

The Northeast Georgia Regional Commission (NEGRC) has completed its review of the following Development of Regional Impact (DRI). This report contains the NEGRC’s assessment of how the proposed project relates to the policies, programs, and projects articulated in the Regional Plan and Regional Resource Plan. Also included is an assessment of likely interjurisdictional impacts resulting from the proposed development, as well as all comments received from identified affected parties and others during the fifteen-day comment period.

The materials presented in this report are purely advisory and under no circumstances should be considered as binding or infringing upon the host jurisdiction’s right to determine for itself the appropriateness of development within its boundaries.

Transmittal of this DRI report officially completes the DRI process. The submitting local government may proceed with whatever final official actions it deems appropriate regarding the proposed project, but it is encouraged to take the materials presented in the DRI report into consideration when rendering its decision.

Project I.D.:	DRI #4244
Name of Project:	Pendergrass Assemblage
Name of Host Jurisdiction:	City of Pendergrass

Background

The DRI review was initiated following the developer’s intent to request to annex parcels into the City of Pendergrass and rezone the property from A-2 (Agricultural Rural Farm District) to R-1 (Residential Low-Density Single-Family District). While a formal annexation and rezone application has not been submitted, the developer has engaged with the City of Pendergrass, provided all required information, and signaled their intent to apply following a DRI review. Potentially affected parties were asked to submit comments on the proposal during the 15-day period of 8/5/2024 to 8/20/2024.

Proposed Development

Stolz Partners, LLC. is proposing construction of 560 residential units on a 258-acre site near the City of Pendergrass. The proposed development would also include 2 park areas, an amenity area, and wooded trails. The site plan includes 1 site entrance on Brooks Road and a potential fire access entrance on Mountain Creek Drive. The development is located in unincorporated Jackson County and would require annexation.

Currently, the site is primarily woodlands with three existing detached single-family homes. The parcel numbers are 102 016, 102 017, 102 017A, and 110 027A, and they are located between Mountain Creek Drive and Brooks Road. The project would be completed in one phase with an estimated completion date in July 2031.

Compatibility with Existing Plans

Compatibility with Jackson County Comprehensive Plan

The site is identified as Agricultural and Rural on the County's Future Character Area Map, and as Agricultural/Forestry and Residential on the Future Land Use Map (dated 9/10/2020). The designated future land use of the largest parcel (102 016) is Agricultural/Forestry, and the three remaining parcels are designated Residential. The Agricultural/Forestry land use designation is described in Jackson County's Comprehensive Plan as "Much of the land in this category is simply vacant or undeveloped. The future building of dwellings or manufactured homes that are not farm-related is restricted, except for an allowance to subdivide a small number of small tracts over time for 'minor subdivisions.'" The Residential land use designation is described as "Includes dwellings of all types. Most commonly, they consist of single-family, detached dwelling units on individual lots, but the type of housing unit (e.g., stick-built versus modular or manufactured) is not differentiated according to this future land use category."

The proposed development for parcel 102 016 is not compatible with the designated Agricultural/Forestry land use. The Jackson County Comprehensive Plan indicates that major subdivisions (6 or more lots) are not compatible with this land use area. The proposed development includes 560 single-family lots, the majority of which would be situated on this parcel.

The proposed use of the three remaining parcels in the proposal is compatible with the designated Residential land use, as the developer would create a residential neighborhood. However, the proposed density of residential use is not compatible with the Agricultural and Rural Character Areas. Parcels 102 016 and 110 027A are within the Agricultural Character Area, and Parcels 102 017 and 102 017 A are within the Rural Character Area. The Jackson County Comprehensive Plan lists the following residential density land use permissions for these character areas:

Character Area	Agricultural	Rural
Residential Density Target	1 unit per 10 acres	1 unit per 3-5 acres
Residential Density Maximum	1 unit per 8 acres with additional allowances	1 unit per 1.5 acres

The proposal includes a residential density of more than 2 houses per acre, which far exceeds the listed target and maximum residential densities allowable in the Agricultural and Rural Character Areas.

Compatibility with City of Pendergrass Comprehensive Plan

In the City of Pendergrass, the area nearest to the proposed development is identified as Country Living on the City's Character Areas Map (dated 09/27/2022). Within the Country Living character area, "undeveloped, actively farmed, and/or low-density residential areas" are compatible. The Country Living description states that the area could include "master planned residential developments and will feature 1-2 acres per dwelling unit." The Pendergrass Assemblage resembles some descriptors of the character area, in that it is a planned development that includes public spaces for active and passive recreation. However, the proposal would not extend the preservation of open space for active farming and pastureland. Additionally, the proposed density of approximately 2.2 residential units per acre is the equivalent of less than half an acre per dwelling unit, which is considerably more dense than the 1-2 acres per dwelling unit specified for this character area. Lastly, the "Planning, Land Use, & Housing" section of the Pendergrass Comprehensive Plan states that the city has "neared its limits on outward expansion" due to several factors. Therefore, the City should carefully consider an annexation request and evaluate whether the proposal contributes to the community's long-term vision.

Compatibility with Regional Plan

The site is identified as “Developing” on the Northeast Georgia Regional Plan’s Regional Land Use Map (dated 6/15/2023). The Regional Plan recommends development that:

- Enhances economic mobility and competitiveness
- Elevates public health and equity
- Supports and adds value to existing communities
- Creates housing that is diverse, adequate, equitable, and affordable
- Includes transportation choices and is well-connected with existing and planned transportation options, and
- Protects natural and historic resources.

The following table outlines the proposal’s alignment with these recommendations:

REGIONAL PLAN RECOMMENDATIONS	PROPOSED PROJECT’S COMPATIBILITY WITH RECOMMENDATION
Enhances economic mobility and competitiveness	<p>The applicant states that the regional work force is sufficient to meet the demand created by the proposed project.</p> <p>The project would create opportunities for economic development by increasing the housing supply to support a growing workforce population.</p>
Elevates public health and equity	<p>The proposed development would elevate public health to the residents of the neighborhood by providing access to walking trails and outdoor amenity areas, including two parks and a pond.</p> <p>To further promote equity, the developer should consider including a range of sizes of detached single-family homes throughout the site. This would create a more mixed-income and mixed-aged community where people of different incomes and life-stages are more likely to interact with one another.</p>
Supports and adds value to existing communities	<p>The local government and the developer should consider incorporating a road connection to Mountain Creek Drive. This would allow residents in the existing community to have better access to the amenities proposed in the development.</p>
Creates housing that is diverse, adequate, equitable, and affordable	<p>No details regarding unit elevations or home size were included in the proposal. The proposed development includes 560 detached single-family homes. To create more equitable and affordable housing options, the developer should consider incorporating different home sizes that vary in cost in the site plan.</p>
Includes transportation choices and is well-connected with existing and planned transportation options	<p>The proposed site plan only includes one entrance to the existing road network on Brooks Road. The developer should consider adding an additional full-access connection to Mountain Creek Drive where the “Potential Fire Access” entrance is shown on the site plan. This would provide direct access to the neighborhoods on the other side of the development and contribute to more functional traffic circulation.</p>

	<p>The developer should consider connecting some of the internal cul-de-sacs in the site plan while maintaining a low impact to wetlands and State waters. This would improve circulation and delivery of services throughout the development and improve the resident access to the trail system.</p> <p>The developer should also consider including street stub(s) for a future road connection to the surrounding large vacant lots.</p>
<p>Protects natural and historic resources</p>	<p>The proposal does not contribute to the protection of natural and historic resources. The site plan proposes building single-family detached homes and roadways in an existing wetland area east of the City of Pendergrass. The site plan does propose buffer areas along the tributary of Mountain Creek that runs through the site to minimize disruption to the watershed. The developer should consider including permeable pavement in target areas throughout the site to minimize the volume of stormwater runoff generated by the development.</p>

Potential Interjurisdictional Impacts

Natural Resources

The development would be located within areas containing State waters and wetlands. A tributary of Mountain Creek runs through the middle of the site and there is a pond located on the site. The site plan proposes buffer areas along the streams to minimize disruption to the existing watershed and avoid future erosion. The applicant states that the project is unlikely to affect all environmental quality factors identified on the DRI Additional Form, including water supply watersheds, groundwater recharge areas, protected mountain and river corridors, historic resources, and other environmentally sensitive resources. Refer to the attached site plan for any stream, floodplain, and buffer locations.

The chart below summarizes the number of acres within the site area as well as within a one-mile buffer around the site that contains 1) wetlands, 2) conservation land, 3) regionally important resources, and 4) threatened regionally important resources. Please refer to the footnotes for definitions for each of these terms.

Wetland, Conservation, and Regionally Important Resources

	AREA TYPE	AREA (ACRES)	PERCENT OF AREA (%)
SITE AREA 257.92	Wetland Acres ¹	2.2	0.8
	“Conservation Land” ²	70.9	27.7
	Regionally Important Resource Land ³	53.9	21.1
	Threatened Regionally Important Resource Land ⁴	70.9	27.7
1 MILE BUFFER AROUND SITE 3186.7	Wetland Acres	142.9	4.5
	“Conservation Land”	1,298.3	40.7
	Regionally Important Resource Land	1,013.4	31.8
	Threatened Regionally Important Resource Land	1,298.3	40.7

No specific Regionally Important Resource sites are identified within one mile of the proposed site. The Regionally Important Resource Land located within the proposed site area is part of the Northeast Georgia Green Infrastructure Network as identified in the Northeast Georgia Resource Management Plan for Regionally Important Resources (dated 8/7/2018). The Northeast Georgia Green Infrastructure Network is intended to serve as a strategically planned and managed network of wilderness, parks, greenways, conservation easements, and working lands with conservation value that benefits wildlife and people, supports native species, maintains natural ecological processes, sustains air and water resources, links urban settings to rural ones, and contributes to the health and quality of life for the communities and citizens sharing this network. While the proposal only minimally reserves undeveloped land, it does include trails throughout the wooded areas that would contribute to the health and quality of life for the communities and citizens sharing the amenities.

Transportation

The local government projects 980 new daily trips, including 422 AM peak hour trips and 558 PM peak hour trips from the proposed development. The site plan includes one road connection to the existing road network on Brooks Drive and a potential fire access lane on Mountain Creek Drive. As stated previously, the developer and local government should consider adding a road connection to Mountain Creek Drive to provide better circulation and access to the neighborhood. Refer to the Regional Plan Compatibility Table for additional suggestions regarding transportation.

A formal traffic study has not been performed for the proposed development. Engineered plans will determine whether there is any need for transportation improvements to serve this project. Refer to the site plan for the location of proposed infrastructure.

¹ Wetland acres are derived from the National Wetland Inventory (NWI)

² “Conservation” land is derived from the Northeast Georgia Regional Plan’s Conservation and Development Map (6/15/2023).

³ Regionally Important Resources were identified as a part of the Northeast Georgia Resource Management Plan for Regionally Important Resources (2/15/2018).

⁴ This area represents the intersection between Conservation areas (identified on the Conservation and Development Map, 6/15/2023), adopted Regionally Important Resources (RIR), and “Developed” and “Developing” Regional Land Use areas (identified on the Regional Land Use Map, 6/15/2023).

Water Supply and Wastewater

The project would be served by Jackson County Water and Sewage with an estimated daily demand of 0.159 MGD for each system. The applicant states that these demands can be covered by existing capacity. A 2.25-mile water and sewer line extension would be required to serve this project.

Stormwater Management

An estimated 42% of the site would be covered in impervious surfaces. The number of retention ponds planned to manage stormwater runoff have not yet been determined. No stormwater management infrastructure is indicated on the site plan.

The proposal should be designed to minimize disruption to the existing streams, associated wetlands, and floodplains to avoid future erosion, flooding, and degraded water quality onsite and downstream from the site. Low impact design measures, like bioswales, rain gardens, and other green infrastructure should be incorporated into the project design. At minimum, the project should be in accordance with the latest edition of the Georgia Stormwater Management Manual (Blue Book) and meet all relevant EPD requirements.

Solid Waste

The applicant estimates the project would generate 1,152 tons of solid waste annually and that sufficient landfill capacity exists to handle this waste. According to annual tonnage reports from the Georgia Environmental Protection Division, most municipal solid waste (MSW) generated in Jackson County is disposed of in a landfill in Banks County. The applicant states that no hazardous waste would be generated.

Lifecycle Costs and Revenues

The applicant estimates that the project would be worth \$285,000 at build-out in 2031 and generate \$2,400,000 in annual local taxes. On a per-acre basis, the project would be worth approximately \$110,499 and generate approximately \$9,305 in tax revenue. Prior to approval, the City and County service providers should measure the life cycle costs of the infrastructure needed to serve this project to ensure that they would not be committing to more maintenance expenses than the new tax revenue can cover.

Comments from Affected Parties

Jamie Dove, Jackson County Public Development Director

1. An annexation application has not been received at this time by Jackson County Government. To our best understanding, an application for annexation has not been received at this time by the City of Pendergrass to even notify us. We are aware that an annexation or rezone application would ultimately trigger the DRI process and are still very concerned that this DRI has been sent out. These pieces are still very much in unincorporated Jackson County for us to speak on rules and regulations regarding their development, especially since an annexation application is not present.
2. Jackson County Character Area and Future Land Use Designation maps are not consistent with this type of development, much less the density of it.
3. Jackson County has environmental concerns with the amount of State water situated on these properties and how buffering will be handled and managed.
4. Jackson County has significant roadway concerns given the amount of traffic the roadways in this area will see as a direct result of a development this size. If within unincorporated Jackson County, impact fees exist for this very reason. However, this development would hold significant impact, yet not be responsible for the maintenance or upkeep of these roadways, as they would be on the County's inventory.

Alan Hood, Airport Safety Data Program Manager, Georgia Department of Transportation

This proposed construction of 560 residential units on a 257.92-acre tract zoned A-2 (Agricultural Rural Farm District) is 8 miles from the Jackson County Airport (JCA). It is located outside any FAA approach or departure surfaces, and airport compatible land use areas, and does not appear to impact any airport.

If any construction equipment or construction exceeds 200' AGL, an FAA Form 7460-1 must be submitted to the Federal Aviation Administration according to the FAA's Notice Criteria Tool found here (<https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeRequiredToolForm>). Those submissions for any associated cranes may be done online at <https://oeaaa.faa.gov>. The FAA must be in receipt of the notifications, no later than 120 days prior to construction. The FAA will evaluate the potential impacts of the project on protected airspace associated with the airports and advise the proponent if any action is necessary.