



469 Summerhill Road
A-2024-01
Z-2024-01
February 19th, 2024

Malak Elgaydi, Planning & Zoning Secretary
City of Dallas
320 E Foster Avenue
Dallas, GA 30132

Re: Planning Report
469 Summerhill Road
A-2024-01 and Z-2024-01
Applicant's Name: PLG, LLC
Property Owner: Mary Sue Tibbitts
Land Lot 459, District 2, Section 3
Parcel # 147.1.2.002.0000
Lot Size: 34.614 Acre +/-
Current Zone: R2 and B2, Partially Corridor Overlay District
Zone Requested: R2C
Ward: 4
City Council Member: Jim Henson
City of Dallas, Paulding County, Georgia

Dear Miss Elgaydi:

This planning report is prepared in response to an Annexation and Rezoning request submitted by PLG, LLC ("the Applicant") for the property located on Summerhill Road. The purpose of this report is to provide an analysis of the annexation and rezoning request and make recommendations for the Planning Commission and City Council's consideration.

Background:

The property is mostly vacant and features a single-family home, a garage and two shed structures. The home was constructed in 1970 and features 1916 square feet. The property has been owned by the Tibbitts family since 1952. The property is under contract by the applicant who wishes construct 103 single-family homes.

In 2023, the applicant submitted an annexation and rezoning application to the City of Dallas ("the city") that was subsequently sent to the Paulding County Community Development Office ("the county") for comment within five (5) days per state law. The county presented comment to the city that indicated that should the area in question be annexed, it would cause an unincorporated island to the site's east. The applicant has since revised their application in this request to only annex a portion of the lot and leave approximately 0.167 acres within the county (the area shown in hatched red on the submitted site plan) in order to connect unincorporated portions east and west of the site to alleviate the county's concerns.



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Annexation and Rezoning Request:

The property is bordered directly to the north by an incorporated island consisting of The Phoenix at Dallas, The Pearl at Dallas, and Westminster Care off of Professional Parkway. The applicant is requesting to annex 34.447 acres and construct 103 single-family homes on the city portion. No amenities are proposed for the site. The applicant has not specified the amount of open space within the development.

Description of Rezoning Request:

The request is being made in order to construct single-family homes that would range from 1,860 square feet to 2,455 square feet. The R2C Zone permits minimum lot sizes of 7,500 square feet with a density of 3 du/acre. The developer proposes 2.98 du/acre density. The homes are proposed to be a “for sale” product and not rentals that will be built by Paran Homes. The development will feature 50’ wide public right-of-way.

Infrastructure for the development will feature gravity sewer that may tie into existing sewer in the area. The northern portion of the lot is within the Dallas Sewer Service area, whereas the southern portion is located within the Paulding County Sewer service area. Water will be serviced through an existing line located on Summerhill Road and provided by either Paulding County or Dallas. The property is not located in a FEMA designated flood zone.

The city-county comprehensive plan prescribes Community Residential Character Area to the subject property, which recommends residential zoning categories. The surrounding area is largely residential, with incoming commercial and healthcare related uses to support Wellstar Paulding’s hospital facility across Highway 278.

Site Analysis:

Summerhill Road slices the parcel in two parts with a northern portion and southern portion. The parcel has rolling hills throughout that would need to be graded. There is an existing stream on the southeast portion of the parcel that runs along the property boundary and connects to a small lake that’s partially on the parcel. The city would enforce the 75’ stream buffer requirement in this area.

The uses in the vicinity include existing single-family homes, agricultural land, townhomes, and medical facilities. The property is located within the Wellness District and partially within the Employment Corridor. The zoning and land use in the area is as follows:

Zoning:		Future Land Use Map:	
North:	C-2	North: City	Health/Wellness/Longevity
South:	R-2	South: County	Community Residential
East:	R-2	East: County	Community Residential
West:	R-2	West: County	Community Residential

Review of Criteria for Granting a Rezoning:

The Zoning Ordinance of the City of Dallas, requires the Planning & Zoning Commission and the legislative body to pay reasonable regard to the following when preparing and considering proposed amendments:



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1. The Comprehensive Plan;

Dallas Future Land Use Map - The Future Land Use Plan prescribes “Community Residential” as the future land use for the parcel. The intent of the Community Residential Character Area is as follows:

“Encourage walkable and interconnected residential developments that highlight the natural environment. The Community Residential Character Area is defined by specific hydrologic drainage basins that are currently served or expected to be served by sewer. Driven by the existing infrastructure and development mapped in the previous section, the Community Residential Character Area includes the majority of eastern Paulding County. Development should be concentrated around sewer access and the existing undeveloped subdivisions. Any future developments must protect floodplains, stream buffers and any other environmental concerns. This Character Area currently includes two impaired streams, resulting from nonpoint source pollution impacts. Following recommended subdivision regulations/key development patterns for this Character Area is consistent with efforts to manage the Total Maximum Daily Loads (TMDLs) in these streams and, ultimately, remove them from impaired status. The recommendations also contemplate future nonpoint source pressures from additional development and the need to keep other streams from being listed as impaired.”

The character area has specific land uses allowed that recommend residential, public, semi-public, and institutional uses. The county’s existing R-2 Zone is listed as a compatible active zoning classification. The property is also located within the Wellness District:

“The WellStar Hospital is a key amenity within Paulding County, providing jobs as well as hospital services for a wide-ranging area. The Atlanta Regional Commission defines this area as one of only several Wellness Districts in metro Atlanta. Growth has already been seen around the hospital, and the county should be proactive about this growth to maintain a quality district that is accessible and attractive for all users and creates a resilient employment center. The Wellness District is envisioned to be the County’s premier employment hub, with a focus on medical jobs and related industries”

The Wellness District recommends limiting additional single-family housing and focus on employment within the designated area. R-2 is not listed as a recommended zoning category. Specific Land Uses listed as allowed within the district are residential (multi-family), bicycles/pedestrian trails, active and passive recreation, public use, semi-public use, institutional and commercial.

Highway 278 within this vicinity is considered an Employment Corridor:

“Employment Corridors are major roadways where new investment and redevelopment should be targeted for commercial and industrial development. By focusing the locations of future employment activity to these major corridors, the movement of people and goods can be optimized through transportation improvements. This approach also supports cost-effective infrastructure provision and management.”

The corridor recommends bicycles, pedestrian trails, active and passive recreation, public use, semi-public use, institutional, commercial and industrial uses. No residential uses are recommended within this area.

The proposed zoning category of R-2C is not supported by the Comprehensive Plan.



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2. Permitted Use impact on adjacent properties;

The density of the area would increase and be higher than residential properties to the east and west. The developed parcels to the north of the site have a higher density and feature townhomes. There are no significant impacts that are expected from a land use perspective.

3. Adverse effect on the usability of adjacent or nearby parcel;

The use is not the most desirable given the limited land in the vicinity to continue buildout of medical adjacent uses to support the Wellness District and Employment Corridor.

4. Proposal causes excessive or burdensome use of streets, transportation facilities, utilities, schools;

The use would increase school-aged children and traffic within the area. Given the size of the development, the increase is minimal with only 103 units.

5. Supported by current conditions:

Water and Sewer are available.

Recommendation:

Based on our analysis, we recommend that the City Council **approve** the annexation and **deny** the rezoning request submitted by PLC, LLC for the property at 469 Summerhill Road. Our recommendation is based on the following findings:

- The annexation would permit for further expansion of medical adjacent uses within the area to support the hospital and expand job opportunities within the medical hub and along Highway 278 in an area that has limited opportunity for growth.
- The property is located within the Wellness District, which does not recommend single-family residential zoning categories.
- The property is located within the Employment Corridor, which does not recommend single-family residential zoning categories.
- The development does not propose amenities for residents.

Conditions of Approval (if applicable):

Should the council wish to approve the application, the following conditions should be made applicable to the development:

1. The City Council should consider zoning the parcel O-I (Office Institutional) or C-2 (Commercial) in order to encourage the expansion of medical office opportunities and other supporting uses.
2. The City Council shall require that a legal plan or contract for the perpetuation, maintenance and function of all the common area or other common property be established and furnished to the Council to be approved by the City Attorney prior to final approval. The legal plan or contract shall assure that all such common areas shall be provided for in a satisfactory manner without expense to the City. The documents shall be recorded in the County Recorder's office by the applicant prior to occupancy of any building on the project.
3. Where applicable, a homeowners' or maintenance association shall be established for the purpose of permanently maintaining all open space and potential non-commercial recreational facilities. Such homeowner's or maintenance association agreements, guaranteeing continuing maintenance, and giving lien to the City in the event of lack of such maintenance prior to the approval of a Final Plat.



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4. Applicant/Developer/Owner agrees to submit the site/neighborhood/development to covenants pursuant to the Georgia Property Owners Act (OCGA 44-3-220 et seq.).
5. Applicant/Developer/Owner agrees that an amenity shall be constructed on HOA-owned property for residents.
6. Applicant/Developer/Owner agrees that all homes shall be required to have a two-car garage.
7. Applicant/Developer/Owner agrees to install sidewalks on both sides of internal streets and along the frontage of Summerhill Road.
8. Applicant/Developer/Owner agrees to construct a minimum of eight elevations and a minimum of 5% of each elevation be constructed.
9. Applicant/Developer/Owner agrees that at least 75% 50% of homes on a corner lot must have a side load garage.
10. Rental Restriction: The Covenants, Conditions and Restrictions shall include a clause that limits the maximum number of units that can be rented or leased within the development at any one time to be 10% or less, However, if all of the homes are owned by one entity and governed by a third-party management company then the rental restriction shall be waived in its entirety.
11. Applicant/Developer/Owner agrees and acknowledges that all conditions or stipulations of re-zoning shall bind applicant/developer/owner's successors and assigns.

Public Comments:

No Public Comments have been received by the Planning and Zoning staff as per the date of this report.

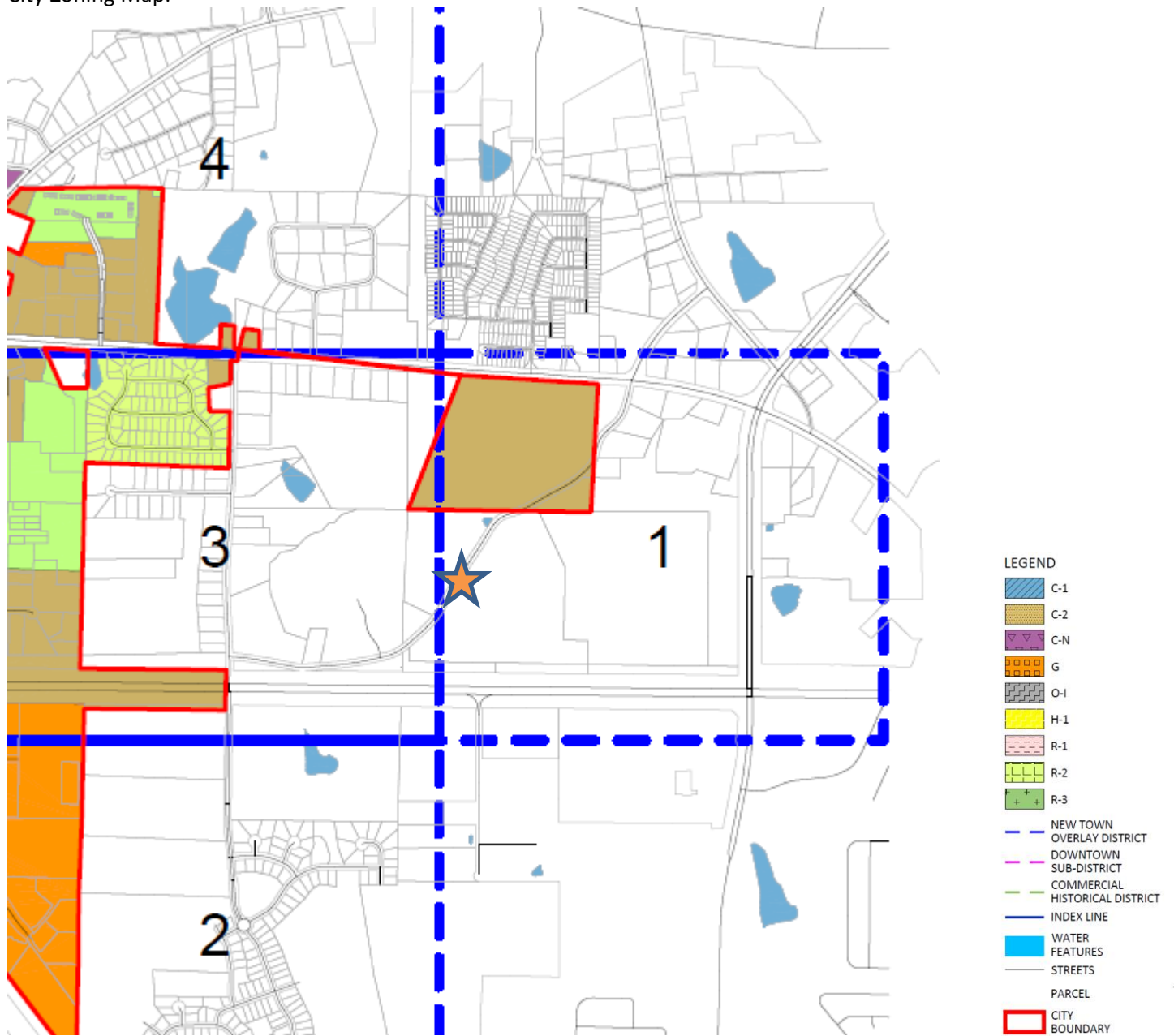
Conclusion:

In conclusion, this planning report has provided an analysis of the annexation and rezoning request and recommended a course of action for the City Council consideration. The decision should be made in accordance with the city's zoning regulations, comprehensive plan, and the best interests of the community.

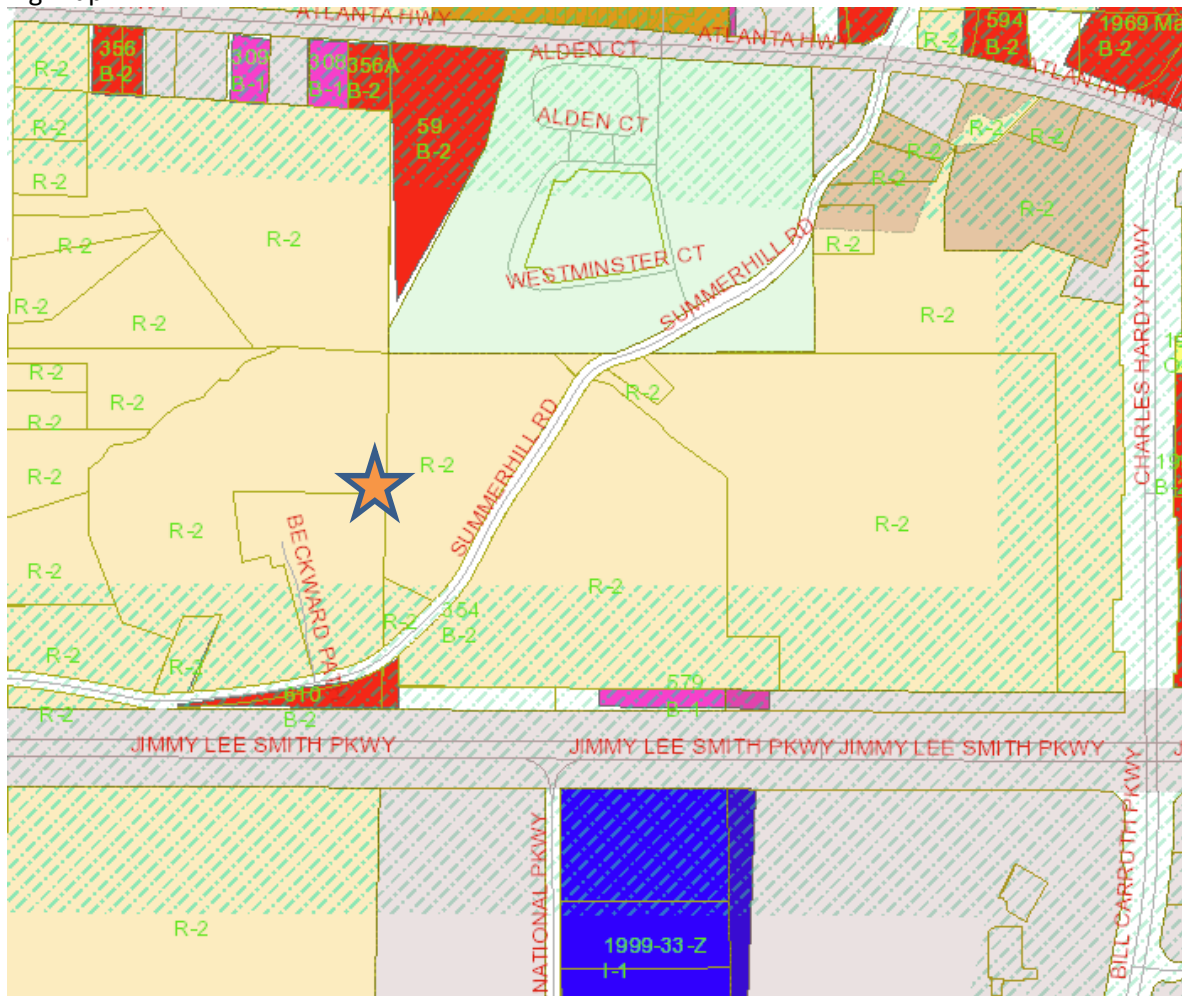
Attachments:

City Zoning Map
County Zoning Map
City Future Land Use Map
County Future Land Use Map

City Zoning Map:

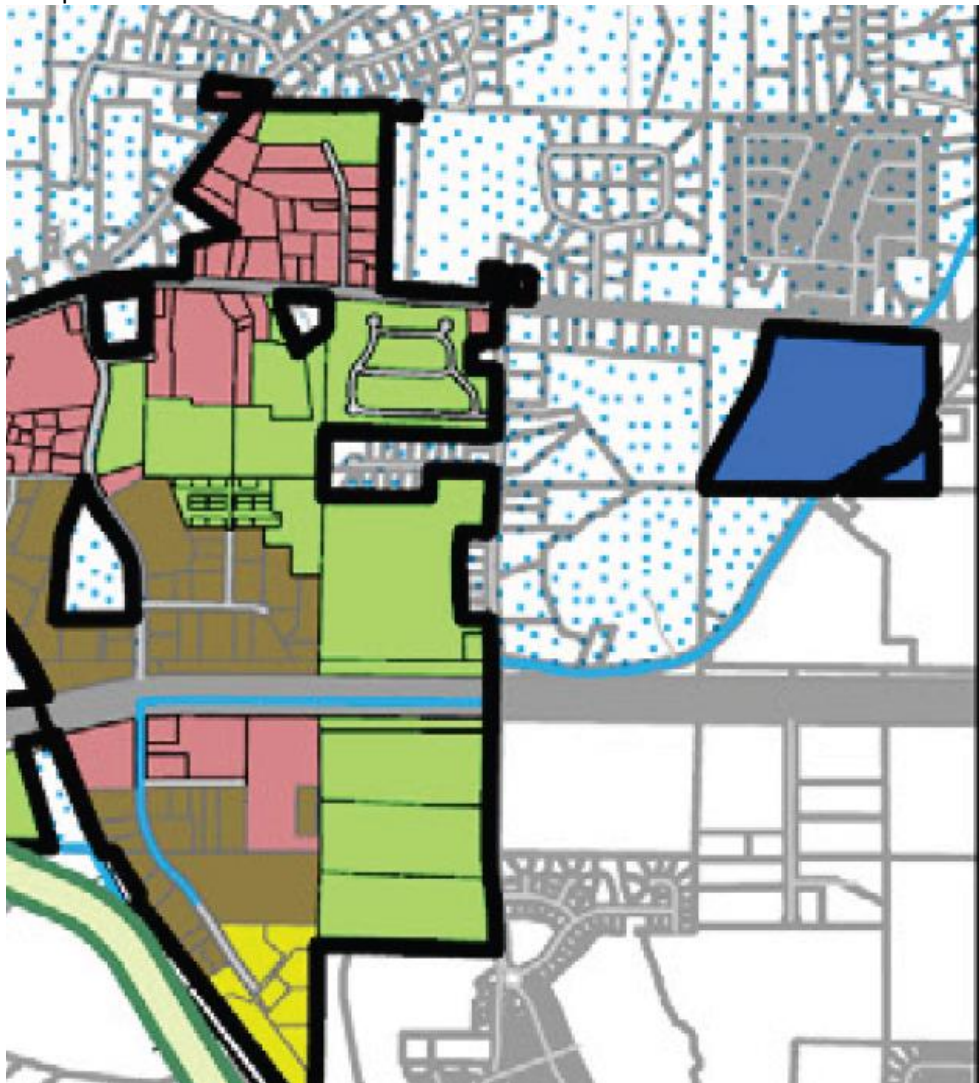


County Zoning Map:



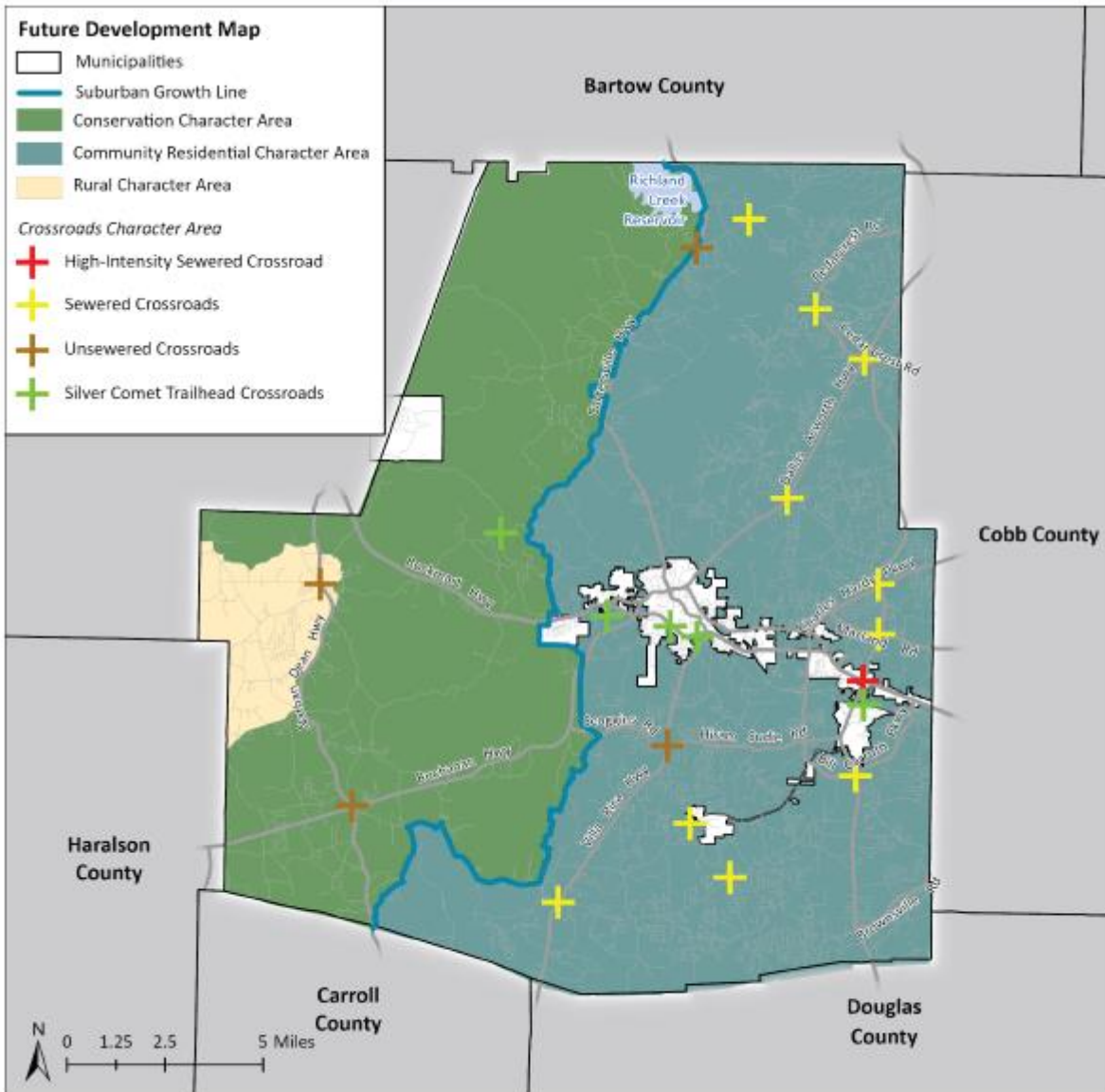
- Zoning
- R-6
- A-1 (Agricultural)
- ER (Estate Residential)
- R-1 (Rural Residential)
- R-2 (Suburban Residential)
- R-3 (Sewered Suburban Residential)
- MPR (Master Planned Residential)
- OSRD (Open Space Residential District -)
- RD (Duplex District)
- MHP (Manufactured Home Park)
- R-55 (Active Adult Residential Zoning Dist)
- PV (Planned Village)
- LRO (Low Rise Office)
- O-I (Office & Institutional)
- NB (Neighborhood Business)
- B-1 (General Business)
- PSC (Planned Shopping Center)
- B-2 (Highway Business)
- ECR (e-Commerce Retail)
- ECBP (e-Commerce Business Park)
- B2CL (Business to Consumer Logistics)
- AML (Advanced Manufacturing Logistics)
- I-1 (Light Industrial)
- I-2 (Heavy Industrial)
- AB (Agricultural Business)
- (Low Density Quality Res. Dev. District) - A
- R-4 (Multi-Family/Rental)
- R-7 (Multi-Family/Fee Simple)
- PRD (Planned Residential Development -)
- R-3
- RD
- O & I (Office and Institutional)

City Future Land Use Map:



- Commercial
- Industrial
- Industrial-Heavy
- Health/Wellness/Longevity
- Downtown Special Interest
- Parks/Recreation/Conservation
- Public Institutional
- Residential
- Transportation/Communication/Utilities
- City of Dallas Sewer Service Area
- Silver Comet Trailhead Crossroad

County Future Land Use Map:



MAP 2.11

