

A-2023-02
Z-2023-05

ARBORS POD D

STAFF COMMENTS:

The applicant (Paulding County Land Development, LLC) is proposing to annex and zone 128.278 acres from Paulding County R-2 (Suburban Residential) to City of Dallas R-2C (Single Family Residential – Conservation). The property is located at South of Happy Valley Church Road, East of Cole Lake Road, and West of Arbors Creek Drive.

Properties that border the site to the East are currently inside City limits. Properties that border to the South East are under application to be annexed into the City on the same day. Properties that border to the North, West, and South West are in Paulding County.

A. Existing land use and zoning classification of nearby property:

ADJACENT ZONING

ADJACENT DEVELOPMENT

NORTH: County R-2

NORTH: Residential, single family

EAST: Dallas R-2

EAST: Residential, single family

SOUTH: County R-2

SOUTH: Undeveloped

WEST: County R-2

WEST: Undeveloped

B. Permitted Use impact on adjacent properties.

All surrounding properties are either undeveloped or single family residential.

C. Adverse effect on the usability of adjacent or nearby property?

None

D. Proposal cause excessive or burdensome use of streets, transportation facilities, utilities, schools

Increased traffic on Cole Lake Road and other nearby collector roads. May increase student population of nearby schools.

E. Supported by current conditions

Water and Sewer are available. Sewer outfall construction is required.

F. 2022 Comprehensive Plan

Conforms to the 2022 Paulding Comprehensive Plan as being Community Residential character area.

STAFF RECOMMENDATIONS:

Based on the preceding analysis, staff recommends approval with the following stipulations:

1. Off-site sewer infrastructure is required. Owner/developer is responsible for connection to existing gravity sewer.
2. Developer is to enter into a development agreement with the City of Dallas for the outfall sanitary sewer project. The final cost, approved contractor, and construction plans of the offsite gravity outfall sewer upgrade improvements will be subject to the approval of the City of Dallas, including, without limitation, agreement on the actual cost differential between the offsite gravity sewer outfall upgrade vs the standard cost (the "Actual Cost Differential"). In consideration of the development offsite gravity outfall sewer upgrade improvements, the City of Dallas agrees to pay to Owner, in the form of sewer tap fee credits issued at the prevailing rate (based on then published rates), an amount equal to the Actual Cost Differential. Developer will be responsible for all costs related to the development offsite gravity outfall sewer upgrade improvement project. The final agreed upon pricing is to be established at the time the outfall project has been permitted.
3. West Dallas Special Utility District: Owner/developer is responsible for a \$1,843.00 per lot utility fee payment required at time of final plat approval. This fee is in addition to the standard water and sewer tap fees imposed on each lot.
4. Development shall be constructed in general conformity to the site plan provided in zoning application.
5. Owner/developer shall provide a minimum 20-foot planted or natural (where possible) buffer around the entire site perimeter.
6. Owner/developer is responsible for providing a professionally landscaped entrance.
7. Owner/developer is responsible for providing any and all roadway improvements and development entrance improvements as required by Paulding County DOT for access.
8. Owner/developer shall comply, design, and construct all offsite water system upgrades required by Paulding County Water System.
9. Owner/developer is responsible for providing and installing Flock camera at development entrance compatible with the City of Dallas Police Department system.
10. A Homeowners Association required for all property included in entire development from the beginning of the development process with mandatory membership.

11. The Homeowners Association shall publish and adhere to policies and procedures that the community is intended to provide housing for persons 55 and over, including maintaining surveys or verifying compliance with 55 and older residency requirement as permitted by 42 U.S.C Section 3607 (b) (2) (c) of the Federal Fair Housing Act. The Homeowners Association shall also include declarations and bylaws including rules and regulations which, at a minimum, shall regulate and control the following: (a) restriction on homes being occupied, with at least 80 percent of the occupied units occupied by at least one resident who is age 55 or older and (b) shall include any other requirements of federal law applying to housing for persons 55 years of age and older.
12. The architectural style, composition and design of the proposed single-family homes shall be constructed consistent with blended building materials that may include the application of stone, brick, hardi-plank, shake, and board and batten. No vinyl materials shall be used on the exterior of the proposed homes. Owner/developer shall supply for City of Dallas approval, detailed architectural elevation design plans for front, left side, right side, and rear of homes for each home to be constructed.
13. Owner/developer shall comply with all NRCS requirements, recommendations, and guidelines in conjunction with development adjacent to the Pumpkinvine Creek Watershed Structure No. 50.

Unless explicitly stated herein, all other lot development standards shall comply with the R-2C zoning district as written in the City of Dallas Code of Ordinances.

The findings made herein are the opinions of the City of Dallas, Ga Development staff and do not constitute a final decision. The City of Dallas, Ga Mayor and Council makes the final decision on all Zoning/Rezoning, Land Use Permit, Special Use Permit, and Medical Hardship Applications.