

CITY OF HOSCHTON
CITY COUNCIL AGENDA
MONDAY, NOVEMBER 15, 2021
CITY HALL COUNCIL ROOM AT 5:30PM
79 CITY SQUARE, HOSCHTON



REGULAR COUNCIL MEETING

MINUTES

WELCOME AND CALL TO ORDER *at 6:39pm by Mayor Sell*

ROLL CALL:

Mayor Shannon Sell

Councilmember Adam Ledbetter

Councilmember James Lawson

Councilmember Tracy Carswell

Councilmember Shantwon Astin

Also Present:

City Manager, Gary Fesperman

City Clerk, Jennifer Harrison

City Planner, Jerry Weitz

City Attorney, Abb Hayes

Chief Brad Hill

AGENDA APPROVAL *with no changes by Astin, second by Lawson and all in favor*

MINUTE APPROVAL

October 8, 2021, Meet & Greet (Creekside Subdivision)

October 18, 2021, Work Session & Regular Meeting

October 22, 2021 Meet & Greet (Train Depot)

October 24, 2021, UGA Meeting for Downtown Revitalization)

Motion to approve by Astin, second by Lawson and all in favor

NEW BUSINESS

1. Alcohol License Number HABL-2021-004, in the name of Namira Save Mart, LLC, for the premises located at 4210 Highway 53, Hoschton. To determine whether to suspend the alcohol license by Council.

Motion to suspend alcohol license until December 31, 2021 at midnight by Ledbetter, second by Lawson and all in favor.

2. **Z-21-10 Rezoning:** D. Cole Hudgens, applicant, DCH Montibello, LLC, property owner, seeks to rezone from C-1, Neighborhood Business District, and R-2, Single-family Suburban Residential District, to C-2, General Commercial/Highway Oriented District, 2.61 acres (Map/parcels H01/053, 120/010G, 120/010J, and 120/010F) fronting on the west side of State Route 53 and fronting 119 feet on the north side of Peachtree Road. Proposed uses: commercial, retail, service, office and restaurant.

Staff Recommendation conditions:

1. **Prohibited uses.** The following uses otherwise permitted in the C-2 district shall be prohibited on the subject property: farmer's market; funeral home, mortuary or mausoleum; kennel; lawn and garden store; laundry/ laundromat; lodging service (of any type); payday loan establishment; tattoo studio; and lumber yard.
2. **SR 53 road improvements.** The owner/developer shall be required to install road improvements along State Route 53 as required by Georgia Department of Transportation, as a condition of driveway approval/encroachment permit onto State Route 53.
3. **Sidewalk along State Route 53.** The property owner shall be required at no cost to the city or Georgia Department of Transportation to construct a minimum 8-foot-wide sidewalk along the property frontage of State Route 53 within said right of way, subject to the approval of the Georgia Department of Transportation. Said sidewalk shall be constructed prior to issuance of any certificate of occupancy for a principal building on the property; however, if construction is phased, the sidewalk construction may also be phased. Walkways interior to the site shall connect the principal buildings with the sidewalks within the highway right of way.
4. **Inter-parcel access.** Inter-parcel access shall be provided upon development to existing commercial property to the north (i.e., Map/Parcel 120/010H) and, if non-residentially zoned at the time the subject property is developed, to the parcel to the west.
5. **Exterior building material finishes.** The exterior finish of all principal buildings shall be four-sides brick.
6. **Fencing of stormwater pond.** Any stormwater management pond on the property shall have decorative fencing (non-chain link) such as aluminum as may be approved by the zoning administrator.

3. **V-21-15** Variance: D. Cole Hudgens, applicant, DCH Montibello, LLC, property owner, seeks to vary the Hoschton Zoning Ordinance, Article IV, “Zoning Districts,” Section 4.11, “C-2, General Commercial/Highway Oriented District, Table 4-4 to reduce the required rear building setback from 30 feet to 10 feet and to reduce the required natural undisturbed buffer from 20 feet to 0 feet (none) when a C-2 zoning district abuts an R-1, Single-family Low Density Residential District, for 2.61 acres (Map/parcels H01/053, 120/010G, 120/010J, and 120/010F) fronting on the west side of State Route 53 and fronting 119 feet on the north side of Peachtree Road. Proposed uses: commercial, retail, service, office and restaurant.
4. **Ordinance TA-21-04** Text Amendment, Hoschton Zoning Ordinance: City of Hoschton, applicant, seeks to amend the zoning ordinance, Article IV, “Zoning Districts,” Section 4.08, “PUD, Planned Unit Development District,” paragraph 9, “Minimum Area Designated,” to reduce the minimum acreage required for a Planned Unit Development from 100 acres to 10 acres.
5. **Ordinance TA-21-05** Text Amendment, Hoschton Zoning Ordinance: City of Hoschton, applicant, seeks to amend the zoning ordinance, Article IV, “Zoning Districts,” Sections 4.06, “MFR, Multi-Family Residential District” and Section 4.14, “MU, Mixed-Use District,” Table 4.2, “Dimensional Requirements for Residential and Agricultural Zoning Districts,” to increase the minimum heated floor area per dwelling unit for a fee simple townhouse from 1,800 square feet to 2,000 square feet.

Motion of denial by Astin, Second by Ledbetter and all in favor

6. **Resolution 21-19:** Jingle Mingle 2021 Event
7. GEFA Payoff Loan CW2016024. Payoff as of 12/15/2021 \$281,573.27
8. GEFA Payoff Loan DW2018002. Payoff as of 12/15/2021 \$389,700.47
9. DRAFT review of the 2022 General, Water & Sewer Budget

Consent Agenda approval for Line Item 2, 3, 4, 6, 7 and 8. Motion to approve by Astin, second by Lawson and all in favor.

EXECUTIVE SESSION (For Litigation & Personnel)

Motion to go into executive session for Litigation and Personnel by Ledbetter, Second by Carswell and all in favor at 6:49pm

Motion to go out of executive session for Litigation and Personnel by Astin, Second by Lawson and all in favor at 7:12pm

Motion to approve Mr. Joe Hayes to be appointed as Interim City Manager by Ledbetter, Second by Astin and all in favor.

ADJOURN

Motion to adjourn by Ledbetter, second by Astin and all in favor at 7:13pm.