendergrass Road (SR 332) is also substandard and even dangerous in that it does not align at a 90 degree angle (see photo). The development if proposed and constructed would generate 7 or 8 vehicle trips per unit per day, or an estimated 1,470 to 1,680 vehicle trips per day. Peak hour volumes are typically 10% of average daily traffic, which means a.m. and p.m. peak hour traffic of 147 to 168 vehicle trips. These factors combined result in a finding that the development if proposed and constructed would cause an excessive or burdensome use of the existing city street (New Street) **(does not support request or supports only with conditions of approval)**. Realignment of the intersection of New Street and SR 332 would be needed, along with some improvements to New Street. Georgia Department of Transportation (GDOT) would require improvements be made to SR 332 at the project's entrance – this probably means a left turn lane and a deceleration lane on SR 332, especially given that only one entrance/exit to the development is proposed (a secondary access is shown as possible, on New Street, close to its intersection with SR 332). A project entrance on SR 332, with associated improvements, would be confounded by the fact that a major intersection (SR 332 and Towne Center Parkway) is only about 430 feet east of the current driveway into the property.

Finding (utilities): Public water is available to the site; a city water line runs along the north side of SR 332. A fire hydrant is located along this water line east of the home on the site. Sanitary sewer is also available along the north side of SR 332; the sanitary sewer line crosses SR 332 at or near the eastern boundary of the site west of Towne Center Parkway. See separate memorandum from the city's consulting engineer. This project has not 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.



Finding (schools): 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. Utilizing that multiplier, the proposed apartment complex with 210 units would generate an estimated 111 new public school students. Apartments may generate fewer students than would a detached dwelling, but in any event, the impact on the county school system is significant. There is nothing proposed to mitigate the project's impact on the county school system, which reportedly is overcrowded (**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 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 buildout (210 units) would have a population of 460 to 525 people, creating the demand for about one additional police officer. That additional officer is also required to be equipped with a vehicle and other equipment. It is noted that apartment complexes tend to have higher incidences of police calls/responses, suggesting the impact may be higher. 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.
- **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.

- **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 clubroom, fitness center, and swimming pool, and dog park. 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 will generate a need for 88.6 to 101 square feet of EMS facility space. The EMS impact will not be mitigated.
- **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 400 to 456 square feet of fire building space, plus 0.18 to 0.21 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 partially mitigate the project's proportionate share of fire service capital and operating costs to the city.
- **Administrative space:** 0.5 square feet per functional population. Estimated impact is 232 to 262 square feet of administrative space. This impact is only partially mitigated with property taxes.

Finding: A 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,..."* As already noted, the proposed development would abut and need to connect to New Street, which is a substandard right of way and a substandard roadway width (18 feet wide), and it also has a substandard intersection with SR 322 with an angle less than/more than 90 degrees. Additional right of way is needed to improve New Street. The project does not meet this policy without additional proposals to mitigate public facility and service impacts (**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 future land use plan map indicates the subject site is suitable for public-institutional land use. The proposed use (apartments) is inconsistent with that recommendation (**does not support request**).

Finding: The “Residential neighborhood” policy of the comprehensive plan suggests that the city: “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.” The zoning district and development proposal, with a density of 17.2 units per acre, is considered incompatible with this adopted plan policy **(does not support request)**.

Finding: Another relevant comprehensive plan policy is as follows: “Multi-family residential. Densities of more than 12 units per acre are not permitted in Hoschton per the zoning ordinance. Lower-than-maximum (less than 12 units per acre) densities may be established as conditions of zoning approval depending on context and location. While apartments and condominiums are not excluded, the city’s preference for multi-family residential development is fee-simple townhouses.” The proposed density exceeds this plan policy **(does not support request)**. Because of the abutting and nearby R-2 zoning and densities of approximately 2 units per acre, conditions of approval are appropriate that limit the residential density below the maximum of 12 units per acre allowed in the city **(supports conditions if approved)**.

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: The applicant has chosen to apply for a PUD (Planned Unit Development) zoning district, although it is a single-use development proposal (210 apartments). One reason, if not the driving factor, for requesting the PUD zoning district is that it does not have any development standards other than a minimum 20 percent open space requirement. The applicant is proposing a density of 17 units per acre, which is higher than the MFR (Multiple Family Residential District) which caps density at a maximum of 12 units per acre. The proposed development cannot therefore take place under an MFR zoning district. The application is considered inconsistent with this criterion **(does not support request)**.

Findings: The proposed development does not meet all of the purposes and intent of a PUD zoning district (Sec. 408.1 zoning ordinance). In particular, the application does not propose or include a mix of different residential dwelling types or any civic uses. Further it does not represent a unique or and to allow for unique or especially creative site arrangement. Further, the proposed plan for the site does not result in development that would provide “greater benefits to the City than a development developed under a conventional zoning district” because it is a single-function apartment development that would be permitted under the MFR zoning district (but at a lower density). The application is therefore considered inconsistent with this criterion **(does not support request)**.

Finding: Planning staff views the current residential lot (zoned Agricultural) across from Towne Center Parkway to be an important consideration in terms of access and future roadway planning. In staff’s view, it would be desirable to have Towne Center Parkway extended to and through that isolated lot and the subject property, possibly for inclusion as an eventual through-street further north, providing an alternative means of access to SR 53. It is not possible to include the lot in the subject request; however, approval of the proposed development without tying in at least an access point if not new road across from Towne Center Parkway will permanently forego that possibility **(does not support request)**.

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

Findings: A PUD zoning district in this area, allowing for apartments, is considered an isolated zoning district unrelated to surrounding A, R-1, R-2 and C-2 zoning districts. Further, zoning the site from agricultural will break up a contiguous agricultural zoning district and leave a single lot with one detached dwelling on it as "A" to the east of the site. Therefore, for two reasons, the proposal is considered inconsistent with this criterion (**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 subject property has on it an unnamed tributary of Indian Creek. The site plan indicates that buffers and impervious surface setbacks would apply to the stream.

CONCLUSION

Based on the above findings, staff recommends denial. If approved, it should be approved conditional, subject to the recommended conditions of zoning approval that follow. Any agreement on the part of the applicant to abide by these conditions of zoning approval does not change the planning staff's recommendation that the rezoning be denied.

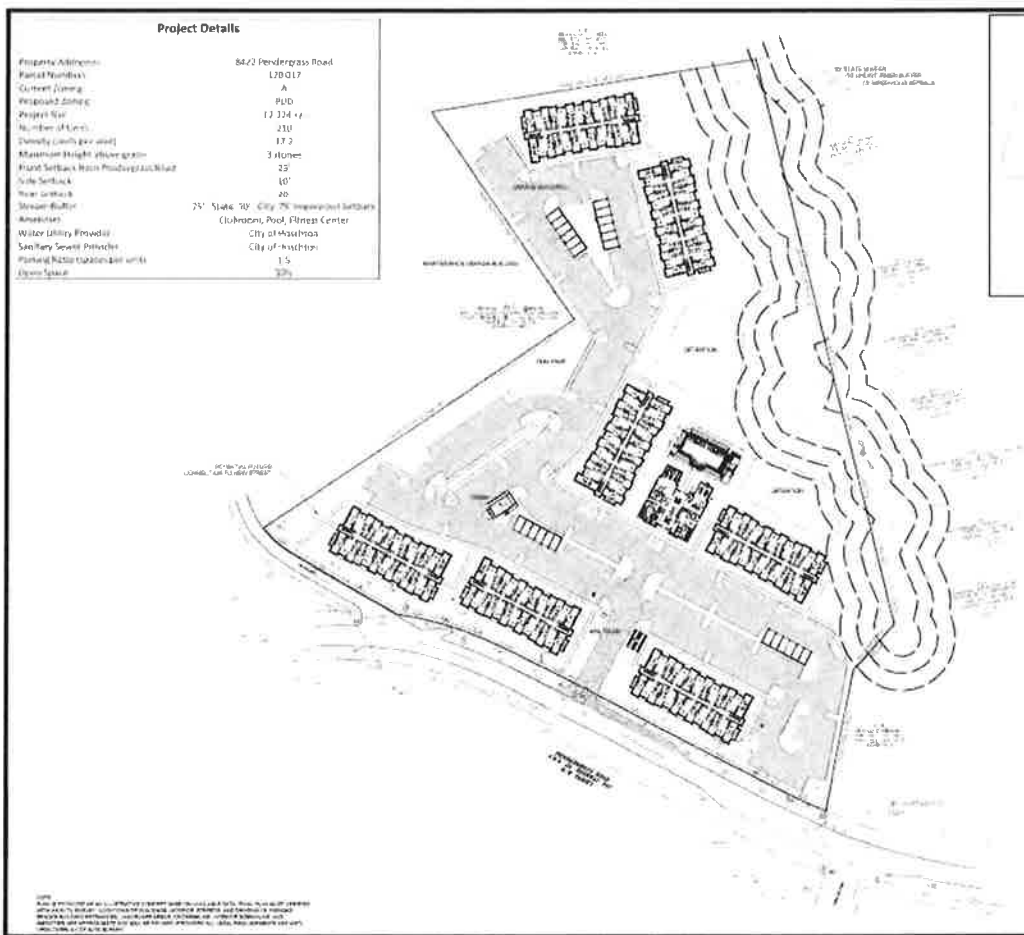
RECOMMENDED CONDITIONS IF APPROVED

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. **Zoning.** The subject site shall be zoned MFR (Multiple-Family Residential) District, Conditional, subject to these zoning conditions, rather than the PUD zoning district requested.
2. **Uses.** The subject property shall be limited to multiple family residential land uses as well as community amenities and open space.
3. **Revised site plan.** A revised site plan and revised letter of intent incorporating these conditions of approval shall be submitted to the zoning administrator for approval prior to issuance of a land disturbance or development permit.
4. **Maximum number of units.** The subject property shall be limited to a maximum of 90 dwelling units (approximately 7.4 units per acre).
5. **Apartment unit mix and size.** No more than 10 of the dwelling units shall be three or more bedrooms. No apartment unit shall be less than 750 square feet of heated floor area.
6. **Amenities.** The project shall be required to have a community building with a minimum square footage of 1,000 devoted to resident usage (not counting any maintenance facilities or leasing/management office), but it shall not be required to provide a swimming pool.

7. **Buffers, setbacks, and dimensional requirements.** The subject property shall be required to meet dimensional requirements of the MFR (Multi-family Residential) zoning district except as otherwise modified by these conditions of zoning, including the following:
 - (a) A minimum principal building setback of 25 feet shall be required along Pendergrass Road (SR 332) and New Street.
 - (b) Apartment buildings shall be setback a minimum of 40 feet from all other property lines.
 - (c) There shall be a planted landscape buffer with a minimum width of 20 feet along the north, northwest, and west property lines.
 - (d) Principal buildings shall be separated from one another by at least 20 feet.
8. **Project entrances.** There shall be one project entrance onto SR 332 (Pendergrass Road) and one project entrance onto New Street. Improvements shall be installed at the project entrance on SR 332 as required by the Georgia Department of Transportation.
9. **New Street right of way, intersection realignment and widening.** The owner/ developer shall dedicate additional land (no less than 5 feet from the centerline) of New Street, shall be required at no expense to the city to construct a realigned intersection of New Street with Pendergrass Road (SR 332), at a 90 degree angle as approved by the Georgia Department of Transportation and the city, and shall widen/improve New Street with curb and gutter (and associated drainage improvements) along the entire New Street property frontage as approved by the city's public works director and zoning administrator. The city may contribute additional right of way on the west side of New Street to effectuate this project.
10. **Sidewalks.** A five-foot wide sidewalk shall be required along the entire property frontages of Pendergrass Road (SR 332) and New Street (as improved).
11. **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 residential apartment buildings, prior to issuance of a building permit for any such building. Second and third-story units shall require balconies. Apartment buildings shall meet or exceed exterior building material finishing requirements of Article V of the Hoschton zoning ordinance unless otherwise approved by City Council.
12. **Apartment management.** 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 project and with a 24-hour phone contact posted at the management office.

Z-23-01, A to MFR, 8422 Pendergrass Road (SR 332) and New Street



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:

A residential use is compatible with the R-2 residential uses to the east & west of the property. The property to the south is zoned C-2 so this proposal should be considered as a transitional use between residential and commercial.

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

Response:

The adjacent property to the east is currently developed as a single family subdivision. The property to the south is zoned for commercial use. The proposed use should not impact the existing uses of the properties to the north and west as they are currently used for residential purposes too.

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

Response:

The current zoning of agricultural would not be considered an economically feasible use in today's market. Other current and proposed development in the immediate area would suggest that the property has a higher and best use as something other than agricultural.

- (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 use will create additional demand for public services but the proposed would not be considered as excessive or burdensome.

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:
Although the Future Land Use Plan designates this specific property as Public-Institutional, Multi-Family Use is designated in nearby properties to the south. The subject property represents a small amount of the overall property designated as P-I would serve as a good transition use based on the other current uses in the area.

(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:
Job growth in the Hoschton and Jackson County area is creating more demand for a variety of housing opportunities, including Multi-Family Residential. Without these new housing opportunities there exists the possibility of this job growth moving to other locations.

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

Response:
The proposed zoning district (PUD) and the proposed use (Multi-Family Residential) would not be incompatible with the adjacent and nearby districts and uses.

(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:
Development of the property will follow all local, state and federal requirements for environmental compliance and therefore should not have a negative impact on the items referenced above.

[application form continues on next page]

8422 PENDERGRASS ZONING NARRATIVE

This document includes the materials consistent with the submittal requirements of the Zoning Ordinance of Hoschton, Georgia, Section 4.08 PUD Planned Unit Community, and if approved will then be considered to be an integral part of the zoning approval for the properties herein described and depicted in the accompanying Conceptual Master Plan (hereinafter "Master Plan").

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City of Hoschton
Planning and Zoning Department
Division 4

MAR 3 11 2023

GENERAL CONDITIONS

The following applicant submitted documents, including all current revisions, have been made a part of the approved PUD (Planned Unit Community District) zoning ordinance:

- Copy of Deed
- Boundary Survey and Legal Description
- Rezoning Narrative
- Zoning Decision Criteria
- Community Benefit Statement
- Conceptual Master Plan
- Exhibit A Residential Architecture

Unless specifically identified in the conditions enumerated below, the above referenced documents shall generally govern the platting processes, community, construction, uses, etc. of the subject site including any variations or deviations of the adopted City of Hoschton requirements. Notwithstanding, any requirements of the City of Hoschton Zoning Ordinance, Community Regulations, Stormwater Management Regulations, Water and Sewer Regulations and any other regulations, fees, charges and assessments either adopted or adopted by reference that are not specifically addressed in the above referenced documents or approved conditions, shall be adhered to in their entirety. No statement by the Developer in the Rezoning Narrative shall operate to create any vested rights in the Developer or its successors and assigns.

CONCEPTUAL MASTER PLAN

The community shall be controlled by this document and accompanying documents including, the Master Plan and other exhibits referenced above. The Master Plan is considered conceptual in nature, and certain modifications to the Plans are anticipated from time to time. Beyond such specific language, modifications of the location and arrangement of buildings, roads, amenities and other improvements that do not materially conflict with specific standards and requirements of these conditions may be made by the Developer, so long as such modification does not materially alter the location or nature of improvements within 100 feet of the Community Boundary, or impact previously recorded residential sections, or change the land use or increase density.

PUD ZONING DISTRICT FOR 8422 PENDERGRASS

The Plan is anticipated to develop with a mix of apartment units with one, two and three bedroom plans, and associated amenities as a master planned, multi-family residential community without age restriction. 8422 PENDERGRASS will be limited to 210 units at a gross density of 17.2 units per acre.

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Multi-Family Residential

The **8422 PENDERGRASS** community is planned to consist of up to three residential unit types as defined in Table 1 below. Encroachments of decks, patios, etc. into setbacks and easements are allowed provided minimum separation of 20' is maintained between all adjacent foundations (multifamily buildings) and 5-foot separation between decks, patios and other improvements. Building separation shall be measured at the exterior wall of the structure. Ancillary structures shall be allowed to encroach into Common Areas.

Front yard setback from parking lots shall be a minimum of ten (10) feet.

No more than 12% of the multi-family unit types lots shall be three bedroom units.

Unit Mix – Multi-Family Residential

The Unit Mix for the various multi-family unit types shall be as outlined in Table 1 below:

Table 1

Type	Number of Units	Minimum SF
One Bedroom	84	750
Two Bedroom	102	1100
Three Bedroom	24	1150

Parking

All parking shall occur in designated parking areas and provided at a minimum ratio of 1.5 spaces per unit. Parking spaces shall be a minimum size of 8.5' x 18' with a minimum aisle width of 24'. Additional spaces, including free standing garages or carports, may be added at the Developer's discretion.

Permitted Uses – Multi-Family Residential

This PUD zoning allows for the following permitted uses:

- Attached Multi-Family Residential Dwelling Units (one, two and three bedrooms)
- Amenities & Clubhouse
- Dog Parks
- Walking Trails
- Sales and Marketing facilities
- Accessory Uses to the Community Amenities
- Utilities and appurtenances customary to residential community
- Temporary transient use of dwelling units to house staged model units
- Community gardens
- Dumpster Enclosure

Residential Architecture

Elevations of the proposed apartment buildings are attached as Exhibit A. Similar architectural styles and elements will be used throughout the community and these approvals will be considered final with no further architectural approval required outside of the administrative building permit process.

Amenities

Amenities shall be required for 8422 PENDERGRASS and shall be developed in general accordance with the Master Conceptual Plan, other relevant exhibits, and as described herein. Specific amenities shall be at the discretion of the Developer based on market conditions and buyer preferences. LDP plans for Amenities shall be subject to the review and approval of the Zoning Administrator.

Recreational Uses

Planned amenities include the following recreational amenities:

- Onsite Leasing Office & Property Management
- Clubroom
- Fitness Center
- Pool
- Dog Park
- Dog Spa/Pet Wash

OTHER USES

Certain other uses are approved as either temporary or permanent uses within the Community as follows:

Sales Offices

Offices to lease units in the Community may be maintained in the amenity center, in model units with accessible facilities, or in temporary modular facilities located within parking areas. Sales Offices are not designed to be used by contractors and construction workers.

Construction Offices

Construction Offices are designed to be utilized and visited by contractors, vendors, tradesmen, and other construction workers, and not the general public. Construction Offices may be housed in temporary modular units within parking areas or on future development parcels.

BUFFERS

The subject property shall have a minimum perimeter buffer area of 10 feet on the overall boundary lines and along Pendergrass Road (SR 332). The eastern property boundary will be contain a buffer of 50 feet with a minimum 75 feet impervious setback. To the extent the perimeter buffer is disturbed by construction, these areas shall be replanted to the satisfaction of the Planning & Zoning Administrator.

ACCESS

A single point of access is planned for Pendergrass Road (SR 332), subject to GDOT approval. The access plan will be reviewed by the City of Hoschton Public Works, West Jackson Fire Department and submitted to Jackson County Sherriff Department. An additional access may be added onto New Street, at the discretion of the Developer.

MONUMENTATION & LANDSCAPING

Entry Features

Entry landscaping and signage shall be allowed, but not required, at the entrance from Pendergrass Road. The main entrance feature may include extensive walls, landscaping and signage that is commensurate with the size of the Community and the scale of the entrances. All improvements will be constructed outside of the GDOT right-of-way.

Landscaping & Hardscaping

Developer intends to install and maintain landscaping and hardscaping throughout the community.

STORMWATER MANAGEMENT & STREAM BUFFERS

Stormwater Management

The Developer will follow all local and state ordinances regarding installation of Stormwater Management Facilities as well as providing long-term maintenance.

Stream Buffers

The Project contains a small-unnamed tributary to Indian Creek. The Developer plans to avoid any impacts to this stream and does not anticipate the need for any Nationwide Permits. It is requested that the City agree to consider variances to the City's required impervious setbacks and stream buffers where dimensional and topographic hardships may exist. Such buffers may be crossed by utility crossings, roads and trails, provided such are placed as perpendicular to the buffer as practical.

COMMUNITY PHASING

8422 PENDERGRASS is anticipated to be developed in a single phase although individual buildings may be completed and occupied via individual building Certificate of Occupancy (CO) in advance of the entire community.

INFRASTRUCTURE IMPROVEMENTS

The construction and installation of infrastructure improvements shall be conducted in conformance with approved codes, ordinances, policies and procedures of the City and the other applicable governmental agencies and service providers, unless specifically modified herein.

On-site Improvements

As provided for through the PUD District, it is intended that the on-site roads and parking areas will be privately maintained by the Developer.

Off-site Improvements

The Developer shall construct a 6' wide pathway from New Street, west along Pendergrass Road, north along Oak Street and terminating at East Broad Street. All construction shall occur within property owned by the City or within the right-of-way where applicable.

Construction Activities

Construction Activity shall be limited as follows:
Monday thru Friday – 7:00 am until 8:00 pm
Saturday – 8:00 am until 6:00 pm
Sunday – 12:00 noon until 5:00 pm

UTILITIES

Water Service

Water service will be provided by the City, consistent with The City of Hoschton delivery service plan.

Sewer Service

Sewer Service will be provided by the City, consistent with City of Hoschton's delivery service plan.

Other Utilities

All utilities are to be placed underground. Electric, phone, cable and/or fiber are to be placed by respective utility providers as available per City of Hoschton standards in common trench or conduit after curbing and prior to driveway/sidewalk installation. Small cell antenna systems for internet and Wi-Fi as an alternative to cable or fiber may be placed in conjunction with street light poles.

COMMUNITY BENEFIT STATEMENT

For 8422 Pendergrass

The 8422 Pendergrass development is proposed as a Planned Unit Development (PUD) under the City of Hoschton's Zoning Ordinance (Sec. 4.08) dated 1/4/16 and last amended 2/21/22, with specific conditions as proposed in the zoning request. The site consists of 12.224 acres +/- located within the City of Hoschton.

The historical use of the land has been primarily agricultural with the majority of the property being wooded. The site has changed ownership several times over the past twenty years and contains a 2200 sf home, 1600 sf barn and multiple out buildings. The property is located east of Pendergrass Road (SR 323) at New Street and approximately 1000 feet east of Winder Highway (SR 53). A single point of access is planned from Pendergrass Road (SR 332).

The 8422 Pendergrass Development is planned as a multi-family development of 210 units, in a mix of one, two and three bedroom options. The PUD zoning will allow for a greater diversity of homes in order to fit different lifestyles and needs. An amenity, consisting of a pool, cabana and clubroom, will serve the communities primary recreational needs. Additionally, several areas of passive recreation will be provided.

Although the use and location is not consistent with Hoschton's 2040 Comprehensive Plan designation as "Public-institutional, the existing, surrounding uses would support the proposed use of Multi-Family Residential. The plan narrative for a PUD zoning requests a density of 17.2 units per acre in order to achieve the desired product mix and meet to the density goals.

8422 Pendergrass will bring a number of benefits to the City including quality housing offered by a top tier apartment developer, McNeal Development. Recent projects include complexes in Gainesville and Cartersville. The community will include onsite management and amenities as outlined in the PUD. The accessibility of quality housing is always a driver of new commercial and retail development and provides the needed balance of tax revenues generated from both.

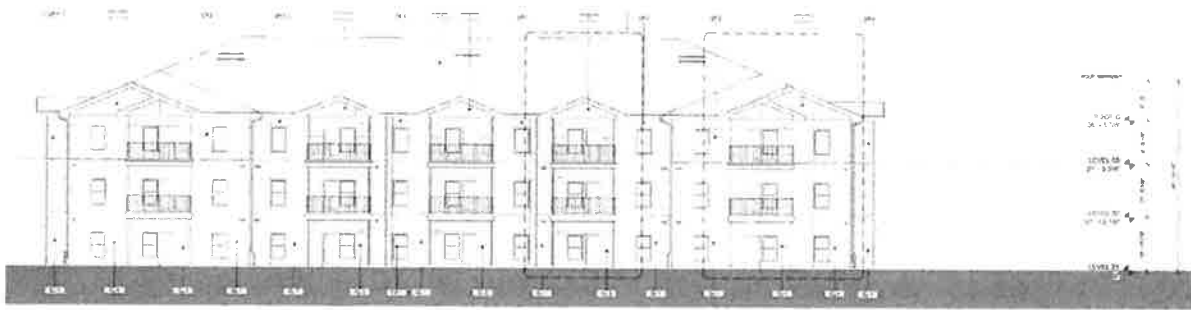
Other quantitative and qualitative benefits include:

- Regional marketing exposure for Hoschton through McNeal Development's marketing and advertising program
- Increased annual sales tax revenues (estimated at more than \$55,000 at buildout)
- Land Development Permit Fees (estimated at more than \$20,000 over the life of the project)
- Building Permit Fees (estimated at more than \$85,000 over the life of the project)
- Water & Sewer connection fees (estimated at more than \$410,000 over the life of the project)

Z-23-01, A to MFR, 8422 Pendergrass Road (SR 332) and New Street

- Water & Sewer use fees (estimated at more than \$283,000 annually at buildout)
- Impact Fees (estimated at more than \$608,000 over the life of the project)
- Increased state funding based on increased population
- More patronage of existing local businesses and services
- Increased franchise fees (estimated at more than \$9,000 annually at buildout)
- Increased school taxes for Jackson County (estimated at more than \$280,000)

Z-23-01, A to MFR, 8422 Pendergrass Road (SR 332) and New Street



RIGHT ELEVATION
SHEET 01-1-C



SIDE ELEVATION
SHEET 01-1-B



REAR ELEVATION
SHEET 01-1-D



Civil and Environmental Engineers

April 12, 2023

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

Re: Water and Sewer Capacities and Development Trends, Current Rezoning & Annexation Applications

Dear Jennifer:

As requested, Engineering Management, Inc. (EMI) is providing information regarding existing and future water and wastewater capacity information and the potential impact of several pending development projects.

We have received information from Mr. Jerry Weitz, Consulting Planner for the City regarding these developments identified as Z-23-01, Z-23-02 and Z-23-03. A copy of the information received is attached hereto.

With regard to the City’s current capacity in the water supply and distribution system, the City is currently permitted and under contact for:

- Jackson County Water and Sewerage Authority- 400,000 Gallons Per Day
 - Town of Braselton- 200,000 Gallons Per Day
 - Existing wells- 150,000 Gallons Per Day
- Total- 750,000 Gallons Per Day

The Average water demand in 2022 was 350,000 Gallons Per day, and the peak usage was 505,000 Gallons Per Day. Based on the average daily demand, the City has 400,000 Gallons Per Day in water supply capacity. The City is pursuing additional ground water supplies, as well as additional purchase water from adjacent systems, but these are not assured.

With respect to wastewater treatment capacity, the City is currently permitted for 0.5 MGD or 500,000 Gallons Per Day based on the current facilities online. The average demand in 2022 was 208,000 Gallons Per Day, with a peak demand in December of 250,000 Gallons Per day. Based on the average daily demand, the City has 292,000 Gallons Per Day (GPD)in wastewater treatment capacity available.

Ms. Jennifer Kidd-Harrison, City Manager
City Manager
City of Hoschton
Water & Sewer Capacity Discussion
April 12, 2023
Page Two

The City Public Works Director has kept an ongoing list of approved development projects, as well as potential projects for several years. A copy of the listing is attached hereto. Projections of water supply and wastewater capacity demands have been tabulated based on 250 GPD and 200 GPD, respectively per Equivalent Residential Unit (ERU). Based on this list, the water demand committed on the first page, is 770,327 GPD. The wastewater capacity committed is 639,620 GPD. The project list and demands were modified to deduct any expected wastewater flows to the Braselton Wastewater system. The 30 Acre commercial development area at Twin Lakes was estimated at 80,000 GPD. These current projections do not include any capacities committed to the Pirkle Property at this point. West Jefferson Townhomes would be served by the City of Hoschton water system. To summarize existing utility usage and committed capacity, please see the tables below.

Existing Wastewater capacity-	500,000 GPD
Existing Usage	208,000 GPD
Remaining-	292,000 GPD
Committed-New	639,620 GPD
Shortfall-	347,620 GPD

Additional Capacity- Current Expansion Project-	450,000 GPD (June 2025)
Less Shortfall-	347,620 GPD
Remaining Capacity @ 0.95 MGD	102,380 GPD

Additional Capacity- Phase II Expansion- 1 MGD (June, 2028)

Existing Water supply Capacity	-750,000 GPD
Existing Usage-	350,000 GPD
Remaining	400,000 GPD
Committed-New	770,327 GPD
Shortfall-	370,327 GPD

Ms. Jennifer Kidd-Harrison, City Manager
City Manager
City of Hoschton
Water & Sewer Capacity Discussion
April 12, 2023
Page Three

With respect to the proposed projects recently submitted, we report as follows:

Z-23-01-McNeal Development, LLC, parcel 120/017 consisting of 12.224 acres. The proposed use is 210 apartment units. Based on the formulas used, the development would require 52,500 in water capacity and 42,000 GPD of sewer capacity. The property is currently served by a six-inch (6") diameter water line. An apartment complex of this magnitude would likely require 1,500 gallons per minute fire flow, which would likely require substantial upgrades to the existing water distribution system. The property drains to the east and contains a small stream according to Q Public mapping. All onsite sewer would have to be constructed by the developer as well as off-site. The off-site sewer would necessarily have to connect to the recently installed fifteen inch (15") main sewer line at Georgia Highway 332.

Z-23-02- The Providence Group of Georgia. This proposal includes parcels 119/019 and parcel 113/003A. The total estimated acreage is 109.72 acres. The proposed use is 399 residential units, including 291 detached single-family homes and 108 fee simple townhomes. Based on the formulas used, the project would require 99,750 GPD in water capacity and 79,800 GPD of sewer capacity. The northern side of the properties along East Jefferson Street is served by an existing eight-inch (8") water line. The southern section of the properties along the Cheek property is served by a ten-inch (10") water main. The interior water mains would likely be looped to the existing water mains and may be adequate for proper service. The exact configuration of the units and a fire flow test could better determine the adequacy of the existing off-site water distribution system. All onsite and off-site improvements would be the responsibility of the developer. There are small streams culminating in the southern tip of the Sell property. A group visited the EMI offices earlier this year to discuss possible sanitary sewer collection system configurations. No exact sewer line design has been complete, but we would envision at least one wastewater pumping station would be required to serve the proposed development.

Ms. Jennifer Kidd-Harrison, City Manager
City Manager
City of Hoschton
Water & Sewer Capacity Discussion
April 12, 2023
Page Four

Z-23-03-Rocklyn Homes, by Mahaffey, Pickens & Tucker. This proposal consists of parcels 114/001A, 114001B1, 114/002A and 114/001B. There is a church expansion involved.

The main project consists of 200,000 square feet of commercial use, with 6.6 acres of outparcels. The residential component consists of 404 townhome units and 651 single family homes. There is also 3.6 acres of civic space proposed. Based on the formulas used the project would require 313,750 GPD of water capacity and 251,000 GPD of wastewater capacity. There presently is no major water main in the area. As we understand, there is a 2" water main serving the existing church that crosses SR 53 and runs south to serve the Hudgens residence. Substantial upgrades would be required to the water distribution system to serve the development. There is also no sanitary sewer system in the area. We would envision a main pumping station in the lowest portion of the development that would serve the entire complex. Final design would have to determine that possibility. The main pumping station would likely have to pump to the new fifteen inch (15") main sewer line on Nancy Industrial Drive.

Based on the numbers proposed in the three developments, the combined projects will require approximately 466,000 GPD in additional water capacity and 372,800 GPD in additional wastewater capacity.

Based on the calculations above, there needs to be an additional 836,327 GPD in additional water supply resources and 652,000 GPD in additional wastewater capacity to accommodate all proposed projects. In addition, there will be a shortfall of 270,420 GPD in wastewater treatment capacity even after the expansion to 0.95 MGD, if all projects are developed.

Obviously, this confirms the challenges that the City is addressing on an ongoing basis, but the developments have and continue to come forward at an unanticipated rate.

Engineering Management, Inc.

Enclosures: Notices of Public Hearing dated April 7, 2023

Schedule of Current and Future Connections- Water & Sewer

Z:\PROJECTS\13\13047-Hoschton-planning and zoning\pref Phase\fs1-Correspondence\jkiddwatersewercapacities 04102023

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Engineering Management, Inc.

**CITY OF HOSCHTON
NOTICES OF PUBLIC HEARINGS**

The Hoschton City Council will conduct a public hearing at its work session on **May 11, 2023**, at 6:00 p.m. at the City Hall Conference Room, 79 City Square, Hoschton, GA, 30548, on the following matters. During its regular meeting on **May 15, 2023**, at 6:00 p.m., at the City Hall Conference Room, 79 City Square, Hoschton, GA, 30548, City Council may act on these applications.

Ordinance O-20-06 Amendment: An Ordinance to Amend the Code of Ordinances of the City of Hoschton, Georgia, to amend Ordinance O-20-06, known by short title as the Development Impact Fee Ordinance, fully titled as follows: An Ordinance Relating to the Regulation of the Use and Development of Land in the City of Hoschton, Georgia; Imposing a Development Impact Fee on Land Development in the City of Hoschton for Providing Public Safety, Park and Recreation and Related Facilities Necessitated by Such New Development; Stating the Authority for Adoption of the Ordinance; Making Legislative Findings; Providing Definitions; Providing a Short Title and Applicability; Providing Intents and Purposes; Providing Rules of Construction; Providing Definitions; Providing for the Computation of the Amount of the Development Impact Fee; Providing for the Payment of a Development Impact Fee; Providing for a Development Impact Fee Service Area; Providing for the Establishment of a Development Impact Fee Trust Fund; Providing for the Use of Funds; Providing for the Refund of Fees Paid; Providing for Exemptions and Credits; Providing for Review of the Fee Schedule; Providing for Appeals; Providing a Penalty Provision; Providing for Severability; Providing a Repealer; Providing for Codification; Providing an Effective Date; and For Other Purposes. (2nd public hearing).

Amendment of this ordinance is anticipated to include but shall not necessarily be limited to the following: Amend Section 7, "Computation of the amount of development impact fee" to modify or repeal and replace the Residential Development Impact Fee Schedule and the Non-residential Development Impact Fee Schedule; Amend Section 10 to repeal the fire facilities impact fee trust fund; and amend Section 11 to repeal a provision regarding the use of fire facility impact fees.

Z-23-01 Rezoning: McNeal Development LLC, by Bradley Duncel of Rochester/DCCM, applicant, Alinad and Mihai F. Nicoara, c/o Orin and Lucia Harasemiuc, property owners, seeks to rezone 12.224 acres (Map/Parcel 120/017) (8422 Pendergrass Road) fronting approximately 690 feet on the north side of Pendergrass Road (SR 332) approximately 60 feet west of its intersection with Towne Center Parkway, and also fronting approximately 210 feet on the northeast side of New Street from A (Agricultural District) to PUD (Planned Unit Development District). Proposed use: Multi-family Residential (210 apartment units).

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 (399 units including 291 detached single-family units and 108 fee simple townhouse units) and open space.

Z-23-03: Annexation and Zoning (Development of Regional Impact #3960): Rocklyn Homes, by Mahaffey Pickens Tucker, LLP, applicant, Mary Ann Kenerly and New Hope AME Church, property owners, seek to annex 287.14 acres with PUD (Planned Unit Development) District zoning. The property proposed to be annexed and zoned PUD consists of Map/Parcels 114/001A, 114/001B1, 114/002A and 114, 001B, fronting approximately 5,550 feet on the east side of State Route 53 approximately 410 feet south of Pearl Industrial Avenue (1688 and 2512 Highway 53). Current zoning is A-2, Agricultural-Rural Farm District in unincorporated Jackson County. Proposed use: Mixed use development including approximately 200,000 square feet of commercial use with 6.6 acres of outparcels, church and 5.5 acres of church expansion, 404 townhome units, 651 single-family lots and 3.6 acres of civic space.

All interested persons are invited to attend. The applications are on file in Hoschton City Hall, 79 City Square, Hoschton, GA 30548, and are available for public inspection during regular business hours. For more information, call 706-654-3034.

This the 12th day of April, 2023.

Project Names	Type of units	Single-Family Detached	Townhomes	Multi-Family	Commercial/Industrial Square footage	Water/Sewer Tap Fee (\$8,000)	usage at 200 gpd or requested GPD	usage at 250 gpd or requested GPD	2022	2023	2024	2025
Crescents	SF Home	932				\$7,456,000	186,400	233,000	175	250	250	250
Twin Lakes	SF Home	675	294			\$5,420,000	135,000	168,750	175	250	250	250
	Townhome					\$2,852,000	58,800	73,500	180	200	200	200
30 Acres	Commercial				400,000							
Cambridge @ Towncenter	Townhome	300				\$2,400,000	60,000	75,000	100	200		
Crescent Townhomes	Townhome	29				\$232,000	5,800	7,250	28			
Munally Farms	SF Home	51				\$440,000	10,000	13,750	44			
	Multi-Family			50		\$0	10,000	12,500	50			
Hoschton Park Townhomes	Townhome		18			\$96,000	2,400	3,000	6			
Gateway Crossing (Public) 10 Acres	Retail (1.65 gpd)				11,200	\$29,560	1,120	1,420				
	Retail Grocery (2 gpd)				48,848		9,770	9,770				
	Restaurant (1.65 gpd)				4,250		6,890	6,890				
	Townhome		175			\$1,450,000	35,000	43,750	25	75	75	75
	Industrial (1.5 gpd)				1,363,000		135,300	136,500				
W. Jefferson Townhomes (Trasecor Sewer)	Townhomes		198			\$1,584,000	39,600	49,500	98	98		
Possible Projects	Condos			275		\$2,700,000	55,000	68,750				
Proposed Endive @ Hoschton	Retail (1.5 gpd)				30,000		3,000	3,600				
	Restaurant (1.65 gpd)				12,150		20,047	20,047				
	Office (1.5 gpd)				14,000		1,400	1,400				
	Retail (1.5 gpd)				11,100		1,110	1,310				
Hoschton Exchange	Restaurant (1.55 gpd)				20,350		33,578	33,578				
65 Nancy Ind.	Townhomes		350			\$2,800,000	70,000	87,500				
	Multi-Family			250		\$2,000,000	50,000	62,500				
	Retail				20,000		2,000	2,000				
Proposed Hwy 53	SF Homes	560				\$4,480,000	120,000	150,000				
	Commercial				???							
	Townhomes		535			\$4,280,000	129,000	160,000				
Town Center Property	Townhomes		250			\$2,000,000	100,000	125,000				
Freeman PROPERTY		245		250		\$2,000,000	50,000	62,500				
Hackbrook Sell						\$1,960,000	49,000	61,250				
			135			\$1,080,000	27,000	33,750				
Total		2,463	2,284	825	1,936,848	\$44,139,560	1,399,455	1,696,705				
		Total Residential Connections		5,572								

893 of 200

574,000

485	501	514	475
57,000	150,000	114,800	85,000

**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: May 1, 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 HEARING: May 11, 2023 @ 6:00 p.m.

VOTING SESSION: To be deferred (inadequate notice of annexation)

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 399 dwelling units, including 291 detached single-family units and 108 fee-simple townhouse 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

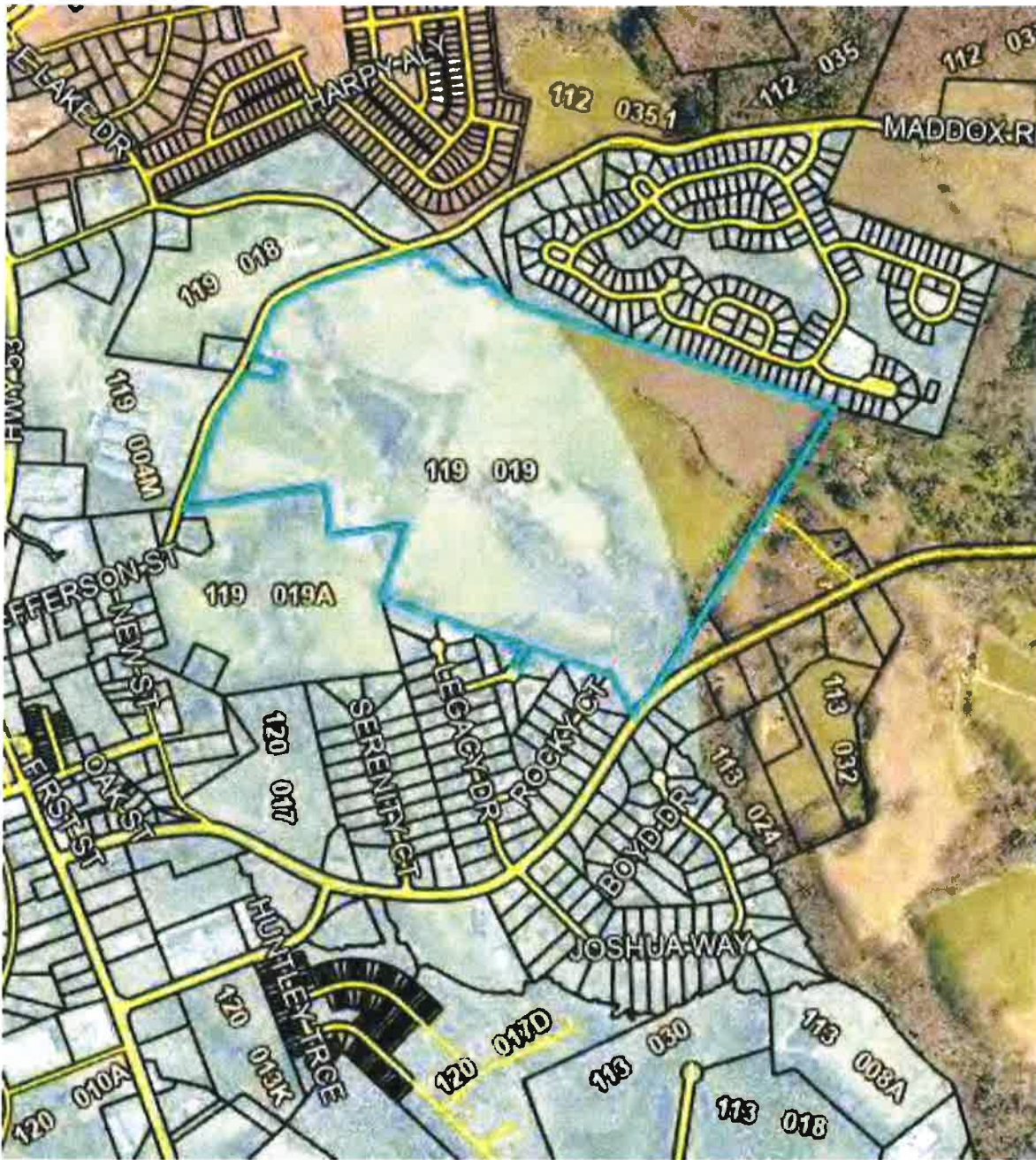
PARCEL(S) #: 119/019 (part), 113/003A, and 119/018

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 the following descriptions)

RECOMMENDATION: Deferral



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

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)



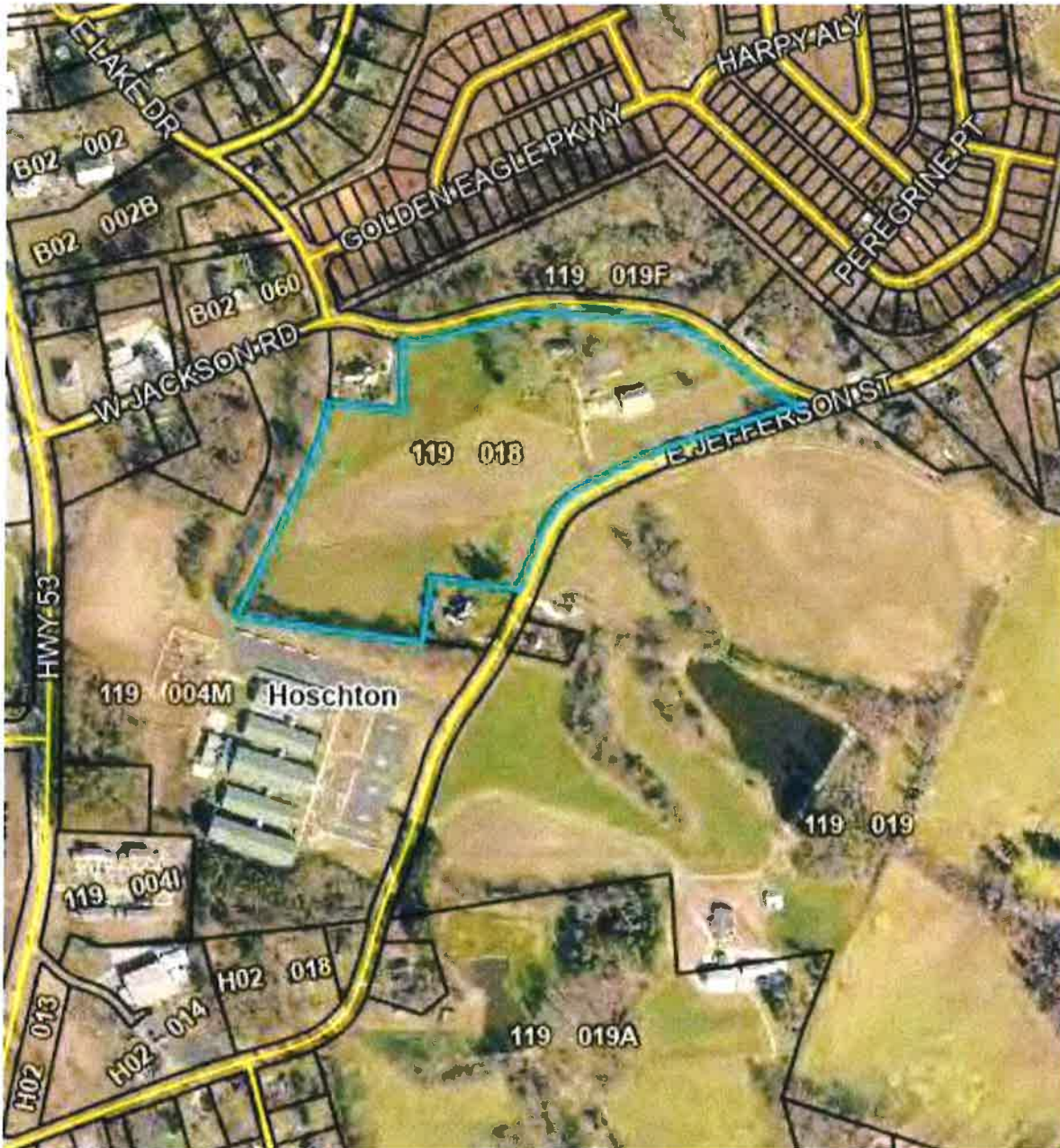
**Aerial Image/Tax Map of Subject Property (113/003A) (Cheek Property)
Annexation (contiguous to Hoschton via Sell property annexation shown above)**

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



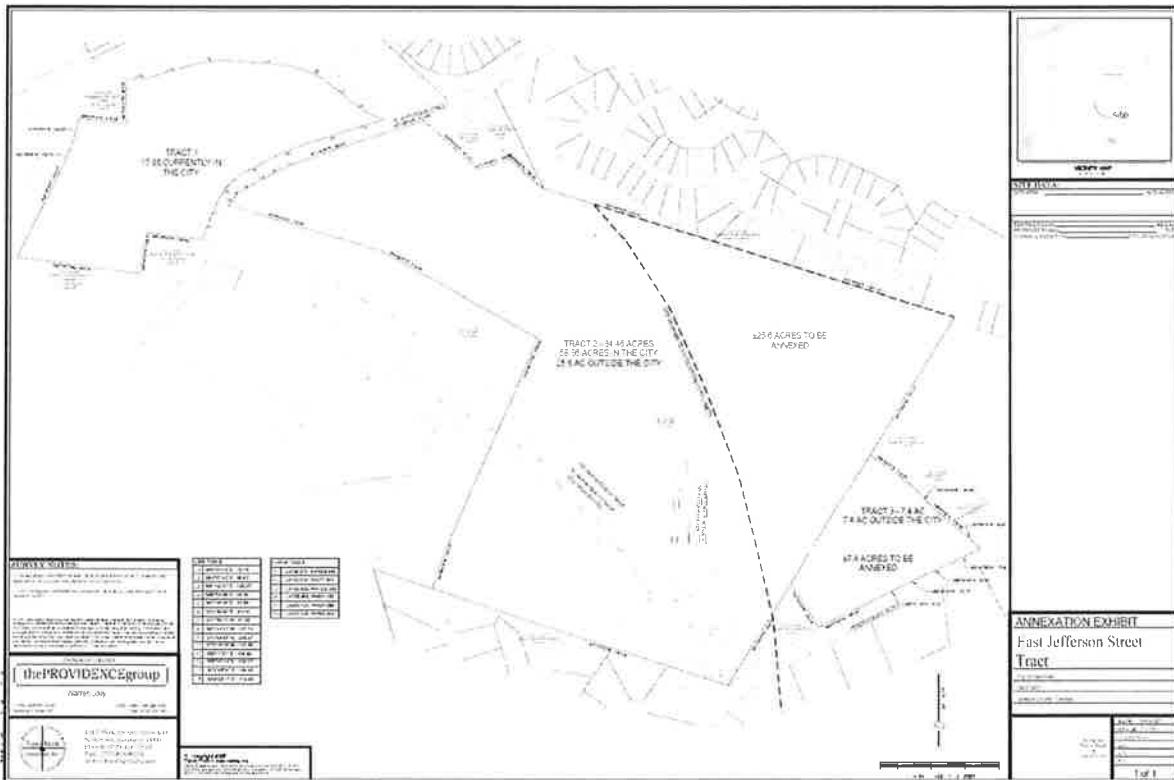
City of Hoshton Zoning Map Excerpt

APPLICATION DESCRIPTION AND EVALUATION

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. Notice of the annexation was provided on or about April 10th; however, the county has written back to the city indicating that it must by state law give the county 45 days prior to acting on the annexation application to object under the provisions of state law. This means that the city cannot act on this application at its May 15 meeting, but it can hold the public hearing as advertised on May 11th.



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 two varieties of fee simple townhouse lots and two varieties of detached, single-family lots. Hence, the proposal is for all residential development (i.e., nonresidential land uses are not proposed).

The PUD rezoning proposal involves a total of 109.72 acres of land and 399 dwelling units, for an overall (gross) residential density of 3.63 units per acre. There are 108 fee simple townhouse lots/units proposed on the 17.96-acre portion of the PUD (a gross residential density of approximately 6.0 dwelling units per acre). The rest of the PUD would consist of 291 detached

dwelling units on 91.76 acres, for a gross residential density of about 3.17 dwelling units per acre. The PUD site plan shows the detached, single-family residential portion being divided into 164 units on 50-foot-wide "front entry" lots and 127 units on 40-foot-wide "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 108 dwelling units would gain access. No street connection is proposed from the townhouse portion of the PUD to East Jefferson Street (staff recommends a condition requiring access to provide a second entrance, consistent with comprehensive plan policy). For the detached residential subdivision, the PUD site plan shows 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

The townhouse portion of the PUD would have each lot front on a street, except that there are 8 units (two buildings) that would front only on an alley (staff recommends against that). In the detached single-family residential portion of the proposed PUD, the streets have been designed to allow for access through the subdivision from East Jefferson Street to Pendergrass Road (SR 332). However, the route is not one that is direct in nature that would encourage speeding or through traffic. As currently proposed, a motorist traveling from Pendergrass Road to East Jefferson Street would have to make three turns through the subdivision; further, stop signs can be placed at three-way or four-way intersections to further slow traffic.

The subdivision design proposes three dead-end street stubs in the townhouse portion of the PUD. Generally, these types of dead-ends have been authorized by the planning staff and the city, because they meet minimum requirements for fire code access (i.e., 150 feet in length or less), even though they do not meet subdivision code requirements for circular turnarounds. There are two cul-de-sacs proposed for the single-family portion of the PUD, but the rest of the proposed street network is interconnected. The design also incorporates "eye brows" or cul-de-sacs that have two interconnecting points with the street system.

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.

As described above, the townhouse portion of the PUD proposes alleys to serve some of the units/buildings (i.e., those in the center of the townhouse pod), while those buildings/units on the periphery are "front loaded." The rear loaded units/buildings would be served with alleys. Similarly, for the detached dwellings, the majority (164) of the homes would have garages facing

the principal street (i.e., "front loaded") while the remainder would have alleys to access garages at the rear of the detached units.

The applicant has indicated that the streets (and alleys) within the PUD "may" be private and may be gated. The letter of intent indicates a proposal that they be private and gated. It is assumed the city is authorizing private street unless the approval indicates otherwise.

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 (20% or 21.94 acres) 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. In the case of the townhouse portion, there are two such greens. One has 19 units fronting on a green, while the second green has 13 units fronting on it. Some of the open space occurs at the periphery in narrow bands or segments that are not readily usable as open space and are essential "leftover" land or remnants that cannot be utilized for development or not needed for detention.

On the detached residential subdivision side of the PUD, the overall design meets the definition of a conservation subdivision design in many respects. The most environmentally sensitive land (i.e., a large block consisting of stream buffers, impervious surface setbacks, and detention pond, is proposed to be set aside as open space and detention. There are approximately 29 lots that would abut the portion of the environmentally sensitive tract not used for detention ponds. Approximately 18 lots would front the open space park nearest to East Jefferson Street, while several others would front on small "greens" in the subdivision. Further, the use of "eye brows" allows for the inclusion of a very small green space within the road network (in contrast to a fully paved cul-de sac). Additionally, many of the lots front on both environmentally sensitive land and formalized recreation (i.e., an amenity area). The amenity area for the subdivision shows a building, two pickle ball courts and a swimming pool. There is a narrow ribbon of open space proposed between the detached dwelling subdivision and Brighton Park subdivision along the north property line (staff recommends against that since it is rather unusable and difficult to maintain).

PUD Proposal: Comparison with City Development and Improvement Requirements

The PUD site plan indicates that the minimum lot size for fee-simple townhouses will not apply. Nor will the maximum number of units in a building of six be adhered to (the site plan proposes 8 units per building, but the site plan does not show more than five per building). The use of rolled or rollback curbs is proposed instead of vertical curbs. A separation of 20 feet between townhouse buildings is proposed. No sidewalks would be built for the portion of the road serving front-entry townhomes.

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.

Findings: This criterion addresses compatibility (suitability). A thorough evaluation 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. As proposed, the 50-foot-wide lots of 5,000 square feet and minimum building setbacks are considered incompatible with the abutting lots in Brighton Park (***does not support 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. The subdivision proposal shows a narrow ribbon of open space on the periphery of the subdivision along the north and east property lines. While such a ribbon of common area may provide additional separation between the homes and Brighton Park and abutting properties, it is not recommended because it is basically unusable and poses some difficulty in terms of maintenance. Instead of a narrow ribbon of common area, staff believes the subdivision if approved should be required 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 40 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, staff believes the subdivision will be compatible along the north property line with abutting homes in Brighton Park. A transition to smaller, narrower lots, with lesser building setbacks, can be accomplished interior to the PUD, as opposed to a transition to abutting dwellings at the property line.

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***).

Findings: Sell property to the south: The Sell family is the current owner of most of the property proposed to be developed for detached, single-family lots. 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. Therefore, it is considered that any incompatible characteristics of the subdivision on the remaining agricultural and low-density residential land are essentially waived by the seller (***supports request***).

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. This subdivision entrance and improvement will generally change the character of the low-density residential homes on the south side of Pendergrass Road (SR 332) because eight homes will back up to the highway (***does not support approval***). The proposal if approved will leave a single family home/lot isolated (partially in the city and partially unincorporated) (i.e., Map/Parcel 113/004). 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 may be impacted by the development proposal in the sense that two homes and an unnumbered lot (or three homes with rear yard access) are proposed along the property line within 50 feet of the dwelling on Map/Parcel 113/004 (***does not support approval***). Alley access to lots abutting Map/Parcel 113/004 are not recommended. Also, lots that abut SR 332 are recommended by consulting planning staff to be minimum 70-foot-wide lots with minimum lot areas of 7,000 square feet as well as a minimum lot depth of 120 feet and 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 will soften the impact of the subdivision on single-family residential lots on abutting dwellings fronting on SR 332 but will not eliminate the impact altogether (***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 proposed PUD is not compatible with the low-density character of the homes along the east side of E.G. Barnett Road. To mitigate impacts, the subdivision proposal shows a narrow ribbon of open space on the periphery of the subdivision along the east property line. While such a ribbon of common area may provide additional separation between the subdivision homes and abutting properties, it is not recommended because it is basically unusable and poses some difficulty in terms of maintenance. Instead of a narrow ribbon of common area, staff believes the PUD if approved should be required to 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). Further, staff recommends a minimum lot depth of 120 feet with a rear building setback of 40 feet where the subdivision abuts that portion of E.G. Barnett Road providing frontage to 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 recommends that the PUD eliminate the 31 lots proposed on the south side of the stream (**supports conditional approval**). Following that recommendation to reduce by 31 lots poses several advantages, in addition to ensuring compatibility with the Legacy Oaks subdivision. It will: eliminate a stream crossing, thereby reducing environmental impacts; reduce the number of homes, thereby reducing the overall impact on public facilities and services; increase the area of undisturbed open space within a consolidated block and including space that is not just environmentally constrained; and it will probably eliminate the need for a one of the detention ponds.

Findings: townhouse section west of E. Jefferson Street: There are two detached, single-family dwellings that abut this tract, both on one-acre lots. These two lots will be impacted by several townhouse units in close proximity. To some extent, the development proposal has open space or detention area that would tend to soften the impact. One can argue that these two lots are in the path of higher density development, and that they should therefore consider developing for higher intensity housing as well. However, that is difficult to conceive of, unless they are combined into an overall, larger development plan. Without conditions of approval to protect these two homes, the proposal for townhouses would not be considered suitable (**does not support request**). Some protection from much more dense housing should be provided for these two lots. Staff recommends that a 30 foot building setback, including a 20 foot planted buffer, be provided abutting property lines for these two one-acre lots (i.e., Map/ Parcel 119/018A and 119/042) (**supports conditional approval if approved**).

Findings: townhouse section, other abutting properties. The townhouse development as proposed is considered appropriate where it abuts Jackson County School District property along the west property line (which is used for driveway access) and along part of the south property line (**supports request**). Property north of West Jackson Road consists of two tracts, one that is mostly vacant but is classified as commercial land by the County Tax Assessor (Sell property) and zoned R-3, and two duplexes zoned R-3. These two properties would be in between townhouses (i.e., the subject request, if approved) and 7,000 square foot, 55-foot-wide lots to the north in Braselton. Therefore, the proposal is considered to be suitable in view of property to the north, across West Jackson Road (**supports approval**).

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

Finding: 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 are likely to 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**).

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): 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. The most immediate implication is that the applicant has not provided a traffic impact study. It would be appropriate for the city council to defer a decision on that basis alone, and have a traffic impact study prepared and further considered in terms of road impacts on state and local road system. However, trip generation rates are generally well known, and the overall impact is expected to be about 8 vehicle trips per day per townhouse and up to 10 trips per day for detached dwellings. This means a trip generation of 864 daily trips for the townhouses plus 2,910 vehicle trips per day for the detached subdivision, for an estimated total of 3,774 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 377 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.

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 the following conditions of approval with regard to West Jackson Road (these only bring the road up to a local residential street standard, not a collector street):

- Dedication of an additional five feet of right of way along the entire property frontage.
- Limit to one exit/entrance onto West Jackson Road.
- 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.
- 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, \$25,000 of which shall be paid prior to final plat approval for the final phase of the townhouse component or prior to issuance of a building permit for the 100th townhouse dwelling unit, whichever occurs first, and \$75,000 of which must be paid prior to final plat approval for the final phase of the detached single-family development, or prior to issuance of a building permit for the 250th dwelling unit, whichever occurs first. This payment shall be encumbered for the specified purpose by the city within six years of receipt or else it shall be refunded by the city to the subdivider.

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). This shall include the redesign of the townhouse component to provide a street entrance/exit from onto East Jefferson Street, which shall provide sufficient pavement for deceleration (right turn) lanes southbound into the townhouse development on the west side of East Jefferson Street and northbound into the single-family detached residential subdivision on the east side of East Jefferson Street, as approved by the city's public works director and zoning administrator.

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.

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 399 dwelling units, and utilizing that multiplier, the proposed development would generate approximately 211 additional students. With an average desirable class size of 20 students, this would mean an impact of 10.5 additional classrooms. Considering an estimate of 1,000 square feet minimum (classroom and ancillary space), that is a facility impact of 10,500 square feet of space. If a square footage building cost of \$250 is valid, the cost impact on the county school system is \$2,625,000 (just for additional facility space and not including land, and not including operational and maintenance costs for staffing, etc.). Per other recommended conditions, staff is recommending a reduction of the total number of units to 368, and that figure may be further reduced given the other conditions relating to lot size and density for single-family lots along the periphery. Even so, there is nothing proposed by the applicant to mitigate the project's impact on the county school system, which reportedly is already overcrowded and expected to continue being overcrowded even considering current capital spending programs of the school (**does not support request**). The school impact alone may be cause for denying the project, or further reducing the density, in staff's opinion, and it may be the basis for Jackson County or the county school system to formally object to the project. Because impact fees cannot be charged for school impacts, there is no way for the applicant to 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, since the townhouse component of the property abuts a county intermediate school site.

Finding: water and sewer: See separate memorandum from the city's consulting engineer. 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 lack of a long-term water supply may be cause alone for justifying disapproval of the project, or a deferral in the phasing for the project, given 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 buildout (399 units) would have a population of 237 people in the townhouse component and 786 people in the detached subdivision, creating an additional population of more than 1,000 people and hence a demand for 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**).
- **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 will have an estimated 1,023 residents at buildout (less if reduced as recommended by consulting planning staff), thus generating a need for approximately 200 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 890 square feet of fire building space, plus 0.4 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.

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 (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, ...”* 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: Future land use: The future land use plan shows public institutional, parks/ recreation and open space, and residential, medium density use for the subject properties. The proposed PUD is not entirely consistent in all respects with the future land use plan map (**does not support request**). A land use is not recommended for those properties or portions of parcels that lie outside the city limits. Medium density residential means somewhere in the range of 2 to 5 units per acre, depending on location and context. In the context of the entire PUD proposal, the overall (gross) residential density of 3.63 units per acre is consistent with this land use policy description (**supports request**).

Finding: land development and transportation policy: “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: 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. 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**).

Finding: conservation subdivisions. 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 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 (i.e., rear-loaded single-family and townhouse lots) (*supports request*). On the other hand, it would also add to what appears to be currently be an abundance of fee-simple townhouse units and 40- and 50-foot wide detached single-family lot widths (*does not support request*).

Finding (road connectivity): The city's comprehensive plan provides that: "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. The single-family detached portion of the PUD meets the intent of this plan policy, because it provides a through street from SR 332 to East Jackson Street (*supports request*). The townhouse portion does not meet this policy because it only provides one entrance/exit to the city street system; staff recommends the townhouse component (with 108 dwelling units) be directly connected to East Jefferson Street (*supports conditional approval*).

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: The city's comprehensive plan's future land use plan map was amended to support, more or less, the proposed development (*tends to support the project*). Additional analysis by the city's consulting engineer relative to water and sewer availability cast 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*).

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 (*supports request*).

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

Finding: 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)**.

CONCLUSION

This project is recommended for **deferral**, primarily because Jackson County has not been afforded a full 45 days from the date of annexation notice to object to the proposal. This means the city council cannot vote on this matter on May 15th. The current staff recommendation is therefore simply to defer it. The project may receive an objection action by the Jackson County Board of Commissioners (anticipated at the time of this writing). Staff has included a number of conditions, if the City Council elects to approve the proposal. Deferral would also allow the applicant time to (potentially) address any county objections, further mitigate public facility and service impacts, and evaluate whether the conditions of approval recommended by the consulting planning staff are acceptable.

The most pressing concern with this proposal is its impact on public facilities and services. The project will add 399 homes and more than 1,000 additional residents. Some of facility and service impacts, such as school overcrowding, inadequate long-term water supply and the deficiencies in the road network without developer proposals for improvements, form a substantial basis for disapproval of the request, in consulting planning staff's view.

The proposed PUD includes a townhouse component and a detached, single-family component, for a total of 399 units. The proposal falls one unit below the threshold for a Development of Regional Impact (DRI) review, and a traffic study has not been submitted. Consulting planning staff has recommended many traffic-related improvements if the project is approved, to the point that staff does not feel a traffic study would add substantial value. At the applicant's option, however, to the extent the applicant disagrees with the staff's recommended transportation improvements, a third-party traffic engineer could be retained for further refinement of road improvement and traffic safety recommendations.

The consulting planning staff stops short of a recommendation of conditional approval, due to the impacts on public facilities which are not adequately mitigated. The applicant is encouraged to further consider and propose actions to mitigate various impacts. However, in the event the council opts to approve the development, there are number of conditions of approval staff has recommended to ensure compatibility with abutting and nearby residential uses and minimize facility and service impacts.

If site plan changes are made to address design issues identified in this report, and if additional proposals are offered to mitigate public facility and service impacts, and if the applicant agrees to the recommended conditions of zoning approval, the consulting planning staff's recommendation may change to conditional approval.

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. **Substantial accordance with letter of intent and site plan.** The subject property shall be developed in substantial compliance with the letter of intent and site plan submitted with the application, except as modified by these conditions of approval. This specifically includes but is not limited to all recreational amenities described in the PUD application.
2. **Permitted uses.** The PUD shall be limited to fee-simple townhouse uses west of East Jefferson Street and detached, single-family dwellings east of East Jefferson Street, as well as accessory uses and structures normally incidental to residential uses, and including open space and active recreation facilities.
3. **Maximum densities/units.** The townhouse component (Map/Parcel 119/018) of the PUD shall be limited to density of 6.0 units per acre, or 108 units, whichever is more, measured on the basis of land area before any right of way dedication. The detached single-family portion of the PUD (part of Map/Parcel 119/019 and 113/003A) shall be limited to a maximum of 260 detached, single-family lots/units.
4. **Platting limitation.** On the detached dwelling component (part of Map/Parcel 119/019), no lots shall be platted south of the westernmost stream, and there shall be no road crossing the westernmost stream.
5. **Dimensional requirements and improvement standards.** The PUD shall be subject to the dimensional requirements specified in the application (also reiterated here), except as modified by these conditions of zoning approval. Notwithstanding the applicant's proposed dimensional requirements, the minimum front building setback for all dwellings shall be 15 feet, or 20 feet from the outer edge of sidewalk where a sidewalk exists, whichever is less. Where the PUD application fails 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 zoning district and general provisions of the Hoschton zoning ordinance, unless a variance is applied for and obtained. The PUD shall be subject to the improvement requirements specified in the application (some of which are reiterated here), except as modified by these conditions of zoning approval. Where the PUD application fails to articulate a given improvements 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.
6. **Interconnecting street.** There shall be an interconnecting through street (whether public or private) that connects Pendergrass Road (SR 332) with East Jefferson Street through the detached residential subdivision portion of the PUD (i.e., east of East Jefferson Street).
7. **Street standards.** Whether public or private, the local subdivision 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 standards of the City of Hoschton subdivision and land development regulations, as may be amended from time to time.

8. **Gates.** If gates to subdivision entrances are provided, the gates shall be setback a minimum of 100 feet from the right of way of an existing city street or state highway.
9. **Minimum/maximum required entrances/exits.**
 - a. There shall be a limit of one street entrance/exit to/from the townhouse portion of the PUD (i.e., Map/Parcel 119/018) onto West Jackson Road.
 - b. There shall be one street entrance/exit to/from the townhouse portion of the PUD (i.e., Map/Parcel 119/018) onto East Jefferson Street.
 - c. There shall be a limit of one street entrance/exit from the detached dwelling subdivision (i.e., part of Map/Parcel 119/019 and Map/Parcel 113/003A) onto East Jefferson Street. This street connection shall align with West Jackson Road, as proposed to be realigned by these conditions of zoning approval.
 - d. There shall be a one street entrance/exit from the detached dwelling subdivision (i.e., part of Map/Parcel 119/019 and Map/Parcel 113/003A) to Pendergrass Road, the location of which shall be subject to the approval of Georgia Department of Transportation.
10. **Alleys.** 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.
11. **No access easements and other limitations.** No individual lot for any townhouse unit or detached dwelling unit shall be allowed a driveway or direct 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 West Jackson Road, East Jefferson Street, and Pendergrass Road (SR 332) and shall be shown on all final plats. 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 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.
12. **Street stub limitations.** No more than three street stubs (i.e., dead end streets) shall be authorized within the townhouse portion of the PUD (i.e., Map/Parcel 119/018), and any such street stub shall not exceed 150 feet in length measured from the centerline of the intersecting street.
13. **Street frontage required.** Each fee simple townhouse lot shall be required to front on a public or private street.
14. **On-street parking.** For any on-street parking proposed to be formally provided, such on-street parking shall be located outside the right of way of the street, if public.
15. **Open space.** There shall not be a narrow ribbon of common area or open space along the north and east property lines. 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.

16. **West Jackson Road improvements.** Prior to final plat approval for the townhouse subdivision, the subdivider shall be required to complete the following:
 - a. Dedication of an additional five feet of right of way along the entire property frontage.
 - b. 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.
 - c. Installation of a deceleration lane eastbound into the townhouse development.

17. **Intersection of West Jackson Road and East Jackson Street.** Prior to any final plat approval (except as otherwise specifically provided), the subdivider shall be required to complete the following:
 - a. 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.
 - b. Realignment of West Jackson Road to intersect East Jefferson Street at a 90 degree angle.
 - c. 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.
 - d. 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 the townhouse component or issuance of a building permit for the 100th townhouse dwelling unit, whichever occurs first, and \$75,000 of which must be paid prior to final plat approval for the final phase of the detached single-family development, or issuance of a building permit for the 250th dwelling unit, whichever occurs first. This payment shall be encumbered for the specified purpose by the city within six years of receipt or else it shall be refunded by the city to the subdivider.

18. **East Jackson Street.** Prior to any final plat approval (except as otherwise specifically provided), the subdivider shall be required to complete the following:
 - a. 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.
 - b. 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). This shall include the redesign of the townhouse component to provide a street entrance/exit from onto East Jefferson Street, which shall provide sufficient pavement for deceleration (right turn) lanes southbound into the townhouse development on the west side of East Jefferson Street and northbound into the single-family detached residential subdivision on the east side of East Jefferson Street, as approved by the city's public works director and zoning administrator.

19. **Lots abutting Brighton Park.** All subdivision lots that abut a residential lot within Brighton Park subdivision shall be required to be meet the following (this does not apply to the common area within Brighton Park):
 - a. A minimum lot width of 60 feet.
 - b. A minimum lot area of 7,000 square foot.
 - c. A minimum lot depth of 120 feet.
 - d. A minimum rear building setback of 40 feet.

20. **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 planted buffer shall be installed, prior to final plat approval for the applicable phase of development.

21. **Special setback.** For the townhouse portion of the PUD, a 30 foot building setback, including a minimum 20-foot-wide planted buffer, shall be provided abutting Map/ Parcel 119/018A and 119/042 (i.e., two abutting one-acre lots).

22. **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) or Map/Parcels 113/004, 113/002 and 113/002A, shall be required to be meet the following:
 - a. A minimum lot width 70 feet.
 - b. A minimum lot area of 7,000 square foot.
 - c. A minimum lot depth of 120 feet.
 - d. A minimum rear building setback of 40 feet.

23. **Deed restriction regarding ownership.** 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. Except for the subdivision declarant, no more than 20 percent of the homes in the detached, single-family subdivision 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.

24. **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 and detached, single-family dwellings, 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. This requirement may be phased such that design approval for townhouse dwellings or detached dwellings precedes the other.



Letter of Intent & Community Benefit Statement

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 combine our local expertise in the Atlanta market with the strong financial resources of a publicly traded company.

TPG proposes to develop the community pursuant to 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 the 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 and East Jackson Elementary School 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.

A portion of the Sell Tract (Parcel Number 119 019: +/- 27.1 acres) and the entire Cheek Tract (Parcel Number 113 003A: +/- 7.4 acres) are currently in unincorporated Jackson County. The Applicant concurrently requests annexation of this +/- 34.5 acres into the City of Hoschton.



Development Plan

The Development Plan is attached as Exhibit "A".

Land Uses and Development Summary

The project will be developed on approximately 109.72 acres consisting of the following:

- +/- 84.46 acres – Jackson County Parcel Number: 119 019 (a portion of) – Owner: Shannon C. Sell
- +/- 7.40 acres – Jackson County Parcel Number: 113 003A – Owner: Paul T. Cheek, Jr. & Brenda A. Cheek
- +/- 17.86 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. 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 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.

The Zoning Plan (Exhibit "A") shall consist of four (4) single family residential plan types and associated amenities and open spaces. The housing types shall be defined and quantified as follows:

Type A: 50' Front Entry Detached Lots; 164 Units

Type B: 40' Rear Entry (Alley) Detached Lots; 127 Units

Type C: 30' (Minimum Width) Rear Entry (Alley) Townhomes; 31 Units



Type D: 27' (Minimum Width) Front Entry Townhomes; 77 Units

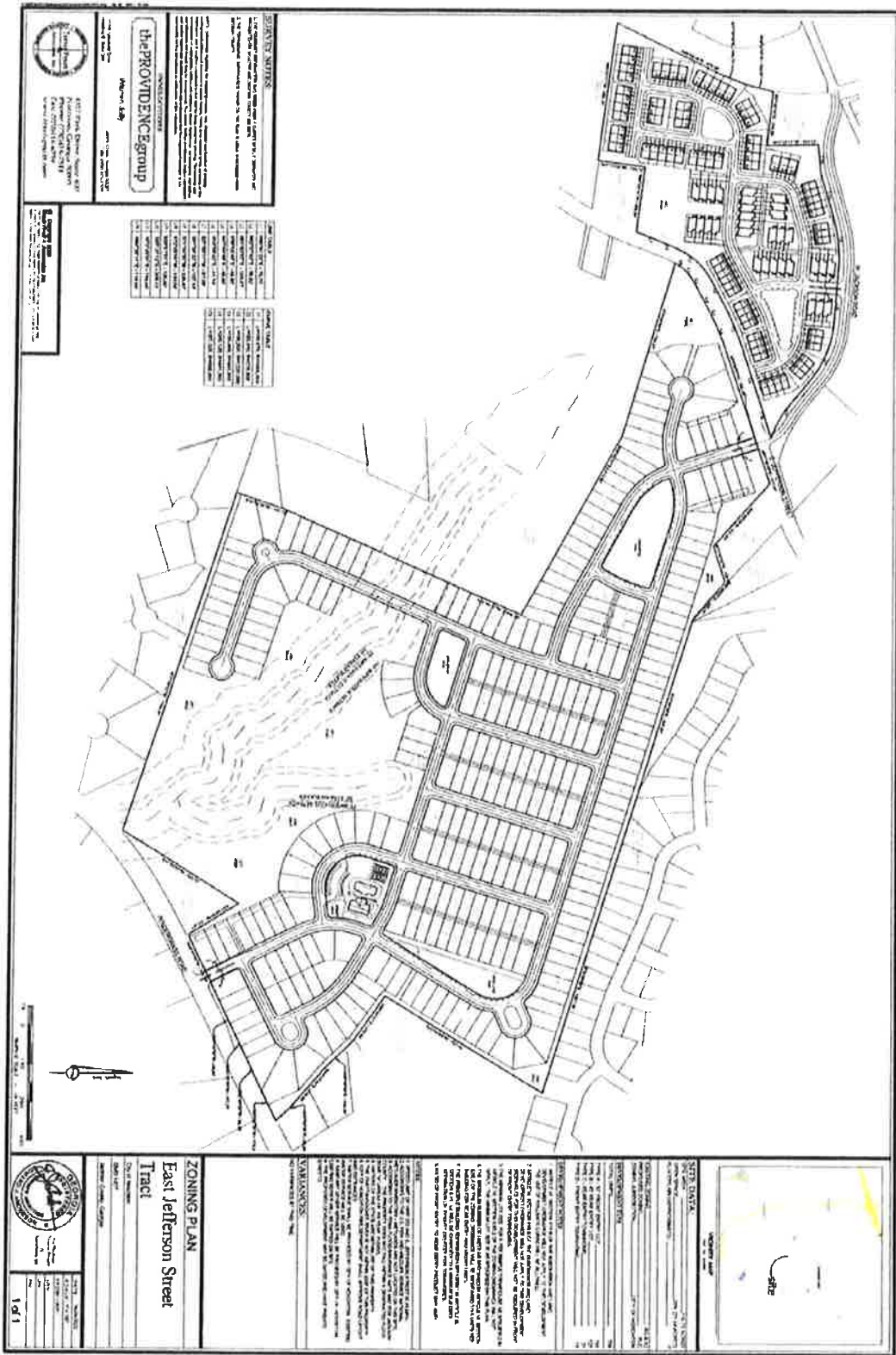
TPG shall have the right to make modifications to the site layout and number of each unit type as engineering plans progress with the total unit count not to exceed 399 units.

Dimensional Requirements

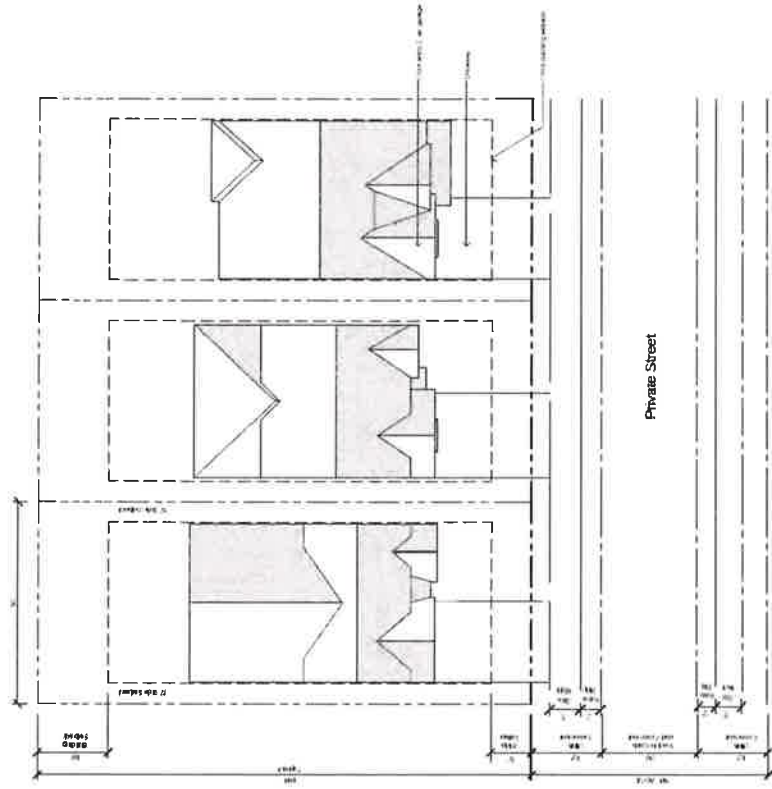
Each housing type's Dimensional Requirements shall be defined as follows in Exhibits "B-1 – B-4".

Improvement Requirements Comparison

Improvement Requirements shall be defined as follows in Exhibits "B-1 – B-4".

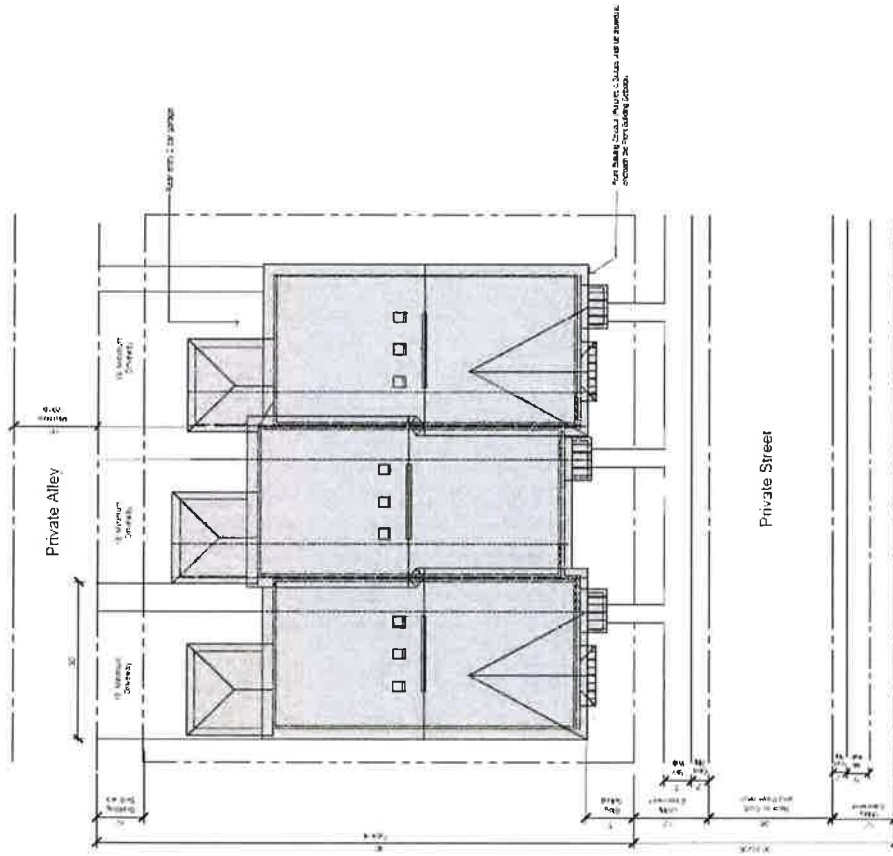


Overall Site Plan



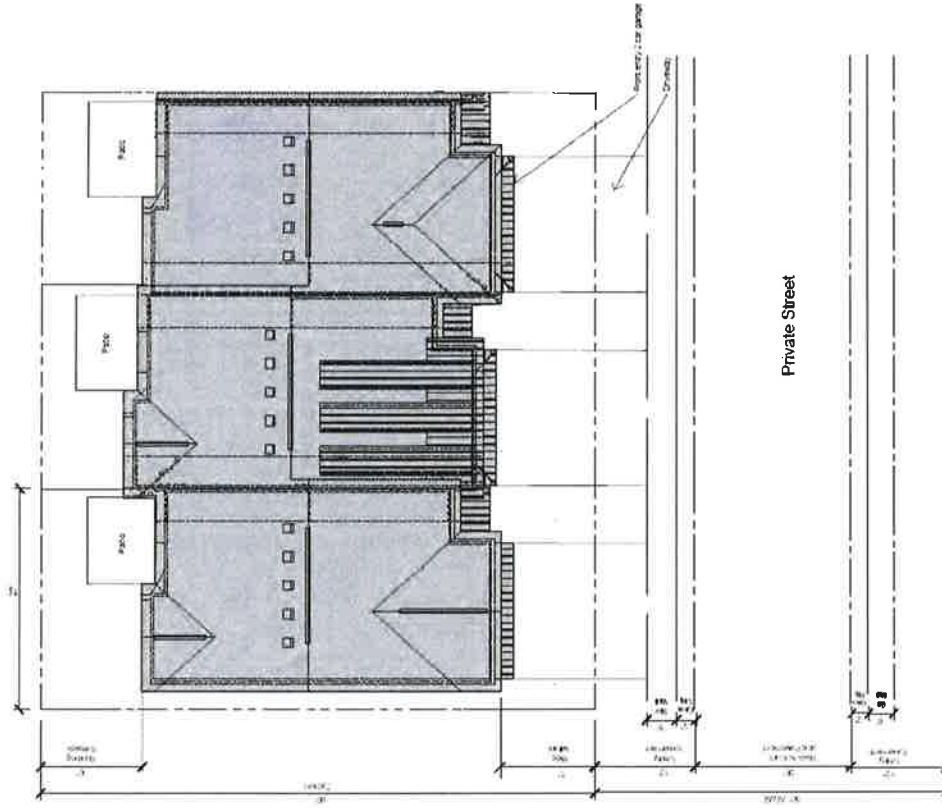
Type A 50' Wide Front Loaded Detached Lots Performance Standards	
Permitted Uses	Single Family, Detached Homes
Minimum Lot Size	5,000 sq ft
Minimum Lot Width	50'
Building Set Backs:	
Front	5'
Side	5'
Side from the Street	10'
Maximum Height	35'
Parking and Loading Requirements	2 Car Front Entry Garage

RESIDENTIAL TYPE A



Type C 30' Wide Alley Loaded Townhome Lots Performance Standards	
Permitted Uses	Single-Family Attached Homes
Minimum Lot Size	N/A
Minimum Lot Width	30'
Building Set Backs	
Front	5'
Rear	11'
Side	20' Between Buildings
Maximum Height	15'
Parking and Loading Requirements	2 Car Rear Entry Garages

RESIDENTIAL TYPE C



Type D 27' Wide Front Loaded Townhome Lots Performance Standards	
Permitted Uses	Single Family, Attached Homes
Minimum Lot Size	N/A
Minimum Lot Width	27'
Building Setbacks	
Front	5'
Rear	10'
Side	20' Between Buildings
Side from the Street	10'
Maximum Height	35'
Parking and Loading/Equipments	2 Car Front Entry Garage

RESIDENTIAL TYPE D

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)



Civil and Environmental Engineers

April 12, 2023

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

Re: Water and Sewer Capacities and Development Trends, Current Rezoning & Annexation Applications

Dear Jennifer:

As requested, Engineering Management, Inc. (EMI) is providing information regarding existing and future water and wastewater capacity information and the potential impact of several pending development projects.

We have received information from Mr. Jerry Weitz, Consulting Planner for the City regarding these developments identified as Z-23-01, Z-23-02 and Z-23-03. A copy of the information received is attached hereto.

With regard to the City’s current capacity in the water supply and distribution system, the City is currently permitted and under contact for:

- Jackson County Water and Sewerage Authority- 400,000 Gallons Per Day
 - Town of Braselton- 200,000 Gallons Per Day
 - Existing wells- 150,000 Gallons Per Day
- Total- 750,000 Gallons Per Day

The Average water demand in 2022 was 350,000 Gallons Per day, and the peak usage was 505,000 Gallons Per Day. Based on the average daily demand, the City has 400,000 Gallons Per Day in water supply capacity. The City is pursuing additional ground water supplies, as well as additional purchase water from adjacent systems, but these are not assured.

With respect to wastewater treatment capacity, the City is currently permitted for 0.5 MGD or 500,000 Gallons Per Day based on the current facilities online. The average demand in 2022 was 208,000 Gallons Per Day, with a peak demand in December of 250,000 Gallons Per day. Based on the average daily demand, the City has 292,000 Gallons Per Day (GPD)in wastewater treatment capacity available.

Ms. Jennifer Kidd-Harrison, City Manager
City Manager
City of Hoschton
Water & Sewer Capacity Discussion
April 12, 2023
Page Two

The City Public Works Director has kept an ongoing list of approved development projects, as well as potential projects for several years. A copy of the listing is attached hereto. Projections of water supply and wastewater capacity demands have been tabulated based on 250 GPD and 200 GPD, respectively per Equivalent Residential Unit (ERU). Based on this list, the water demand committed on the first page, is 770,327 GPD. The wastewater capacity committed is 639,620 GPD. The project list and demands were modified to deduct any expected wastewater flows to the Braselton Wastewater system. The 30 Acre commercial development area at Twin Lakes was estimated at 80,000 GPD. These current projections do not include any capacities committed to the Pirkle Property at this point. West Jefferson Townhomes would be served by the City of Hoschton water system. To summarize existing utility usage and committed capacity, please see the tables below.

Existing Wastewater capacity-	500,000 GPD
Existing Usage	208,000 GPD
Remaining-	292,000 GPD
Committed-New	639,620 GPD
Shortfall-	347,620 GPD

Additional Capacity- Current Expansion Project-	450,000 GPD (June 2025)
Less Shortfall-	347,620 GPD
Remaining Capacity @ 0.95 MGD	102,380 GPD

Additional Capacity- Phase II Expansion- 1 MGD (June, 2028)

Existing Water supply Capacity -	750,000 GPD
Existing Usage-	350,000 GPD
Remaining	400,000 GPD
Committed-New	770,327 GPD
Shortfall-	370,327 GPD

Ms. Jennifer Kidd-Harrison, City Manager
City Manager
City of Hoschton
Water & Sewer Capacity Discussion
April 12, 2023
Page Three

With respect to the proposed projects recently submitted, we report as follows:

Z-23-01-McNeal Development, LLC, parcel 120/017 consisting of 12.224 acres. The proposed use is 210 apartment units. Based on the formulas used, the development would require 52,500 in water capacity and 42,000 GPD of sewer capacity. The property is currently served by a six-inch (6") diameter water line. An apartment complex of this magnitude would likely require 1,500 gallons per minute fire flow, which would likely require substantial upgrades to the existing water distribution system. The property drains to the east and contains a small stream according to Q Public mapping. All onsite sewer would have to be constructed by the developer as well as off-site. The off-site sewer would necessarily have to connect to the recently installed fifteen inch (15") main sewer line at Georgia Highway 332.

Z-23-02- The Providence Group of Georgia. This proposal includes parcels 119/019 and parcel 113/003A. The total estimated acreage is 109.72 acres. The proposed use is 399 residential units, including 291 detached single-family homes and 108 fee simple townhomes. Based on the formulas used, the project would require 99,750 GPD in water capacity and 79,800 GPD of sewer capacity. The northern side of the properties along East Jefferson Street is served by an existing eight-inch (8") water line. The southern section of the properties along the Cheek property is served by a ten-inch (10") water main. The interior water mains would likely be looped to the existing water mains and may be adequate for proper service. The exact configuration of the units and a fire flow test could better determine the adequacy of the existing off-site water distribution system. All onsite and off-site improvements would be the responsibility of the developer. There are small streams culminating in the southern tip of the Sell property. A group visited the EMI offices earlier this year to discuss possible sanitary sewer collection system configurations. No exact sewer line design has been complete, but we would envision at least one wastewater pumping station would be required to serve the proposed development.

Ms. Jennifer Kidd-Harrison, City Manager
City Manager
City of Hoschton
Water & Sewer Capacity Discussion
April 12, 2023
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Z-23-03-Rocklyn Homes, by Mahaffey, Pickens & Tucker. This proposal consists of parcels 114/001A, 114001B1, 114/002A and 114/001B. There is a church expansion involved.

The main project consists of 200,000 square feet of commercial use, with 6.6 acres of outparcels. The residential component consists of 404 townhome units and 651 single family homes. There is also 3.6 acres of civic space proposed. Based on the formulas used the project would require 313,750 GPD of water capacity and 251,000 GPD of wastewater capacity. There presently is no major water main in the area. As we understand, there is a 2" water main serving the existing church that crosses SR 53 and runs south to serve the Hudgens residence. Substantial upgrades would be required to the water distribution system to serve the development. There is also no sanitary sewer system in the area. We would envision a main pumping station in the lowest portion of the development that would serve the entire complex. Final design would have to determine that possibility. The main pumping station would likely have to pump to the new fifteen inch (15") main sewer line on Nancy Industrial Drive.

Based on the numbers proposed in the three developments, the combined projects will require approximately 466,000 GPD in additional water capacity and 372,800 GPD in additional wastewater capacity.

Based on the calculations above, there needs to be an additional 836,327 GPD in additional water supply resources and 652,000 GPD in additional wastewater capacity to accommodate all proposed projects. In addition, there will be a shortfall of 270,420 GPD in wastewater treatment capacity even after the expansion to 0.95 MGD, if all projects are developed.

Obviously, this confirms the challenges that the City is addressing on an ongoing basis, but the developments have and continue to come forward at an unanticipated rate.

Engineering Management, Inc.

Enclosures: Notices of Public Hearing dated April 7, 2023

Schedule of Current and Future Connections- Water & Sewer

Z:\PROJECTS\13\13047-Hoschton-planning and zoning\prel Phase\fs1-Correspondence\jkiddwatersewercapacities 04102023

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Engineering Management, Inc.

**CITY OF HOSCHTON
NOTICES OF PUBLIC HEARINGS**

The Hoschton City Council will conduct a public hearing at its work session on **May 11, 2023**, at 6:00 p.m. at the City Hall Conference Room, 79 City Square, Hoschton, GA, 30548, on the following matters. During its regular meeting on **May 15, 2023**, at 6:00 p.m., at the City Hall Conference Room, 79 City Square, Hoschton, GA, 30548, City Council may act on these applications.

Ordinance O-20-06 Amendment: An Ordinance to Amend the Code of Ordinances of the City of Hoschton, Georgia, to amend Ordinance O-20-06, known by short title as the Development Impact Fee Ordinance, fully titled as follows: An Ordinance Relating to the Regulation of the Use and Development of Land in the City of Hoschton, Georgia; Imposing a Development Impact Fee on Land Development in the City of Hoschton for Providing Public Safety, Park and Recreation and Related Facilities Necessitated by Such New Development; Stating the Authority for Adoption of the Ordinance; Making Legislative Findings; Providing Definitions; Providing a Short Title and Applicability; Providing Intents and Purposes; Providing Rules of Construction; Providing Definitions; Providing for the Computation of the Amount of the Development Impact Fee; Providing for the Payment of a Development Impact Fee; Providing for a Development Impact Fee Service Area; Providing for the Establishment of a Development Impact Fee Trust Fund; Providing for the Use of Funds; Providing for the Refund of Fees Paid; Providing for Exemptions and Credits; Providing for Review of the Fee Schedule; Providing for Appeals; Providing a Penalty Provision; Providing for Severability; Providing a Repealer; Providing for Codification; Providing an Effective Date; and For Other Purposes. (2nd public hearing).

Amendment of this ordinance is anticipated to include but shall not necessarily be limited to the following: Amend Section 7, "Computation of the amount of development impact fee" to modify or repeal and replace the Residential Development Impact Fee Schedule and the Non-residential Development Impact Fee Schedule; Amend Section 10 to repeal the fire facilities impact fee trust fund; and amend Section 11 to repeal a provision regarding the use of fire facility impact fees.

Z-23-01 Rezoning: McNeal Development LLC, by Bradley Duncel of Rochester/DCCM, applicant, Alinad and Mihai F. Nicoara, c/o Orin and Lucia Harasemiuc, property owners, seeks to rezone 12.224 acres (Map/Parcel 120/017) (8422 Pendergrass Road) fronting approximately 690 feet on the north side of Pendergrass Road (SR 332) approximately 60 feet west of its intersection with Towne Center Parkway, and also fronting approximately 210 feet on the northeast side of New Street from A (Agricultural District) to PUD (Planned Unit Development District). Proposed use: Multi-family Residential (210 apartment units).

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 (399 units including 291 detached single-family units and 108 fee simple townhouse units) and open space.

Z-23-03: Annexation and Zoning (Development of Regional Impact #3960): Rocklyn Homes, by Mahaffey Pickens Tucker, LLP, applicant, Mary Ann Kenerly and New Hope AME Church, property owners, seek to annex 287.14 acres with PUD (Planned Unit Development) District zoning. The property proposed to be annexed and zoned PUD consists of Map/Parcels 114/001A, 114/001B1, 114/002A and 114, 001B, fronting approximately 5,550 feet on the east side of State Route 53 approximately 410 feet south of Pearl Industrial Avenue (1688 and 2512 Highway 53). Current zoning is A-2, Agricultural-Rural Farm District in unincorporated Jackson County. Proposed use: Mixed use development including approximately 200,000 square feet of commercial use with 6.6 acres of outparcels, church and 5.5 acres of church expansion, 404 townhome units, 651 single-family lots and 3.6 acres of civic space.

All interested persons are invited to attend. The applications are on file in Hoschton City Hall, 79 City Square, Hoschton, GA 30548, and are available for public inspection during regular business hours. For more information, call 706-654-3034.

This the 12th day of April, 2023.

Project Names	Type of units	Single-Family Detached	Townhomes	Multi-Family	Commercial/Industrial Square footage	Water/Sewer Tap Fee (\$8,000)	usage at 200 gpd or requested GPD	usage at 250 gpd or requested GPD	2022	2023	2024	2025
Cambridge @ Towncenter Creekside Townhomes	SF Home	932				\$7,456,000	186,400	733,000	278	250	250	250
Tran Lakes	SF Home	575				\$5,400,000	135,000	168,750	275	250	250	250
	Townhome		294			\$2,852,000	58,800	73,500		250	250	250
50 Acres	Commercial				400,000							
Cambridge @ Towncenter Creekside Townhomes	Townhome	300				\$2,400,000	60,000	75,000	100	200		
	Townhome	29				\$232,000	5,800	7,250	28			
Nunley Farms	SF Home	51				\$440,000	10,000	13,750		55		
	Multi-Family			50		\$0	10,000	12,500		52		
Horseshoe Park Townhomes	Townhome		18			\$96,000	2,400	3,000	6	11		
Gateway Crossing (Public) 10 Acres	Retail (1.65 gpd)				11,200	\$29,560	1,120	1,420				
	Retail Grocery (2 gpd)				48,848		5,770	9,770				
	Restaurant (1.65 gpd)				4,200		6,830	6,830				
	Townhome		175			\$1,400,000	35,000	43,750		25	75	75
	Industrial (1.5 gpd)				1,353,000		136,300					
W. Jefferson Townhomes (Braesler Sewer)	Townhomes		138			\$1,584,000	39,600	49,500		98	98	
Possible Projects	Candos			275		\$2,200,000	55,000	68,750				
Proceeds Enclave @ Horseshoe	Retail (1.6 gpd)				30,000		3,000	3,000				
	Restaurant (1.65 gpd)				22,150		20,047	20,047				
	Office (1.5 gpd)				24,000		1,400	1,400				
	Retail (1.6 gpd)				21,100		1,310	1,310				
Horseshoe Exchange	Restaurant (1.65 gpd)				20,350		33,578	33,578				
GF North Ind.	Townhomes		350			\$2,800,000	70,000	87,500				
	Multi-Family			250		\$2,000,000	50,000	62,500				
	Retail				20,000		2,000	2,000				
Proceeds Hwy 53	SF Homes	560				\$4,480,000	120,000	150,000				
	Commercial				???							
	Townhomes		335			\$4,280,000	120,300	150,000				
	Townhomes		250			\$2,000,000	100,000	125,000				
Town Center Property				250		\$2,000,000	50,000	62,500				
Freeman Property		245				\$1,960,000	49,000	61,250				
Harbortown (Self)			135			\$1,080,000	27,000	33,750				
Total		2,463	2,284	825	1,536,848	\$44,155,560	1,359,455	1,666,705				
		Total Residential Connections		5,572								

485	902	574	275
57,000	180,000	214,800	88,000
			95,000

**CITY OF HOSCHTON, GEORGIA
ZONING ADMINISTRATOR'S
REPORT (PARTIAL, INTERIM)**



TO: Honorable Mayor and City Council, City of Hoschton

FROM: Jerry Weitz, Consulting City Planner

DATE OF REPORT: May 1, 2023

SUBJECT REQUEST: **Z-23-03:** Annexation and PUD (Planned Unit Development District) Zoning

COMPANION APP: Development of Regional Impact #3960 (incomplete)

CITY COUNCIL HEARING: May 11, 2023 @ 6:00 p.m.

VOTING SESSION: To be deferred (inadequate notice of annexation; incomplete DRI)

APPLICANT: Rocklyn Homes, by Shane Lanham, Mahaffey Pickens Tucker, LLP

OWNER(S): Mary Ann Kenerly and New Hope AME Church

PROPOSED USE: Mixed use development including approximately 200,000 square feet of commercial use with 6.6 acres of outparcels, church and 5.5 acres of church expansion, 404 townhome units, 651 single-family lots and 3.6 acres of civic space

LOCATION: Fronting approximately 5,550 feet on the east side of State Route 53 approximately 410 feet south of Pearl Industrial Avenue (1688 and 2512 Highway 53).

PARCEL(S) #: 114/001A, 114/001B1, 114/002A and 114/001B

ACREAGE: 287.14

EXISTING LAND USE: Church; five one-family dwellings and conservation use

SURROUNDING LAND USE AND ZONING:

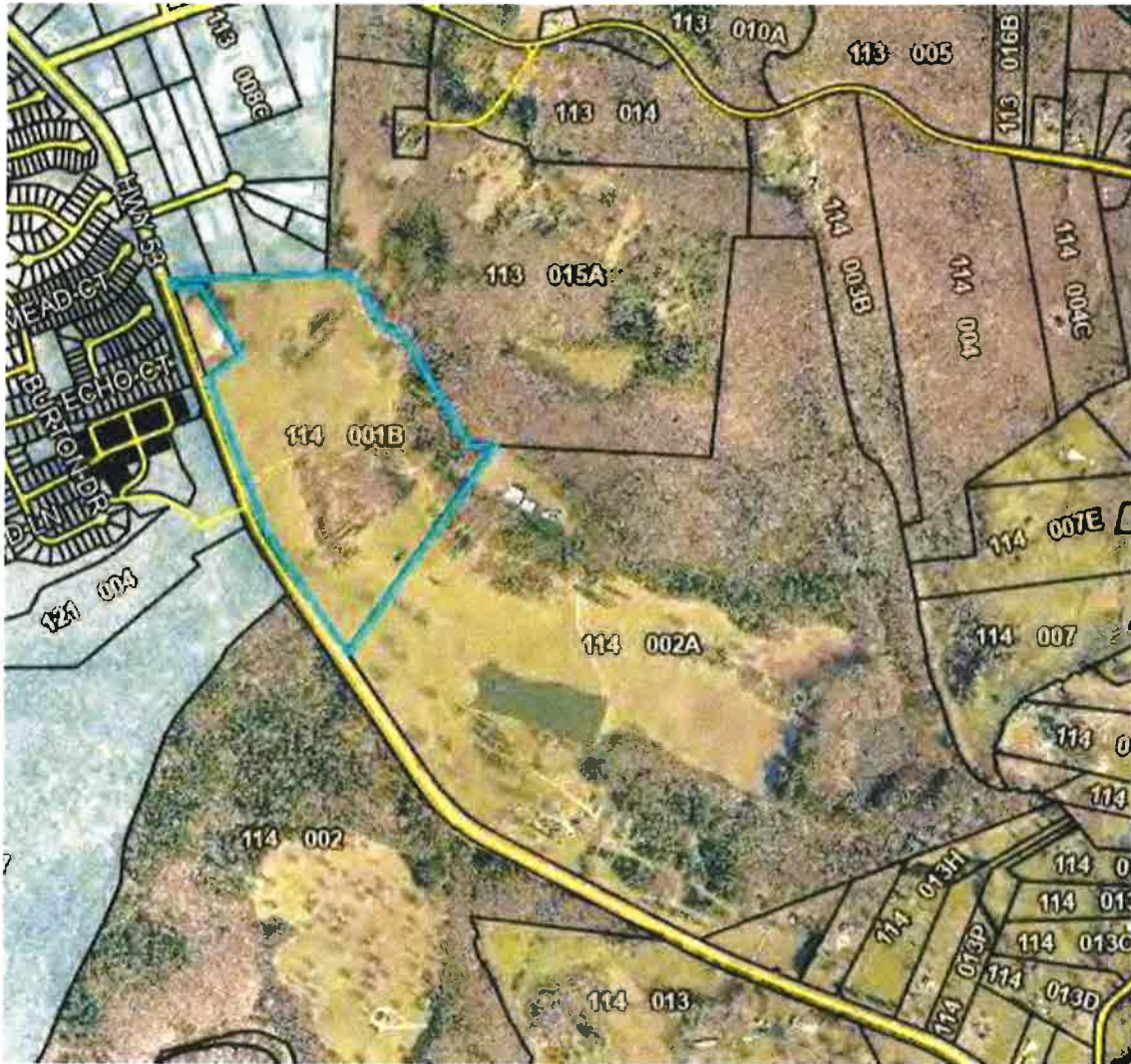
North: Vacant and light industrial, (fronting Pearl Industrial Avenue) M-1 (Light Industrial District; Single-family dwelling and conservation use, A-2 (Agricultural Rural Farm District) (unincorporated); Sell's Mill Park, A-2

East: Vacant, conservation use, A-2

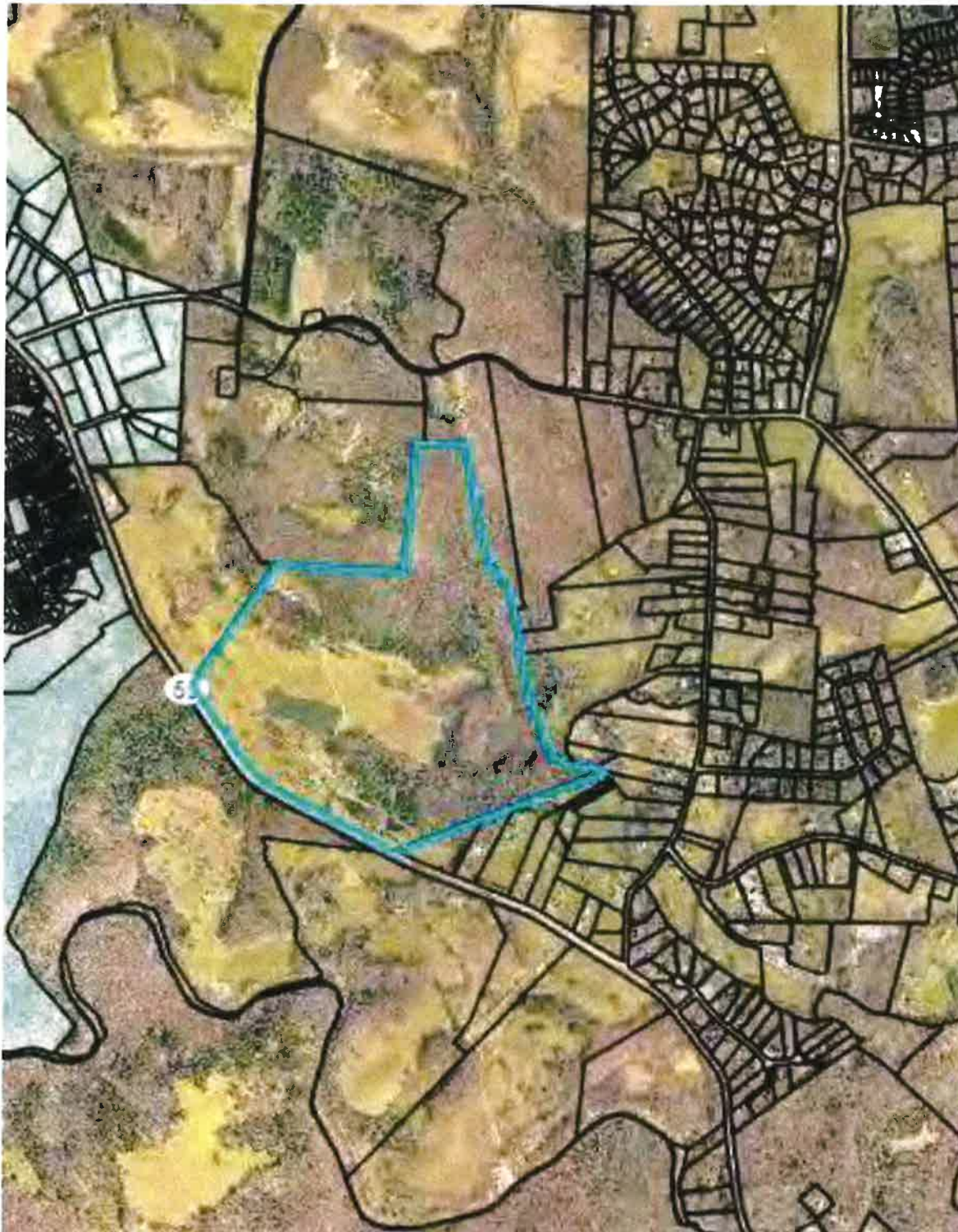
South: Single-family dwellings and conservation use, A-2

West: (across SR 53): Single-family dwellings and conservation use, A-2 Vacant and HOA common area, Twin Lakes PUD, PUD (Planned Unit Development District)

RECOMMENDATION: Deferral



Tax Map/Aerial Photograph (1 of 4)



Tax Map/Aerial Photograph: 2 of 4



Tax Map 3 of 4



Tax Map 4 of 4

APPLICATION DESCRIPTION AND EVALUATION

Annexation

The applicant seeks to annex four parcels, two of which are owned by a church and the other two that encompass the Kenerly farm. Notice of the annexation was provided on or about April 10th; however, the county has written back to the city indicating that it must by state law give the county 45 days prior to acting on the annexation application to object under the provisions of state law. This means that the city cannot act on this application at its May 15 meeting, but it can hold the public hearing as advertised on May 11th.

Zoning

The applicant seeks Planned Unit Development (PUD) zoning. As noted on the cover page, the application consists of a proposal to construct a mixed use development. An existing church is included (two parcels), and the PUD contemplates expansion of the church property. The remainder of the PUD would consist of 200,000 square feet of commercial use with 6.6 acres of outparcels and 1,055 housing units (404 townhome units and 651 single-family lots), plus civic and open space.

It is noted here that the applicant has submitted a 69-page master plan document with the applications for annexation and zoning. Copies of this package have been made and will be distributed to city council members. Therefore, not all information is included in or appended to this report.

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.

Findings: None at this time.

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

Finding: None at this time.

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

Findings: The church properties have reasonable economic uses as currently zoned. The conservation use properties are zoned A-2 zoning in unincorporated Jackson County. One of the tract has five homes on it per the tax assessor. The current zoning, however, is 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): A traffic study is anticipated as a part of the Development of Regional Impact (DRI) review process but has not yet been submitted (***inconclusive***). This interim report will be updated when more information is made available.

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 1,055 dwelling units, and utilizing that multiplier, the proposed development would generate approximately 558 additional students. With an average desirable class size of 20 students, this would mean an impact of 28 additional classrooms. Considering an estimate of 1,000 square feet minimum (classroom and ancillary space), that is a facility impact of 28,000 square feet of space. If a square footage building cost of \$250 is valid, the cost impact on the county school system is \$7,000,000 (just for additional facility space and not including land, and not including operational and maintenance costs for staffing, etc.). There is nothing proposed by the applicant in the application to mitigate the project's impact on the county school system, which reportedly is already overcrowded and expected to continue being overcrowded even considering current capital spending programs of the school (***does not support request***). The school impact alone is cause for denying the project, or substantially reducing the density, in staff's opinion, and it may be the basis for Jackson County or the county school system to formally object to the project. Because impact fees cannot be charged for school impacts, there

is no way for the applicant to mitigate these impacts except by development agreement, other than phasing of the development over a longer time period, or through some sizable acreage dedication (minimum 20 acres).

Finding: water and sewer: See separate memorandum from the city's consulting engineer. This project has not been included within prior evaluations of the overall scope of public improvements to the city's sewer system. There is no major water main existing in the area. Nor is there any sanitary sewer in the area which would be required to serve the proposed development. There is not enough sewer or water capacity planned in Hoschton to accommodate this development. This point alone is reason for disapproval of the project (**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 at buildout (1,055 units) would have a population of 889 people in the townhouse component and 1,758 people in the detached subdivision, creating an additional population of 2,647 people and hence a demand for more than five additional police officers. And these estimates exclude the impacts of nonresidential development. 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) 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 will have an estimated 2,647 residents at buildout, thus generating a need for approximately 509 square feet of EMS facility space. This estimate is only for the residential population and does not include a sizable additional impact from nonresidential development proposed. 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 residential portion of the project will generate an impact on the West Jackson fire district of 2,300 square feet of fire building space (equivalent of a small fire station, excluding nonresidential impacts), plus one+ 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. A new fire station and fire truck would be needed to serve just the residential development demands alone (**does not support request**).

- **Administrative space:** 0.5 square feet per functional population. Estimated impact is approximately 1,324 square feet of administrative space. This impact is, at best, only partially mitigated with property taxes.

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: Future land use: Because the subject properties lie outside the city, they are not shown on the city's future land use plan map (**inconclusive**). The development proposal is considered to be generally consistent with the "suburban" designation of the Jackson 2050 Character Area Map (**supports request**). Commercial land use proposed in the PUD is consistent with the recommendations of Jackson County's future land use plan for the year 2050 (**supports request/consistent in part**). However, the same map recommends agricultural/forestry land use, and the residential development portions of the PUD are inconsistent with the county's future land use plan map for the year 2050 (**does not support request/inconsistent in part**).

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, ..." 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: land development and transportation policy: "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**).

Note: this report is interim and does not fully address all plan policies – additional findings will be provided in a subsequent report after DRI review is completed.

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: None at this time.

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

Finding: None at this time.

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: None at this time.

CONCLUSION

This project is recommended for **deferral**, for two reasons: First, Jackson County has not been afforded a full 45 days from the date of annexation notice to object to the proposal. This means the city council cannot vote on this matter on May 15th. Second, the Development of Regional Impact (DRI) process is incomplete at this time but needs to be completed prior to the city acting on the application.

The residential development portion of the proposed PUD is inconsistent with the agricultural recommendation of the county's future land use plan for the year 2050. Planning staff and city administration anticipate the county board of commissioners will file a formal objection to the annexation, but no objection has been received on the date of publication of this staff report.

The most pressing concerns with this proposal relate to overwhelming and unsatisfied impacts on public facilities and services. The project, if approved, would add 1,055 housing units and an estimated 2,647 persons, plus employment. The impact analysis provided in this report excludes the impacts of nonresidential uses.

Water and sewer capacity is not available and is not even programmed in the future. The city does not have capacity to serve the development if approved. The residential impact on the county school system is estimated to be 558 students, 28,000 square feet of school building space at an estimated cost of \$7 million. These costs do not include land acquisition or operation and maintenance costs to the school system. From a public safety perspective, and considering just the residential development, the project if approved would result in the need for a small fire station and one fire vehicle, along with additional space to house 1 or 2 EMS vehicles. For the police department, five additional sworn officers would be needed to accommodate the residential development alone at buildout. A sizable addition to the city's plans for city hall space would similarly be needed.

The results of these major facility and service impacts, such as school overcrowding, inadequate long-term water supply, inadequate sewer capacity and anticipated but undocumented deficiencies in the road network without developer proposals for improvements, form a substantial basis for disapproval of the request, in consulting planning staff's view.

However, the consulting planning staff stops short of a recommendation of denial. The applicant is encouraged to consider and propose actions to mitigate various impacts. However, in the event the council opts to approve the development, additional conditions of approval should be formulated and recommended by the consulting planning staff.

Note: This report is subject to revision at a later date, to incorporate additional information once obtained, and to fully evaluate the land use proposals for the PUD.

ZONING DECISION CRITERIA

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

Response: Yes, approval of the proposed development would permit land uses that are suitable in view of the use and development of adjacent and nearby property. The immediate vicinity includes industrial, commercial, institutional, and residential uses. The proposed mixed-use development will complement the existing land use mix as well as the zoning classifications of surrounding property.

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

Response: No, approval of the proposed development would not adversely affect the existing use or usability of adjacent or nearby property. Rather, the proposed development will complement surrounding uses and provide community and civic spaces which will be accessible by the public.

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

Response: Due to the subject property's location, layout, and other physical characteristics, the Applicant submits that it does not have a reasonable economic use as currently zoned.

(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: No, approval of the proposed development would not cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The property has a long frontage on Highway 53, which is a regional transportation corridor. Utilities are available in the area. Moreover, the proposed development qualifies as a Development of Regional Impact (DRI) and will undergo additional review by multiple local and state authorities.

(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: Yes, approval of the proposed development would be in conformity with the policy and intent of the comprehensive plan including the character area map and/or future land use plan map. The subject property is adjacent to land designated as Industrial and is across the street from land designated as PUD. The proposed development would also further several of the general land use policies outlined in the Comp Plan such as providing appropriate transitions in land uses, conserving green spaces, and promoting walkability and pedestrian connectivity. The Comp Plan also encourages expanding housing options in the City and provides that "[q]uality housing and a range of housing size, cost, and density should be provided in the City. The proposed development would also further the Comp Plan's goal of expanding the City's park, recreation, and conservation network.

(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 subject property's location with access to multiple major transportation corridors, including Highway 53, Highway 124, Highway 332, and Interstate 85, the growing employment base along Interstate 85, and the existing development pattern of the surrounding area all provide additional supporting grounds for approval of the application.

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

Response: No, approval of the proposed development would not create an isolated zoning district unrelated to adjacent and nearby districts. Land zoned PUD is located direct across Highway 53 from the subject property. The proposed development would also provide an appropriate transition of land uses from the more intense industrial uses to the north and the less intense single-family detached and large lot residential uses to the south and southeast.

(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: Approval of the proposed development would not have substantial negative impacts on the environment. In addition to providing multiple stormwater management facilities which are designed to mitigate such impacts, large areas of green space and tree save areas are proposed on the subject property to further protect natural areas along Indian Creek and associated floodplain.



Matthew P. Benson
Catherine W. Davidson
Gerald Davidson, Jr.*
Rebecca B. Gober
Brian T. Easley
Christopher D. Holtbrook
Jessica P. Kelly

Shane M. Lanham
Jeffrey R. Mahaffey
Steven A. Pickens
Gabrielle H. Schaller
Andrew D. Stancil
R. Lee Tucker, Jr.

*Of Counsel

**COMBINED LETTER OF INTENT FOR ANNEXATION AND REZONING
APPLICATIONS OF ROCKLYN HOMES, INC.**

Mahaffey Pickens Tucker, LLP submits the attached annexation and rezoning applications (the "Applications") on behalf of Rocklyn Homes, Inc. (the "Applicant"), relating to a proposed mixed-use master-planned development on an approximately 287.14 -acre assemblage of land (the "Property") located along the easterly side of Highway 53 between its intersections with Jackson Trail Road and Bill Watkins Road. The Property is currently zoned A2 in unincorporated Jackson County and comprises Jackson County tax parcels 114 001A, 114 001B, 114 001B1, and 114 002A.

The proposed development would include a mixture of commercial, residential, institutional, and civic uses as well as over 58 acres of proposed open space. Open space areas would be provided in large green spaces/tree saves located along streams that are present on the Property as well as smaller active and passive green spaces and pocket parks spread throughout the development. Additionally, two larger active recreational amenity areas would be provided, including one which is adjacent to a large pond that would be maintained on-site and amenitized for the use and enjoyment of residents of and visitors to the proposed development. Residential uses would be provided primarily as single-family detached homes with multiple lot sizes and would also include an additional pod of single-family attached townhomes located in the northwesterly portion of the Property where adjacent to existing institutional and industrial uses. A centrally-located commercial component is proposed along Highway 53 as a grocery-anchored shopping center with attached retail/commercial/office uses and several outparcels. Additionally, over 3.5 acres are designated for use as a civic area that could serve as a community gathering

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space and could accommodate community events such as food truck nights, concerts, and other gatherings. The proposed development would provide a variety of attractive, high-quality homes in a highly-amenitized community with opportunities for recreation, employment, shopping, and civic engagement available within walking distance of residents' homes. The proposed development includes a network of sidewalks and trails that provide pedestrian connectivity both within the proposed land use pods as well as among them. That is, residents of discrete pods would have convenient pedestrian connectivity within that pod, but also to other residential pods and the commercial and civic components.

The proposed development is also compatible with surrounding land uses and is in line with the policies of the Comprehensive Plans of both the City of Hoschton and Jackson County. To the north, the Property is adjacent to land zoned for industrial uses which fronts on Highway 53 and Pearl Industrial Avenue. To the West, across Highway 53, is the Twin Lakes development which contains a mix of attached and detached residential uses as well as a planned commercial component along Highway 53. The townhome component of the proposed development is located on the northerly portion of the Property closest to the adjacent industrial uses as well as the commercial and townhome components of Twin Lakes. The commercial component of the proposed development is likewise located along Highway 53 in close proximity to proposed commercial areas of Twin Lakes. From these more active uses, the proposed development transitions downward in intensity moving from northeast to southwest towards less intense single-family detached residential uses and larger undeveloped tracts. Accordingly, the proposed development is not only compatible with surrounding and nearby land uses, but it also provides an appropriate transition in intensity from more intense to less intense uses. The proposed development is also compatible with the existing development patterns along the Highway 53 corridor. Continued growth around the activity center surrounding the Highway 53 at Interstate 85 interchange has led to an increase in population as well as employment opportunities. Accordingly, development has continued along the Highway 53 corridor with commercial, industrial, and institutional uses along the immediate corridor with complementary residential uses developing behind. Moreover, the proposed development is in line with the policies and recommendations of the City of Hoschton Comprehensive Plan (the "Comp Plan"). Although the Property is not assigned a character area designation given the fact that it is currently located in unincorporated Jackson County, the proposed development is compatible with policies and recommendations for

the character areas assigned to nearby and adjacent property that is within current City limits. Specifically, land to the north is designated as Industrial and land to the west across Highway 53 is designated as Planned Unit Development on the City of Hoschton Future Land Use Map. The proposed development is compatible with both the PUD and Industrial areas. Moreover, the proposed development would also further several of the general land use policies outlined in the Comp Plan such as providing appropriate transitions in land uses, conserving green spaces, and promoting walkability and pedestrian connectivity. The Comp Plan also encourages expanding housing options in the City and provides that “[q]uality housing and a range of housing size, cost, and density should be provided in the City. The proposed development would also further the Comp Plan’s goal of expanding the City’s park, recreation, and conservation network. The proposed development includes a large civic space along Highway 53 that is designed to accommodate community green space, pads for food trucks, and an amphitheater. This mix of active and passive spaces would serve as a community amenity for residents of the proposed development as well as residents of the surrounding area.

The Applicant welcomes the opportunity to meet with staff of the City of Hoschton Planning and Zoning Department to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Applications filed herewith. The Applicant respectfully requests your approval of the Applications.

Respectfully submitted this 3rd day of April, 2023.

MAHAFFEY PICKENS TUCKER, LLP

Shane Lanham

Shane M. Lanham
Attorneys for the Applicant



From: Shane Lanham <SLanham@mptlawfirm.com>
Sent: Thursday, April 13, 2023 1:48 PM
To: Planning
Cc: Jennifer Kidd-Harrison
Subject: RE: DRI 3960 - Seller's Mill Tributary

Jerry,

Thanks for the email. I will get you all of this information.

1. Fee for applications
2. Separate pdf of site plan
3. DRI Additional Information Form (Form 2)
4. Traffic Study

Best,

Shane M. Lanham
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From: Planning <planning@cityofhoschtton.com>
Sent: Thursday, April 13, 2023 1:43 PM
To: Shane Lanham <SLanham@mptlawfirm.com>
Cc: Jennifer Kidd-Harrison <kidd@cityofhoschtton.com>
Subject: FW: DRI 3960 - Seller's Mill Tributary

I need info for the second DRI form (it is blank in the submission) and a traffic study to proceed with the DRI.

Also, if you don't mind, send along a separate pdf of the master plan that can be forwarded to the regional commission.

Thanks.

Jerry Weitz, PhD, FAICP
Part-time Consulting City Planner
City of Hoschton
79 City Square, Hoschton, GA 30548
e-mail: Planning@cityofhoschton.com
<https://cityofhoschton.net/planning-zoning-commission/>

Please note: Planning staff is part-time with limited hours but Weitz checks this account remotely. If your matter needs fast attention, please call me at 404-502-7228 or forward it to jweitz@bellsouth.net. Please allow a couple of business days for a reply.

Please go to the website provided above for fee schedule and application forms (scroll to bottom)

From: Phillip Jones <Pjones@negrc.org>
Sent: Thursday, April 13, 2023 9:20 AM
To: Planning <planning@cityofhoschton.com>
Subject: DRI 3960 - Seller's Mill Tributary

Hi Jerry,

Hope you're having a good week! We've received your initial information form for DRI 3960 for the mixed use project in the City of Hoschton. I'll be your point of contact at NEGRC for this DRI. I saw that you are still working on the additional information form. If you have any questions about filling out the form, please let me know and I would be happy to assist.

For the DRI submission, we do also require a site plan in addition to the Initial and Additional information form. Additionally, if a traffic study has been conducted for the project, we do request a copy. This is optional, but it is helpful for our review.

Phillip

PHILLIP JONES | COMMUNITY PLANNER

Planning & Government Services

NORTHEAST GEORGIA REGIONAL COMMISSION

305 Research Drive, Athens, GA 30605

(Direct) 706-504-9714 | (Main) 706-369-5650

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From: Jennifer Kidd-Harrison
Sent: Tuesday, April 18, 2023 1:46 PM
To: Planning; Jerry Weitz
Subject: FW: Kennerly property

From: Debbie Caffin <dcaffin@yahoo.com>
Sent: Tuesday, April 18, 2023 12:55 PM
To: Jennifer Kidd-Harrison <jkidd@cityofhoschton.com>
Subject: Kennerly property

I understand the city is considering annexing the Kennerly property into the city limits. Not sure if you realize, but that property directly abuts Sell's Mill. How can I advocate for the city and county to work with any development proposal to allow access to the park from that side with at a minimum a trailhead and ultimately a right of way for bikes and carts to be able to allow Cresswinds and TwinLakes to be able to reach the park. Then if Steadfast does get acquired we could extend the "emerald necklace" ultimately into Hoschton and Braselton for enhanced quality of life, walking, biking etc. it is well proven that access to these opportunities sells homes at a premium. But let me know about how to show up and advocate not against the development but how to protect the community's existing investment in Sells Mill and make it more easily accessible to that side of the community. That kind of opportunity may help to make the citizens feel better.

Let me know if there is a day next week to go tour Steadfast and I can show you the direct connection to Sells Mill as well as the rest of the property. Thank you, Deb

[Sent from Yahoo Mail for iPhone](#)



April 12, 2023

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

Re: Water and Sewer Capacities and Development Trends, Current Rezoning & Annexation Applications

Dear Jennifer:

As requested, Engineering Management, Inc. (EMI) is providing information regarding existing and future water and wastewater capacity information and the potential impact of several pending development projects.

We have received information from Mr. Jerry Weitz, Consulting Planner for the City regarding these developments identified as Z-23-01, Z-23-02 and Z-23-03. A copy of the information received is attached hereto.

With regard to the City's current capacity in the water supply and distribution system, the City is currently permitted and under contact for:

- Jackson County Water and Sewerage Authority- 400,000 Gallons Per Day
- Town of Braselton- 200,000 Gallons Per Day
- Existing wells- 150,000 Gallons Per Day
- Total- 750,000 Gallons Per Day

The Average water demand in 2022 was 350,000 Gallons Per day, and the peak usage was 505,000 Gallons Per Day. Based on the average daily demand, the City has 400,000 Gallons Per Day in water supply capacity. The City is pursuing additional ground water supplies, as well as additional purchase water from adjacent systems, but these are not assured.

With respect to wastewater treatment capacity, the City is currently permitted for 0.5 MGD or 500,000 Gallons Per Day based on the current facilities online. The average demand in 2022 was 208,000 Gallons Per Day, with a peak demand in December of 250,000 Gallons Per day. Based on the average daily demand, the City has 292,000 Gallons Per Day (GPD)in wastewater treatment capacity available.

Ms. Jennifer Kidd-Harrison, City Manager
City Manager
City of Hoschton
Water & Sewer Capacity Discussion
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Page Two

The City Public Works Director has kept an ongoing list of approved development projects, as well as potential projects for several years. A copy of the listing is attached hereto. Projections of water supply and wastewater capacity demands have been tabulated based on 250 GPD and 200 GPD, respectively per Equivalent Residential Unit (ERU). Based on this list, the water demand committed on the first page, is 770,327 GPD. The wastewater capacity committed is 639,620 GPD. The project list and demands were modified to deduct any expected wastewater flows to the Braselton Wastewater system. The 30 Acre commercial development area at Twin Lakes was estimated at 80,000 GPD. These current projections do not include any capacities committed to the Pirkle Property at this point. West Jefferson Townhomes would be served by the City of Hoschton water system. To summarize existing utility usage and committed capacity, please see the tables below.

Existing Wastewater capacity-	500,000 GPD
Existing Usage	208,000 GPD
Remaining-	292,000 GPD
Committed-New	639,620 GPD
Shortfall-	347,620 GPD

Additional Capacity- Current Expansion Project-	450,000 GPD (June 2025)
Less Shortfall-	347,620 GPD
Remaining Capacity @ 0.95 MGD	102,380 GPD

Additional Capacity- Phase II Expansion- 1 MGD (June, 2028)

Existing Water supply Capacity -	750,000 GPD
Existing Usage-	350,000 GPD
Remaining	400,000 GPD
Committed-New	770,327 GPD
Shortfall-	370,327 GPD

Ms. Jennifer Kidd-Harrison, City Manager
City Manager
City of Hoschton
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Page Three

With respect to the proposed projects recently submitted, we report as follows:

Z-23-01-McNeal Development, LLC, parcel 120/017 consisting of 12.224 acres. The proposed use is 210 apartment units. Based on the formulas used, the development would require 52,500 in water capacity and 42,000 GPD of sewer capacity. The property is currently served by a six-inch (6") diameter water line. An apartment complex of this magnitude would likely require 1,500 gallons per minute fire flow, which would likely require substantial upgrades to the existing water distribution system. The property drains to the east and contains a small stream according to Q Public mapping. All onsite sewer would have to be constructed by the developer as well as off-site. The off-site sewer would necessarily have to connect to the recently installed fifteen inch (15") main sewer line at Georgia Highway 332.

Z-23-02- The Providence Group of Georgia. This proposal includes parcels 119/019 and parcel 113/003A. The total estimated acreage is 109.72 acres. The proposed use is 399 residential units, including 291 detached single-family homes and 108 fee simple townhomes. Based on the formulas used, the project would require 99,750 GPD in water capacity and 79,800 GPD of sewer capacity. The northern side of the properties along East Jefferson Street is served by an existing eight-inch (8") water line. The southern section of the properties along the Cheek property is served by a ten-inch (10") water main. The interior water mains would likely be looped to the existing water mains and may be adequate for proper service. The exact configuration of the units and a fire flow test could better determine the adequacy of the existing off-site water distribution system. All onsite and off-site improvements would be the responsibility of the developer. There are small streams culminating in the southern tip of the Sell property. A group visited the EMI offices earlier this year to discuss possible sanitary sewer collection system configurations. No exact sewer line design has been complete, but we would envision at least one wastewater pumping station would be required to serve the proposed development.

Ms. Jennifer Kidd-Harrison, City Manager
City Manager
City of Hoschton
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Page Four

Z-23-03-Rocklyn Homes, by Mahaffey, Pickens & Tucker. This proposal consists of parcels 114/001A, 114001B1, 114/002A and 114/001B. There is a church expansion involved.

The main project consists of 200,000 square feet of commercial use, with 6.6 acres of outparcels. The residential component consists of 404 townhome units and 651 single family homes. There is also 3.6 acres of civic space proposed. Based on the formulas used the project would require 313,750 GPD of water capacity and 251,000 GPD of wastewater capacity. There presently is no major water main in the area. As we understand, there is a 2" water main serving the existing church that crosses SR 53 and runs south to serve the Hudgens residence. Substantial upgrades would be required to the water distribution system to serve the development. There is also no sanitary sewer system in the area. We would envision a main pumping station in the lowest portion of the development that would serve the entire complex. Final design would have to determine that possibility. The main pumping station would likely have to pump to the new fifteen inch (15") main sewer line on Nancy Industrial Drive.

Based on the numbers proposed in the three developments, the combined projects will require approximately 466,000 GPD in additional water capacity and 372,800 GPD in additional wastewater capacity.

Based on the calculations above, there needs to be an additional 836,327 GPD in additional water supply resources and 652,000 GPD in additional wastewater capacity to accommodate all proposed projects. In addition, there will be a shortfall of 270,420 GPD in wastewater treatment capacity even after the expansion to 0.95 MGD, if all projects are developed.

Obviously, this confirms the challenges that the City is addressing on an ongoing basis, but the developments have and continue to come forward at an unanticipated rate.

Engineering Management, Inc.

Enclosures: Notices of Public Hearing dated April 7, 2023
Schedule of Current and Future Connections- Water & Sewer
Z:\PROJECTS\13\13047-Hoschton-planning and zoning\prel Phase\51-Correspondence\jkiddwatersewercapactlies 04102023

**CITY OF HOSCHTON
NOTICES OF PUBLIC HEARINGS**

The Hoschton City Council will conduct a public hearing at its work session on **May 11, 2023**, at 6:00 p.m. at the City Hall Conference Room, 79 City Square, Hoschton, GA, 30548, on the following matters. During its regular meeting on **May 15, 2023**, at 6:00 p.m., at the City Hall Conference Room, 79 City Square, Hoschton, GA, 30548, City Council may act on these applications.

Ordinance O-20-06 Amendment: An Ordinance to Amend the Code of Ordinances of the City of Hoschton, Georgia, to amend Ordinance O-20-06, known by short title as the Development Impact Fee Ordinance, fully titled as follows: An Ordinance Relating to the Regulation of the Use and Development of Land in the City of Hoschton, Georgia; Imposing a Development Impact Fee on Land Development in the City of Hoschton for Providing Public Safety, Park and Recreation and Related Facilities Necessitated by Such New Development; Stating the Authority for Adoption of the Ordinance; Making Legislative Findings; Providing Definitions; Providing a Short Title and Applicability; Providing Intents and Purposes; Providing Rules of Construction; Providing Definitions; Providing for the Computation of the Amount of the Development Impact Fee; Providing for the Payment of a Development Impact Fee; Providing for a Development Impact Fee Service Area; Providing for the Establishment of a Development Impact Fee Trust Fund; Providing for the Use of Funds; Providing for the Refund of Fees Paid; Providing for Exemptions and Credits; Providing for Review of the Fee Schedule; Providing for Appeals; Providing a Penalty Provision; Providing for Severability; Providing a Repealer; Providing for Codification; Providing an Effective Date; and For Other Purposes. (2nd public hearing).

Amendment of this ordinance is anticipated to include but shall not necessarily be limited to the following: Amend Section 7, "Computation of the amount of development impact fee" to modify or repeal and replace the Residential Development Impact Fee Schedule and the Non-residential Development Impact Fee Schedule; Amend Section 10 to repeal the fire facilities impact fee trust fund; and amend Section 11 to repeal a provision regarding the use of fire facility impact fees.

Z-23-01 Rezoning: McNeal Development LLC, by Bradley Dunckel of Rochester/DCCM, applicant, Alinad and Mihai F. Nicoara, c/o Orin and Lucia Harasemiuc, property owners, seeks to rezone 12.224 acres (Map/Parcel 120/017) (8422 Pendergrass Road) fronting approximately 690 feet on the north side of Pendergrass Road (SR 332) approximately 60 feet west of its intersection with Towne Center Parkway, and also fronting approximately 210 feet on the northeast side of New Street from A (Agricultural District) to PUD (Planned Unit Development District). Proposed use: Multi-family Residential (210 apartment units).

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 (399 units including 291 detached single-family units and 108 fee simple townhouse units) and open space.

Z-23-03: Annexation and Zoning (Development of Regional Impact #3960): Rocklyn Homes, by Mahaffey Pickens Tucker, LLP, applicant, Mary Ann Kenerly and New Hope AME Church, property owners, seek to annex 287.14 acres with PUD (Planned Unit Development) District zoning. The property proposed to be annexed and zoned PUD consists of Map/Parcels 114/001A, 114/001B1, 114/002A and 114, 001B, fronting approximately 5,550 feet on the east side of State Route 53 approximately 410 feet south of Pearl Industrial Avenue (1688 and 2512 Highway 53). Current zoning is A-2, Agricultural-Rural Farm District in unincorporated Jackson County. Proposed use: Mixed use development including approximately 200,000 square feet of commercial use with 6.6 acres of outparcels, church and 5.5 acres of church expansion, 404 townhome units, 651 single-family lots and 3.6 acres of civic space.

All interested persons are invited to attend. The applications are on file in Hoschton City Hall, 79 City Square, Hoschton, GA 30548, and are available for public inspection during regular business hours. For more information, call 706-654-3034.

This the 12th day of April, 2023.

Project Names	Type of units	Single-Family Detached	Townhomes	Multi-Family	Commercial/Industrial Square footage	Water/Sewer Tap Fee (\$8,000)	usage at 200 gpd or requested GPD	usage at 250 gpd or requested GPD	2022	2023	2024	2025	2025
Creswinds	SF Home	932				\$7,455,000	186,400	239,000	175	150	150	150	150
Twin Lakes	SF Home	675				\$5,400,000	135,000	168,750	175	150	150	150	150
	Townhome		294			\$2,352,000	58,800	73,500		160	100	80	100
30 Acres	Commercial				400,000								
Cambridge @ Towncenter	Townhome		300			\$2,400,000	60,000	75,000	100	100			
Creekside Townhomes	Townhome		23			\$232,000	5,800	7,250	25				
Munali Farms	SF Home	51				\$440,000	10,000	13,750		55			
Azalea II	Multi-Family			50		\$0	0	12,500		50			
Hoschton Park Townhomes	Townhome		18			\$96,000	2,400	3,000	6	12			
Smeway Crossing (P-1b/fx) 10 Acres	Retail (.1 gpd)				11,200	\$29,855	1,120	1,120					
	Retail Grocery (.2 gpd)				48,848		9,770	5,770					
	Restaurant (1.65 gpd)				4,200		6,930	6,930					
	Townhome		175			\$1,400,000	35,000	43,750		25	75	75	75
	Industrial (.1 gpd)				1,363,000		136,300	136,300					
W. Jefferson Townhomes (Brashton Sewer)	Townhomes		198			\$1,554,000	39,600	49,500		89	89		
Possible Projects													
Proposed Endive @ Hoschton	Condos			275		\$2,200,000	55,000	68,750					
	Retail (.1 gpd)				30,000		3,000	3,000					
	Restaurant (1.65 gpd)				12,150		20,047	20,047					
	Office (.1 gpd)				14,000		1,400	1,400					
Hoschton Exchange	Retail (.1 gpd)				13,100		1,310	1,310					
	Restaurant (1.65 gpd)				20,350		33,578	33,578					
GF Nancy Ind.	Townhomes		350			\$2,800,000	70,000	87,500					
	Multi-Family			250		\$2,000,000	50,000	62,500					
	Retail				20,000		2,000	2,000					
Proposed Hwy 53	SF Homes	550				\$4,480,000	120,000	150,000					
	Commercial												
	Townhomes		535			\$4,260,000	120,000	150,000					
Town Center Property			250			\$2,000,000	100,000	125,000					
Freeman Property				250		\$2,000,000	50,000	62,500					
Hazlebrook (Sell)		245				\$1,960,000	49,000	61,250					
			135			\$1,080,000	27,000	33,750					
Total		2,463	2,384	825	1,936,848	\$44,193,360	1,399,455	1,686,705					

Total Residential Connections 5,572

GPD @ 200

185	801	574	425	475
87,000	180,000	114,800	82,000	95,000

572,000

CITY OF HOSCHTON
STATE OF GEORGIA

RESOLUTION 23- __

**A RESOLUTION ACCEPTING FROM FULL SOURCE HOMES, LLC
THE DEDICATION OF 0.02 ACRE OF RIGHT OF WAY
ALONG THE WEST SIDE OF WHITE STREET
AND ACCEPTING A SANITARY SEWER EASEMENT**

WHEREAS, Full Source Homes, LLC is the owner of property on the west side of White Street;
and

WHEREAS, the owner desires to dedicate 0.02 acre of land to the City of Hoschton for
additional right of way for White Street and

WHEREAS, the owner desires to dedicate a sanitary sewer easement; and

WHEREAS, the owner has prepared and submitted a right of way deed for purposes of
conveying the land to the city;

Now, therefore, IT IS RESOLVED by the City Council of Hoschton as follows:

Section 1.

Tract 3 (0.01 acre) and Tract 4 (0.01 acre), constituting 0.02 acre of land total on the west side of
White Street, as shown on the Final Plat (Minor) for David Nichols by W.T. Dunahoo and
Associates, LLC, dated 02/03/2023, as shown in Exhibit A of this resolution, is hereby accepted.

Section 2.

The 20-foot-wide sanitary sewer easement across Tract 1 and Tract 2 as shown on the Final Plat
(Minor) for David Nichols by W.T. Dunahoo and Associates, LLC, dated 02/03/2023, included
in Exhibit A of this resolution, is hereby accepted.

Section 3.

The city attorney is authorized to record the right of way deed transferring ownership of the
subject property to be dedicated to the city.

Resolution 23-__

SO RESOLVED this 15th day of May, 2023.

Lauren O'Leary, Mayor

Approved as to form:

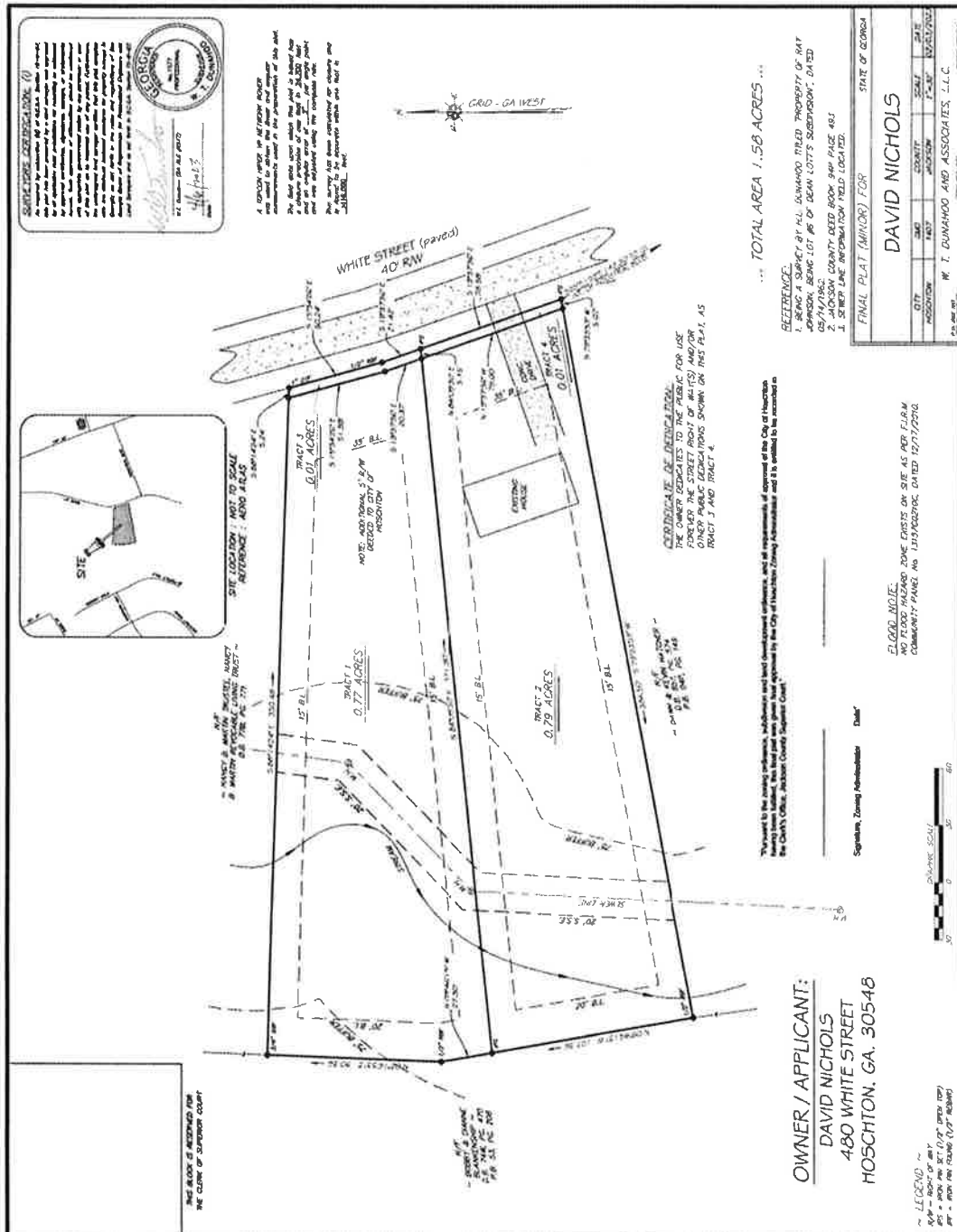
Abbott S. Hayes, Jr., City Attorney

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.

Jennifer Kidd-Harrison, City Clerk

EXHIBIT "A" LEGAL DESCRIPTION

Tract 1 and Tract 2 as shown on the Final Plat (Minor) for David Nichols by W.T. Dunahoo and Associates, LLC, dated 02/03/2023, as incorporated herein:



RIGHT-OF-WAY DEED

GEORGIA, JACKSON COUNTY

WHITE STREET

THIS CONVEYANCE made and executed the 20 day of April, 2023.

WITNESSETH that FULL SOURCE HOMES, LLC, the undersigned (hereinafter referred to as "Grantor"), is the owner of and is developing a residential subdivision on a tract of land in JACKSON COUNTY, on White Street, and is hereby granting to the CITY OF HOSCHTON, additional right-of-way for White Street.

NOW THEREFORE, in consideration of the benefit to said property by the construction and maintenance of said road, and in consideration of ONE DOLLAR (\$1.00), in hand paid, the receipt whereof is hereby acknowledged, Grantor does hereby grant, sell and convey to said CITY OF HOSCHTON, and their successors in office additional right-of-way for said road, being more particularly described as follows:

ALL THAT TRACT or parcel of land lying and being in GMD 1407, City of Hoschton, Jackson County, Georgia, and being more particularly described on Exhibit "A" attached hereto and made a part hereof by this reference.

Said right-of-way is hereby conveyed, consisting of Tract 3, containing 0.01 acres, more or less, as shown on the Survey for David Nichols dated February 3, 2023, prepared by W. T. Dunahoo and Associates Land Surveying and consisting of Tract 4, containing 0.01 acres, more or less, as shown on the Survey for David Nichols dated February 3, 2023, prepared by W. T. Dunahoo and Associates, said survey being incorporated herein by reference, said survey attached hereto and made a part of this deed as Exhibit "B".

WHITE STREET

TO HAVE AND TO HOLD the said conveyed premises in fee simple and any rights Grantor has or may have in and to the existing public rights of way are hereby quitclaimed and conveyed unto the Department of Transportation.

Grantor hereby warrants that Grantor has the right to sell convey said land and bind himself, his heirs, executors and administrators forever to defend by virtue of these presents.


IN WITNESSETH WHEREOF, Grantor has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered
this 20 day of April, 2023,
in the presence of:

FULL SOURCE HOMES, LLC,
CO., INC., a Nevada limited liability company

By:  [SEAL]
DAVID R. NICHOLS, Manager


Witness


Notary Public

[NOTARY SEAL]



EXHIBIT "A"
LEGAL DESCRIPTION

All that tract or parcel of land lying and being in GMD 1407, City of Hoschton, Jackson County, Georgia, being Tract 3, containing 0.01 acres, and more particularly described on that survey for "David Nichols" dated 02/03/2023, prepared by W.T. Dunahoo and Associates Land Surveying, Certified by W.T. Dunahoo, Georgia Registered Surveyor Number 1577 and more particularly described as follows:

To find the true point of beginning, begin at the centerline intersection of Industrial Boulevard with the Western Right of Way of White Street (40ft R/W), thence travel in a Northwesterly direction along the Western Right of Way of White Street North 28 degrees 51 minutes 58 seconds West 142.30 feet to an iron pin set on the Western Right of Way of White Street, thence along the Western Right of Way of White Street North 19 degrees 37 minutes 36 seconds West 78.58 feet to an iron pin set on Western Right of Way of White Street and the true point of beginning.

From the point of beginning thus established, leaving White Street travel South 84 degrees 09 minutes 30 seconds West 5.15 feet, thence North 19 degrees 37 minutes 36 seconds West 20.37 feet, North 15 degrees 34 minutes 26 seconds West 51.98 feet, thence South 88 degrees 14 minutes 24 seconds East 5.24 feet to a 1" open top found, thence along White Street South 15 degrees 34 minutes 26 seconds East 50.24 feet to a 1/2" rebar found, thence South 19 degrees 37 minutes 36 seconds East 21.42 feet to an iron pin set on White Street and the true point of beginning.

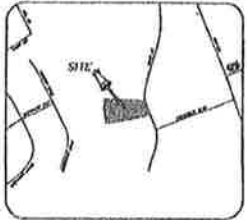
TOGETHER WITH:

All that tract or parcel of land lying and being in GMD 1407, City of Hoschton, Jackson County, Georgia, being Tract 4, containing 0.01 acres, and more particularly described on that survey for "David Nichols" dated 02/03/2023, prepared by W.T. Dunahoo and Associates Land Surveying, Certified by W.T. Dunahoo, Georgia Registered Surveyor Number 1577 and more particularly described as follows:

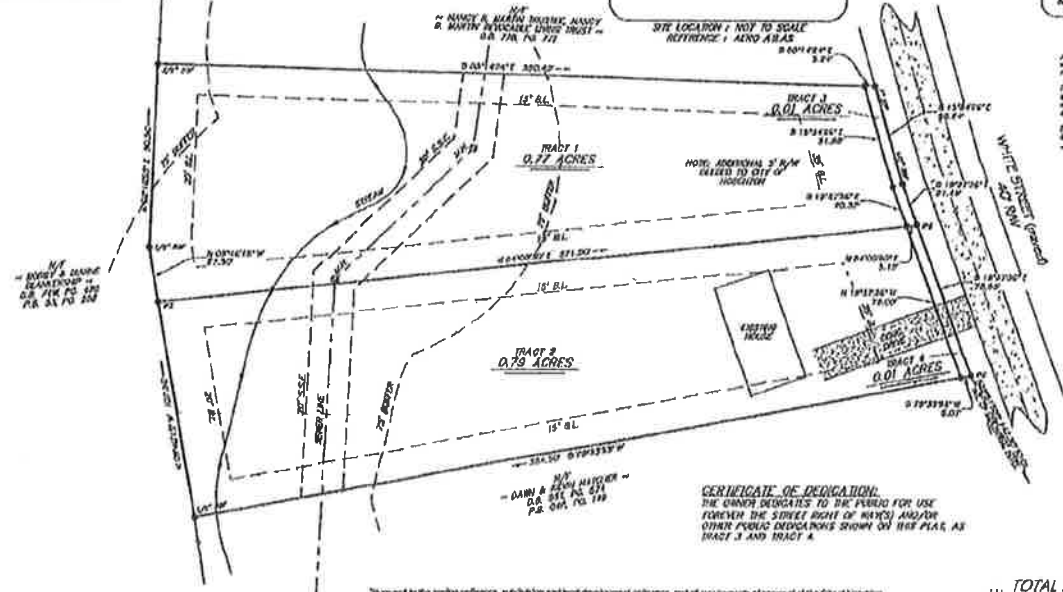
To find the true point of beginning, begin at the centerline intersection of Industrial Boulevard with the Western Right of Way of White Street (40ft R/W), thence travel in a Northwesterly direction along the Western Right of Way of White Street North 28 degrees 51 minutes 58 seconds West 142.30 feet to an iron pin set on the Western Right of Way of White Street and this being the true point of beginning.

From the point of beginning thus established, leaving White Street travel South 79 degrees 33 minutes 53 seconds West 5.07 feet, thence North 19 degrees 37 minutes 36 seconds West 79.00 feet, thence North 84 degrees 09 minutes 30 seconds East 5.15 feet to an iron pin set along White Street, thence along White Street South 19 degrees 37 minutes 36 seconds East 78.58 feet to an iron pin set on White Street and the true point of beginning.

NO BLDG IS RESERVED FOR THE COLOR OF BROWNS COUNTY



SURVEYOR CERTIFICATE (A)
 An original of subdivision map of G.S.B. No. 10-0-01
 has been prepared by a duly sworn and licensed
 land surveyor and is hereby certified to be correct
 in accordance with the provisions of the Georgia
 Surveying Act of 1912, as amended, and the
 rules and regulations of the Board of Surveying
 and Mapping of the State of Georgia.
 W. T. GUNNARD
 SURVEYOR
 STATE OF GEORGIA



CERTIFICATE OF DEDICATION
 THE GUNNARD SURVEY TO THE PUBLIC FOR USE
 FOR THE STREET RIGHT OF WAY AND/OR
 OTHER PUBLIC DEDICATIONS SHOWN ON THIS PLAT AS
 TRACT 3 AND TRACT 4.

"Pursuant to the zoning ordinance, subdivision and land development ordinance, and all requirements of approval of the City of Hoschton having been fulfilled, this subdivision map and plan are approved by the City of Hoschton Zoning Administrator and it is ordered to be recorded in the Clerk's Office, Jackson County Superior Court."

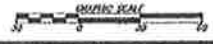
OWNER / APPLICANT:
 DAVID NICHOLS
 480 WHITE STREET
 HOSCHTON, GA. 30548

Blonstein, Zoning Administrator Date

FLOOD NOTES:
 NO FLOOD HAZARD AROUND EXISTING OR NEW AS PER FIRMAL
 COMMUNITY PANEL NO. 13105000000 DATED 12/11/2011

- REFERENCES:**
1. BEING A SURVEY BY H.L. GUNNARD TITLED PROPERTY OF RAY J. GUNNARD BEING LOT 10 OF BEAN LOTS SUBDIVISION, DATED 05/24/1912
 2. JACKSON COUNTY DEED BOOK 311 PAGE 433
 3. SEARCH LINE INTERSECTION FIELD LOCATED

LEGEND
 S.M. = RIGHT OF WAY
 P.S. = RIGHT OF WAY (1/2" OPEN TOP)
 P.V. = RIGHT OF WAY (1/2" OPEN TOP)



FINAL PLAT (MINOR) FOR STATE OF GEORGIA

DAVID NICHOLS

CITY	NO.	QUANTITY	SCALE	DATE
HOSCHTON	148	1	1"=50'	12/01/2011

W. T. GUNNARD AND ASSOCIATES, L.L.C.

EXHIBIT "B"