



STAFF ACTION ITEM

MEETING DATE: 06/02/2025

TITLE: **A-2025-01: ANNEXATION REQUEST**

David Pearson Communities, Inc. (Applicant/Titleholder), and J. Kevin Moore, Esq.; Moore Ingram Johnson & Steele, LLP (Representative), have applied and seeks to annex & zone approximately 318.428 acres of property located at 3097 Cole Lake Road Dallas, GA 30132, from R-2 (Paulding County) to R-2 (City of Dallas) for a residential, six hundred seventy (670) unit single-family community. The subject property is located and legally known by Parcel ID No.170.2.3.001.0000 in Land Lot(s) 586, 638, 639, 640, 658, 659, 710, 711, 730, and 731, in 2nd District, 3rd Section, of Paulding County.

PRESENTED BY: *Brandon Rakestraw – Public Works Director*

AGENDA ITEM DESCRIPTION (Agenda Content):

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HISTORY/PAST ACTION:

Planning Commission: ****Recommendation**** – Denial of the annexation request (May 22, 2025)

FINANCIAL IMPACT:

Reference Attached: Extension of Services Report

INFORMATION:***A-2025-01: ANNEXATION REQUEST***

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ANNEXATION & ZONING APPLICATION AND DOCUMENTS:

Attachment A – Annexation/Zoning Official Application

Attachment B – Boundary Survey / Legal Description

Attachment C – Site Plan

Attachment D - A-2025-01_Z-2025-01_David Pearson Communities_PC Notification Letter

Attachment E – A-2025-01_Z-2025-01_David Pearson Communities_PCSS Notification Letter

Attachment F – A-2025-01_Z-2025-01_David Pearson Communities_Kevin Moore Notification Letter

Attachment G - A-2025-01_Paulding County Board of Commissioners_Chairman Estes_Response_4.13.2025

Attachment H – A-2025-01_Z-2025-01_David Pearson Communities_Kevin Moore Public Hearing Notification Letter

Attachment I - A-2025-01_Z-2025-01_David Pearson Communities Inc._LEGAL NOTICE

Attachment J - A-2025-01_Z-2025-01_David Pearson Communities LLC_Surrounding Property Owners Letter

Attachment K - DRI 3599 Canebreak West Dallas Report and Recommendations_NWGRC

Attachment L - DRI 3599 Canebreak West Residential Development_USDA_REVISION 1

Attachment M - 3599 Canebreak West Residential Development FINAL SIGNED Notice of Decision_10.4.2022

Attachment N - DRI 3599 Canebreak West Traffic Study Revised 09-29-2022

Attachment O - DRI 3599 Canebreak West Traffic Study - AR Responses to comments 09-29-2022

Property that borders the site to the north is currently inside City limits. Properties that border to the east, west, and south are all residential zoned properties in Paulding County.

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

ADJACENT ZONING

NORTH: R-2 Paulding & R-2 City

EAST: R-2 Paulding

SOUTH: R-2 Paulding

WEST: R-2 Paulding

ADJACENT DEVELOPMENT

NORTH: Arbors @ Silver Trail (City)

EAST: Somersby Place

SOUTH: Quail Run, Johnstons Landing

WEST: The Landings of Cole Lake

B. Permitted Use impact on adjacent properties

- *Proposed development density of 2.1 units per acre with proposed lot size of .20 acres (+8,500sf) with a total unit count of 670.*
- *Adjacent lot sizes are an average of .60 acres (26,135sf) in existing residential developments and +2 acres for all other stand-alone properties.*

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

- *DRI 3599 – Complete all conditions listed and found within Attachment(s) A, B, and C of the Notice of Decision.*
- *Increased traffic on Cole Lake Road and other nearby collector roads.*
- *May increase student population of nearby schools.*
- *Increased response times for city police services due to distance.*
- *Increase daily demand on Paulding County Water System.*
- *Substantial increase in customer count for city garbage service.*

E. Supported by current conditions

- *Public Water supply via Paulding County Water existing along Cole Lake Road. Water supply capacity to be verified by Paulding County.*
- *Public Roadway connection via Cole Lake Road.*
- *Property is within the City of Dallas – Sewer Service Area. Connection and extension of the city's sanitary sewer system shall be required to service.*

F. 2022 Comprehensive Plan

Conforms to the 2022-2027 Paulding County Joint Comprehensive Plan as being Community Residential character area, per the future development map shown on page 96 (MAP2.11). Property is also adjacent to a crossroad area of influence and community character corridor. Property is also shown to be located in City of Dallas Sewer Service Area.

STAFF RECOMMENDATIONS:

Based on the preceding analysis, staff recommends the following stipulations be applied:

1. Off-site sanitary sewer infrastructure is required to service subject development. Development shall be connected via gravity sewer connection. Installation of a sanitary sewer pump/lift station will not be acceptable. Owner/developer is responsible for connection and extension of the city's sanitary sewer system to service the development.
2. Developer shall enter into a development agreement with the City of Dallas for the connection and extension of the city's sanitary sewer system to service the subject development. The final cost, approved contractor, and construction plans for the connection and extension of the city's sanitary sewer system improvements will be subject to the approval of the City of Dallas. The sanitary sewer system extension shall adhere to Chapter 40-UTILITIES; ARTICLE II – Water and Sewer Service; DIVISION 2. – Sewer Use; Sec. 40-61. - Sewer extension, sewer system upgrade, and planned sewer requirements.
3. Subject development is within the West Dallas Special Utility District: Chapter 40-UTILITIES; ARTICLE II – Water and Sewer Service; DIVISION 2. – Sewer Use; Sec. 40-60. – Special utility districts. ;(g) (1): West Dallas Sewer Collector Special Utility District.; e. - The per lot fee, therefore, shall be \$1,843.00 per lot.
4. Development shall be constructed in substantial 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 adhering to and providing full compliance with the landscaping standards found in Chapter 7 of the city's Unified Development Code; including but not limited to professionally landscaped entrances, common areas, buffer areas, and amenities areas.
7. Owner/developer shall comply, design, and construct all roadway and development entrance improvements and/or transportation improvements as required by Paulding County DOT for access.
8. Owner/developer shall comply, design, and construct all offsite water system improvements and/or 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 shall be required for the development in its entirety. The Homeowners Association shall be created and enacted as part of final platting process for any development phase. Homeowners Association shall require mandatory membership.

11. 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. All homes, buildings, or other structures shall comply with standards set forth in the city's ordinance codes.
12. Owner/developer shall comply with all Georgia Safe Dams and NRCS requirements, recommendations, and guidelines in conjunction with Pumpkinvine Creek Watershed Structure No. 50 and any surrounding inventoried bodies of water; including body of water located on property.
13. Owner/developer shall provide Fiscal Impact Analysis per Chapter XI – Petitions, Permits, and Procedures; Sec. 11.05 – Zoning and Future Development Map and Text Amendments; 2). c.iii.2.
14. Owner/developer shall comply with the GRTA Notice of Decision for DRI 3599 and provide all improvement conditions included therein.

Unless explicitly stated herein, all other lot development standards shall comply with the R-2 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.