



City Council Regular Meeting

Monday, May 04, 2026

5:15 PM

City Hall, 129 E Memorial Dr, Dallas GA 30132

Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of a meeting or the facilities, are required to promptly contact the City's ADA Coordinator Brandon Rakestraw at 770.443.8110 ext. 1401 to allow the city to make reasonable accommodations for those persons.

AGENDA

PUBLIC HEARING

- A. Georgia Capital, LLC (Applicant), Estate of Mary Sue Tibbitts; 230 Summerhill Road, LLC.; Mike J. Pope (Titleholder), and Moore Ingram Johnson & Steele, LLP; J. Kevin Moore (Representative), have applied and seek to annex & zone +/-34.455 acres of property located at the Northwesternly and Southeasterly sides of Summerhill Road, from R-2 & B-2 (Paulding County) to TH-Townhome and C-2 Commercial Medium-Density (City of Dallas) for a residential , one hundred seventy-five (175) unit townhome community and medium-density commercial space for retail and office use. The subject property is located and legally known by Tax Parcel ID No(s):147.1.2.002.0000; 147.1.3.008.0000; 147.1.3.010.0000, in Land Lot(s): 458; 459; 479, 2nd District, 3rd Section, of Paulding County.
- B. Georgia Capital, LLC (Applicant), Estate of Mary Sue Tibbitts; 230 Summerhill Road, LLC.; Mike J. Pope (Titleholder), and Moore Ingram Johnson & Steele, LLP; J. Kevin Moore (Representative), have applied and seek to annex & zone +/-34.455 acres of property located at the Northwesternly and Southeasterly sides of Summerhill Road, from R-2 & B-2 (Paulding County) to TH-Townhome and C-2 Commercial Medium-Density (City of Dallas) for a residential , one hundred seventy-five (175) unit townhome community and medium-density commercial space for retail and office use. The subject property is located and legally known by Tax Parcel ID No(s):147.1.2.002.0000; 147.1.3.008.0000; 147.1.3.010.0000, in Land Lot(s): 458; 459; 479, 2nd District, 3rd Section, of Paulding County.
- C. Public Safety Development Impact Fee Program Proposed Ordinance Amendment

CALL TO ORDER

INVOCATION AND PLEDGE

RECOGNITION OF VISITORS AND COMMENTS

MINUTES APPROVAL

- 1. April 6, 2026, Regular Meeting Minutes

CONSENT AGENDA

- 2. Authorization of final installment payment to Axon Enterprise, Inc. — Invoice No. INUS437940, \$24,147.27, representing the fifth and final annual payment under a 5-year Taser 7 equipment and service agreement (Quote No. Q-378694) entered in 2022. Total contract value: approximately \$120,736.

- [3.](#) RES 2026-13: Atlanta Gas Line Relocation
- [4.](#) RES 2026-15: Ratify PSA assignment to DDA 100 W Griffin
- [5.](#) RES 2026-16: Approve changing amenities 200 Lester Drive

OLD BUSINESS

- [6.](#) A-2026-01: Annexation Application No. A-2025-03; Blue River Development
- [7.](#) Zoning Map Amendment Ordinance Z-2026-01: Zoning Application No. Z-2025-05; Blue River Development
- [8.](#) Zoning Map Amendment Ordinance Z-2026-02: Zoning Application No. Z-2025-06; Jeff Helms

NEW BUSINESS

- [9.](#) Georgia Capital, LLC (Applicant), Estate of Mary Sue Tibbitts; 230 Summerhill Road, LLC.; Mike J. Pope (Titleholder), and Moore Ingram Johnson & Steele, LLP; J. Kevin Moore (Representative), have applied and seek to annex & zone +/-34.455 acres of property located at the Northwesterly and Southeasterly sides of Summerhill Road, from R-2 & B-2 (Paulding County) to TH-Townhome and C-2 Commercial Medium-Density (City of Dallas) for a residential , one hundred seventy-five (175) unit townhome community and medium-density commercial space for retail and office use. The subject property is located and legally known by Tax Parcel ID No(s):147.1.2.002.0000; 147.1.3.008.0000; 147.1.3.010.0000, in Land Lot(s): 458; 459; 479, 2nd District, 3rd Section, of Paulding County.
- [10.](#) Georgia Capital, LLC (Applicant), Estate of Mary Sue Tibbitts; 230 Summerhill Road, LLC.; Mike J. Pope (Titleholder), and Moore Ingram Johnson & Steele, LLP; J. Kevin Moore (Representative), have applied and seek to annex & zone +/-34.455 acres of property located at the Northwesterly and Southeasterly sides of Summerhill Road, from R-2 & B-2 (Paulding County) to TH-Townhome and C-2 Commercial Medium-Density (City of Dallas) for a residential , one hundred seventy-five (175) unit townhome community and medium-density commercial space for retail and office use. The subject property is located and legally known by Tax Parcel ID No(s):147.1.2.002.0000; 147.1.3.008.0000; 147.1.3.010.0000, in Land Lot(s): 458; 459; 479, 2nd District, 3rd Section, of Paulding County.
- [11.](#) Request approval to enter into an Engineering Agreement with Keck & Wood, Inc., for professional engineering and design services for the Dallas Battlefield Trail Phase III Project for a total contract amount of \$391,630.00.
- [12.](#) Request approval to award and enter a Construction Agreement with HD Excavation and Utilities, LLC., for construction of the Wildwood Utility Replacement Project for a total contract amount of \$367,502.50.
- [13.](#) Request approval to execute and accept a Quit Claim Deed for Public Right-of-Way of Rich Osborne Road. This will be a public right-of-way transition between Paulding County, Georgia (Grantor) and City of Dallas, Georgia (Grantee).
- [14.](#) RES 2026-12: Approving the TAN for the City in the amount of up to \$1,000,000 to be paid off December 31, 2026.
- [15.](#) RES 2026-14: Approving the acceptance of a microgrant and for the purchase of equipment at approximately \$32,000, and approving the Police Department finding of sole-source.

- [16.](#) First Read: Charter Amendment CA-2026-01; Amendment to the City Charter as a part of the overhaul of the Purchasing and Procurement of the City of Dallas.
- [17.](#) First Read: ORD 2026-01; Creating Chapter 23 Vacancy/Blight
- [18.](#) First Read: OA 2026-03; Repeal and replace the purchasing ordinance of the City as part of the purchasing and procurement overhaul.
- [19.](#) First Read: OA 2026-04; To add alkaline hydrolysis as a separate item from cremation to allow for such in legal non-conforming funeral homes and to define same.

ADDITIONAL/COMMENTS**ADJOURNMENT**



STAFF ACTION ITEM *PUBLIC HEARING*

MEETING DATE: 05/04/2026

TITLE: **A-2025-04: ANNEXATION PUBLIC HEARING**

Georgia Capital, LLC (Applicant), Estate of Mary Sue Tibbitts; 230 Summerhill Road, LLC.; Mike J. Pope (Titleholder), and Moore Ingram Johnson & Steele, LLP; J. Kevin Moore (Representative), have applied and seek to annex & zone +/-34.455 acres of property located at the Northwesterly and Southeasterly sides of Summerhill Road, from R-2 & B-2 (Paulding County) to TH-Townhome and C-2 Commercial Medium-Density (City of Dallas) for a residential , one hundred seventy-five (175) unit townhome community and medium-density commercial space for retail and office use. The subject property is located and legally known by Tax Parcel ID No(s):147.1.2.002.0000; 147.1.3.008.0000; 147.1.3.010.0000, in Land Lot(s): 458; 459; 479, 2nd District, 3rd Section, of Paulding County.

PRESENTED BY: **Brandon Rakestraw – Community Development Director**

AGENDA ITEM DESCRIPTION (Agenda Content):

A-2025-04 : ANNEXATION PUBLIC HEARING

Georgia Capital, LLC (Applicant), Estate of Mary Sue Tibbitts; 230 Summerhill Road, LLC.; Mike J. Pope (Titleholder), and Moore Ingram Johnson & Steele, LLP; J. Kevin Moore (Representative), have applied and seek to annex & zone +/-34.455 acres of property located at the Northwesterly and Southeasterly sides of Summerhill Road, from R-2 & B-2 (Paulding County) to TH-Townhome and C-2 Commercial Medium-Density (City of Dallas) for a residential , one hundred seventy-five (175) unit townhome community and medium-density commercial space for retail and office use. The subject property is located and legally known by Tax Parcel ID No(s):147.1.2.002.0000; 147.1.3.008.0000; 147.1.3.010.0000, in Land Lot(s): 458; 459; 479, 2nd District, 3rd Section, of Paulding County.

HISTORY/PAST ACTION:

Planning Commission – Public Hearing; April 23, 2026

****Recommendation**** – *Approve the annexation request as follows:*

- *Approve as presented*
-

INFORMATION:

A-2025-04: ANNEXATION PUBLIC HEARING

Georgia Capital, LLC (Applicant), Estate of Mary Sue Tibbitts; 230 Summerhill Road, LLC.; Mike J. Pope (Titleholder), and Moore Ingram Johnson & Steele, LLP; J. Kevin Moore (Representative), have applied and seek to annex & zone +/-34.455 acres of property located at the Northwesterly and Southeasterly sides of Summerhill Road, from R-2 & B-2 (Paulding County) to TH-Townhome and C-2 Commercial Medium-Density (City of Dallas) for a residential, one hundred seventy-five (175) unit townhome community and medium-density commercial space for retail and office use. The subject property is located and legally known by Tax Parcel ID No(s):147.1.2.002.0000; 147.1.3.008.0000; 147.1.3.010.0000, in Land Lot(s): 458; 459; 479, 2nd District, 3rd Section, of Paulding County.

ANNEXATION & ZONING APPLICATION AND DOCUMENTS:

A-2025-04 & Z-2025-07 – Planning & Zoning Staff Document

Attachment A – Annexation/Zoning Official Application

Attachment B – Boundary Survey / Legal Description

Attachment C – Site Plan

Attachment D - A-2025-04_Z-2025-07_Georgia Capital, LLC - Paulding County Notification Letter

Attachment E – A-2025-04_Z-2025-07_ Georgia Capital, LLC - Paulding County School System Notification Letter

Attachment F – A-2025-04_Z-2025-07_ Georgia Capital, LLC / Moore Ingram Johnson & Steele, LLP - Notification Letter

Attachment G – A-2025-04_Z-2025-07_ Georgia Capital, LLC / Moore Ingram Johnson & Steele, LLP - Public Hearing Notification Letter

Attachment H - A-2025-04_Z-2025-07_ Georgia Capital, LLC - Legal Notice

Attachment I - A-2025-04_Z-2025-07_ Georgia Capital, LLC - Surrounding Property Owners Letter

Attachment J - A-2025-04_Z-2025-07_ Georgia Capital, LLC - Proposed Architectural Elevations

****These items can be found in and attached to A-2025-04 & Z-2025-07 annexation & rezoning agenda item. ****



STAFF ACTION ITEM

PUBLIC HEARING

MEETING DATE: 05/04/2026

TITLE: Z-2025-07: ZONING PUBLIC HEARING

Georgia Capital, LLC (Applicant), Estate of Mary Sue Tibbitts; 230 Summerhill Road, LLC.; Mike J. Pope (Titleholder), and Moore Ingram Johnson & Steele, LLP; J. Kevin Moore (Representative), have applied and seek to annex & zone +/-34.455 acres of property located at the Northwesterly and Southeasterly sides of Summerhill Road, from R-2 & B-2 (Paulding County) to TH-Townhome and C-2 Commercial Medium-Density (City of Dallas) for a residential , one hundred seventy-five (175) unit townhome community and medium-density commercial space for retail and office use. The subject property is located and legally known by Tax Parcel ID No(s):147.1.2.002.0000; 147.1.3.008.0000; 147.1.3.010.0000, in Land Lot(s): 458; 459; 479, 2nd District, 3rd Section, of Paulding County.

PRESENTED BY: **Brandon Rakestraw – Community Development Director**

AGENDA ITEM DESCRIPTION (Agenda Content):

Z-2025-07: ZONING PUBLIC HEARING

Georgia Capital, LLC (Applicant), Estate of Mary Sue Tibbitts; 230 Summerhill Road, LLC.; Mike J. Pope (Titleholder), and Moore Ingram Johnson & Steele, LLP; J. Kevin Moore (Representative), have applied and seek to annex & zone +/-34.455 acres of property located at the Northwesterly and Southeasterly sides of Summerhill Road, from R-2 & B-2 (Paulding County) to TH-Townhome and C-2 Commercial Medium-Density (City of Dallas) for a residential , one hundred seventy-five (175) unit townhome community and medium-density commercial space for retail and office use. The subject property is located and legally known by Tax Parcel ID No(s):147.1.2.002.0000; 147.1.3.008.0000; 147.1.3.010.0000, in Land Lot(s): 458; 459; 479, 2nd District, 3rd Section, of Paulding County.

HISTORY/PAST ACTION:

Planning Commission – Public Hearing; April 23, 2026

****Recommendation**** – *Approve the zoning/rezoning request as follows:*

- *Approval - Rezoning Application Z-2025-07 with the following conditions:*
 - *Staff Recommendations: No(s) 1-11 as presented and specified in the Planning & Zoning Staff Document.*
 - *Ownership and Rental Restrictions Stipulation as specified in item C. below (Revised Staff Recommendation No. 12)*
- *Intended Use of Property: Commercial / Office & Attached Townhomes*
- *Proposed Lot Sizing: C-2 +/-9.335 acres; TH +/-26.298 acres*
- *Proposed Unit Count: C-2 Tract A +/-78,800; C-2 Tract B +/-9,400; TH 175-units*
- *Proposed townhome development density of 6.65 units per acre*
- *Zoning District: C-2 Medium-Density Commercial District & TH Townhome Residential District (City)Stipulations: All staff recommended stipulations as listed below.*
 1. *Development shall be constructed in substantial conformity to the site plan provided in zoning application.*
 2. *Owner/developer shall provide a minimum 20-foot planted or natural (where possible) buffer around the site perimeter and a minimum 20-foot-wide landscape area adjacent to public roads or right-of-way. Buffers and landscape areas shall be designated as common areas controlled by a Homeowner's Association.*
 3. *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.*
 4. *Owner/developer shall comply, design, and construct all roadway and development entrance improvements and/or transportation improvements as required by Georgia Department of Transportation and/or Paulding County Department of Transportation and/or City of Dallas for access.*
 5. *Owner/developer shall comply, design, and construct all offsite sanitary sewer system and/or water system improvements and/or upgrades required by Paulding County Water System for servicing the proposed development.*

6. *The Developer shall install, operate, and maintain a complete Automated License Plate Reader (ALPR) system at each entrance at its sole cost and expense. The Developer must grant immediate and unfettered access to all ALPR data and live feeds to the Dallas Police Department. The system must comply with all applicable federal, state, and local laws, and the Dallas Police Department's established policies and procedures.*
 - a. *Installation & Maintenance: Developer is responsible for all costs related to procurement, installation, maintenance, software access, data hosting, and support of the ALPR system.*
 - b. *System Specifications: The system, including camera locations, power sources, and data storage mechanisms, must meet the technical specifications and approval of the Dallas Police Department.*
 - c. *Law Enforcement Access & Use: Legal ownership and control of the data reside with the Dallas Police Department, and the Developer shall ensure seamless integration and access for law enforcement personnel for public safety and investigative purposes.*
7. *A Homeowners Association shall be required for the Town Home 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.*
8. *A Property Management Association shall be required for the C-2 commercial development in its entirety. The Property Management Association shall be created and enacted as part of final platting process for any development phase. Property Management Association shall include all commercial zoned property mandatory.*
9. *Owner/developer shall supply for City of Dallas approval, detailed architectural elevation design plans for front, left side, right side, and rear of townhomes for each townhome to be constructed. All townhomes, buildings, or other structures shall comply with standards set forth in the city's ordinance codes.*
10. *Owner/developer shall supply for City of Dallas approval, detailed architectural elevation design plans for front, left side, right side, and rear of commercial buildings for each commercial building to be constructed. All buildings, or other structures shall comply with standards set forth in the city's ordinance codes.*
11. *Owner/developer shall provide written notice of concurrence stating noted impact have been satisfied from all entities found in the Fiscal Impact Analysis including but not limited to Paulding County School System, Paulding County Department of Transportation, Paulding County Water System, Paulding County Sheriff's Office, Paulding County Fire Department, Georgia Department of Transportation, City of Dallas Police Department and Solid Waste Department, Greystone Power/GA Power Company, Comcast, AT&T, Southern Company Gas, and any additional utility provider located in and servicing the development area.*
12. ~~*Owner/developer shall agree rental properties shall not exceed 10% (Seventeen (17) units) of the overall 175-unit count.*~~ *Ownership and Rental Restrictions (Revised Staff Recommendation No.12):*

Prior to or concurrent with approval of the preliminary plat, the Owner/Developer shall provide to the City a legally binding instrument, in a form acceptable to the City Attorney, establishing the ownership and rental structure for the subject development. Such instrument shall irrevocably elect and enforce one (1) of the following development options:

1. **For-Rent Community Option:** The development shall be established and maintained as a one hundred percent (100%) for-rent townhome community, owned and operated under the unified control of a single ownership entity and/or management company. Individual unit sales shall be prohibited.

OR

2. **For-Sale Community with Rental Cap Option:** The development shall be established as a for-sale townhome community. Rental of units shall be limited to no more than ten percent (10%) of the total number of units within the development, not to exceed seventeen (17) units based on the approved maximum of one hundred seventy-five (175) units.

The option selected by the Owner/Developer in the required legal instrument shall be incorporated into the homeowners' association (HOA) covenants, conditions, and restrictions (CC&Rs) and/or bylaws, as applicable, and shall be recorded with the final plat. Such provisions shall run with the land and be binding on all successors and assigns.

Unless explicitly stated herein, all other lot and development standards shall comply with the C-1 & TH zoning district as written in the City of Dallas Unified Development Code. All other regulation, requirements, standards and specification shall comply with City of Dallas Code of Ordinances.

FINANCIAL IMPACT:

N/A

INFORMATION:

Z-2025-07: ZONING PUBLIC HEARING

Georgia Capital, LLC (Applicant), Estate of Mary Sue Tibbitts; 230 Summerhill Road, LLC.; Mike J. Pope (Titleholder), and Moore Ingram Johnson & Steele, LLP; J. Kevin Moore (Representative), have applied and seek to annex & zone +/-34.455 acres of property located at the Northwesterly and Southeasterly sides of Summerhill Road, from R-2 & B-2 (Paulding County) to TH-Townhome and C-2 Commercial Medium-Density (City of Dallas) for a residential, one hundred seventy-five (175) unit townhome community and medium-density commercial space for retail and office use. The subject property is located and legally known by Tax Parcel ID No(s):147.1.2.002.0000; 147.1.3.008.0000; 147.1.3.010.0000, in Land Lot(s): 458; 459; 479, 2nd District, 3rd Section, of Paulding County.

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***These items can be found in and attached to A-2025-04 & Z-2025-07 annexation & rezoning agenda item. ***

**DALLAS POLICE DEPARTMENT**

*120 Main Street
Dallas, Ga 30132
Telephone (770) 443-8100*



*A.J. Duvall
Chief of Police*

*S.M. Kish
Assistant Chief*

STAFF ACTION ITEM

Meeting Date: May 04, 2026

Title: Public Hearing

Presentation By: Chief Duvall

Agenda Item Description:

Public Hearing regarding establishment of Public Safety Development Impact Fee Program

History/Past Action:

First Public Hearing Monday March 02, 2026; Advisory Committee established March 02, 2026 pursuant to Resolution number 2026-04 and Resolution 2026-06; First Advisory Committee meeting April 01, 2026.

Financial Impact: TBD

Information:

This public hearing is to receive public comment on a proposed ordinance to amend the City of Dallas Code of Ordinances by adding a new Section 34-29 in Chapter 34, Article II, establishing a Public Safety Development Impact Fee Program applicable to new development, consistent with O.C.G.A § 36-71-1.

Following the hearing, the Mayor and City Council will consider the proposal.



City Council Regular Meeting

Monday, April 06, 2026

5:15 PM

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MINUTES

PUBLIC HEARING

- A. Z-2025-06: Jeff Helms (Applicant / Titleholder), and Elite Engineering, Jonathan Jones (Representative), have applied and seek to rezone +/-6.351 acres of property located at 361 West Avenue; Dallas, GA 30157, from R-1 Low-Density Single-family Residential (City of Dallas) to R-2 Medium-Density Single-family Residential (City of Dallas) for a residential, (19) Nineteen-unit single-family development. The subject property is located in Land Lot 480; 2nd District; 3rd Section, of Paulding County and legally known by Tax Parcel ID No.147.1.4.001.0000. Public Hearing closed by Mayor Kelly.

Z-2025-06: Jeff Helms (Applicant / Titleholder), and Elite Engineering, Jonathan Jones (Representative), have applied and seek to rezone +/-6.351 acres of property located at 361 West Avenue; Dallas, GA 30157, from R-1 Low-Density Single-family Residential (City of Dallas) to R-2 Medium-Density Single-family Residential (City of Dallas) for a residential, (19) Nineteen-unit single-family development. The subject property is located in Land Lot 480; 2nd District; 3rd Section, of Paulding County and legally known by Tax Parcel ID No.147.1.4.001.0000. Public Hearing closed by Mayor Kelly.

CALL TO ORDER

PRESENT

Mayor L. James Kelly
Councilmember Leah Alls
Councilmember Nancy Arnold
Councilmember James Henson
Councilmember Cooper Cochran
Councilmember Candace Callaway

ABSENT

Councilmember Christopher Carter

INVOCATION AND PLEDGE

Sammy Callahan led the Invocation and Pledge.

RECOGNITION OF VISITORS AND COMMENTS

None

MINUTES APPROVAL

1. Motion to adopt March 02, 2026, Regular Meeting Minutes.

Motion made by Councilmember Alls, Seconded by Councilmember Cochran.

Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Henson, Councilmember Cochran, Councilmember Callaway

CONSENT AGENDA

Motion to approve the following items.

Motion made by Councilmember Alls, Seconded by Councilmember Callaway.

Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Henson, Councilmember Cochran, Councilmember Callaway

2. Request approval to purchase the following new vehicle from Hardy Family Ford. This purchase will utilize State of Georgia Contract No. 99999-SPD-SPD0000155-0005 - Truck Chassis and Truck Bodies. Total purchase amount \$87,737.00
3. Request approval to purchase the following new equipment from Atlanta Kubota, LLC.. This purchase will utilize Sourcewell Contract No. 112624-KBA – Ground Maintenance, CE, Utility Tractors, Mowers, RTV's. Total purchase amount \$76,594.95

OLD BUSINESS

4. Motion to adopt RES 2026-09: Camera Enforcement establishing operational hours.

Motion made by Councilmember Alls, Seconded by Councilmember Henson.

Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Henson, Councilmember Cochran, Councilmember Callaway

5. Motion to adopt A-2025-03: Blue River Development, LLC (Applicant), Linda Paris Holley & Larry D. Paris (Titleholder), and LJA Engineering, Inc.; Tyler Lasser (Representative), have applied and seeks to annex & zone approximately 32.286 acres of property located at 2076 Jimmy Lee Smith Parkway; Dallas, GA 30157, from R-2 (Paulding County) to TH-Townhome and C-1 Commercial Low-density (City of Dallas) for a residential , one hundred thirteen (99) unit townhome community and low-density commercial space for medical office use. The subject property is located and legally known by Tax Parcel ID No.147.1.4.001.0000 in Land Lot 480, 2nd District, 3rd Section, of Paulding County with 13 stipulations agreed to by applicant.

Motion made by Councilmember Henson, Seconded by Councilmember Alls.

Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Henson

Voting Nay: Councilmember Cochran, Councilmember Callaway

6. Motion to adopt Z-2025-05: Blue River Development, LLC (Applicant), Linda Paris Holley & Larry D. Paris (Titleholder), and LJA Engineering, Inc.; Tyler Lasser (Representative), have applied and seeks to annex & zone approximately 32.286 acres of property located at 2076 Jimmy Lee Smith Parkway; Dallas, GA 30157, from R-2 (Paulding County) to TH-Townhome and C-1 Commercial Low-density (City of Dallas) for a residential , one hundred thirteen (99) unit townhome community and low-density commercial space for medical office use. The subject property is located and legally known by Tax

Parcel ID No.147.1.4.001.0000 in Land Lot 480, 2nd District, 3rd Section, of Paulding County with 13 stipulations agreed to by applicant.

Motion made by Councilmember Henson, Seconded by Councilmember Alls.

Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Henson

Voting Nay: Councilmember Cochran, Councilmember Callaway

NEW BUSINESS

7. Motion to remove RES 2026-11: Supporting Local Legislation providing a \$50,000 Homestead Exemption for Homeowners in Dallas.

Motion made by Councilmember Callaway, Seconded by Councilmember Arnold.

Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Henson, Councilmember Cochran, Councilmember Callaway

8. Motion to adopt Z-2025-06: Jeff Helms (Applicant / Titleholder), and Elite Engineering, Jonathan Jones (Representative), have applied and seek to rezone +/-6.351 acres of property located at 361 West Avenue; Dallas, GA 30157, from R-1 Low-Density Single-family Residential (City of Dallas) to R-2 Medium-Density Single-family Residential (City of Dallas) for a residential, (19) Nineteen-unit single-family development. The subject property is located in Land Lot 480; 2nd District; 3rd Section, of Paulding County and legally known by Tax Parcel ID No.147.1.4.001.0000 with 9 stipulations agreed to by applicant.

Motion made by Councilmember Callaway, Seconded by Councilmember Cochran.

Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Henson, Councilmember Cochran, Councilmember Callaway

9. Motion to adopt RES 2026-10: This resolution amends the originally approved annexation and zoning stipulations for applications A-2021-03 and Z-2021-04.

Motion made by Councilmember Cochran, Seconded by Councilmember Arnold.

Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Henson, Councilmember Cochran, Councilmember Callaway

10. Motion for approval to enter and execute Amendment No. 1 for the Cole Lakes Development Subdivisions Development Agreement. This amendment will replace Section 1 of the agreement in its entirety.

Motion made by Councilmember Henson, Seconded by Councilmember Alls.

Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Henson, Councilmember Cochran, Councilmember Callaway

11. Motion to approve award the Head Place Sanitary Sewer Aerial Creek Crossing Replacement Project; Bid No. 2026-01; Bid Date: March 17, 2026, to HD Excavations & Utilities, LLC. This project will utilize System Development Funds within the Water and Sewer Department. Total bid award amount \$295,050.00.

Motion made by Councilmember Callaway, Seconded by Councilmember Cochran.

Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Henson, Councilmember Cochran, Councilmember Callaway

12. Motion for approval to enter into an Engineering Agreement with Ardurra for utility relocations related to Paulding County DOTs - State Route 6 and West Memorial Drive Round-a-bout Intersection Improvement Project. The total contract amount is \$54,500.00.

Motion made by Councilmember Arnold, Seconded by Councilmember Alls.

Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Henson, Councilmember Cochran, Councilmember Callaway

ADDITIONAL/COMMENTS

None

ADJOURNMENT

Motion to adjourn.

Motion made by Councilmember Arnold, Seconded by Councilmember Alls.

Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Henson, Councilmember Cochran, Councilmember Callaway

Mayor, L. James Kelly

Date

City Clerk, Tina Clark

Date



STAFF ACTION ITEM

MEETING DATE: 05.04.2026

TITLE: Chief of Police

PRESENTED BY: Joe Duvall

AGENDA ITEM DESCRIPTION (Agenda Content):

Authorization of final installment payment to Axon Enterprise, Inc. — Invoice No. INUS437940, \$24,147.27, representing the fifth and final annual payment under a 5-year Taser 7 equipment and service agreement (Quote No. Q-378694) entered in 2022. Total contract value: approximately \$120,736.

HISTORY/PAST ACTION:

FINANCIAL IMPACT:

\$24,147.27

INFORMATION:

Final Invoice is attached.



Axon Enterprise Inc.
PO BOX 29661
DEPARTMENT 2018
PHOENIX, AZ 85038-9661
Ph: 1-800-978-2737
arinquiries@axon.com
www.axon.com
TIN: 86-0741227
DUNS Number: 832176382
UEI Number: TBW7MGPYURM7

BILL TO

Dallas Police Dept.- GA
120 Main St
Dallas, GA 30132-4271
USA

Invoice

Invoice ID INUS437940
Invoice Account 326651
Date 15-Apr-26
Payment Term Net 30 days
PO/DO #
Quote # Q-378694,
Sales Order #
Terms of Delivery FCA
Customer Reference Q-378694,

SHIP TO

Dallas Police Dept.- GA
120 Main St
Dallas, GA 30132-4271
USA

		Bundled Item Number	Bundled Description	Bundled Quantity			Invoice Plan %	Amount
		2022T7CertVR	2022 Taser 7 Cert Bundle W/ VR	1.00			19.99999%	22,547.95

Line No.	Ship to*	Item Number	Description	Quantity	Unit Price	Invoice Plan %	Amount
1	1	20297	VR TABLET CASE Tax Date 15-Apr-26 Shipment Date: 09/26/2022	1.00	47.83	19.99999%	
2	1	22197	TASER 7 VR CARTRIDGE, CLOSE-QUARTERS (12- DEGREE) Tax Date 15-Apr-26 Shipment Date: 09/26/2022	2.00	71.75	19.99999%	
3	1	80396	AXON TASER - EXT WARRANTY - DOCK SIX BAY T7/T10 Tax Date 15-Apr-26 Shipment Date: 04/14/2022	1.00	257.04	19.99999%	

PAYMENT REMITTANCE INFORMATION

For ACH/EFT Payment: (Preferred Method)		For Wire Transfers		For Check Payments Mail To:	For Overnight Check Payments Mail
Account Name	Axon Enterprise, Inc.	Beneficiary	Axon Enterprise, Inc.	Axon Enterprise, Inc.	Axon Enterprise, Inc.
Account Number	634912729	Account Number	634912729	PO BOX 29661	JPMorgan Chase (AZ1-2170)
Bank Routing No	122100024	Bank Routing No	021000021	DEPARTMENT 2018	Attn: Axon Enterprises 29661-2018
Reference No	INUS437940	SWIFT Code	CHASUS33	PHOENIX, AZ 85038-9661	2108 E Elliot Rd,
		Reference No	INUS437940	Reference No INUS437940	Tempe, AZ 85283
					Reference No INUS437940
Credit/Debit Card (MyAxon)				Have Questions?	
 If you have a MyAxon account and would like to pay via credit/debit card, use the QR code or visit https://my.axon.com/pay-invoice. Credit/Debit card payments are limited to invoice balances of \$100,000 USD or less.				If you have any questions call 1-800-978-2737 or email arinquiries@axon.com.	

Please reference the invoice number on your ACH, Wire or Check payment and send to AR@axon.com

Important Note: By selecting the wire transfer payment method, you agree to accept the processing & transaction fees charged by the bank relating to this wire

Note: Customers who receive mailed invoices may not currently have access to MyAxon, or to the specific order that payment is due for. Users need elevated permissions to view/pay invoices for orders that were placed by other users

Invoice

Item 2.

Customer Account Dallas Police Dept.- GA
 Invoice Account 326651
 Quote # Q-378694,

Invoice ID INUS437940
 Date 15-Apr-26
 Page 2 of 9

Line No.	Ship to*	Item Number	Description	Quantity	Unit Price	Invoice Plan %	Amount
4	1	70033	WALL MOUNT BRACKET, ASSY, EVIDENCE.COM DOCK Tax Date 15-Apr-26 Shipment Date: 05/04/2022	1.00	35.00	19.99999%	
7	1	20246	AXON TASER 7 - REPLACEMENT ACCESS PROGRAM - DUTY CARTRIDGE Tax Date 15-Apr-26 Shipment Date:	26.00	119.58	19.99999%	
8	1	20373	AXON VR - TAP REFRESH 1 - HEADSET Tax Date 15-Apr-26 Shipment Date:	2.00	1,545.07	19.99999%	
9	1	20370	AXON VR - USER ACCESS - FULL VR Tax Date 15-Apr-26 Shipment Date:	26.00	837.09	19.99999%	
11	1	20018	AXON TASER - BATTERY PACK - TACTICAL Tax Date 15-Apr-26 Shipment Date: 04/14/2022	32.00	72.20	19.99999%	
12	1	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS Tax Date 15-Apr-26 Shipment Date: 04/14/2022	78.00	31.05	19.99999%	
13	1	20160	TASER 7 HOLSTER - SAFARILAND, RH+CARD CARRIER Tax Date 15-Apr-26 Shipment Date: 04/14/2022	26.00	67.16	19.99999%	
14	1	20008	TASER 7 HANDLE, YLW, HIGH VISIBILITY (GREEN LASER), CLASS 3R Tax Date 15-Apr-26 Shipment Date: 04/18/2022	26.00	1,173.75	19.99999%	
15	1	80395	AXON TASER 7 - EXT WARRANTY - HANDLE Tax Date 15-Apr-26 Shipment Date: 04/18/2022	26.00	257.04	19.99999%	
16	1	80087	AXON TASER - TARGET - CONDUCTIVE PROFESSIONAL RUGGEDIZED Tax Date 15-Apr-26 Shipment Date: 04/14/2022	1.00	125.92	19.99999%	
17	1	71019	NORTH AMER POWER CORD FOR AB3 8-BAY, AB2 1-BAY / 6-BAY DOCK Tax Date 15-Apr-26 Shipment Date: 05/04/2022	1.00	8.33	19.99999%	
18	1	80090	TASER TARGET FRAME, PROFESSIONAL, 27.5 IN. X 75 IN. Tax Date 15-Apr-26 Shipment Date: 04/11/2022	1.00	62.97	19.99999%	

Invoice

Item 2.

Customer Account Dallas Police Dept.- GA
 Invoice Account 326651
 Quote # Q-378694,

Invoice ID INUS437940
 Date 15-Apr-26
 Page 3 of 9

Line No.	Ship to*	Item Number	Description	Quantity	Unit Price	Invoice Plan %	Amount
19	1	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS Tax Date 15-Apr-26 Shipment Date: 04/14/2022	52.00	31.05	19.99999%	
20	1	22177	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, STANDOFF NS Tax Date 15-Apr-26 Shipment Date: 04/14/2022	52.00	31.05	19.99999%	
21	1	20378	HTC FOCUS 3 VR HEADSET Tax Date 15-Apr-26 Shipment Date: 04/12/2022	2.00	1,435.01	19.99999%	
32	1	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS Tax Date 15-Apr-26 Shipment Date: 04/04/2023	52.00	31.05	19.99999%	
34	1	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS Tax Date 15-Apr-26 Shipment Date: 06/06/2024	52.00	31.05	19.99999%	
35	1	22177	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, STANDOFF NS Tax Date 15-Apr-26 Shipment Date: 06/06/2024	52.00	31.05	19.99999%	
38	1	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS Tax Date 15-Apr-26 Shipment Date: 04/03/2025	52.00	31.05	19.99999%	
40	1	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS Tax Date 15-Apr-26 Shipment Date: 03/12/2026	52.00	31.05	19.99999%	
42	1	20248	AXON TASER - EVIDENCE.COM LICENSE Tax Date 15-Apr-26 Shipment Date:	26.00	239.17	19.99999%	
43	1	20248	AXON TASER - EVIDENCE.COM LICENSE Tax Date 15-Apr-26 Shipment Date:	1.00	239.17	19.99999%	
46	1	80374	AXON TASER - EXT WARRANTY - BATTERY PACK T7/T10 Tax Date 15-Apr-26 Shipment Date: 04/14/2022	32.00	17.19	19.99999%	
47	1	20298	VR-ENABLED SIRT 115C CONTROLLER Tax Date 15-Apr-26 Shipment Date: 09/26/2022	1.00	597.92	19.99999%	
48	1	20296	VR TABLET Tax Date 15-Apr-26 Shipment Date: 09/26/2022	1.00	797.23	19.99999%	

Invoice

Item 2.

Customer Account Dallas Police Dept.- GA
 Invoice Account 326651
 Quote # Q-378694,

Invoice ID INUS437940
 Date 15-Apr-26
 Page 4 of 9

Line No.	Ship to*	Item Number	Description	Quantity	Unit Price	Invoice Plan %	Amount
49	1	22196	TASER 7 VR CARTRIDGE, STANDOFF (3.5-DEGREE) Tax Date 15-Apr-26 Shipment Date: 09/26/2022	2.00	71.75	19.99999%	
50	1	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12- DEGREE) NS Tax Date 15-Apr-26 Shipment Date: 04/14/2022	78.00	31.05	19.99999%	
51	1	22179	TASER 7 INERT CARTRIDGE, STANDOFF (3.5-DEGREE) NS Tax Date 15-Apr-26 Shipment Date: 04/14/2022	26.00	40.04	19.99999%	
52	1	22181	TASER 7 INERT CARTRIDGE, CLOSE QUARTERS (12- DEGREE) NS Tax Date 15-Apr-26 Shipment Date: 04/14/2022	26.00	40.04	19.99999%	
53	1	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12- DEGREE) NS Tax Date 15-Apr-26 Shipment Date: 04/14/2022	52.00	31.05	19.99999%	
54	1	22178	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, CLOSE QUART NS Tax Date 15-Apr-26 Shipment Date: 04/14/2022	52.00	31.05	19.99999%	
62	1	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12- DEGREE) NS Tax Date 15-Apr-26 Shipment Date: 04/04/2023	52.00	31.05	19.99999%	
64	1	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12- DEGREE) NS Tax Date 15-Apr-26 Shipment Date: 06/06/2024	52.00	31.05	19.99999%	
65	1	22178	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, CLOSE QUART NS Tax Date 15-Apr-26 Shipment Date: 06/06/2024	52.00	31.05	19.99999%	
68	1	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12- DEGREE) NS Tax Date 15-Apr-26 Shipment Date: 04/03/2025	52.00	31.05	19.99999%	
70	1	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12- DEGREE) NS Tax Date 15-Apr-26 Shipment Date: 03/12/2026	52.00	31.05	19.99999%	

Invoice

Item 2.

Customer Account Dallas Police Dept.- GA
 Invoice Account 326651
 Quote # Q-378694,

Invoice ID INUS437940
 Date 15-Apr-26
 Page 5 of 9

Line No.	Ship to*	Item Number	Description	Quantity	Unit Price	Invoice Plan %	Amount
72	1	100198	AXON VR CONTROLLER KIT - WARRANTY Tax Date 15-Apr-26 Shipment Date:	1.00	298.00	19.99999%	
74	1	100197	AXON VR - EXT WARRANTY - HEADSET Tax Date 15-Apr-26 Shipment Date:	2.00	269.30	19.99999%	
75	1	74200	AXON TASER - DOCK - SIX BAY PLUS CORE Tax Date 15-Apr-26 Shipment Date: 04/14/2022	1.00	195.84	19.99999%	
76	1	100210	AXON VR - TAP REFRESH 1 - TABLET Tax Date 15-Apr-26 Shipment Date:	1.00	858.37	19.99999%	
		Bundled Item Number	Bundled Description	Bundled Quantity			Amount
		T7Cert	2021 Taser 7 Certification Bundle	1.00			1,599.32

Line No.	Ship to*	Item Number	Description	Quantity	Unit Price	Invoice Plan %	Amount
5	1	80396	AXON TASER - EXT WARRANTY - DOCK SIX BAY T7/T10 Tax Date 15-Apr-26 Shipment Date: 04/14/2022	1.00	231.77	19.99999%	
6	1	70033	WALL MOUNT BRACKET, ASSY, EVIDENCE.COM DOCK Tax Date 15-Apr-26 Shipment Date: 05/04/2022	1.00	31.56	19.99999%	
10	1	20246	AXON TASER 7 - REPLACEMENT ACCESS PROGRAM - DUTY CARTRIDGE Tax Date 15-Apr-26 Shipment Date:	3.00	107.83	19.99999%	
22	1	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS Tax Date 15-Apr-26 Shipment Date: 04/14/2022	9.00	28.00	19.99999%	
23	1	20008	TASER 7 HANDLE, YLW, HIGH VISIBILITY (GREEN LASER), CLASS 3R Tax Date 15-Apr-26 Shipment Date: 04/18/2022	3.00	700.09	19.99999%	
24	1	80395	AXON TASER 7 - EXT WARRANTY - HANDLE Tax Date 15-Apr-26 Shipment Date: 04/18/2022	3.00	231.77	19.99999%	
25	1	80087	AXON TASER - TARGET - CONDUCTIVE PROFESSIONAL RUGGEDIZED Tax Date 15-Apr-26 Shipment Date: 04/14/2022	1.00	113.54	19.99999%	

Invoice

Item 2.

Customer Account Dallas Police Dept.- GA
 Invoice Account 326651
 Quote # Q-378694,

Invoice ID INUS437940
 Date 15-Apr-26
 Page 6 of 9

Line No.	Ship to*	Item Number	Description	Quantity	Unit Price	Invoice Plan %	Amount
26	1	80090	TASER TARGET FRAME, PROFESSIONAL, 27.5 IN. X 75 IN. Tax Date 15-Apr-26 Shipment Date: 04/11/2022	1.00	56.77	19.99999%	
27	1	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS Tax Date 15-Apr-26 Shipment Date: 04/14/2022	6.00	28.00	19.99999%	
28	1	20018	AXON TASER - BATTERY PACK - TACTICAL Tax Date 15-Apr-26 Shipment Date: 04/14/2022	3.00	65.10	19.99999%	
29	1	22177	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, STANDOFF NS Tax Date 15-Apr-26 Shipment Date: 04/14/2022	6.00	28.00	19.99999%	
30	1	71019	NORTH AMER POWER CORD FOR AB3 8-BAY, AB2 1-BAY / 6-BAY DOCK Tax Date 15-Apr-26 Shipment Date: 05/04/2022	1.00	7.51	19.99999%	
33	1	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS Tax Date 15-Apr-26 Shipment Date: 04/04/2023	6.00	28.00	19.99999%	
36	1	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS Tax Date 15-Apr-26 Shipment Date: 06/06/2024	6.00	28.00	19.99999%	
37	1	22177	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, STANDOFF NS Tax Date 15-Apr-26 Shipment Date: 06/06/2024	6.00	28.00	19.99999%	
39	1	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS Tax Date 15-Apr-26 Shipment Date: 04/03/2025	6.00	28.00	19.99999%	
41	1	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS Tax Date 15-Apr-26 Shipment Date: 03/12/2026	6.00	28.00	19.99999%	
44	1	20248	AXON TASER - EVIDENCE.COM LICENSE Tax Date 15-Apr-26 Shipment Date:	3.00	215.65	19.99999%	
45	1	20248	AXON TASER - EVIDENCE.COM LICENSE Tax Date 15-Apr-26 Shipment Date:	1.00	215.65	19.99999%	

Invoice

Item 2.

Customer Account Dallas Police Dept.- GA
 Invoice Account 326651
 Quote # Q-378694,

Invoice ID INUS437940
 Date 15-Apr-26
 Page 7 of 9

Line No.	Ship to*	Item Number	Description	Quantity	Unit Price	Invoice Plan %	Amount
55	1	20161	TASER 7 HOLSTER - SAFARILAND, LH+CART CARRIER Tax Date 15-Apr-26 Shipment Date: 04/14/2022	3.00	60.55	19.99999%	
56	1	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS Tax Date 15-Apr-26 Shipment Date: 04/14/2022	9.00	28.00	19.99999%	
57	1	22179	TASER 7 INERT CARTRIDGE, STANDOFF (3.5-DEGREE) NS Tax Date 15-Apr-26 Shipment Date: 04/14/2022	3.00	36.11	19.99999%	
58	1	22181	TASER 7 INERT CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS Tax Date 15-Apr-26 Shipment Date: 04/14/2022	3.00	36.11	19.99999%	
59	1	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS Tax Date 15-Apr-26 Shipment Date: 04/14/2022	6.00	28.00	19.99999%	
60	1	80374	AXON TASER - EXT WARRANTY - BATTERY PACK T7/T10 Tax Date 15-Apr-26 Shipment Date: 04/14/2022	3.00	15.50	19.99999%	
61	1	22178	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, CLOSE QUART NS Tax Date 15-Apr-26 Shipment Date: 04/14/2022	6.00	28.00	19.99999%	
63	1	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS Tax Date 15-Apr-26 Shipment Date: 04/04/2023	6.00	28.00	19.99999%	
66	1	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS Tax Date 15-Apr-26 Shipment Date: 06/06/2024	6.00	28.00	19.99999%	
67	1	22178	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, CLOSE QUART NS Tax Date 15-Apr-26 Shipment Date: 06/06/2024	6.00	28.00	19.99999%	
69	1	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS Tax Date 15-Apr-26 Shipment Date: 04/03/2025	6.00	28.00	19.99999%	

Invoice

Item 2.

Customer Account Dallas Police Dept.- GA
 Invoice Account 326651
 Quote # Q-378694,

Invoice ID INUS437940
 Date 15-Apr-26
 Page 8 of 9

Line No.	Ship to*	Item Number	Description	Quantity	Unit Price	Invoice Plan %	Amount
71	1	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12- DEGREE) NS Tax Date 15-Apr-26 Shipment Date: 03/12/2026	6.00	28.00	19.99999%	
73	1	74200	AXON TASER - DOCK - SIX BAY PLUS CORE Tax Date 15-Apr-26 Shipment Date: 04/14/2022	1.00	78.25	19.99999%	
		Bundled Item Number	Bundled Description	Bundled Quantity		Invoice Plan %	Amount
			A La Carte	0.00		19.99999%	0.00

Line No.	Ship to*	Item Number	Description	Quantity	Unit Price	Invoice Plan %	Amount
31	1	20050	AXON TASER - HOOK-AND- LOOP TRAINING (HALT) SUIT Tax Date 15-Apr-26 Shipment Date: 04/11/2022	2.00		19.99999%	

Sales Amount	24,147.27
Misc. Charge	0.00
Discount	0.00
Sales Tax	0.00
Total	24,147.27
Credit Amount(s) Applied	0.00
Amount Received	0.00
PAYMENT DUE	15-May-26
BALANCE DUE	USD 24,147.27

Invoice

Item 2.

Customer Account Dallas Police Dept.- GA
Invoice Account 326651
Quote # Q-378694,

Invoice ID INUS437940
Date 15-Apr-26
Page 9 of 9

*Tax Note

Ship-to-address Legend*

1 Dallas Police Dept.- GA
 120 Main St Dallas, GA 30132-4271 USA



STAFF REPORT

MEETING DATE: 5/4/2026

PRESENTED BY:

Darrin Keaton

AGENDA ITEM DESCRIPTION (Agenda Content):

RESOLUTION 2026-13 Atlanta Gas Line Relocation

REPORT/INFORMATION:

Resolution approving the agreement between the City and Atlanta Gas Light for the relocation of gas lines in the downtown development area.

RESOLUTION

RES 2026-13

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DALLAS, GEORGIA, AUTHORIZING THE CITY MANAGER TO EXECUTE A GAS FACILITY RELOCATION AGREEMENT WITH ATLANTA GAS LIGHT COMPANY FOR THE RELOCATION OF NATURAL GAS FACILITIES WITHIN CITY RIGHT-OF-WAY IN CONNECTION WITH THE DOWNTOWN DALLAS DEVELOPMENT PROJECT; PROVIDING FOR RELATED MATTERS; AND FOR OTHER PURPOSES.

WHEREAS, Atlanta Gas Light Company (hereinafter "Company") owns and operates natural gas pipeline facilities located within road right-of-way in Paulding County, Georgia, specifically including approximately 890 linear feet of 2½-inch medium-high pressure steel natural gas pipeline situated within the road right-of-way along West Griffin Street, West Spring Street, South Johnson Street, and Hood Street, within the corporate limits of the City of Dallas, Georgia;

WHEREAS, the City of Dallas, Georgia (hereinafter "City") is the owner of the public road right-of-way within which the Company's existing natural gas facilities are located, and the City desires to cause the relocation of said facilities in connection with the Downtown Dallas Development Project, a public improvement initiative being advanced in coordination with the Dallas Downtown Development Authority;

WHEREAS, the Company has agreed to relocate its natural gas facilities in accordance with the terms and conditions set forth in that certain Gas Facility Relocation Agreement (hereinafter "Agreement"), a copy of which is attached hereto and incorporated herein by reference, at a cost to the City not to exceed one hundred twenty percent (120%) of the estimated cost of Thirty-Two Thousand Seven Hundred Eight and No/100 Dollars (\$32,708.00), as set forth in Attachment D to the Agreement;

WHEREAS, the Mayor and Council find that execution of the Agreement is necessary and in the best interest of the City and its citizens, and that adequate funds have been appropriated in the current City budget to satisfy the City's financial obligations thereunder;

WHEREAS, pursuant to Section 3.10(b) of the Dallas City Charter, any contract with consideration in excess of Ten Thousand and No/100 Dollars (\$10,000.00), other than contracts of employment, must be approved by the Mayor and City Council before execution by the City Manager;

WHEREAS, the Mayor and Council having duly considered the matter find that authorization of the Agreement is appropriate and that the City Manager should be authorized and directed to execute the same on behalf of the City;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Dallas, Georgia, as follows:

Section 1. The foregoing recitals are incorporated herein by reference and made a part of this Resolution as if fully set forth herein.

Section 2. The Mayor and Council of the City of Dallas, Georgia, hereby approve the Gas Facility Relocation Agreement between the City of Dallas, Georgia, as Owner, and Atlanta Gas Light Company, for the relocation of approximately 890 linear feet of 2½-inch medium-high pressure steel natural gas pipeline within road right-of-way as more particularly described in the Agreement and its attachments.

Section 3. The City Manager is hereby authorized and directed to execute the Gas Facility Relocation Agreement with Atlanta Gas Light Company on behalf of the City of Dallas, Georgia, in substantially the form presented to the Mayor and Council, with such non-material modifications as the City Attorney may approve.

Section 4. The City Manager and City staff are hereby authorized and directed to take all further actions, execute all further documents, and make all disbursements necessary and appropriate to carry out the purposes of this Resolution and the Agreement, including but not limited to payment of the estimated cost as required by Paragraph 3 of the Agreement within thirty (30) days of execution, all in accordance with the City's adopted budget and financial policies.

Section 5. This Resolution shall take effect immediately upon adoption.

RESOLVED this _____ day of May, 2026.

L. James Kelly, Mayor

James Henson, Councilmember

Christopher B. Carter, Councilmember

Nancy R. Arnold, Councilmember

Leah Alls, Councilmember

Cooper Cochran, Councilmember

Candace Callaway, Councilmember

Attest: _____
Tina Clark, City Clerk



STAFF REPORT

MEETING DATE: 5/4/2026

PRESENTED BY:

Darrin Keaton

AGENDA ITEM DESCRIPTION (Agenda Content):

RESOLUTION 2026-15 Ratify PSA assignment 100 W Griffin

REPORT/INFORMATION:

Resolution ratifying the assignment of the PSA for the purchase of 100 W Griffin to the DDA.

RESOLUTION

RES 2026 - 15

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DALLAS, GEORGIA, RATIFYING AND CONFIRMING THE ASSIGNMENT OF THE CITY’S RIGHTS AS BUYER UNDER A CERTAIN PURCHASE AND SALE AGREEMENT TO THE DOWNTOWN DEVELOPMENT AUTHORITY OF THE CITY OF DALLAS, GEORGIA; RATIFYING THE EXECUTION OF ALL DOCUMENTS AND NOTICES DELIVERED IN CONNECTION THEREWITH; RATIFYING THE RELEASE OF THE CITY’S FINANCIAL OBLIGATION UNDER SAID AGREEMENT; AND FOR OTHER PURPOSES

WHEREAS, by duly adopted vote at a prior regular meeting held on April 6, 2026 (the “Authorization Resolution”), the Mayor and Council of the City of Dallas, Georgia, authorized the City to enter into a Purchase and Sale Agreement with Judith F. Bagby (the “Seller”) for the acquisition of the following real property situated in Paulding County, Georgia:

- (i)** 100 West Griffin Street, Dallas, Georgia — Paulding County Tax Parcel No. 137.2.1.021.0000, commonly known as the “Judy Bagby Building,” at a purchase price of Four Hundred Thousand and No/100 Dollars (\$400,000.00); and
- (ii)** The Courthouse Square parking lot, Dallas, Georgia — Paulding County Tax Parcel No. 137.2.1.084.0000, commonly known as the “Bagby Parking Lot,” at a purchase price of One Hundred Thirty Thousand and No/100 Dollars (\$130,000.00);
- (iii)** at an aggregate purchase price of Five Hundred Thirty Thousand and No/100 Dollars (\$530,000.00) (collectively, the “Property”), and expressly appropriated and authorized the expenditure of \$530,000.00 in City funds for that purpose; and

WHEREAS, consistent with the Authorization Resolution, the City entered into that certain Purchase and Sale Agreement (the “PSA”) with Seller on the terms authorized by the Mayor and Council; and

WHEREAS, Section 17(f) of the PSA, as presented to and authorized by the Mayor and Council at the time of the Authorization Resolution, expressly provides that the City, as Buyer, may assign the PSA to the Downtown Development Authority of the City of Dallas, Georgia, upon written notice to Seller, without the prior written consent of Seller; and

WHEREAS, the Downtown Development Authority of the City of Dallas, Georgia (the “Authority”), a public body corporate and politic duly created and existing under O.C.G.A. § 36-42-1 et seq., by separate resolution duly adopted by its Board of Directors (the “DDA Resolution”), authorized and accepted the assignment of the PSA from the City and committed to fund the full purchase price of \$530,000.00, together with all closing costs attributable to the Buyer, entirely from the Authority’s own funds; and

WHEREAS, the acquisition of the Property by the Authority serves the public purposes of downtown development and redevelopment within the City of Dallas, and the Property is situated within the Authority's designated development area, consistent with O.C.G.A. § 36-42-1 et seq.; and

WHEREAS, due to exigent circumstances arising from the closing deadline established in the PSA, the City was unable to convene a meeting of the Mayor and Council at which a quorum was present prior to the closing date of April 15, 2026, notwithstanding good-faith efforts to do so; and

WHEREAS, in order to preserve the City's contractual rights under the PSA and to avoid forfeiture of the transaction to the detriment of the public interest, the City Attorney, acting in furtherance of the City's interest and consistent with the assignment authority expressly embedded in the Council-authorized PSA, caused the execution of that certain Assignment of Purchase and Sale Agreement (the "Assignment"), by and between the City, as Assignor, and the Authority, as Assignee, pursuant to which the City assigned all of its right, title, and interest as Buyer under the PSA to the Authority, subject to the exclusions set forth in Section 3 of the Assignment; and

WHEREAS, contemporaneously with the execution of the Assignment, written notice thereof was delivered to Seller in accordance with Section 17(f) and Section 16 of the PSA; and

WHEREAS, as a result of the Assignment, the Authority assumed the full obligation to fund the purchase price of \$530,000.00 and all closing costs attributable to the Buyer, and the City's previously authorized appropriation of \$530,000.00 for acquisition of the Property was rendered unnecessary and no City funds were expended in connection with the acquisition of the Property; and

WHEREAS, the Mayor and Council find that the Assignment was made in good faith, in furtherance of the public interest, pursuant to an express contractual right contained in the Council-authorized PSA, with no prejudice to the Seller or any third party, and with full transparency as to the City's intent; and

WHEREAS, the Mayor and Council further find that ratification of the Assignment and all acts taken in furtherance thereof is in the best interest of the City and the public, and that such ratification is authorized under O.C.G.A. § 36-30-3 and the general law of the State of Georgia.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Dallas, Georgia, in lawful session duly assembled, as follows:

Section 1. Findings Incorporated. The foregoing recitals are hereby incorporated into and made a part of this Resolution as if fully set forth herein, and the Mayor and Council hereby adopt such recitals as findings of fact and law.

Section 2. Ratification of the Assignment. The Mayor and Council hereby ratify, confirm, approve, and adopt in all respects the Assignment of Purchase and Sale Agreement, by and between the City of Dallas, Georgia, as Assignor, and the Downtown Development Authority of the City of Dallas, Georgia, as Assignee, a form copy of which

is attached hereto as Exhibit A and incorporated herein by reference. Such ratification shall be deemed effective as of the date of execution of the Assignment and shall relate back thereto for all purposes.

Section 3. Ratification of Notice to Seller. The Mayor and Council hereby ratify and confirm the delivery of written notice of the Assignment to Judith F. Bagby, as Seller, in accordance with Section 17(f) and Section 16 of the PSA, as required by the terms of the Assignment.

Section 4. Ratification of All Related Acts. The Mayor and Council hereby ratify and confirm all acts, decisions, executions, deliveries, and communications made or taken by the Mayor, the City Manager, the City Attorney, and any other City officer or employee in connection with the Assignment and the closing of the acquisition of the Property by the Authority, as if each such act had been expressly authorized by prior resolution of the Mayor and Council.

Section 5. Release of Prior Appropriation. The Mayor and Council hereby acknowledge that, as a result of the Assignment and the Authority's assumption of the full purchase obligation under the PSA, no City funds were expended in connection with the acquisition of the Property. The prior authorization and appropriation of \$530,000.00 established by the Authorization Resolution for the purpose of acquiring the Property is hereby released and of no further force or effect as to that purpose, and said funds shall be returned to the City's general fund or such other account as may be directed by the City Manager, consistent with applicable law.

Section 6. Retained Items. Consistent with Section 3 of the Assignment, the Mayor and Council confirm that the City retains all right, title, interest, and responsibility with respect to:

- (a) The Georgia and Federal appellate law books and related legal reference materials described in Section B-2 of Exhibit "B" to the PSA; and
- (b) The equipment lease with Standard Office Systems of Atlanta, LLC for a Sharp BP-70M45 copier, as described in Section B-1 of Exhibit "B" to the PSA.

The Authority has no right, title, interest, or obligation with respect to either of the foregoing items.

Section 7. Authorization of Further Action. The Mayor, the City Manager, and the City Attorney are each hereby authorized to execute such further documents, instruments, and certifications as may be necessary or appropriate to complete, confirm, or record the transactions contemplated by the Assignment and this Resolution.

Section 8. Effective Date. This Resolution shall become effective immediately upon its adoption by the Mayor and Council.

[SIGNATURES FOLLOW]

SO RESOLVED this ____ day of _____, 2026.

L. James Kelly, Mayor

James Henson, Councilmember

Christopher B. Carter, Councilmember

Nancy R. Arnold, Councilmember

Leah Alls, Councilmember

Cooper Cochran, Councilmember

Candace Callaway, Councilmember

Attest: _____
Tina Clark, City Clerk

Exhibit A

ASSIGNMENT OF PURCHASE AND SALE AGREEMENT

(Bagby Building and Bagby Parking Lot — 100 West Griffin Street, Dallas, Georgia)

This Assignment of Purchase and Sale Agreement (this "**Assignment**") is entered into as of _____, 2026 (the "**Effective Date**"), by and between **THE CITY OF DALLAS, GEORGIA**, a Georgia municipal corporation ("**Assignor**"), and the **DOWNTOWN DEVELOPMENT AUTHORITY OF THE CITY OF DALLAS, GEORGIA**, a public body corporate and politic created under O.C.G.A. § 36-42-1 et seq. ("**Assignee**").

RECITALS

A. Assignor entered into that certain Purchase and Sale Agreement dated _____, 2026 (the "**PSA**"), with Judith F. Bagby ("**Seller**"), for the purchase of the following real property located in Paulding County, Georgia:

- (i) 100 West Griffin Street, Dallas, Georgia — Paulding County Tax Parcel No. 137.2.1.021.0000 (commonly known as the "Judy Bagby Building"); and
- (ii) Courthouse Square parking lot, Dallas, Georgia — Paulding County Tax Parcel No. 137.2.1.084.0000 (commonly known as the "Bagby Parking Lot") (collectively, the "Property").

B. The total purchase price under the PSA is Five Hundred Thirty Thousand and No/100 Dollars (\$530,000.00), allocated as \$400,000.00 to Parcel No. 137.2.1.021.0000 and \$130,000.00 to Parcel No. 137.2.1.084.0000.

C. Section 17(f) of the PSA expressly permits Assignor to assign the PSA to the Dallas Downtown Development Authority upon written notice to Seller, without Seller's prior consent.

D. Assignor desires to assign, and Assignee desires to assume, all of Assignor's right, title, and interest as Buyer under the PSA, subject to the exclusions set forth herein, so that Assignee may acquire the Property and use it for downtown development and redevelopment purposes within the Authority's development area, consistent with O.C.G.A. § 36-42-1 et seq.

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

Section 1. Assignment. Assignor hereby assigns, transfers, and conveys to Assignee all of Assignor's right, title, and interest as Buyer under the PSA, including the right to acquire the Property at Closing upon the terms and conditions set forth in the PSA.

Section 2. Assumption. Assignee hereby accepts the foregoing assignment and assumes all of Assignor's obligations as Buyer under the PSA arising from and after the Effective Date of this Assignment, including the obligation to pay the purchase price of \$530,000.00 and all closing costs attributable to Assignee as Buyer under the PSA.

Section 3. Excluded Items — Books and Copier Lease. Notwithstanding anything to the contrary in the PSA or this Assignment, the following items are expressly excluded from this Assignment and are retained by Assignor:

(a) Georgia and Federal Appellate Law Book Collection. The Georgia and Federal appellate law books and related legal reference materials described in Section B-2 of Exhibit "B" to the PSA are retained by Assignor. Assignee shall have no right, title, interest, or obligation with respect to the Book Collection.

(b) Copier Equipment Lease. The Copier Lease described in Section B-1 of Exhibit "B" to the PSA — that certain equipment lease with Standard Office

Systems of Atlanta, LLC for a Sharp BP-70M45 copier — is retained by Assignor. Assignee does not assume and shall have no liability for any obligations under the Copier Lease, whether arising before or after Closing.

Assignor shall remain solely responsible for all obligations, liabilities, and costs associated with the Book Collection and the Copier Lease.

Section 4. Notice to Seller. Contemporaneously with the execution of this Assignment, Assignor shall provide written notice to Seller of this Assignment in accordance with Section 17(f) of the PSA and the notice provisions of Section 16 of the PSA.

Section 5. Earnest Money. The Earnest Money deposited or set aside under the PSA shall be applied to the Purchase Price at Closing for the account of Assignee. Assignor and Assignee shall cooperate to redirect such funds as necessary.

Section 6. Closing. Assignee shall proceed to Closing under the PSA on or before April 15, 2026, in accordance with the terms of the PSA. Assignee shall fund the full Purchase Price of \$530,000.00 plus all closing costs attributable to Buyer under the PSA from Assignee’s own funds.

Section 7. Indemnification. Assignee shall indemnify, defend, and hold harmless Assignor from and against any and all claims, liabilities, costs, and expenses (including reasonable attorneys’ fees) arising out of or related to Assignee’s obligations as Buyer under the PSA from and after the Effective Date of this Assignment, excluding the Copier Lease and Book Collection. Assignor shall indemnify, defend, and hold harmless Assignee from and against any claims arising from Assignor’s obligations under the PSA prior to the Effective Date of this Assignment.

Section 8. PSA Controls. This Assignment is subject to and governed by the terms of the PSA. In the event of any conflict between this Assignment and the PSA, the PSA shall control except as to the exclusions set forth in Section 3 above. Capitalized terms used but not defined herein shall have the meanings given in the PSA.

Section 9. Governing Law. This Assignment shall be governed by the laws of the State of Georgia. Any dispute arising hereunder shall be resolved in the Superior Court of Paulding County, Georgia.

Section 10. Counterparts; Electronic Signatures. This Assignment may be executed in counterparts, each of which shall be deemed an original, and electronic signatures shall be deemed valid and binding.

IN WITNESS WHEREOF, the parties have executed this Assignment as of the date first written above.

ASSIGNOR:
THE CITY OF DALLAS, GEORGIA,

By: _____
(Authorized Signatory)

Name: _____
(Printed Name)

Title: _____
(Title)

Date: _____

ASSIGNEE:
DOWNTOWN DEVELOPMENT
AUTHORITY

By: _____
(Chair or Vice Chair)

Name: _____
(Printed Name)

Title: _____
(Title / Chair)

Date: _____

EXHIBIT A — NOTICE TO SELLER

The following notice shall be delivered to Judith F. Bagby contemporaneously with execution of this Assignment, in accordance with Section 17(f) and Section 16 of the PSA:

[Date]

Judith F. Bagby

P.O. Box 1948

Hiram, Georgia 30141

bagbylawoffice@att.net

Re: Notice of Assignment — Purchase and Sale Agreement for 100 West Griffin Street and Courthouse Square Parking Lot, Dallas, Georgia

Dear Judy:

Pursuant to Section 17(f) of the Purchase and Sale Agreement between you and the City of Dallas, Georgia, dated 4/6 2026, please be advised that the City has assigned its rights as Buyer under the Agreement to the Downtown Development Authority of the City of Dallas, Georgia. The Downtown Development Authority will proceed as Buyer and consummate the purchase of the Property at Closing.

All other terms and conditions of the Agreement remain in full force and effect. Please direct any further correspondence regarding the transaction to:

Downtown Development Authority of the City of Dallas, Georgia
c/o City Attorney, City of Dallas, Georgia
129 E. Memorial Drive
Dallas, Georgia 30132
dkeaton@dallas-ga.gov

Sincerely,

Darrin Keaton
City Attorney
City of Dallas, Georgia



STAFF REPORT

MEETING DATE: 5/4/2026

PRESENTED BY:

Darrin Keaton

AGENDA ITEM DESCRIPTION (Agenda Content):

RESOLUTION 2026-16 Approve changing amenities for 200 Lester Dr

REPORT/INFORMATION:

Resolution approving the requested amenity change as allowed by the UDC for 200 Lester from pool to 2 picnic areas.

RESOLUTION

RES 2026-16

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DALLAS, GEORGIA APPROVING AN ALTERNATIVE AMENITY FOR THE LESTER DRIVE TOWNHOUSE DEVELOPMENT PURSUANT TO SECTION 7.16(2)(g) OF THE CITY OF DALLAS UNIFIED DEVELOPMENT CODE

WHEREAS, the Downtown Development Authority of the City of Dallas ("DDA") is the owner of certain property located at 200 Lester Drive, Dallas, Georgia, Parcel ID 137.2.2.062.0000, consisting of approximately 9.68 acres in the Townhome (TH) Zoning District (the "Property"); and

WHEREAS, the DDA proposes to develop the Property as a 69-unit townhome development known as the Lester Drive Townhouse Development; and

WHEREAS, Section 7.16 of the City of Dallas Unified Development Code ("UDC") requires single-family and townhome developments of 25 to 100 dwelling units to provide at least one recreational amenity, with a swimming pool designated as the mandatory first amenity under Section 7.16(2)(a); and

WHEREAS, the physical topography and site conditions of the Property, including significant grade changes across the site, render construction of a swimming pool impracticable; and

WHEREAS, UDC Section 7.16(2)(f) expressly lists as an allowable amenity two picnic areas, with a minimum size of five hundred (500) square feet per area, including a minimum of two picnic tables and one (1) barbeque grill/pit per area; and

WHEREAS, the civil construction plans for the Lester Drive Townhouse Development depict a covered pavilion amenity area of approximately 900 square feet in the southwest corner of the site, which accommodates two code-compliant picnic areas with the required tables and grill/pit fixtures, exceeding the minimum size requirements of Section 7.16(2)(f); and

WHEREAS, UDC Section 7.16(2)(g) independently authorizes the City Council to approve an "other amenity" as a qualifying recreational amenity, and the proposed dual covered picnic area satisfies both that provision and the independently enumerated standard of Section 7.16(2)(f); and

WHEREAS, the Mayor and City Council find that the proposed covered picnic pavilion constitutes a qualifying amenity consistent with the intent of UDC Section 7.16 to provide recreational facilities suited to the resident population of the development;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Dallas, Georgia, that the dual covered picnic area of not less than 900 square feet, as depicted on the civil construction plans for the Lester Drive Townhouse Development dated April 9, 2026, is hereby approved as the required recreational amenity for said development pursuant to UDC Sections 7.16(2)(f) and 7.16(2)(g), in lieu of the swimming pool otherwise required by Section 7.16(2)(a).

BE IT FURTHER RESOLVED that this approval is conditioned upon the picnic area being constructed in substantial conformance with the approved plans, containing no

fewer than two picnic tables and one barbeque grill/pit per area, and being completed prior to the issuance of any Certificate of Occupancy for the development.

SO RESOLVED this ____ day of _____, 2026.

L. James Kelly, Mayor

James Henson, Councilmember

Christopher B. Carter, Councilmember

Nancy R. Arnold, Councilmember

Leah Alls, Councilmember

Cooper Cochran, Councilmember

Candace Callaway, Councilmember

Attest: _____
Tina Clark, City Clerk



STAFF ACTION ITEM

MEETING DATE: 05/04/2026

TITLE: *Annexation Ordinance A-2026-01; Annexation Application No. A-2025-03; Blue River Development*

PRESENTED BY: *Brandon Rakestraw – Director*

AGENDA ITEM DESCRIPTION (Agenda Content):

Annexation Ordinance A-2026-01; Annexation Application No. A-2025-03; Blue River Development

HISTORY/PAST ACTION:

City Council Approval: Annexation Application A-2025-03 on April 6, 2026

INFORMATION:

Adoption of Annexation Ordinance A-2026-01

Title 36 Local Government; Chapter 36 Annexation of Territory; Article 1 General Provisions; 36-36-3. Reporting identified annexed property; maps and surveys; technical assistance to municipalities; preclearance.

**ANNEXATION ORDINANCE
A-2026-01**

**BLUE RIVER DEVELOPMENT – APPLICANT
LARRY D. PARIS & LINDA PARIS HOLLY - TITLEHOLDER
(Application #A-2025-03)**

WHEREAS, The Charter of the City of Dallas, Georgia does allow the Mayor and Council to adopt ordinances and/or to amend existing ordinances;
AND

WHEREAS, The Mayor and Council has the responsibility to provide for the public health, safety and welfare by the control and efficient adoption of Ordinances within the City of Dallas, Georgia which includes the responsibility to provide Ordinances dealing with annexation and zoning by the Mayor and Council of the City of Dallas, Georgia in carrying out their official duties as members of the Municipal Governing Authority of the City of Dallas, Georgia;
AND

WHEREAS, BLUE RIVER DEVELOPMENT, did submit to the Governing Authority of the City of Dallas, Georgia, a written and signed application requesting that certain property owned by LARRY D. PARIS and LINDA PARIS HOLLY, as hereinafter described, be annexed within the corporate limits of the City of Dallas, Georgia;
AND

WHEREAS, The Mayor and Council of the City of Dallas, Georgia has determined that it is in the best interest of the City of Dallas and its citizens that such property should be annexed within the corporate limits of the City of Dallas, Georgia; **AND**

WHEREAS, Such property owned by, BLUE RIVER DEVELOPMENT, as hereinafter described, is contiguous to the existing corporate limits of the City of Dallas, Georgia; **NOW**

THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Dallas, Georgia that the following described property is hereby annexed to within the corporate limits of the City of Dallas, Georgia with the Zoning Classification of C-1 Low-Density Commercial District & TH Townhome Residential District, with stipulations:

SECTION I. ANNEXED PROPERTY LEGAL DECRIPTION.

All that tract of land lying in or being in Land Lot 480, 2nd-District, 3rd Section, Paulding County, Georgia, and being more particularly described as follows:

Begin at a found 1/2 inch capped rebar being the corner common to Land Lots 479, 480, 529 and 530. Thence run North 89 degrees 28 minutes 32 seconds West along the line common to land Lots 480 and 529 for a distance of 1,422.92 feet to a found 1/2 inch capped rebar lying on easterly right-of-way of Palisade Parkway (a.k.a Paris Road having 60 feet R/W); Thence leaving said Land Lot Line run along said right-of-way for following courses and distances: North 01 degrees 03 minutes 42 seconds West for a distance of 65.30 feet to a point; Thence run North 00 degrees 08 minutes 47 seconds East for a distance of 292.81 feet to a point; Thence run North 00 degrees 08 minutes 47 seconds East for a distance of 139.21 feet to a point; Thence run North 01 degrees 22 minutes 43 seconds East for a distance of 380.94 feet to a point; Thence run North 01 degrees 22 minutes 28 seconds East for a distance of 101.81 feet to a scribe set in concrete side walk being the intersection of said right-of-way and the southerly right-of-way of Jimmy Lee Smith Parkway (having variable R/W); Thence leaving said right-of-way intersection, run South 89

degrees 30 minutes 49 seconds East along aforementioned right-of-way of Jimmy Lee Smith Parkway for a distance of 1,439.33 feet to a found 1/2 inch rebar lying at the intersection of said right-of-way and the line common to Land Lots 479 and 480; Thence leaving said right-of-way run South 01 degrees 37 minutes 40 seconds West along said Land Lot Line for a distance of 811.85 feet to a found 1/2 inch rebar; Thence run South 01 degrees 38 minutes 40 seconds West along said Land Lot Line for a distance of 169.28 feet to the POINT OF BEGINNING.

Said parcel contains 1,406,398 square feet or 32.286 acres.

SECTION II. REPEAL OF CONFLICTING ORDINANCES. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION III. SEVERABILITY CLAUSE. If any section, sentence, clause or phrase of this ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision will not affect the validity of the remainder of this ordinance or any part thereof.

SECTION IV. EFFECTIVE DATE. Following passage and approval of this ordinance by the Mayor and City Council, this ordinance shall be effective on and after _____, 2026

SO SHALL IT BE ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DALLAS, GEORIGA, THIS THE ____ DAY OF _____, 2026.

L. James Kelly, Mayor

_____ James R. Henson, Councilmember	_____ Candace Callaway, Councilmember
_____ Cooper Cochran, Councilmember	_____ Nancy R. Arnold, Councilmember
_____ Christopher B. Carter, Councilmember	_____ Leah Alls, Councilmember

ATTEST:

_____ Tina Clark, City Clerk	_____ Date
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STAFF ACTION ITEM

MEETING DATE: 05/04/2026

TITLE: *Zoning Map Amendment Ordinance Z-2026-01: Zoning Application No. Z-2025-05; Blue River Development*

PRESENTED BY: *Brandon Rakestraw – Director*

AGENDA ITEM DESCRIPTION (Agenda Content):

Zoning Map Amendment Ordinance Z-2026-01: Zoning Application No. Z-2025-05; Blue River Development

HISTORY/PAST ACTION:

City Council Approval: Zoning Application Z-2025-05 on April 6, 2026

INFORMATION:

Adoption of Zoning Map Amendment Ordinance Z-2026-01

Chapter XI – Petitions, Permits, Procedures; Sec. 11.05 – Zoning and Future Development Map and Text Amendments; 2) Zoning Map and Future Development Map Amendments

**ZONING MAP AMENDMENT ORDINANCE
ORDINANCE NO. Z-2026-01**

**APPLICANT – BLUE RIVER DEVELOPMENT
TITLEHOLDER – LARRY D. PARIS & LINDA PARIS HOLLY
APPLICATION NO. Z-2025-05**

**AN ORDINANCE OF THE CITY OF DALLAS, GEORGIA, AMENDING THE
OFFICIAL ZONING MAP OF THE CITY OF DALLAS; REZONING CERTAIN
REAL PROPERTY; PROVIDING FOR REPEAL OF CONFLICTING
ORDINANCES; PROVIDING FOR SEVERABILITY; AND FOR OTHER
PURPOSES.**

WHEREAS, the Mayor and Council of the City of Dallas are authorized to exercise zoning powers pursuant to the laws of the State of Georgia; and

WHEREAS, the City has adopted a Zoning Ordinance and Official Zoning Map in accordance with the principles of Urban Planning; and

WHEREAS, an application for rezoning has been submitted by Blue River Development regarding the property described herein; and

WHEREAS, the Dallas Planning Commission has reviewed the application and held a public hearing as required by law and has made its recommendation to the Mayor and Council; and

WHEREAS, the Mayor and Council have conducted a public hearing in accordance with applicable state law and local procedures; and

WHEREAS, the Mayor and Council find that the requested zoning map amendment is in the best interest of the public health, safety, and welfare and is consistent with the City’s Comprehensive Plan;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DALLAS, GEORGIA:

SECTION 1. REZONING OF PROPERTY

The Official Zoning Map of the City of Dallas is hereby amended by rezoning the following property:

- **Property Owner/Applicant:** Blue River Development
- **Property Address:** 2076 Jimmy Lee Smith Parkway, Dallas, Georgia 30132
- **Tax Parcel ID No:** 147.1.4.001.0000
- **Acreage:** +/-32.286
- **Current Zoning Classification:** R-2
- **Requested Zoning Classification:**
 - TH – Townhome Residential District (+/- 23.513 Acres)
 - C-1 – Low-Density Commercial District (+/-8.773 acres)
- **Legal Description:**

A parcel of Land lying in Land Lot 480, of the 2nd District, 3rd Section, Paulding County, Georgia and being more particularly described as follows:

Begin at a found 1/2 inch capped rebar being the corner common to Land Lots 479, 480, 529 and 530. Thence run North 89 degrees 28 minutes 32 seconds West along the line common to land Lots 480 and 529 for a distance of 1,422.92 feet to a found 1/2 inch capped rebar lying on easterly right-of-way of Palisade Parkway (a.k.a Paris Road having 60 feet R/W); Thence leaving said Land Lot Line run along said right-of-way for following courses and distances: North 01 degrees 03 minutes 42 seconds West for a distance of 65.30 feet to a point; Thence run North 00 degrees 08 minutes 47 seconds East for a distance of 292.81 feet to a point; Thence run North 00 degrees 08 minutes 47 seconds East for a distance of 139.21 feet to a point; Thence run North 01 degrees 22 minutes 43 seconds East for a distance of 380.94 feet to a point; Thence run

ZONING MAP AMENDMENT ORDINANCE
ORDINANCE NO. Z-2026-01

North 01 degrees 22 minutes 28 seconds East for a distance of 101.81 feet to a scribe set in concrete side walk being the intersection of said right-of-way and the southerly right-of-way of Jimmy Lee Smith Parkway (having variable R/W); Thence leaving said right-of-way intersection, run South 89 degrees 30 minutes 49 seconds East along aforementioned right-of-way of Jimmy Lee Smith Parkway for a distance of 1,439.33 feet to a found 1/2 inch rebar lying at the intersection of said right-of-way and the line common to Land Lots 479 and 480; Thence leaving said right-of-way run South 01 degrees 37 minutes 40 seconds West along said Land Lot Line for a distance of 811.85 feet to a found 1/2 inch rebar; Thence run South 01 degrees 38 minutes 40 seconds West along said Land Lot Line for a distance of 169.28 feet to the POINT OF BEGINNING.

Said parcel contains 1,406,398 square feet or 32.286 acres.

SECTION 2. CONDITIONS OF REZONING

This rezoning is approved subject to the following conditions:

1. Development shall be constructed in substantial conformity to the site plan provided in zoning application.
2. Owner/developer shall provide a minimum 20-foot planted or natural (where possible) buffer around the site perimeter and a minimum 20-foot-wide landscape area adjacent to public roads or right-of-way. Buffers and landscape areas shall be designated as common area controlled by a Homeowner’s Association.
3. 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.
4. Owner/developer shall comply, design, and construct all roadway and development entrance improvements and/or transportation improvements as required by Georgia Department of Transportation and/or Paulding County Department of Transportation and/or City of Dallas for access.
5. Owner/developer shall provide public right-of-way from west to east property line for possible future road connection, per the Paulding County’s Comprehensive Transportation Plan. Thus, allowing trips to and from hospital property, adjacent light industrial, proposed commercial, and proposed/existing residential properties via parallel access roadway along Highway 278.
6. Owner/developer shall comply, design, and construct all offsite sanitary sewer system and/or water system improvements and/or upgrades required by Paulding County Water System for servicing the proposed development.
7. The Developer shall install, operate, and maintain a complete Automated License Plate Reader (ALPR) system at each entrance at its sole cost and expense. The Developer must grant immediate and unfettered access to all ALPR data and live feeds to the Dallas Police Department. The system must comply with all applicable federal, state, and local laws, and the Dallas Police Department’s established policies and procedures.
 - a. Installation & Maintenance: Developer is responsible for all costs related to procurement, installation, maintenance, software access, data hosting, and support of the ALPR system.

ZONING MAP AMENDMENT ORDINANCE
ORDINANCE NO. Z-2026-01

- b. System Specifications: The system, including camera locations, power sources, and data storage mechanisms, must meet the technical specifications and approval of the Dallas Police Department.
 - c. Law Enforcement Access & Use: Legal ownership and control of the data reside with the Dallas Police Department, and the Developer shall ensure seamless integration and access for law enforcement personnel for public safety and investigative purposes.
8. A Homeowners Association shall be required for the Town Home 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.
9. A Property Management Association shall be required for the C-1 commercial development in its entirety. The Property Management Association shall be created and enacted as part of final platting process for any development phase. Property Management Association shall include all commercial zoned property mandatory.
10. Owner/developer shall supply for City of Dallas approval, detailed architectural elevation design plans for front, left side, right side, and rear of townhomes for each townhome to be constructed. All townhomes, buildings, or other structures shall comply with standards set forth in the city’s ordinance codes.
11. Owner/developer shall supply for City of Dallas approval, detailed architectural elevation design plans for front, left side, right side, and rear of commercial buildings for each commercial building to be constructed. All buildings, or other structures shall comply with standards set forth in the city’s ordinance codes.
12. Owner/developer shall provide written notice of concurrence stating noted impact have been satisfied from all entities found in the Fiscal Impact Analysis.
13. Owner/developer shall agree rental properties shall not exceed 10% (Eleven (10) units) of the overall 99-unit count.

SECTION 3. AMENDMENT TO ZONING MAP

The Community Development Director is hereby directed to amend the Official Zoning Map of the City of Dallas to reflect this change.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5. SEVERABILITY

If any section, sentence, clause or phrase of this ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision will not affect the validity of the remainder of this ordinance or any part thereof.

ZONING MAP AMENDMENT ORDINANCE
ORDINANCE NO. Z-2026-01

SECTION 6. EFFECTIVE DATE

Following passage and approval of this ordinance by the Mayor and City Council, this ordinance shall be effective on and after May 4, 2026.

SO SHALL IT BE ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DALLAS, GEORIGA, THIS THE ____ DAY OF _____, 2026.

L. James Kelly, Mayor

_____ James R. Henson, Councilmember	_____ Candace Callaway, Councilmember
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_____ Cooper Cochran, Councilmember	_____ Nancy R. Arnold, Councilmember
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_____ Christopher B. Carter, Councilmember	_____ Leah Alls, Councilmember
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ATTEST:

_____ Tina Clark, City Clerk	_____ Date
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STAFF ACTION ITEM

MEETING DATE: 05/04/2026

TITLE: Zoning Map Amendment Ordinance Z-2026-02: Zoning Application No. Z-2025-06; Jeff Helms

PRESENTED BY: Brandon Rakestraw – Director

AGENDA ITEM DESCRIPTION (Agenda Content):

Zoning Map Amendment Ordinance Z-2026-02: Zoning Application No. Z-2025-06; Jeff Helms

HISTORY/PAST ACTION:

City Council Approval: Zoning Application Z-2025-06 on April 6, 2026

INFORMATION:

Adoption of Zoning Map Amendment Ordinance Z-2026-02

Chapter XI – Petitions, Permits, Procedures; Sec. 11.05 – Zoning and Future Development Map and Text Amendments; 2) Zoning Map and Future Development Map Amendments

**ZONING MAP AMENDMENT ORDINANCE
ORDINANCE NO. Z-2026-02**

**APPLICANT – JEFF HELMS
TITLEHOLDER – JEFF HELMS
APPLICATION NO. Z-2025-06**

**AN ORDINANCE OF THE CITY OF DALLAS, GEORGIA, AMENDING THE
OFFICIAL ZONING MAP OF THE CITY OF DALLAS; REZONING CERTAIN
REAL PROPERTY; PROVIDING FOR REPEAL OF CONFLICTING
ORDINANCES; PROVIDING FOR SEVERABILITY; AND FOR OTHER
PURPOSES.**

WHEREAS, the Mayor and Council of the City of Dallas are authorized to exercise zoning powers pursuant to the laws of the State of Georgia; and

WHEREAS, the City has adopted a Zoning Ordinance and Official Zoning Map in accordance with the principles of Urban Planning; and

WHEREAS, an application for rezoning has been submitted by Jeff Helms regarding the property described herein; and

WHEREAS, the Dallas Planning Commission has reviewed the application and held a public hearing as required by law and has made its recommendation to the Mayor and Council; and

WHEREAS, the Mayor and Council have conducted a public hearing in accordance with applicable state law and local procedures; and

WHEREAS, the Mayor and Council find that the requested zoning map amendment is in the best interest of the public health, safety, and welfare and is consistent with the City’s Comprehensive Plan;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DALLAS, GEORGIA:

SECTION 1. REZONING OF PROPERTY

The Official Zoning Map of the City of Dallas is hereby amended by rezoning the following property:

- **Property Owner/Applicant:** Jeff Helms
- **Property Address:** 361 West Avenue, Dallas, Georgia 30132
- **Tax Parcel ID No:** 137.4.1.081.0000
- **Acreage:** +/-6.351
- **Current Zoning Classification:** R-1 Low-Density Single-family Residential
- **Requested Zoning Classification:**
 - R-2 Medium-Density Single-family Residential (+/-6.351 Acres)
- **Legal Description:**

PARCEL A

All the tract of land lying in or being in Land Lot 372, 2nd District, 3rd Section, City of Dallas, Paulding County, Georgia and being more particularly described as follows:

BEGINNING at a half inch rebar being the Northwest corner of Land Lot 372; THEN along the North line of Land Lot 372 South 89 degrees 37 minutes 59 seconds East for 660.01 feet to a half inch rebar; THEN leaving said Land Lot Line South 00 degrees 40 minutes 46 seconds West for 343.15 feet to a point located on the North Right of Way Line of West Avenue (40 foot width); THEN along said Right of Way South 61 degrees 18 minutes 37 seconds West for 172.32 feet to a point; THEN with a curve turning to the right with an arc length of 94.73 feet, a radius of 190.00 feet, a chord bearing of South 81 degrees 20 minutes 45 seconds West , and a chord length of 93.75 feet to a point; THEN with a curve turning to

ZONING MAP AMENDMENT ORDINANCE
ORDINANCE NO. Z-2026-02

Item 8.

the right with an arc length of 64.79 feet, a radius of 278.82 feet, a chord bearing of North 75 degrees 17 minutes 49 seconds West , and a chord length of 64.65 feet to a point; THEN North 67 degrees 41 minutes 22 seconds West for 23.84 feet to a point; THEN North 67 degrees 25 minutes 17 seconds West for 86.26 feet to a point; THEN North 68 degrees 02 minutes 09 seconds West for 52.51 feet to a point; THEN with a curve turning to the left with an arc length of 61.55 feet, a radius of 359.56 feet, a chord bearing of North 72 degrees 05 minutes 28 seconds West , and a chord length of 61.48 feet to a point; THEN with a curve turning to the left with an arc length of 58.14 feet, a radius of 175.98 feet, a chord bearing of North 85 degrees 55 minutes 41 seconds West , and a chord length of 57.87 feet to a point; THEN with a curve turning to the left with an arc length of 20.59 feet, a radius of 131.52 feet, a chord bearing of South 82 degrees 05 minutes 11 seconds West , and a chord length of 20.57 feet to a half inch rebar set at the intersection of the North Right of Way of West Avenue (40 foot width) and the North Right of Way of the Silver Comet Trail (150 foot width); THEN along the Right of Way of said Silver Comet Trail North 65 degrees 22 minutes 48 seconds West for 76.40 feet to a point located on the West line of Land Lot 372; THEN along said Land Lot Line leaving said Right of Way North 01 degrees 15 minutes 42 seconds East for 314.04 feet to the POINT OF BEGINNING;

This parcel contains 5.864 Acres more or less and is shown as Parcel A on the Retracement Survey for JCH Construction by Elite Surveying, LLC dated October 23, 2025.

PARCEL B

All the tract of land lying in or being in Land Lot 372, 2nd District, 3rd Section, City of Dallas, Paulding County, Georgia and being more particularly described as follows:

COMMENCING at the Northwest corner of Land Lot 372; THEN South 49 degrees 11 minutes 19 seconds East for 856.22 feet to a point located on the North Right of Way of the Silver Comet Trail (150 foot width) which is the POINT OF BEGINNING;

THEN from said POINT OF BEGINNING along the North Right of Way of said Silver Comet Trail on a curve turning to the right with an arc length of 367.35 feet, a radius of 1352.49 feet, a chord bearing of North 73 degrees 09 minutes 23 seconds West , and a chord length of 366.22 feet to a point; THEN North 65 degrees 22 minutes 48 seconds West for 94.13 feet to a point at the intersection of the North Right of Way line of the Silver Comet Trail and the South Right of Way line of West Avenue (40 foot width); THEN along the South Right of Way line of West Avenue South 68 degrees 02 minutes 09 seconds East for 22.34 feet to a point; THEN South 67 degrees 25 minutes 17 seconds East for 86.14 feet to a point; THEN South 67 degrees 41 minutes 22 seconds East for 24.26 feet to a point; THEN with a curve turning to the left with an arc length of 75.27 feet, a radius of 318.82 feet, a chord bearing of South 75 degrees 20 minutes 27 seconds East , and a chord length of 75.09 feet to a point; THEN with a curve turning to the left with an arc length of 117.63 feet, a radius of 230.00 feet, a chord bearing of North 81 degrees 11 minutes 24 seconds East , and a chord length of 116.36 feet to a point; THEN North 61 degrees 18 minutes 37 seconds East for 163.98 feet to a point; THEN leaving said Right of Way South 05 degrees 59 minutes 46 seconds West for 173.18 feet to the POINT OF BEGINNING;

This parcel contains 0.487 Acre more or less and is shown as Parcel B on the Retracement Survey for JCH Construction by Elite Surveying, LLC dated October 23, 2025.

SECTION 2. CONDITIONS OF REZONING

This rezoning is approved subject to the following conditions:

ZONING MAP AMENDMENT ORDINANCE
ORDINANCE NO. Z-2026-02

1. Development shall be constructed in substantial conformity to the site plan provided in zoning application.
2. Owner/developer shall provide a minimum 20-foot planted or natural (where possible) buffer around the site perimeter and a minimum 20-foot-wide landscape area adjacent to public roads or right-of-way. Buffers and landscape areas shall be designated as common area controlled by a Homeowner’s Association.
3. 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.
4. Owner/developer shall comply, design, and construct all roadway and development entrance improvements and/or transportation improvements as required by Georgia Department of Transportation and/or City of Dallas for access.
5. Owner/developer shall comply, design, and construct all offsite water and/or sanitary sewer system improvements and/or upgrades required by the City of Dallas for servicing the proposed development.
6. The Developer shall install, operate, and maintain a complete Automated License Plate Reader (ALPR) system at each entrance at its sole cost and expense. The Developer must grant immediate and unfettered access to all ALPR data and live feeds to the Dallas Police Department. The system must comply with all applicable federal, state, and local laws, and the Dallas Police Department’s established policies and procedures.
 - a. Installation & Maintenance: Developer is responsible for all costs related to procurement, installation, maintenance, software access, data hosting, and support of the ALPR system.
 - b. System Specifications: The system, including camera locations, power sources, and data storage mechanisms, must meet the technical specifications and approval of the Dallas Police Department.
 - c. Law Enforcement Access & Use: Legal ownership and control of the data reside with the Dallas Police Department, and the Developer shall ensure seamless integration and access for law enforcement personnel for public safety and investigative purposes.
7. A Homeowners Association shall be required for the single-family residential development in its entirety. The Homeowners Association shall be created and enacted as part of final plating process for any development phase. Homeowners Association shall require mandatory membership.
8. Owner/developer shall supply for City of Dallas approval, detailed architectural elevation design plans for front, left side, right side, and rear of each single-family home to be constructed. All single-family homes, buildings, or other structures shall comply with standards set forth in the city’s ordinance codes.
9. Owner/developer shall agree rental properties shall not exceed 10% (Three (2) units) of the overall 19-unit count.

SECTION 3. AMENDMENT TO ZONING MAP

The Community Development Director is hereby directed to amend the Official Zoning Map of the City of Dallas to reflect this change.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

ZONING MAP AMENDMENT ORDINANCE
ORDINANCE NO. Z-2026-02

SECTION 5. SEVERABILITY

If any section, sentence, clause or phrase of this ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision will not affect the validity of the remainder of this ordinance or any part thereof.

SECTION 6. EFFECTIVE DATE

Following passage and approval of this ordinance by the Mayor and City Council, this ordinance shall be effective on and after May 4, 2026.

SO SHALL IT BE ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DALLAS, GEORIGA, THIS THE ____ DAY OF _____, 2026.

L. James Kelly, Mayor

_____ James R. Henson, Councilmember	_____ Candace Callaway, Councilmember
_____ Cooper Cochran, Councilmember	_____ Nancy R. Arnold, Councilmember
_____ Christopher B. Carter, Councilmember	_____ Leah Alls, Councilmember

ATTEST:

_____ Tina Clark, City Clerk	_____ Date
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STAFF ACTION ITEM

MEETING DATE: 05/04/2026

TITLE: **A-2025-04: ANNEXATION REQUEST**

Georgia Capital, LLC (Applicant), Estate of Mary Sue Tibbitts; 230 Summerhill Road, LLC.; Mike J. Pope (Titleholder), and Moore Ingram Johnson & Steele, LLP; J. Kevin Moore (Representative), have applied and seek to annex & zone +/-34.455 acres of property located at the Northwesterly and Southeasterly sides of Summerhill Road, from R-2 & B-2 (Paulding County) to TH-Townhome and C-2 Commercial Medium-Density (City of Dallas) for a residential , one hundred seventy-five (175) unit townhome community and medium-density commercial space for retail and office use. The subject property is located and legally known by Tax Parcel ID No(s):147.1.2.002.0000; 147.1.3.008.0000; 147.1.3.010.0000, in Land Lot(s): 458; 459; 479, 2nd District, 3rd Section, of Paulding County.

PRESENTED BY: **Brandon Rakestraw – Community Development Director**

AGENDA ITEM DESCRIPTION (Agenda Content):

A-2025-04 : ANNEXATION REQUEST

Georgia Capital, LLC (Applicant), Estate of Mary Sue Tibbitts; 230 Summerhill Road, LLC.; Mike J. Pope (Titleholder), and Moore Ingram Johnson & Steele, LLP; J. Kevin Moore (Representative), have applied and seek to annex & zone +/-34.455 acres of property located at the Northwesterly and Southeasterly sides of Summerhill Road, from R-2 & B-2 (Paulding County) to TH-Townhome and C-2 Commercial Medium-Density (City of Dallas) for a residential , one hundred seventy-five (175) unit townhome community and medium-density commercial space for retail and office use. The subject property is located and legally known by Tax Parcel ID No(s):147.1.2.002.0000; 147.1.3.008.0000; 147.1.3.010.0000, in Land Lot(s): 458; 459; 479, 2nd District, 3rd Section, of Paulding County.

HISTORY/PAST ACTION:

Planning Commission – Public Hearing; April 23, 2026

****Recommendation**** – *Approve the annexation request as follows:*

- *Approve as presented*
-

INFORMATION:
A-2025-04: ANNEXATION REQUEST

Georgia Capital, LLC (Applicant), Estate of Mary Sue Tibbitts; 230 Summerhill Road, LLC.; Mike J. Pope (Titleholder), and Moore Ingram Johnson & Steele, LLP; J. Kevin Moore (Representative), have applied and seek to annex & zone +/-34.455 acres of property located at the Northwesterly and Southeasterly sides of Summerhill Road, from R-2 & B-2 (Paulding County) to TH-Townhome and C-2 Commercial Medium-Density (City of Dallas) for a residential, one hundred seventy-five (175) unit townhome community and medium-density commercial space for retail and office use. The subject property is located and legally known by Tax Parcel ID No(s):147.1.2.002.0000; 147.1.3.008.0000; 147.1.3.010.0000, in Land Lot(s): 458; 459; 479, 2nd District, 3rd Section, of Paulding County.

ANNEXATION & ZONING APPLICATION AND DOCUMENTS:

A-2025-04 & Z-2025-07 – Planning & Zoning Staff Document

Attachment A – Annexation/Zoning Official Application

Attachment B – Boundary Survey / Legal Description

Attachment C – Site Plan

Attachment D - A-2025-04_Z-2025-07_Georgia Capital, LLC - Paulding County Notification Letter

Attachment E – A-2025-04_Z-2025-07_ Georgia Capital, LLC - Paulding County School System Notification Letter

Attachment F – A-2025-04_Z-2025-07_ Georgia Capital, LLC / Moore Ingram Johnson & Steele, LLP - Notification Letter

Attachment G – A-2025-04_Z-2025-07_ Georgia Capital, LLC / Moore Ingram Johnson & Steele, LLP - Public Hearing Notification Letter

Attachment H - A-2025-04_Z-2025-07_ Georgia Capital, LLC - Legal Notice

Attachment I - A-2025-04_Z-2025-07_ Georgia Capital, LLC - Surrounding Property Owners Letter

Attachment J - A-2025-04_Z-2025-07_ Georgia Capital, LLC - Proposed Architectural Elevations

****These items can be found in and attached to A-2025-04 & Z-2025-07 annexation & rezoning agenda item. ****



PLANNING & ZONING STAFF DOCUMENT
ANNEXATION APPLICATION NO. A-2025-04
ZONING/REZONING APPLICATION NO. Z-2025-07

HEARING D Item 9.

Planning Commission:

04/23/2026 at 6:00 PM

City Council:

05/04/2026 at 5:15 PM

ANNEXATION & ZONING APPLICATION AND DOCUMENTS:

- Attachment A – Annexation/Zoning Official Application
Attachment B – Boundary Survey / Legal Description
Attachment C – Site Plan
Attachment D - A-2025-04_Z-2025-07_Georgia Capital, LLC - Paulding County Notification Letter
Attachment E – A-2025-04_Z-2025-07_Georgia Capital, LLC - Paulding County School System Notification Letter
Attachment F – A-2025-04_Z-2025-07_Georgia Capital, LLC / Moore Ingram Johnson & Steele, LLP - Notification Letter
Attachment G – A-2025-04_Z-2025-07_Georgia Capital, LLC / Moore Ingram Johnson & Steele, LLP - Public Hearing Notification Letter
Attachment H - A-2025-04_Z-2025-07_Georgia Capital, LLC - Legal Notice
Attachment I - A-2025-04_Z-2025-07_Georgia Capital, LLC - Surrounding Property Owners Letter
Attachment J - A-2025-04_Z-2025-07_Georgia Capital, LLC - Proposed Architectural Elevations

ANNEXATION & ZONING REQUEST:

APPLICATION No: A-2025-04 & Z-2025-07

Applicant: *Georgia Capital, LLC*

Applicant Address: *400 Galleria Parkway, Suite 1130*

City: *Atlanta* State: *Georgia* Zip: *30339*

Representative: *Moore Ingram Johnson & Steele, LLP – J. Kevin Moore*

Representative Address: *Emerson Overlook, Suite 100, 326 Roswell Street*

City: *Marietta* State: *Georgia* Zip: *30060*

Titleholder: *Estate of Mary Sue Tibbitts*

Titleholder Address: *2928 Stanway Avenue*

City: *Douglasville* State: *Georgia* Zip: *30135*

Titleholder: *230 Summerhill Road, LLC.*

Titleholder Address: *783 Holland Road*

City: *Powder Springs* State: *Georgia* Zip: *30127*



PLANNING & ZONING STAFF DOCUMENT
ANNEXATION APPLICATION NO. A-2025-04
ZONING/REZONING APPLICATION NO. Z-2025-07

HEARING D Item 9.

Planning Commission:

04/23/2026 at 6:00 PM

City Council:

05/04/2026 at 5:15 PM

Titleholder: **Mike J. Pope**

Titleholder Address: **95 Avery Way**

City: **Dallas** State: **Georgia** Zip: **30157**

Location of Property: **469 Summerhill Road, Dallas, Georgia 30132 & Unaddressed property along the Northwesterly and Southeasterly sides of Summerhill Road and Jimmy Lee Smith Parkway**

Tax Parcel ID No.: **147.1.2.002.0000; 147.1.3.008.0000; 147.1.3.010.0000**

Land Lot(s): **458; 459; 479** District: **2nd** Section: **3rd**

Intended Use of Property: **Commercial / Office & Attached Townhomes**

Proposed Lot Sizing: **C-2 +/-9.335 acres; TH +/-26.298 acres**

Proposed Unit Count: **C-2 Tract A +/-78,800; C-2 Tract B +/-9,400; TH 175-units**

Zoning District: **C-2 Medium-Density Commercial District & TH Townhome Residential District (City)**

Setbacks & Lot Requirements:

C-2 Medium - Density Commercial District:

Minimum Lot Size –2.5 ac. subject parcel; Minimum Lot Width – 150ft subject parcel; Minimum Lot Frontage – 50ft. subject parcel; Maximum Building Height – (Principal 60ft.) (Accessory – 26ft.); Front Setback_{1,10} –35ft. subject parcel; Side Setback₂ – (Principal – 30ft.) Accessory – 10ft / 30ft.₄) subject parcel; Rear Setback₂ – (Principal – 45ft.) (Accessory –10ft. / 45 ft.₄)subject parcel; Minimum Distance from Structure on Same Lot – 10ft.; Minimum Ground Floor Area (Per Unit) – (1 Story – N/A Average) (2+ Story – N/A); Total Minimum Living Area (Per Unit) – 750sf; Minimum Living Area Façade Width – N/A; Maximum Lot Coverage (structures and buildings) – 50%; Maximum Lot Coverage (all impervious surfaces) – 80%

TH Townhome Residential District:

Minimum Lot Size –1ac. subject parcel; Minimum Lot Width – 100ft subject parcel; Minimum Lot Frontage – 50ft. subject parcel; Maximum Building Height – (Principal 45ft.) (Accessory – 24ft.); Front Setback –25ft. subject parcel; Side Setback – (Principal – 40ft.) Accessory – 10ft.) subject parcel; Rear Setback – (Principal – 40ft.) (Accessory –10ft.)subject parcel; Minimum Distance from Structure on Same Lot – 20ft.;



PLANNING & ZONING STAFF DOCUMENT
ANNEXATION APPLICATION NO. A-2025-04
ZONING/REZONING APPLICATION NO. Z-2025-07

HEARING D Item 9.

Planning Commission:

04/23/2026 at 6:00 PM

City Council:

05/04/2026 at 5:15 PM

Minimum Ground Floor Area (Per Unit) – (1 Story – 1,040sf Average) (2+ Story – 650); Total Minimum Living Area (Per Unit) – 1,040sf / 950sf; Minimum Living Area Façade Width – 24ft; Maximum Lot Coverage (structures and buildings) – 50%, Acc: 5% or 600sf (whichever is greater); Maximum Lot Coverage (all impervious surfaces) – 60%

STAFF COMMENTS:

Georgia Capital, LLC (Applicant), Estate of Mary Sue Tibbitts; 230 Summerhill Road, LLC.; Mike J. Pope (Titleholder), and Moore Ingram Johnson & Steele, LLP; J. Kevin Moore (Representative), have applied and seek to annex & zone +/-34.455 acres of property located at the Northwesternly and Southeasterly sides of Summerhill Road, from R-2 & B-2 (Paulding County) to TH-Townhome and C-2 Commercial Medium-Density (City of Dallas) for a residential, one hundred seventy-five (175) unit townhome community and medium-density commercial space for retail and office use. The subject property is located and legally known by Tax Parcel ID No(s):147.1.2.002.0000; 147.1.3.008.0000; 147.1.3.010.0000, in Land Lot(s): 458; 459; 479, 2nd District, 3rd Section, of Paulding County.

Property that borders the site to the north is within the city limits of Dallas. Property that borders the site to the south and west are light industrial zoned properties within Paulding County. Properties that border to the west and east are residential zone properties in Paulding County.

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

ADJACENT ZONING

NORTH: OMI – City of Dallas

EAST: R-2 – Paulding County

SOUTH: I-1 – City of Hiram

WEST: R-2 and I-1 – Paulding County

ADJACENT DEVELOPMENT

NORTH: Office Medical Institutional - Residential

EAST: Residential

SOUTH: Light Industrial

WEST: Residential & Light Industrial

B. Permitted Use impact on adjacent properties

- *Proposed townhome development density of 6.65 units per acre.*
- *Minimum lot size: 1:2,500sf*
- *Total unit count: 175*
- *Adjacent lot sizes:*
 - *+/-30 acres – Office Medical Institutional – Assisted Living Community to north*



PLANNING & ZONING STAFF DOCUMENT
ANNEXATION APPLICATION NO. A-2025-04
ZONING/REZONING APPLICATION NO. Z-2025-07

HEARING D Item 9.

Planning Commission:

04/23/2026 at 6:00 PM

City Council:

05/04/2026 at 5:15 PM

- +/-40 acre – Residential property to east
- +/-20 acre – Residential property to west
- +/-6 and +/-12 acre Light Industrial properties to south

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

- None – surrounding residential property is undeveloped single residence as current zoned land use.
- Light Industrial properties to west and south are developed.

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

- Applicant shall complete a Fiscal Impact Analysis. Applicant shall provide written letters of concurrence from all utility providers, city/county government service departments, and public school system noting all impacts are either addressed or will be addressed on or before final platting of subject development.
- Staff comments:
 - Increased traffic on existing State, County, and City public roadways and other nearby major and minor collector roads. Traffic Impact Study is required as part of the annexation and zoning submission and approval process. Developer shall complete all noted improvements as part of platting process. Developer shall provide concurrence document from Paulding County DOT and Georgia Department of Transportation.
 - Increase student population of nearby public schools. Developer shall provide impact concurrence document from Paulding County School System verifying all impacts have been mitigated.
 - Possible increase in calls for service for city police department. Developer shall provide impact concurrence documents from City of Dallas Police Department and Paulding County Sheriffs Office verifying all impacts have been mitigated.
 - Increase daily demand for the existing water system and decrease available sanitary sewer capacity - Paulding County Water System. Developer shall provide capacity certification from Paulding County Water System.
 - Increase in customer count for city garbage service.

E. Supported by current conditions

- Public Water supply via Paulding County Water exists along Summer Hill Road. Water supply capacity to be verified by Paulding County.
- Property is within Paulding County's – Sewer Service Area. Connection and extension of the county's sanitary sewer system may be required to service. Existing sewer infrastructure is located on property to the southeast. Sewer capacity to be verified by Paulding County.



PLANNING & ZONING STAFF DOCUMENT
ANNEXATION APPLICATION NO. A-2025-04
ZONING/REZONING APPLICATION NO. Z-2025-07

HEARING D Item 9.

Planning Commission:

04/23/2026 at 6:00 PM

City Council:

05/04/2026 at 5:15 PM

- *Public Roadway connection via Summer Hill Road. Summer Hill Road is a Paulding County roadway currently connecting Paris Road and Atlanta Highway.*
- *Property is located within the Wellstar Wellness District per the 2022-2027 Paulding County Joint Comprehensive Plan. This district promotes the consideration of multi-family housing to provide housing options for the area's growing future workforce.*
- *Development layout adheres to "park-like setting with quality-of-life amenities and attract additional medical and wellness uses" notated within the Land Use + Economic Development section under the Wellstar Wellness District recommendations.*

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 shown to be located in the Wellstar Wellness District, per the Special Area Studies section of the comprehensive plan. This district notates the consideration of multi-family housing, along with attraction of additional medical and wellness uses. The property is also located within Paulding County's Sewer Service Area. Existing sewer infrastructure is located on property to the southeast.

STAFF RECOMMENDATIONS:

Based on the preceding analysis Community Development staff recommend approval of this Annexation and Rezoning request. If the Planning Commission votes to recommend approval, staff recommend the following stipulations be applied:

1. Development shall be constructed in substantial conformity to the site plan provided in zoning application.
2. Owner/developer shall provide a minimum 20-foot planted or natural (where possible) buffer around the site perimeter and a minimum 20-foot-wide landscape area adjacent to public roads or right-of-way. Buffers and landscape areas shall be designated as common areas controlled by a Homeowner's Association.
3. 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.
4. Owner/developer shall comply, design, and construct all roadway and development entrance improvements and/or transportation improvements as required by Georgia Department of Transportation and/or Paulding County Department of Transportation and/or City of Dallas for access.



PLANNING & ZONING STAFF DOCUMENT
ANNEXATION APPLICATION NO. A-2025-04
ZONING/REZONING APPLICATION NO. Z-2025-07

HEARING D Item 9.

Planning Commission:

04/23/2026 at 6:00 PM

City Council:

05/04/2026 at 5:15 PM

5. Owner/developer shall comply, design, and construct all offsite sanitary sewer system and/or water system improvements and/or upgrades required by Paulding County Water System for servicing the proposed development.
6. The Developer shall install, operate, and maintain a complete Automated License Plate Reader (ALPR) system at each entrance at its sole cost and expense. The Developer must grant immediate and unfettered access to all ALPR data and live feeds to the Dallas Police Department. The system must comply with all applicable federal, state, and local laws, and the Dallas Police Department's established policies and procedures.
 1. Installation & Maintenance: Developer is responsible for all costs related to procurement, installation, maintenance, software access, data hosting, and support of the ALPR system.
 2. System Specifications: The system, including camera locations, power sources, and data storage mechanisms, must meet the technical specifications and approval of the Dallas Police Department.
 3. Law Enforcement Access & Use: Legal ownership and control of the data reside with the Dallas Police Department, and the Developer shall ensure seamless integration and access for law enforcement personnel for public safety and investigative purposes.
7. A Homeowners Association shall be required for the Town Home 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.
8. A Property Management Association shall be required for the C-2 commercial development in its entirety. The Property Management Association shall be created and enacted as part of final platting process for any development phase. Property Management Association shall include all commercial zoned property mandatory.
9. Owner/developer shall supply for City of Dallas approval, detailed architectural elevation design plans for front, left side, right side, and rear of townhomes for each townhome to be constructed. All townhomes, buildings, or other structures shall comply with standards set forth in the city's ordinance codes.
10. Owner/developer shall supply for City of Dallas approval, detailed architectural elevation design plans for front, left side, right side, and rear of commercial buildings for each commercial building to be constructed. All buildings, or other structures shall comply with standards set forth in the city's ordinance codes.



PLANNING & ZONING STAFF DOCUMENT
ANNEXATION APPLICATION NO. A-2025-04
ZONING/REZONING APPLICATION NO. Z-2025-07

HEARING D Item 9.

Planning Commission:

04/23/2026 at 6:00 PM

City Council:

05/04/2026 at 5:15 PM

11. Owner/developer shall provide written notice of concurrence stating noted impact have been satisfied from all entities found in the Fiscal Impact Analysis including but not limited to Paulding County School System, Paulding County Department of Transportation, Paulding County Water System, Paulding County Sheriff's Office, Paulding County Fire Department, Georgia Department of Transportation, City of Dallas Police Department and Solid Waste Department, Greystone Power/GA Power Company, Comcast, AT&T, Southern Company Gas, and any additional utility provider located in and servicing the development area.
12. ~~Owner/developer shall agree rental properties shall not exceed 10% (Seventeen (17) units) of the overall 175 unit count.~~

PLANNING COMMISSION:

A. PUBLIC HEARING DATE:

- April 23, 2026

B. RECOMMENDATION:

- **Approval** - Annexation Application A-2025-04 as presented.
- **Approval** - Rezoning Application Z-2025-07 with the following conditions:
 - i. Staff Recommendations: No(s) 1-11 as presented and specified in the Planning & Zoning Staff Document.
 - ii. Ownership and Rental Restrictions Stipulation as specified in item C. below (*Revised Staff Recommendation No. 12*)

C. ADDITIONAL STIPLULATIONS

12. Ownership and Rental Restrictions (*Revised Staff Recommendation No.12*):

Prior to or concurrent with approval of the preliminary plat, the Owner/Developer shall provide to the City a legally binding instrument, in a form acceptable to the City Attorney, establishing the ownership and rental structure for the subject development. Such instrument shall irrevocably elect and enforce one (1) of the following development options:

1. **For-Rent Community Option:** The development shall be established and maintained as a one hundred percent (100%) for-rent townhome community, owned and operated under the unified control of a single ownership entity and/or management company. Individual unit sales shall be prohibited.



PLANNING & ZONING STAFF DOCUMENT
ANNEXATION APPLICATION NO. A-2025-04
ZONING/REZONING APPLICATION NO. Z-2025-07

HEARING D Item 9.

Planning Commission:

04/23/2026 at 6:00 PM

City Council:

05/04/2026 at 5:15 PM

OR

2. **For-Sale Community with Rental Cap Option:** The development shall be established as a for-sale townhome community. Rental of units shall be limited to no more than ten percent (10%) of the total number of units within the development, not to exceed seventeen (17) units based on the approved maximum of one hundred seventy-five (175) units.

The option selected by the Owner/Developer in the required legal instrument shall be incorporated into the homeowners' association (HOA) covenants, conditions, and restrictions (CC&Rs) and/or bylaws, as applicable, and shall be recorded with the final plat. Such provisions shall run with the land and be binding on all successors and assigns.

ADDITIONAL STAFF RECOMMENDATIONS:

12. Enforcement and Compliance: (*Addition to Planning Commission Stipulation No.12*)

The ownership and rental restrictions set forth herein, and as further detailed in the recorded legal instrument and HOA documents, shall constitute zoning conditions of approval. Any violation of the Ownership or Rental Restrictions development option, including but not limited to unauthorized unit sales, exceeding the permitted rental cap, or failure to maintain single-entity control (as applicable), shall be deemed a violation of the City's zoning ordinance.

The City shall have full authority to enforce these provisions through all remedies available under the zoning code and applicable law, including but not limited to issuance of citations, stop-work orders, withholding or revocation of permits or certificates of occupancy, and pursuit of civil penalties or injunctive relief. The Owner/Developer and the HOA shall cooperate with the City by providing documentation reasonably necessary to verify ongoing compliance, including leasing records or ownership data upon request.

Unless explicitly stated herein, all other lot and development standards shall comply with the C-2 & TH zoning district as written in the City of Dallas Unified Development Code. All other regulation, requirements, standards and specification shall comply with City of Dallas Code of Ordinances.

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



ANNEXATION APPLICATION

Application No. A - 2025 - 04

(PAGE 1 of 11)

HEARING DATE

Planning Commission:

04/23/2026 6:00 PM

City Council:

05/04/2026 5:15 PM

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Georgia Capital, LLC

Address: 400 Galleria Parkway, Suite 1130

City: Atlanta **State:** GA **Zip:** 30339

Phone: [REDACTED] **E-mail address:** [REDACTED]
Georgia Capital, LLC

See Applicant's Signature on Previously Filed
BY: Rezoning/Annexation Application (Copy Attached Hereto) Kendall B. King, Director

Applicant's Signature

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Commission Expires:

The day of , 20 .

Notary Public Signature

SEAL:

Representative: Moore Ingram Johnson & Steele, LLP - J. Kevin Moore

Address: Emerson Overlook, Suite 100, 326 Roswell Street

City: Marietta **State:** GA **Zip:** 30060

Phone: [REDACTED] **E-mail address:** [REDACTED]

MOORE INGRAM JOHNSON & STEELE, LLP

BY: [Signature]

J. Kevin Moore

Applicant's Signature

Printed Name of Signatory

J. Kevin Moore; GA Bar No. 519728
Attorneys for Applicant and Property Owners

Signed, sealed and delivered in the presence of:

Notary Commission Expires:

The 10th day of January, 2027.

Notary Public Signature

SEAL:



CITY STAFF ONLY:

TIME/DATE STAMP:

FILED WITH COMMUNITY DEVELOPMENT: November 26, 2025

APPLICATION ACCEPTANCE DATE: January 28, 2026

DIRECTOR:

(SIGNATURE)

01-28-2026

(DATE)



ANNEXATION APPLICATION

Application No. A - 2025 - 04

(PAGE 2 of 11)

(PLEASE PRINT OR TYPE ALL INFORMATION)

Titleholder: Estate of Mary Sue Tibbitts

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 2928 Stanway Avenue

City: Douglasville State: GA Zip: 30135

Phone: [REDACTED] E-mail address: _____

Georgia Capital, LLC

See Applicant's Signature on Previously Filed Rezoning/

BY: Annexation Application (Copy Attached Hereto)

Kendall B. King, Director

Applicant's Signature

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Commission Expires:

The _____ day of _____, 20____.

Notary Public Signature

SEAL:

Property Information

Present Zoning Classification: R-2, B-2 (Overall) (PAULDING) Requested Zoning Classification: TH, C-2 (CITY)

Total Acreage of Annexation Application: 35.633+/- (Overall) Acreage of Titleholder: 34.455+/-

10.409+/- (N); 24.046+/- (S)

Land Lot(s): 458, 459 District(s): 2nd Section(s): 3rd

Tax Parcel I.D. Number(s): 147.1.2.002.0000

Location of Property: Northwesterly and southeasterly sides of Summerhill Road (469 Summerhill Road)

(Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road))

Detailed description of proposed land use (including maximum number of lots, if residential, or number of units):

Proposed Use: Townhome community consisting of maximum 175 residential units, including related amenities;
two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Proposed Lot Count: 175 Proposed Density: 6.65+/- upa Proposed Lot Size: 24' x 40'

Compliant with 2022-2027 Joint Comprehensive Plan: YES ☒ NO ☐

Additional Tax Parcel I.D. No.(s) 147.1.3.008.0000; 147.1.3.010.0000

Additional Land Lots here: 479, _____, _____, _____, _____, _____

Zoning Application No. Z - _____ - _____



ANNEXATION APPLICATION

Application No. A - 2025 - 04

(PAGE 2 of 11)

(PLEASE PRINT OR TYPE ALL INFORMATION)

Titleholder: 230 Summerhill Road, LLC

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 783 Holland Road

City: Powder Springs State: GA Zip: 30127

Phone: ([REDACTED]) E-mail address: _____

Georgia Capital, LLC

BY: See Applicant's Signature on Previously Filed Rezoning/
Annexation Application (Copy Attached Hereto)

Applicant's Signature

Kendall B. King, Director

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Commission Expires:

The _____ day of _____, 20____.

Notary Public Signature

SEAL:

Property Information

Present Zoning Classification: R-2 (Overall) (PAULDING) Requested Zoning Classification: TH, C-2 (CITY)

Total Acreage of Annexation Application: 35.633+/- (Overall) Acreage of Titleholder: 0.495+/-

Land Lot(s): 479 District(s): 2nd Section(s): 3rd

Tax Parcel I.D. Number(s): 147.1.3.008.0000

Location of Property: Northerly side of Jimmy Lee Smith Parkway; southeasterly of Summerhill Road (unassigned)
(Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road))

Detailed description of proposed land use (including maximum number of lots, if residential, or number of units):

Proposed Use: Townhome community consisting of maximum 175 residential units, including related amenities;
two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Proposed Lot Count: 175 Proposed Density: 6.65+/- upa Proposed Lot Size: 24' x 40'

Compliant with 2022-2027 Joint Comprehensive Plan: YES ☒ NO ☐

Additional Tax Parcel I.D. No.(s) 147.1.3.010.0000; 147.1.2.002.0000

Additional Land Lots here: 458, 459, _____, _____, _____, _____

Zoning Application No. Z - _____ - _____

**ZONING / REZONING APPLICATION**

City of Dallas, Georgia

Application # _____ - _____

Hearing Dates: PC: _____ CC: _____

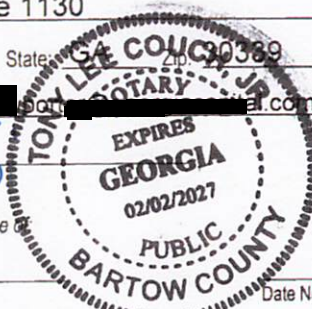
(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Georgia Capital, LLC Business phone: _____ Cell: _____Address: 400 Galleria Parkway, Suite 1130 Home phone: _____City: Atlanta State: GA Zip: 30389 Fax phone: _____

E-mail address: _____

BY: Kendall B. King
Applicant's Signature

Signed, sealed and delivered in the presence of:

J. Kevin Moore
Notary PublicKendall B. King, Director
Printed Name of Signatory2/2/27
Date Notary Commission ExpiresRepresentative: Moore Ingram Johnson & Steele, LLP Phone: _____ Cell: _____Address: Emerson Overlook, Suite 100, 326 Roswell Street City: Marietta State: GA Zip: 30060

E-mail address: _____ Fax phone: _____

BY: J. Kevin Moore
Representative's Signature
Attorneys for Applicant and Property Owners
Signed, sealed and delivered in the presence of:Carolyn E. Cook
Notary PublicJ. Kevin Moore
Printed Name of SignatoryJanuary 10, 2027
Date Notary Commission ExpiresTitleholder: _____ Business phone: _____ Home phone: _____
(Each Titleholder must have a separate, complete form with notarized signatures)

Address: _____ City: _____ State: _____ Zip: _____

See Attached for Titleholders' Signatures

Signature

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Public

Date Notary Commission Expires

Property InformationPresent Zoning Classification: R-2, B-1, B-2 (Paulding County) Requested Zoning Classification: TH, C-2 (City of Dallas)Total Acreage of Zoning/Rezoning Application: 35.633+/- (Overall) Acreage of Titleholder: _____Land Lot(s): 458, 459, 479 District(s): 2nd Section(s): 3rd Tax Parcel I.D. Number(s): 147.1.2.002.0000
147.1.3.008.0000
147.1.3.010.0000Location of Property: Northwesterly and southeasterly sides of Summerhill Road; portion on northerly side of Jimmy Lee Smith Parkway
Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road) (469 Summerhill Road; unassigned parcels)Detailed description of proposed development (including maximum number of lots, if residential, or number of units): Townhome Community consisting of maximum 174 residential units, including related amenities; two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Filed with City: _____ (Date) _____ (Signature)

City of Dallas Planning Commission Recommendation: ☐ Approve ☐ Disapprove ☐ No recommendation

Conditions, reasons, stipulations: _____

City Council Decision: ☐ Approve ☐ Approve as different classification ☐ Disapprove

Conditions, reasons, stipulations: _____

Revised 7/2019

**ZONING / REZONING APPLICATION**

City of Dallas, Georgia

Application # _____ - _____

Hearing Dates: PC: _____ CC: _____

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Georgia Capital, LLC Business phone: _____ Cell: _____Address: 400 Galleria Parkway, Suite 1130 Home phone: _____City: Atlanta State: GA Zip: 30389 Fax phone: _____

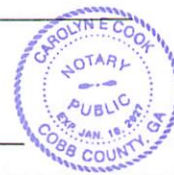
E-mail address: _____

BY: [Signature]
Applicant's Signature

Signed, sealed and delivered in the presence of:

[Signature]
Notary PublicKendall B. King, Director
Printed Name of SignatoryDate Notary Commission Expires 2/2/27Representative: Moore Ingram Johnson & Steele, LLP Phone: _____ Cell: _____Address: Emerson Overlook, Suite 100, 326 Roswell Street City: Marietta State: GA Zip: 30060

E-mail address: _____ Fax phone: _____

BY: [Signature]
Representative's Signature
Attorneys for Applicant and Property Owners
Signed, sealed and delivered in the presence of:[Signature]
Notary PublicJ. Kevin Moore
Printed Name of SignatoryJanuary 10, 2027
Date Notary Commission Expires

Titleholder: _____ Business phone: _____ Home phone: _____

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: _____ City: _____ State: _____ Zip: _____

See Attached for Titleholders' Signatures

Signature

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Public

Date Notary Commission Expires

Property InformationPresent Zoning Classification: R-2, B-1, B-2 (Paulding County) Requested Zoning Classification: TH, C-2 (City of Dallas)Total Acreage of Zoning/Rezoning Application: 35.633+/- (Overall) Acreage of Titleholder: _____Land Lot(s): 458, 459, 479 District(s): 2nd Section(s): 3rd Tax Parcel I.D. Number(s): 147.1.2.002.0000
10.409+/- (N); 25.224+/- (S) 147.1.3.008.0000
147.1.3.010.0000Location of Property: Northwesterly and southeasterly sides of Summerhill Road; portion on northerly side of Jimmy Lee Smith Parkway
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Filed with City: _____ (Date) _____ (Signature)

City of Dallas Planning Commission Recommendation: ☐ Approve ☐ Disapprove ☐ No recommendation

Conditions, reasons, stipulations: _____

City Council Decision: ☐ Approve ☐ Approve as different classification ☐ Disapprove

Conditions, reasons, stipulations: _____

Revised 7/2019



Zoning/Rezoning Application

Application No. Z - 225 - 07

(PAGE 2 of 15)

(PLEASE PRINT OR TYPE ALL INFORMATION)

Titleholder: Estate of Mary Sue Tibbitts

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 2928 Stanway Avenue

City: Douglasville

State: GA

Zip: 30135

Phone: ([REDACTED]) E-mail address: _____

Georgia Capital, LLC

See Applicant's Signature on Previously Filed Rezoning/
BY: Annexation Application (Original Attached Hereto)

Applicant's Signature

Kendall B. King, Director

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Commission Expires:

The _____ day of _____, 20____.

Notary Public Signature

SEAL:

Property Information

Present Zoning Classification: R-2, B-2

(Overall)

Requested Zoning Classification: TH, C-2

Total Acreage of Zoning Application: 35.633+/- (Overall)

Acreage of Titleholder: 34.455+/-

Land Lot(s): 458, 459

District(s): 2nd

Section(s): 3rd

10.409+/- (N); 24.046+/- (S)

Tax Parcel I.D. Number(s): 147.1.2.002.0000

Location of Property: Northwesterly and southeasterly sides of Summerhill Road (469 Summerhill Road)

(Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road))

Detailed description of proposed land use (including maximum number of lots, if residential, or number of units):

Proposed Use: Townhome community consisting of maximum 175 residential units, including related amenities;
two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Proposed Lot Count: 175

Proposed Density: 6.65+/- upa

Proposed Lot Size: 24' x 40'

Compliant with 2022-2027 Joint Comprehensive Plan:

YES ☒

NO ☐

Additional Tax Parcel I.D. No.(s) 147.1.3.008.0000; 147.1.3.010.0000

Additional Land Lots here: 479, _____, _____, _____, _____, _____

Annexation Application No. Z - _____ - _____



ZONING / REZONING APPLICATION

City of Dallas, Georgia

Application # _____ - _____

Hearing Dates: PC: _____ CC: _____

OFFICE OF THE CITY CLERK
Time/Date Stamp
Item 9.

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Georgia Capital, LLC Business phone: _____ Cell: _____

Address: 400 Galleria Parkway, Suite 1130 Home phone: _____

City: Atlanta State: GA Zip: 30339 Fax phone: _____

E-mail address: _____

BY: [Signature]
Applicant's Signature

Kendall B. King, Director
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

12.26.2028
Date Notary Commission Expires

Representative: Moore Ingram Johnson & Steele, LLP Phone: _____ Cell: _____

Address: Emerson Overlook, Suite 100, 326 Roswell Street City: Marietta State: GA Zip: 30060

E-mail address: _____ Fax phone: _____

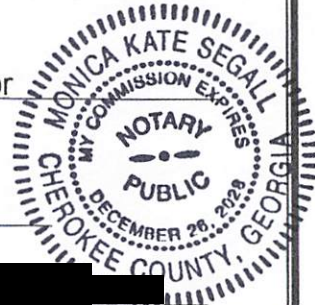
BY: [Signature]
Representative's Signature

J. Kevin Moore
Printed Name of Signatory

Attorneys for Applicant and Property Owners
Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

January 10, 2027
Date Notary Commission Expires



Titleholder: Estate of Mary Sue Tibbitts Business phone: _____ Cell: _____
(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 2928 Stanway Avenue City: Douglasville State: GA Zip: 30135

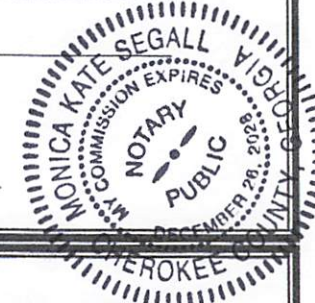
[Signature]
Signature

Tammy J. Kone, Executor
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

12.26.2028
Date Notary Commission Expires



Property Information

Present Zoning Classification: R-2, B-2 (Paulding County) (Overall) Requested Zoning Classification: TH, C-2 (City of Dallas)

Total Acreage of Zoning/Rezoning Application: 35.633+/- (Overall) Acreage of Titleholder: 34.455 +/- (Overall)

Land Lot(s): 458, 459 District(s): 2nd Section(s): 3rd Tax Parcel I.D. Number(s): 147.1.2.002.0000

Location of Property: Northwesterly and southeasterly sides of Summerhill Road (469 Summerhill Road)
Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road)

Detailed description of proposed development (including maximum number of lots, if residential, or number of units): Townhome Community consisting of maximum 174 residential units, including related amenities; two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Filed with City: _____ (Date) _____ (Signature)

City of Dallas Planning Commission Recommendation: ☐ Approve ☐ Disapprove ☐ No recommendation

Conditions, reasons, stipulations: _____

City Council Decision: ☐ Approve ☐ Approve as different classification ☐ Disapprove

Conditions, reasons, stipulations: _____



Zoning/Rezoning Application

Application No. Z - 2025 - 07

(PAGE 2 of 15)

(PLEASE PRINT OR TYPE ALL INFORMATION)

Titleholder: 230 Summerhill Road, LLC

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 783 Holland Road

City: Powder Springs State: GA Zip: 30127

Phone: [REDACTED] E-mail address: _____

Georgia Capital, LLC

See Applicant's Signature on Previously Filed Rezoning/
BY: Annexation Application (Original Attached Hereto)

Applicant's Signature

Kendall B. King, Director

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Commission Expires:

Notary Public Signature

The ____ day of _____, 20 ____.

SEAL:

Property Information

Present Zoning Classification: R-2 (Overall) Requested Zoning Classification: TH, C-2

Total Acreage of Zoning Application: 35.633+/- (Overall) Acreage of Titleholder: 0.495+/-

Land Lot(s): 479 District(s): 2nd Section(s): 3rd

Tax Parcel I.D. Number(s): 147.1.3.008.0000, _____, _____

Location of Property: Northerly side of Jimmy Lee Smith Parkway; southeasterly of Summerhill Road (unassigned)
(Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road))

Detailed description of proposed land use (including maximum number of lots, if residential, or number of units):

Proposed Use: Townhome community consisting of maximum 175 residential units, including related amenities; two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Proposed Lot Count: 175 Proposed Density: 6.65+/- upa Proposed Lot Size: 24' x 40'

Compliant with 2022-2027 Joint Comprehensive Plan: YES ☒ NO ☐

Additional Tax Parcel I.D. No.(s) 147.1.3.010.0000; 147.1.2.002.0000

Additional Land Lots here: 458, 459, _____, _____, _____, _____

Annexation Application No. Z - _____ - _____



ZONING / REZONING APPLICATION

City of Dallas, Georgia

Application # _____ - _____

Hearing Dates: PC: _____ CC: _____

OFFICE USE

Item 9.

Time/Date Stamp

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Georgia Capital, LLC Business phone: _____ Cell: _____

Address: 400 Galleria Parkway, Suite 1130 Home phone: _____

City: Atlanta State: GA Zip: 30339 Fax phone: _____

E-mail address: _____

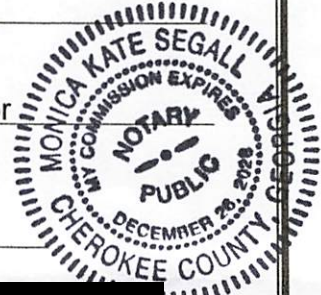
BY: [Signature]
Applicant's Signature

Kendall B. King, Director
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

12.26.2028
Date Notary Commission Expires



Representative: Moore Ingram Johnson & Steele, LLP Phone: _____ Cell: _____

Address: Emerson Overlook, Suite 100, 326 Roswell Street City: Marietta State: GA Zip: 30060

E-mail address: _____ Fax phone: _____

BY: [Signature]
Representative's Signature

J. Kevin Moore
Printed Name of Signatory

Attorneys for Applicant and Property Owners

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

January 10, 2027
Date Notary Commission Expires



Titleholder: 230 Summerhill Road, LLC Business phone: _____

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 783 Holland Road City: Powder Springs State: GA Zip: 30127

BY: [Signature]
Signature

Richard L. Harris
Printed Name of Signatory

TITLE: NOTARY KATHLEEN H. SMITH

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

4-15-27
Date Notary Commission Expires



Property Information

Present Zoning Classification: R-2 (Paulding County) (Overall) Requested Zoning Classification: TH, C-2 (City of Dallas)

Total Acreage of Zoning/Rezoning Application: 35.633+/- (Overall) Acreage of Titleholder: 0.495+/-

Land Lot(s): 479 District(s): 2nd Section(s): 3rd Tax Parcel I.D. Number(s): 147.1.3.008.0000

Location of Property: Northerly side of Jimmy Lee Smith Parkway; southeasterly side of Summerhill Road (unassigned)

Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road)

Detailed description of proposed development (including maximum number of lots, if residential, or number of units): Townhome Community consisting of maximum

174 residential units, including related amenities; two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Filed with City: _____ (Date) _____ (Signature)

City of Dallas Planning Commission Recommendation: ☐ Approve ☐ Disapprove ☐ No recommendation

Conditions, reasons, stipulations: _____

City Council Decision: ☐ Approve ☐ Approve as different classification ☐ Disapprove

Conditions, reasons, stipulations: _____



ZONING / REZONING APPLICATION

City of Dallas, Georgia

Application # _____ - _____

Hearing Dates: PC: _____ CC: _____

OFFICE USE
Time/Date Stamp

Item 9.

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Georgia Capital, LLC Business phone: _____ Cell: _____

Address: 400 Galleria Parkway, Suite 1130 Home phone: _____

City: Atlanta State: GA Zip: 30339 Fax phone: _____

E-mail address: _____

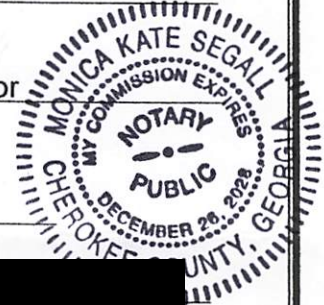
BY: [Signature]
Applicant's Signature

Kendall B. King, Director
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

12.26.2028
Date Notary Commission Expires



Representative: Moore Ingram Johnson & Steele, LLP Phone: _____ Cell: _____

Address: Emerson Overlook, Suite 100, 326 Roswell Street City: Marietta State: GA Zip: 30060

E-mail address: _____ Fax phone: _____

BY: [Signature]
Representative's Signature
Attorneys for Applicant and Property Owners

J. Kevin Moore
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

January 10, 2027
Date Notary Commission Expires



Titleholder: 230 Summerhill Road, LLC Business phone: _____ Home phone: _____

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 783 Holland Road City: Powder Springs State: GA Zip: 30127

BY: [Signature]
Signature

Delores C. Harris
Printed Name of Signatory

TITLE: Member
Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

4-15-27
Date Notary Commission Expires



Property Information

Present Zoning Classification: R-2 (Paulding County)

(Overall)
Requested Zoning Classification: TH, C-2 (City of Dallas)

Total Acreage of Zoning/Rezoning Application: 35.633+/- (Overall) Acreage of Titleholder: 0.495+/-

Land Lot(s): 479 District(s): 2nd Section(s): 3rd Tax Parcel I.D. Number(s): 147.1.3.008.0000

Location of Property: Northerly side of Jimmy Lee Smith Parkway; southeasterly side of Summerhill Road (unassigned)

Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road)

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Filed with City: _____ (Date) _____ (Signature)

City of Dallas Planning Commission Recommendation: ☐ Approve ☐ Disapprove ☐ No recommendation

Conditions, reasons, stipulations: _____

City Council Decision: ☐ Approve ☐ Approve as different classification ☐ Disapprove

Conditions, reasons, stipulations: _____



Zoning/Rezoning Application

Application No. Z - 2025 - 07

(PAGE 2 of 15)

(PLEASE PRINT OR TYPE ALL INFORMATION)

Titleholder: Mike J. Pope

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 98 Avery Way

City: Dallas State: GA Zip: 30157

Phone: () E-mail address: _____

Georgia Capital, LLC

See Applicant's Signature on Previously Filed Rezoning/
BY: Annexation Application (Original Attached Hereto)

Applicant's Signature

Kendall B. King, Director

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Commission Expires:

Notary Public Signature

The ____ day of _____, 20____.

SEAL:

Property Information

Present Zoning Classification: B-1 (Overall) Requested Zoning Classification: TH, C-2

Total Acreage of Zoning Application: 35.633+/- (Overall) Acreage of Titleholder: 0.683+/-

Land Lot(s): 479 District(s): 2nd Section(s): 3rd

Tax Parcel I.D. Number(s): 147.1.3.010.0000, _____, _____

Location of Property: Northerly side of Jimmy Lee Smith Parkway; southeasterly of Summerhill Road (unassigned)
(Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road))

Detailed description of proposed land use (including maximum number of lots, if residential, or number of units):

Proposed Use: Townhome community consisting of maximum 175 residential units, including related amenities; two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Proposed Lot Count: 175 Proposed Density: 6.65+/- upa Proposed Lot Size: 24' x 40'

Compliant with 2022-2027 Joint Comprehensive Plan: YES ☒ NO ☐

Additional Tax Parcel I.D. No.(s) 147.1.3.008.0000; 147.1.2.002.0000

Additional Land Lots here: 458, 459, _____, _____, _____, _____

Annexation Application No. Z - _____ - _____



ZONING / REZONING APPLICATION

City of Dallas, Georgia

Application # _____ - _____

Hearing Dates: PC: _____ CC: _____

OFFICE OF THE CITY CLERK
Time Date Stamp
Item 9.

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Georgia Capital, LLC Business phone: _____ Cell: _____

Address: 400 Galleria Parkway, Suite 1130 Home phone: _____

City: Atlanta State: GA Zip: 30339 Fax phone: _____

E-mail address: _____

BY: [Signature]
Applicant's Signature

Kendall B. King, Director
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

12.26.2025
Date Notary Commission Expires



Representative: Moore Ingram Johnson & Steele, LLP Phone: _____ Cell: _____

Address: Emerson Overlook, Suite 100, 326 Roswell Street City: Marietta State: GA Zip: 30060

E-mail address: _____ Fax phone: _____

BY: [Signature]
Representative's Signature
Attorneys for Applicant and Property Owners

J. Kevin Moore
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

January 10, 2027
Date Notary Commission Expires



Titleholder: Mike J. Pope Business phone: _____ Home phone: _____

(Each Titleholder must have a separate, complete form with notarized signatures)

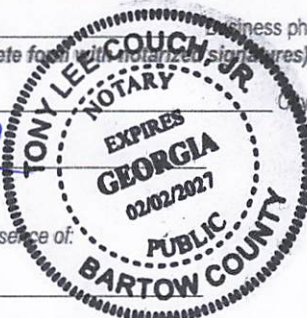
Address: 95 Avery Way City: Dallas State: GA Zip: 30157

[Signature]
Signature

Mike J. Pope
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public



Date Notary Commission Expires

Property Information

Present Zoning Classification: B-1 (Paulding County) (Overall) Requested Zoning Classification: TH, C-2 (City of Dallas)

Total Acreage of Zoning/Rezoning Application: 35.633+/- (Overall) Acreage of Titleholder: 0.683±

Land Lot(s): 479 District(s): 2nd Section(s): 3rd Tax Parcel I.D. Number(s): 147.1.3.010.0000

Location of Property: Northerly side of Jimmy Lee Smith Parkway; southeasterly of Summerhill Road (unassigned)

Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road)

Detailed description of proposed development (including maximum number of lots, if residential, or number of units): Townhome Community consisting of maximum 174 residential units, including related amenities; two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Filed with City: _____ (Date) _____ (Signature)

City of Dallas Planning Commission Recommendation: Approve Disapprove No recommendation

Conditions, reasons, stipulations: _____

City Council Decision: Approve Approve as different classification Disapprove

Conditions, reasons, stipulations: _____

RESOLUTION OF 230 SUMMERHILL ROAD, LLC

THE UNDERSIGNED, being the Manager and Members of 230 SUMMERHILL ROAD, LLC, a limited liability company organized and existing pursuant to the laws of the State of Georgia (hereinafter referred to as the "Company"), does on oath, state as follows:

WHEREAS, the Company is the owner of approximately 0.495 acres of real property located on the northerly side of Jimmy Lee Smith Parkway, westerly of Bill Carruth Parkway, being identified as a portion of Paulding County Tax Parcel No. 147.1.3.008.0000, and being an unassigned and unnumbered parcel, in Land Lots 458 and 479, 2nd District, 3rd Section, Paulding County, Georgia (hereinafter the "Property" or the "Subject Property"); and

WHEREAS, the Company consents to the filing of an Application for Annexation for the Property in the City of Dallas, Paulding County, Georgia, and, in connection therewith, the Company must execute an Authorization of Titleholder and any other ancillary documentation (hereinafter collectively referred to as "Application") to consummate the contemplated filing of the Application, and written documentation is required to authorize the Application and to specifically authorize the execution on behalf of the Company of all documents necessary to consummate the filing of the Application; and

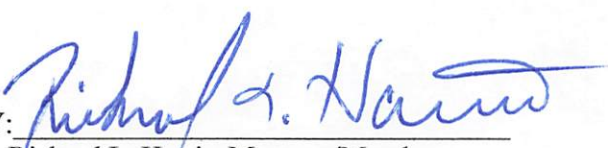
WHEREAS, the undersigned are the Manager and Members of the Company.

NOW, THEREFORE, BE IT RESOLVED that both RICHARD L. HARRIS, as Member and Manager of the Company, and DELORES C. HARRIS, as Member of the Company, are authorized to execute the aforesaid Application for Annexation and any and all other documents necessary or appropriate to file and complete the annexation process for the Subject Property on such terms, conditions, and provisions as they deem necessary and appropriate; such execution of any documents being conclusive evidence that RICHARD L. HARRIS and DELORES C. HARRIS deem the terms, conditions, and provisions thereof to be proper and in the best interest of the Company.

RESOLVED, FURTHER, that any and all acts of RICHARD L. HARRIS and DELORES C. HARRIS are pursuant to the authority granted to them by the Company and are accepted as actions of the Company.

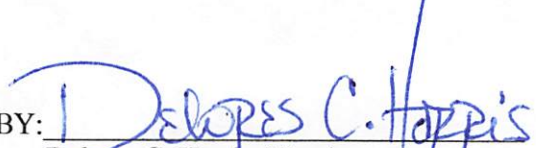
IN WITNESS WHEREOF, the undersigned Manager and Members of the Company have hereunto set their hands and seals as of the day and year written below.

230 SUMMERHILL ROAD, LLC

BY: 
Richard L. Harris, Manager/Member

Executed: 11/8, 2025

230 SUMMERHILL ROAD, LLC

BY: 
Delores C. Harris, Member

Executed: 11/8, 2025



Probate Court of Cobb County

IN THE PROBATE COURT OF COBB COUNTY
STATE OF GEORGIA

FILED IN OFFICE

2022 AUG 31 AM 11:52

IN RE: ESTATE OF)

MARY SUE TIBBITTS,
DECEASED)

PROBATE COURT OF
COBB COUNTY, GA
ESTATE NO. 22-1173

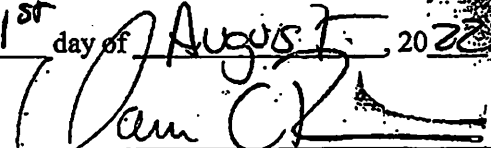
LETTERS TESTAMENTARY

[Relieved of filing returns]

At a regular term of probate court, the last will and testament dated AUGUST 3, 2021 of the above-named decedent, who was domiciled in this county at the time of his or her death or was domiciled in another state but owned property in this county at the time of his or her death, was legally proven in solemn form to be the decedent's will and was admitted to record by order, and it was further ordered that TAMMY J. KONE named as executor in said will, be allowed to qualify, and that upon so doing, letters testamentary be issued to such executor.

THEREFORE, the executor, having taken the oath of office and complied with all necessary prerequisites of the law, is legally authorized to discharge all the duties and exercise all powers of executor under the will of said decedent, according to the decedent's will and the law.

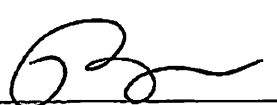
Given under my hand and official seal, the 31st day of August, 2022


Tara C. Riddle, Associate Judge
Cobb County Probate Court

*The following must be signed if the judge
does not sign the original of this document:*

Issued by:

[Seal]


Clerk of the Probate Court



AUTHORIZATION OF TITLEHOLDER

Tammy J. Kone, Executor of the
I, Estate of Mary Sue Tibbitts, being duly sworn upon ~~his~~ her oath, being of sound mind
and legal age, deposes and states that ~~XXXX~~ XXXX is the owner of the property which is subject of this
application, as is shown in the records of Paulding County, Georgia.
the Estate

~~XX~~/she authorizes the person named below to act as applicant in the pursuit of a request for Rezoning.

I hereby authorize the City of Dallas – Community Development Department to inspect the premises
which are subject of the application.

Name of Applicant Georgia Capital, LLC

Address 400 Galleria Parkway, Suite 1130

City Atlanta State GA Zip 30339

Email [REDACTED]

Phone [REDACTED]

Name(s) of Titleholder(s) Estate of Mary Sue Tibbitts

Address 2928 Stanway Avenue

City Douglasville State GA Zip 30135

Email [REDACTED] Phone [REDACTED]

Estate of Mary Sue Tibbitts

BY: See Titleholder's Signature on Previously Filed
Rezoning/Annexation Application (Original Attached Hereto)
Signature of Titleholder(s) Tammy J. Kone, Executor

Signed, sealed and delivered in the presence of:

Notary Public Signature My Commission Expires _____

Seal:

***A SEPARATE AUTHORIZATION OF TITLEHOLDER IS REQUIRED
TO BE COMPLETED BY EACH TITLEHOLDER***



AUTHORIZATION OF TITLEHOLDER

I, 230 Summerhill Road, LLC, being duly sworn upon ~~his~~^{its} oath, being of sound mind and legal age, deposes and states that ~~he/she~~^{it} is the owner of the property which is subject of this application, as is shown in the records of Paulding County, Georgia.

It ~~is~~^{is} she authorizes the person named below to act as applicant in the pursuit of a request for Rezoning.

It ~~is~~^{is} hereby authorize^s the City of Dallas – Community Development Department to inspect the premises which are subject of the application.

Name of Applicant Georgia Capital, LLC

Address 400 Galleria Parkway, Suite 1130

City Atlanta State GA Zip 30339

Email [REDACTED]

Phone [REDACTED]

Name(s) of Titleholder(s) 230 Summerhill Road, LLC

Address 783 Holland Road

City Powder Springs State GA Zip 30127

Email [REDACTED] Phone [REDACTED]

230 Summerhill Road, LLC

BY: See Titleholder's Signature on Previously Filed
Rezoning/Annexation Application (Original Attached Hereto)

Signature of Titleholder(s) Richard L. Harris, Manager/Member
Delores C. Harris, Member

Signed, sealed and delivered in the presence of:

Notary Public Signature My Commission Expires _____

Seal:

***A SEPARATE AUTHORIZATION OF TITLEHOLDER IS REQUIRED
TO BE COMPLETED BY EACH TITLEHOLDER***



AUTHORIZATION OF TITLEHOLDER

I, Mike J. Pope, being duly sworn upon his/~~her~~ oath, being of sound mind and legal age, deposes and states that he/~~she~~ is the owner of the property which is subject of this application, as is shown in the records of Paulding County, Georgia.

He/~~she~~ authorizes the person named below to act as applicant in the pursuit of a request for Rezoning.

I hereby authorize the City of Dallas – Community Development Department to inspect the premises which are subject of the application.

Name of Applicant Georgia Capital, LLC

Address 400 Galleria Parkway, Suite 1130

City Atlanta State GA Zip 30339

Email [REDACTED]

Phone [REDACTED]

Name(s) of Titleholder(s) Mike J. Pope

Address 98 Avery Way

City Dallas State GA Zip 30157

Email [REDACTED] Phone [REDACTED]

See Titleholder's Signature on Previously Filed
Rezoning/Annexation Application (Original Attached Hereto)

Signature of Titleholder(s) Mike J. Pope

Signed, sealed and delivered in the presence of:

Notary Public Signature My Commission Expires _____

Seal:

***A SEPARATE AUTHORIZATION OF TITLEHOLDER IS REQUIRED
TO BE COMPLETED BY EACH TITLEHOLDER***



PROPERTY/FINANCIAL DISCLOSURE REPORT BY APPLICANT¹ AND/OR AUTHORIZED AGENT

Does any member of the City Council or Planning Commission have a property interest (direct or indirect ownership, including any percentage of ownership less than total) in the subject property? ☒ No ☐ Yes

If yes, describe the nature and extent of such interest: Not Applicable.

Does any member of the City Council or Planning Commission have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is 10% or more) of a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property? ☒ No ☐ Yes

If yes, describe the nature and extent of such interest: Not Applicable.

Does any member of the City Council or Planning Commission have a spouse, mother, father, brother, sister, son or daughter who has any interest as described above? ☒ No ☐ Yes

If yes, describe the relationship and the nature and extent of such interest: Not Applicable.

If the answer to any of the above is "Yes", as required by [O.C.G.A §36-67A-2](#), the member of the City Council or Planning Commission must immediately disclose the nature and extent of such interest, in writing to the City Council, City of Dallas, Georgia. A copy should be filed with this application. Such disclosures shall be a public record and available for public inspection at any time during normal working hours.

I certify that the foregoing information is true and correct, this 26th day of November, 2025.
Georgia Capital, LLC
See Applicant's Signature on Previously Filed
BY: Rezoning/Annexation Application (Original Attached Hereto) Kendall B. King, Director
Applicant's Signature Applicant's Name Printed

Signed, sealed and delivered in the presence of:

Notary Public Signature
My Commission Expires _____
(SEAL)

A SEPARATE PROPERTY/FINANCIAL DISCLOSURE REPORT IS REQUIRED TO BE COMPLETED BY EACH APPLICANT AND AUTHORIZED AGENT

¹ Applicant means any person who applies for any application and any attorney or other person representing or acting on behalf of a person who applies for any application.

**PROPERTY/FINANCIAL DISCLOSURE REPORT BY APPLICANT¹ AND/OR AUTHORIZED AGENT**

Does any member of the City Council or Planning Commission have a property interest (direct or indirect ownership, including any percentage of ownership less than total) in the subject property? ☒ No ☐ Yes

If yes, describe the nature and extent of such interest: Not Applicable.

Does any member of the City Council or Planning Commission have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is 10% or more) of a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property? ☒ No ☐ Yes

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I certify that the foregoing information is true and correct, this 26th day of November, 2025.
MOORE INGRAM JOHNSON & STEELE, LLP

BY: [Signature]
Applicant's Signature J. Kevin Moore; GA Bar No. 519728
Attorneys for Applicant and Titleholders

J. Kevin Moore
Applicant's Name Printed

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public Signature

My Commission Expires January 10, 2027
(SEAL)



A SEPARATE PROPERTY/FINANCIAL DISCLOSURE REPORT IS REQUIRED TO BE COMPLETED BY EACH APPLICANT AND AUTHORIZED AGENT

¹ Applicant means any person who applies for any application and any attorney or other person representing or acting on behalf of a person who applies for any application.



**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS
BY APPLICANT AND/OR AUTHORIZED AGENT**

Applicant(s) Name¹: Georgia Capital, LLC

Reference: Application filed on November 26, 2025

to annex real property described as follows: 35.633+/- acres located along the northwesterly and southeasterly sides of Summerhill Road; portion on northerly side of Jimmy Lee Smith Parkway

All Individuals and business entities² have a property interest³ in said properties are as follows:

Georgia Capital, LLC; Kendall B. King; Whit Porter; Estate of Mary Sue Tibbitts; Tammy J. Kone, Executor; 230 Summerhill Road, LLC; Richard L. Harris; Delores C. Harris; Mike J. Pope

Has the applicant made, within two years immediately preceding the filing of this application for annexation, campaign contributions aggregating \$250 or more, or made gifts having in the aggregate a value of \$250 or more to a member or members of the City Council, Planning Commission or Zoning Board of Appeals (or any local government official) who will consider this application? ☒ No ☐ Yes

If "Yes" to the above, O.C.G.A. § 36-67A-3 requires applicant to file a disclosure report within 10 days after the rezoning application is filed. Please provide the following information which will be considered as the required disclosure:

Name and official position of the local government official to whom the campaign contribution/gift was made:
Not Applicable.

The dollar amount of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of this application and the date of each such contribution:
Not Applicable.

An enumeration and description of each gift having a value of \$250 or more made by the applicant to the local government official during the two years immediately preceding the filing of this application:
Not Applicable.

Please attach additional sheet if necessary.

I certify that the foregoing information is true and correct, this 26th day of November, 2025.
Georgia Capital, LLC

BY: See Applicant's Signature on Previously Filed Rezoning/Annexation Disclosure (Original Attached Hereto)

Kendall B. King, Director

Applicant's Signature

Applicant's Name Printed

Signed, sealed and delivered in the presence of:

Notary Public Signature

My Commission Expires

City of Dallas - Community Development Department cannot advise anyone on how to complete this form. Applicants may want to confer with an attorney for guidance.

A SEPARATE DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS FORM IS REQUIRED BY EACH APPLICANT AND/OR AUTHORIZED AGENT

¹Applicant means any person who applies for any application and any attorney or other person representing or acting on behalf of a person who applies for any application.

²Business entity – Corporation, partnership, limited partnership, firm, enterprise, franchise, association or trust.

³Property interest – Direct or indirect ownership, including any percentage of ownership less than total ownership.



**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS
BY APPLICANT AND/OR AUTHORIZED AGENT**

Applicant(s) Name¹: Georgia Capital, LLC

Reference: Application filed on November 26, 2025

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All Individuals and business entities² have a property interest³ in said properties are as follows:

Georgia Capital, LLC; Kendall B. King; Whit Porter; Estate of Mary Sue Tibbitts; Tammy J. Kone, Executor; 230 Summerhill Road, LLC; Richard L. Harris; Delores C. Harris; Mike J. Pope

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Not Applicable.

The dollar amount of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of this application and the date of each such contribution:
Not Applicable.

An enumeration and description of each gift having a value of \$250 or more made by the applicant to the local government official during the two years immediately preceding the filing of this application:
Not Applicable.

Please attach additional sheet if necessary.

I certify that the foregoing information is true and correct, this 26th day of November, 2025.
MOORE INGRAM JOHNSON & STEELE, LLP

BY:

J. Kevin Moore

Applicant's Signature J. Kevin Moore; GA Bar No. 519728 Applicant's Name Printed
Attorneys for Applicant and Titleholders

Signed, sealed and delivered in the presence of:

Notary Public Signature

My Commission Expires January 10, 2027



City of Dallas - Community Development Department cannot advise anyone on how to complete this form. Applicants may want to confer with an attorney for guidance.

A SEPARATE DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS FORM IS REQUIRED BY EACH APPLICANT AND/OR AUTHORIZED AGENT

¹Applicant means any person who applies for any application and any attorney or other person representing or acting on behalf of a person who applies for any application.

²Business entity - Corporation, partnership, limited partnership, firm, enterprise, franchise, association or trust.

³Property interest - Direct or indirect ownership, including any percentage of ownership less than total ownership.



SIGN FEE

Separate check for **sign fee** of \$50.00 for each sign(s), which is non-refundable. If signs are not removed from the property by the 15th day following Public Hearings, City of Dallas (or their representative) has permission to remove the signs from property. It is the Applicant's responsibility to pick up and post signs provided by the Community Development Department. Signs must be posted in clear view along **each** road frontage with no obstacles blocking the view of the petitioned property as required by State law.

Applicants should not attach the notice signs to any natural vegetation, existing signage or utility structures and signs may not be posted in the right-of-way. Failure to post and maintain signs continuously will prohibit consideration of the application at any scheduled public hearing. It is the responsibility of the applicant to ensure that signs remain posted throughout the advertising period, **including the day of the public hearings.**

Signs must be posted on the property by 8:00 AM 30 days prior to the date of the public hearing and remain posted throughout the advertising period, including the day of the public hearings. **FAILURE TO MEET THIS REQUIREMENT WILL RESULT IN THE APPLICATION BEING WITHDRAWN AND WILL REQUIRE SUBMISSION OF A NEW APPLICATION AND PAYMENT OF FEES.**

DEVELOPMENTS OF REGIONAL IMPACT (DRI)

The State of Georgia, Department of Community Affairs has established specific thresholds for the identification of Developments of Regional Impact (DRI). DRI Tiers and Development Thresholds are used to determine if the proposed project meets or exceeds any of the development thresholds. If the proposed project meets or exceeds any of the development thresholds, a DRI Review must be conducted prior to scheduling a public hearing for the Planning Commission. The rules and procedures for a DRI Review are available in the Planning & Zoning Division Office or at <https://www.dca.ga.gov/local-government-assistance/planning/regional-planning/developments-regional-impact>.

Does the annexation request warrant a Development of Regional Impact Review? ☒ No ☐ Yes

DRI Application # (if applicable) Not Applicable.

I HAVE READ AND UNDERSTAND EACH OF THE REQUIREMENTS AND NOTES.

MOORE INGRAM JOHNSON & STEELE, LLP

Signature of Applicant: BY: [Signature]
Representative J. Kevin Moore; GA Bar No. 519728; Attorneys for Applicant and Titleholders
Date: November 26, 2025

Signed, sealed and delivered in the presence of:

My Commission Expires January 10, 2027

Notary Public Signature: [Signature] (SEAL)



****MAKE CHECKS PAYABLE TO CITY OF DALLAS****



Applicant / Representative Attendance Required

Applicant or representative must be present at the public hearings before the Dallas Planning Commission and the Mayor and City Council. Failure to attend may result in dismissal with prejudice, rejection of the application, or continuance of the hearing at the Commission or Council's sole discretion.

~~XX~~We (Cross Out One) have investigated the site as to the existence of archeological and/or architectural landmarks.
~~XX~~We (Cross Out One) hereby certify there ~~are~~ are not (Cross Out One) any such assets. If any exist, documentation must be provided with the application. to the best of our knowledge, information, and belief.

~~XX~~We (Cross Out One) have investigated the site as to the existence of any cemetery located on the property. ~~XX~~We (Cross Out One) hereby certify there ~~is~~ is not (Cross Out One) such a cemetery. If any exist, documentation must be provided with the application, including notice to the Paulding County Cemetery Commission. to the best of our knowledge, information, and belief.

Georgia Capital, LLC

BY: [Signature]

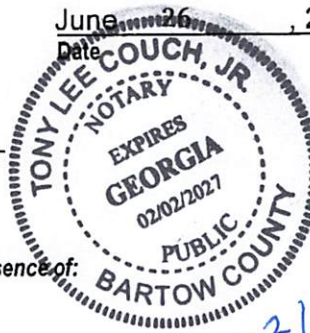
Signature of Applicant/Representative

June 26, 2025

Date

Kendall B. King, Director

Printed Name of Applicant/Representative



Signed, sealed and delivered in the presence of:

[Signature]
Notary Public Signature

2/2/27
Commission Expiration

MOORE INGRAM JOHNSON & STEELE, LLP

BY: [Signature]

Signature of Applicant/Representative

June 26, 2025

Date

J. Kevin Moore

Printed Name of Applicant/Representative

Attorneys for Applicant and Property Owners

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public Signature

January 10, 2027

Commission Expiration





Applicant / Representative Attendance Required

Applicant or representative must be present at the public hearings before the Dallas Planning Commission and the Mayor and City Council. Failure to attend may result in dismissal with prejudice, rejection of the application, or continuance of the hearing at the Commission or Council's sole discretion.

~~X~~/ We (Cross Out One) have investigated the site as to the existence of archeological and/or architectural landmarks.
~~X~~/ We (Cross Out One) hereby certify there ~~are~~ / are not (Cross Out One) any such assets. If any exist, documentation must be provided with the application. to the best of our knowledge, information, and belief.

~~X~~/ We (Cross Out One) have investigated the site as to the existence of any cemetery located on the property. ~~X~~/ We (Cross Out One) hereby certify there ~~is~~ / is not (Cross Out One) such a cemetery. If any exist, documentation must be provided with the application, including notice to the Paulding County Cemetery Commission. to the best of our knowledge, information, and belief.

ESTATE OF MARY SUE TIBBITTS

BY: Tammy J. Kone
 Signature of ~~Applicant/Representative~~ Titleholder

August 7, 2025
 Date

Tammy J. Kone, Executor
 Printed Name of ~~Applicant/Representative~~ Titleholder

Signed, sealed and delivered in the presence of:

Carolyn E. Cook
 Notary Public Signature

January 10, 2027
 Commission Expiration



MOORE INGRAM JOHNSON & STEELE, LLP

BY: J. Kevin Moore
 Signature of ~~Applicant/Representative~~

November 26, 2025
 Date

J. Kevin Moore
 Printed Name of ~~Applicant/Representative~~

Attorneys for Applicant and Titleholders

Signed, sealed and delivered in the presence of:

Carolyn E. Cook
 Notary Public Signature

January 10, 2027
 Commission Expiration





Applicant / Representative Attendance Required

Applicant or representative must be present at the public hearings before the Dallas Planning Commission and the Mayor and City Council. Failure to attend may result in dismissal with prejudice, rejection of the application, or continuance of the hearing at the Commission or Council's sole discretion.

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230 Summerhill Road, LLC

BY: Richard L. Harris

August 7th, 2025

Signature of ~~Applicant/Representative~~ Owner
 Richard L. Harris, Manager/Member

Date

BY: Delores C. Harris

Printed Name of ~~Applicant/Representative~~ Signature of Owner
 Delores C. Harris, Member

Signed, sealed and delivered in the presence of:

Lindsey H. Morrison
 Notary Public Signature



3/15/29
 Commission Expiration

MOORE INGRAM JOHNSON & STEELE, LLP

BY: J. Kevin Moore

August 7, 2025

Signature of ~~Applicant/Representative~~

Date

J. Kevin Moore

Printed Name of ~~Applicant/Representative~~
 Attorneys for Applicant and Property Owners

Signed, sealed and delivered in the presence of:

Carolyn E. Cook
 Notary Public Signature



January 10, 2027

Commission Expiration



Applicant / Representative Attendance Required

Applicant or representative must be present at the public hearings before the Dallas Planning Commission and the Mayor and City Council. Failure to attend may result in dismissal with prejudice, rejection of the application, or continuance of the hearing at the Commission or Council's sole discretion.

X/ We (Cross Out One) have investigated the site as to the existence of archeological and/or architectural landmarks.
X/ We (Cross Out One) hereby certify there are / are not (Cross Out One) any such assets. If any exist, documentation must be provided with the application. to the best of our knowledge, information, and belief.

X/ We (Cross Out One) have investigated the site as to the existence of any cemetery located on the property. X/ We (Cross Out One) hereby certify there is / is not (Cross Out One) such a cemetery. If any exist, documentation must be provided with the application, including notice to the Paulding County Cemetery Commission. to the best of our knowledge, information, and belief.

Signature of Applicant/Representative Titleholder

Date

Printed Name of Applicant/Representative Titleholder

Signed, sealed and delivered in the presence of:

Carolyn E. Cook
 Notary Public Signature

January 10, 2027

Commission Expiration



MOORE INGRAM JOHNSON & STEELE, LLP

BY: J. Kevin Moore

Signature of Applicant/Representative

November 26, 2025

Date

J. Kevin Moore

Printed Name of Applicant/Representative

Attorneys for Applicant and Titleholders

Signed, sealed and delivered in the presence of:

Carolyn E. Cook
 Notary Public Signature

January 10, 2027

Commission Expiration





AUTHORIZATION OF TITLEHOLDER

Tammy J. Kone, Executor of the
I, Estate of Mary Sue Tibbitts, being duly sworn upon ~~XXXX~~ her oath, being of sound mind
and legal age, deposes and states that ~~XXXX~~ is the owner of the property which is subject of this
application, as is shown in the records of Paulding County, Georgia.
the Estate

~~XX~~/she authorizes the person named below to act as applicant in the pursuit of a request for Rezoning.

I hereby authorize the City of Dallas – Community Development Department to inspect the premises
which are subject of the application.

Name of Applicant Georgia Capital, LLC

Address 400 Galleria Parkway, Suite 1130

City Atlanta State GA Zip 30339

Email [REDACTED]

Phone [REDACTED]

Name(s) of Titleholder(s) Estate of Mary Sue Tibbitts

Address 2928 Stanway Avenue

City Douglasville State GA Zip 30135

Email Phone [REDACTED]

Estate of Mary Sue Tibbitts

See Titleholder's Signature on Previously Filed

BY: Rezoning/Annexation Application (Copy Attached Hereto)

Signature of Titleholder(s) Tammy J. Kone, Executor

Signed, sealed and delivered in the presence of:

Notary Public Signature My Commission Expires

Seal:

***A SEPARATE AUTHORIZATION OF TITLEHOLDER IS REQUIRED
TO BE COMPLETED BY EACH TITLEHOLDER***



AUTHORIZATION OF TITLEHOLDER

I, 230 Summerhill Road, LLC, being duly sworn upon ~~XXXX~~ oath, being of sound mind and legal age, deposes and states that ~~XXXX~~ is the owner of the property which is subject of this application, as is shown in the records of Paulding County, Georgia.

It ~~XXXX~~ authorizes the person named below to act as applicant in the pursuit of a request for Rezoning.

It ~~X~~ hereby authorize ^Sthe City of Dallas – Community Development Department to inspect the premises which are subject of the application.

Name of Applicant Georgia Capital, LLC

Address 400 Galleria Parkway, Suite 1130

City Atlanta State GA Zip 30339

Email [REDACTED]

Phone [REDACTED]

Name(s) of Titleholder(s) 230 Summerhill Road, LLC

Address 783 Holland Road

City Powder Springs State GA Zip 30127

Email [REDACTED] Phone [REDACTED]

230 Summerhill Road, LLC

See Titleholder's Signature on Previously Filed

BY: Rezoning/Annexation Application (Copy Attached Hereto)

Signature of Titleholder(s) Richard L. Harris, Manager/Member
Delores C. Harris, Member

Signed, sealed and delivered in the presence of:

Notary Public Signature My Commission Expires _____

Seal:

***A SEPARATE AUTHORIZATION OF TITLEHOLDER IS REQUIRED
TO BE COMPLETED BY EACH TITLEHOLDER***

Disclosure Statement

(Required by O.C.G.A. 36-67A)



~~My~~ **X(we)**, Georgia Capital, LLC, do hereby certify that, to the best of ~~my~~ (our) knowledge, no elected official of the City of Dallas, Georgia has a property interest, a financial interest nor does any family member of an elected official of the City of Dallas, Georgia have a property interest or financial interest in this property or in this application for rezoning except as follows:

Not Applicable

~~My~~ **X(we)**, Georgia Capital, LLC, do further certify that we, nor the property owner, have not contributed any monies and/or gifts totaling over \$250.00 within the last two years to any elected official of the City of Dallas, Georgia except for the following (Give the names of officials, dates and amounts of contribution):

Not Applicable

Georgia Capital, LLC

June 26, 2025
Date

BY: Kendall B. King

Applicant

Kendall B. King, Director

Disclosure Statement (Required by O.C.G.A. 36-67A)



~~XX~~(we), Moore Ingram Johnson & Steele, LLP/J. Kevin Moore, do hereby certify that, to the best of ~~XX~~ (our) knowledge, no elected official of the City of Dallas, Georgia has a property interest, a financial interest nor does any family member of an elected official of the City of Dallas, Georgia have a property interest or financial interest in this property or in this application for rezoning except as follows:

Not Applicable

~~XX~~(we), Moore Ingram Johnson & Steele, LLP/J. Kevin Moore, do further certify that we, nor the property owner, have not contributed any monies and/or gifts totaling over \$250.00 within the last two years to any elected official of the City of Dallas, Georgia except for the following (Give the names of officials, dates and amounts of contribution):

Not Applicable

MOORE INGRAM JOHNSON & STEELE, LLP

June 26, 2025

Date

BY:

~~XX~~Applicant

J. Kevin Moore; Georgia Bar No. 519728
Attorneys for Applicant and Property Owners

Disclosure Statement (Required by O.C.G.A. 36-67A)



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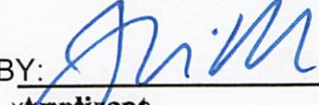
Not Applicable

~~XX~~(we), Moore Ingram Johnson & Steele, LLP/J. Kevin Moore, do further certify that we, nor the property owner, have not contributed any monies and/or gifts totaling over \$250.00 within the last two years to any elected official of the City of Dallas, Georgia except for the following (Give the names of officials, dates and amounts of contribution):

Not Applicable

MOORE INGRAM JOHNSON & STEELE, LLP

June 26, 2025
Date

BY: 
~~XX~~Applicant
J. Kevin Moore; Georgia Bar No. 519728
Attorneys for Applicant and Property Owners



**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS
BY APPLICANT AND/OR AUTHORIZED AGENT**

Applicant(s) Name¹: Georgia Capital, LLC

Reference: Application filed on November 26, 20 25

to annex real property described as follows: 35.633+/- acres located along the northwesterly and southeasterly sides of Summerhill Road; portion on northerly side of Jimmy Lee Smith Parkway

All Individuals and business entities² have a property interest³ in said properties are as follows:

Georgia Capital, LLC; Kendall B. King; Whit Porter; Estate of Mary Sue Tibbitts; Tammy J. Kone, Executor; 230 Summerhill Road, LLC;

Richard L. Harris; Delores C. Harris; Mike J. Pope

Has the applicant made, within two years immediately preceding the filing of this application for annexation, campaign contributions aggregating \$250 or more, or made gifts having in the aggregate a value of \$250 or more to a member or members of the City Council, Planning Commission or Zoning Board of Appeals (or any local government official) who will consider this applications? ☒ No ☐ Yes

If "Yes" to the above, [O.C.G.A. § 36-67A-3](#) requires applicant to file a disclosure report within 10 days after the rezoning application is filed. Please provide the following information which will be considered as the required disclosure:

Name and official position of the local government official to whom the campaign contribution/gift was made:
Not Applicable.

The dollar amount of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of this application and the date of each such contribution:
Not Applicable.

An enumeration and description of each gift having a value of \$250 or more made by the applicant to the local government official during the two years immediately preceding the filing of this application:
Not Applicable.

Please attach additional sheet if necessary.

I certify that the foregoing information is true and correct, this 26th day of November, 20 25.
Georgia Capital, LLC

See Applicant's Signature on Previously Filed Rezoning/
BY: Annexation Disclosure (Copy Attached Hereto)

Applicant's Signature

Kendall B. King, Director

Applicant's Name Printed

Signed, sealed and delivered in the presence of:

Notary Public Signature My Commission Expires _____

City of Dallas - Community Development Department cannot advise anyone on how to complete this form. Applicants may want to confer with an attorney for guidance.

A SEPARATE DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS FORM IS REQUIRED BY EACH APPLICANT AND/OR AUTHORIZED AGENT

¹Applicant means any person who applies for any application and any attorney or other person representing or acting on behalf of a person who applies for any application.

²Business entity – Corporation, partnership, limited partnership, firm, enterprise, franchise, association or trust.

³Property interest – Direct or indirect ownership, including any percentage of ownership less than total ownership.



**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS
BY APPLICANT AND/OR AUTHORIZED AGENT**

Applicant(s) Name¹: Georgia Capital, LLC

Reference: Application filed on November 26, 2025

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All Individuals and business entities² have a property interest³ in said properties are as follows:

Georgia Capital, LLC; Kendall B. King; Whit Porter; Estate of Mary Sue Tibbitts; Tammy J. Kone, Executor; 230 Summerhill Road, LLC; Richard L. Harris; Delores C. Harris; Mike J. Pope

Has the applicant made, within two years immediately preceding the filing of this application for annexation, campaign contributions aggregating \$250 or more, or made gifts having in the aggregate a value of \$250 or more to a member or members of the City Council, Planning Commission or Zoning Board of Appeals (or any local government official) who will consider this applications? ☒ No ☐ Yes

If "Yes" to the above, O.C.G.A. § 36-67A-3 requires applicant to file a disclosure report within 10 days after the rezoning application is filed. Please provide the following information which will be considered as the required disclosure:

Name and official position of the local government official to whom the campaign contribution/gift was made:
Not Applicable.

The dollar amount of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of this application and the date of each such contribution:
Not Applicable.

An enumeration and description of each gift having a value of \$250 or more made by the applicant to the local government official during the two years immediately preceding the filing of this application:
Not Applicable.

Please attach additional sheet if necessary.

I certify that the foregoing information is true and correct, this 26th day of November, 2025.
MOORE INGRAM JOHNSON & STEELE, LLP

BY: [Signature]
Applicant's Signature J. Kevin Moore; GA Bar No. 519728

J. Kevin Moore
Applicant's Name Printed

Attorneys for Applicant and Titleholders

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public Signature

My Commission Expires January 10, 2027



City of Dallas - Community Development Department cannot advise anyone on how to complete this form. Applicants may want to confer with an attorney for guidance.

A SEPARATE DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS FORM IS REQUIRED BY EACH APPLICANT AND/OR AUTHORIZED AGENT

¹Applicant means any person who applies for any application and any attorney or other person representing or acting on behalf of a person who applies for any application.

²Business entity - Corporation, partnership, limited partnership, firm, enterprise, franchise, association or trust.

³Property interest - Direct or indirect ownership, including any percentage of ownership less than total ownership.



PROPERTY/FINANCIAL DISCLOSURE REPORT BY APPLICANT¹ AND/OR AUTHORIZED AGENT

Does any member of the City Council or Planning Commission have a property interest (direct or indirect ownership, including any percentage of ownership less than total) in the subject property? ☒ No ☐ Yes

If yes, describe the nature and extent of such interest: Not Applicable.

Does any member of the City Council or Planning Commission have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is 10% or more) of a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property? ☒ No ☐ Yes

If yes, describe the nature and extent of such interest: Not Applicable.

Does any member of the City Council or Planning Commission have a spouse, mother, father, brother, sister, son or daughter who has any interest as described above? ☒ No ☐ Yes

If yes, describe the relationship and the nature and extent of such interest: Not Applicable.

If the answer to any of the above is "Yes", as required by [O.C.G.A §36-67A-2](#), the member of the City Council or Planning Commission must immediately disclose the nature and extent of such interest, in writing to the City Council, City of Dallas, Georgia. A copy should be filed with this application. Such disclosures shall be a public record and available for public inspection at any time during normal working hours.

I certify that the foregoing information is true and correct, this 26th day of November, 2025.
Georgia Capital, LLC

See Applicant's Signature on Previously Filed Rezoning/
BY: Annexation Disclosure (Copy Attached Hereto)

Applicant's Signature

Kendall B. King, Director

Applicant's Name Printed

Signed, sealed and delivered in the presence of:

Notary Public Signature

My Commission Expires

(SEAL)

A SEPARATE PROPERTY/FINANCIAL DISCLOSURE REPORT IS REQUIRED TO BE COMPLETED BY EACH APPLICANT AND AUTHORIZED AGENT

¹ Applicant means any person who applies for any application and any attorney or other person representing or acting on behalf of a person who applies for any application.



PROPERTY/FINANCIAL DISCLOSURE REPORT BY APPLICANT¹ AND/OR AUTHORIZED AGENT

Does any member of the City Council or Planning Commission have a property interest (direct or indirect ownership, including any percentage of ownership less than total) in the subject property? ☒ No ☐ Yes

If yes, describe the nature and extent of such interest: Not Applicable.

Does any member of the City Council or Planning Commission have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is 10% or more) of a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property? ☒ No ☐ Yes

If yes, describe the nature and extent of such interest: Not Applicable.

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I certify that the foregoing information is true and correct, this 26th day of November, 2025.
MOORE INGRAM JOHNSON & STEELE, LLP

BY:

J. Kevin Moore
Applicant's Signature J. Kevin Moore; GA Bar No. 519728

J. Kevin Moore

Applicant's Name Printed

Attorneys for Applicant and Titleholders

Signed, sealed and delivered in the presence of:

Carolyn E. Cook
Notary Public Signature

My Commission Expires January 10, 2027

(SEAL)



A SEPARATE PROPERTY/FINANCIAL DISCLOSURE REPORT IS REQUIRED TO BE COMPLETED BY EACH APPLICANT AND AUTHORIZED AGENT

¹ Applicant means any person who applies for any application and any attorney or other person representing or acting on behalf of a person who applies for any application.



SIGN FEE

Separate check for **sign fee** of \$50.00 for each sign(s), which is non-refundable. If signs are not removed from the property by the 15th day following Public Hearings, City of Dallas (or their representative) has permission to remove the signs from property. It is the Applicant's responsibility to pickup and post signs provided by the Community Development Department. Signs must be posted in clear view along **each** road frontage with no obstacles blocking the view of the petitioned property as required by State law.

Applicants should not attach the notice signs to any natural vegetation, existing signage or utility structures and signs may not be posted in the right-of-way. Failure to post and maintain signs continuously will prohibit consideration of the application at any scheduled public hearing. It is the responsibility of the applicant to ensure that signs remain posted throughout the advertising period, **including the day of the public hearings.**

Signs must be posted on the property by 8:00 AM 30 days prior to the date of the public hearing and remain posted throughout the advertising period, including the day of the public hearings. **FAILURE TO MEET THIS REQUIREMENT WILL RESULT IN THE APPLICATION BEING WITHDRAWN AND WILL REQUIRE SUBMISSION OF A NEW APPLICATION AND PAYMENT OF FEES.**

DEVELOPMENTS OF REGIONAL IMPACT (DRI)

The State of Georgia, Department of Community Affairs has established specific thresholds for the identification of Developments of Regional Impact (DRI). DRI Tiers and Development Thresholds are used to determine if the proposed project meets or exceeds any of the development thresholds. If the proposed project meets or exceeds any of the development thresholds, a DRI Review must be conducted prior to scheduling a public hearing for the Planning Commission. The rules and procedures for a DRI Review are available in the Planning & Zoning Division Office or at <https://www.dca.ga.gov/local-government-assistance/planning/regional-planning/developments-regional-impact>.

Does the annexation request warrant a Development of Regional Impact Review? ☒ No ☐ Yes

DRI Application # (if applicable) Not Applicable.

I HAVE READ AND UNDERSTAND EACH OF THE REQUIREMENTS AND NOTES.

MOORE INGRAM JOHNSON & STEELE, LLP

Signature of Applicant BY: J. Kevin Moore

J. Kevin Moore; GA Bar No. 519728; Attorneys for Applicant and Titleholders

Date: November 26, 2025

Signed, sealed and delivered in the presence of:

My Commission Expires January 10, 2027

Notary Public Signature: Carolyn E. Cook

(SEAL)



****MAKE CHECKS PAYABLE TO CITY OF DALLAS****

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

Item 9.

MARIETTA, GEORGIA
EMERSON OVERLOOK
328 ROSWELL STREET
SUITE 100
MARIETTA, GEORGIA 30060
TELEPHONE (770) 429-1499

KNOXVILLE, TENNESSEE
408 N. CEDAR BLUFF ROAD
SUITE 500
KNOXVILLE, TENNESSEE 37923
TELEPHONE (865) 692-9039

JACKSONVILLE, FLORIDA
10201 CENTURION PARKWAY N.
SUITE 401
JACKSONVILLE, FLORIDA 32258
TELEPHONE (904) 428-1485

BRENTWOOD, TENNESSEE
12 CADILLAC DRIVE
SUITE 200
BRENTWOOD, TENNESSEE 37027
TELEPHONE (615) 425-7347

LEXINGTON, KENTUCKY
2408 SIR BARTON WAY
SUITE 375
LEXINGTON, KENTUCKY 40509
TELEPHONE (555) 309-0028

ORLANDO, FLORIDA
1000 LEGION PLACE
SUITE 701
ORLANDO, FLORIDA 32801
TELEPHONE (407) 367-8233

HARRISBURG, PENNSYLVANIA
101 ERFDOR ROAD
SUITE 300
CAMP HILL, PENNSYLVANIA 17011
TELEPHONE (717) 790-2854

FAIRFIELD, NEW JERSEY
185 PASSAIC AVENUE
SUITE 205
FAIRFIELD, NEW JERSEY 07004
TELEPHONE 201-602-4082

RE: Applicant: Georgia Capital, LLC
Property: 35.633 acres, more or less, located on and along the northwesterly and southeasterly sides of Summerhill Road and along the northerly side of Jimmy Lee Smith Parkway, southeasterly of Summerhill Road, Land Lots 458, 459, and 479, 2nd District, 3rd Section, Paulding County, Georgia

LETTER OF INTENT

(Updated January 16, 2026)

Applicant, Georgia Capital, LLC (hereinafter "Applicant"), requests the annexation and rezoning of approximately 35.633 acres located on and along the northwesterly and southeasterly sides of Summerhill Road and along the northerly side of Jimmy Lee Smith Parkway, southeasterly of Summerhill Road, Land Lots 458, 459, and 479, 2nd District, 3rd Section, Paulding County, Georgia, being identified as Paulding County Tax Parcel Nos. 147.1.2.002.0000, 147.1.3.008.0000, and 147.1.3.010.0000 (hereinafter referred to as the "Property" or the "Subject Property"), from the existing Paulding County zoning classifications of R-2, B-1, and B-2 to the proposed City of Dallas zoning classifications of TH and C-2.

Applicant seeks rezoning of approximately 26.298 acres to the City of Dallas TH zoning classification to accommodate development of a townhome community, containing a maximum of one hundred seventy-five (175) townhomes, as more particularly shown on the revised Zoning Plan prepared for Applicant by LIA Engineering, dated and last revised January 11, 2026. Applicant is proposing to rezone the portion of the overall Property to permit the development of the Property for a townhome community at a size, quality, and price adequate to or exceeding existing homes in the surrounding area. The homes would be traditional and craftsman in architecture, featuring a combination of exterior building materials, with homes being a minimum of 1,800 square feet. Exterior building materials will include a minimum of 40 percent masonry on front elevations consistent with the City of Dallas's architectural standards for townhome communities. For further reference, we have included with the Application a detailed and itemized list of the architectural details. The proposed rezoning would positively impact the property values in the vicinity while providing the growing community with a quality and convenient housing option.

The proposed C-2 zoning, comprised of approximately 9.335 acres, would provide for needed commercial growth along Jimmy Lee Smith Parkway which is integrated into the overall development.

MOORE INGRAM JOHNSON & STEELE

Letter of Intent
Page 2 of 3

Applicant envisions commercial uses such as hotel, office, restaurant, and retail would have an opportunity to be very successful, thus further advancing the overall goals of the City of Dallas. Due to the nature of the envisioned development of the C-2 tract, commercial hours of operation would necessarily and potentially be 24 hours, 7 days a week (e.g., hotel), with other uses having typically associated and more limited business hours for office, retail, and restaurant uses. The Applicant envisions the commercial architecture to be aesthetically pleasing and complementary to the proposed townhome community such that masonry accents would be employed throughout.

Applicant believes that its vision and corresponding plan for the Property aligns with the City of Dallas's intention for the area as reflected in the Comprehensive Plan for the County and City. The site layout designed by LIA Engineering adheres to the fundamental characteristics of the proposed TH and C-2 zoning classifications. Further, Applicant's intent and as expressed throughout the application materials is to meet all applicable City of Dallas zoning and development standards excepting only the single variance request. The variance request is to allow for a reduction in the distance for curved streets at intersections as measured from the cross street (100 feet required, 56.8 feet requested). The requested variance is necessary to maintain the integrity of the townhome layout, design, and features and in order to provide connectivity between the uses in a manner that creates seamless transitions. The curvature of the road in this location is very slight, and the variance does not result in a reduction in the internal traffic safety.

Applicant is acceptable to the following conditions and stipulations to be attached to an approved annexation and rezoning:

- (1) Installation of a Flock Security Camera at the entrances of the community; and
- (2) The establishment of a mandatory homeowners association with accompanied Declaration of Covenants, Easements, and Restrictions; as well as Bylaws.

The City's vision for the area surrounding Summerhill Road is to create a mixed-use community with a mix of residential, commercial, and office uses while preserving the existing character of the area and enhancing recreation and green space. Applicant firmly contends the proposed community will enhance all the characteristics previously mentioned and become the example of development that was intended when the Comprehensive Plan was established. The proposed community is within walking distance from a variety of office, retail, and commercial uses in every direction. The central location of the site will allow its residents to partake in all aspects of daily life without having to steer too far away from home.

Applicant believes the proposed development would encompass the desired goals of the City by providing open space, product offerings, and design layout. The open space provided will allow for large community gatherings.

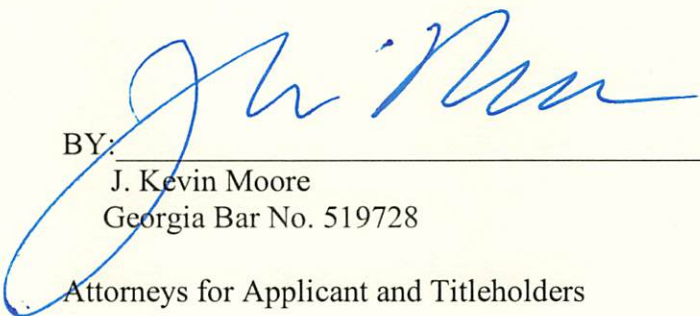
If annexation and rezoning are approved, as submitted, Applicant anticipates commencement of the project in approximately August 2026, and anticipates substantial completion of the overall development in approximately April 2029.

The proposed TH and C-2 zoning classification are appropriate for rezoning the respective portions of the Subject Property. The properties in and around the Subject Property are various uses, from residential, to commercial, to industrial, and have been substantially impacted by the Highway 278 commercial corridor. The rezoning of the Subject Property to the proposed zoning classifications will not adversely impact or in any way affect the use or useability of adjacent or nearby properties. Likewise, the proposed development will not cause negative impact on the existing streets, transportation facilities, utilities, or schools. The proposed zoning categories allow for appropriate infrastructure to service the residences, leading to the construction of a quality residential community which will be beneficial to the City and County and their future residents. The proposed commercial uses are appropriate for the Highway 278 corridor and will offer opportunities for uses beneficial to residents of the City and County and serve the interests of the wider community.

Applicant will work with both the City of Dallas and Paulding County Staff and Department Representatives to lessen any impact on surrounding properties and infrastructure. The exchange of dialogue with all interested representatives will allow for the development of the Property to a quality community, which will set the standard for any future developments within the area.

Respectfully submitted, this 16th day of January, 2026.

MOORE INGRAM JOHNSON & STEELE, LLP

BY: 

J. Kevin Moore
Georgia Bar No. 519728

Attorneys for Applicant and Titleholders

ATTACHMENT TO ZONING/REZONING APPLICATION

Application No.: _____
Hearing Dates: _____

BEFORE THE PLANNING COMMISSION AND THE MAYOR AND CITY COUNCIL FOR THE CITY OF DALLAS, GEORGIA

CONSTITUTIONAL CHALLENGE ATTACHMENT TO ZONING/REZONING APPLICATION

COME NOW, Applicant, GEORGIA CAPITAL, INC. (hereinafter referred to as “Applicant”), and the Property Owners, the ESTATE OF MARY SUE TIBBITTS; 230 SUMMERHILL ROAD, LLC; and MIKE J. POPE (hereinafter collectively referred to as “Owners” or “Property Owners”), and assert the following:

1.

By Zoning/Rezoning Application submitted to the City of Dallas Community Development Department, Applicant and Property Owners applied for annexation and rezoning of certain real property, located within unincorporated Paulding County, Georgia, a more particular description and delineation of the subject property being set forth in said Application (hereinafter referred to as the “Property” or “Subject Property”).

2.

The Zoning/Rezoning Application of the Property seeks rezoning from the existing zoning categories of R-2, B-1, and B-2, under and pursuant to the “The Unified Development Ordinance of Paulding County, Georgia” (hereinafter “UDO of Paulding County”), to Townhome (“TH”) and C-2, as established by the governing authority of the City of Dallas,

Georgia, under and pursuant to the Code of Ordinances of the City of Dallas, Georgia, as amended, being hereinafter referred to as the "Code of Ordinances of the City of Dallas."

3.

As to the portion of the Subject Property within the R-2 zoning category and located within unincorporated Paulding County, Georgia, the UDO of Paulding County and the Code of Ordinances of the City of Dallas (collectively the "Ordinances"), are unconstitutional as applied to the Property in that said Ordinances deprive Applicant and Property Owners of their Property under and pursuant to Art. I, § I, ¶¶ I and II of the Georgia Constitution of 1983, and the Equal Protection and Due Process Clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States of America. This deprivation of Property without due process violates the constitutional prohibition against the taking of private property without just compensation. The R-2 zoning category, as it presently exists, together with any intervening zoning categories between the existing R-2 zoning category (Paulding County) and the requested TH and C-2 zoning categories (City of Dallas), violates the Applicant's and Property Owners' right to unfettered use of their Property in that said zoning classifications do not bear a substantial relation to the public health, safety, morality, or general welfare and are therefore confiscatory and void. Further, said Ordinances are unconstitutional in that they are arbitrary and unreasonable resulting in relatively little gain or benefit to the public, while inflicting serious injury and loss on the Applicant and Property Owners.

4.

As to the portion of the Subject Property within the B-1 and B-2 zoning categories and located within unincorporated Paulding County, Georgia, Applicant and Property Owners do

contend the Ordinances are unconstitutional as applied to the Property in that said Ordinances do not permit the Applicant and Property Owners to utilize the Property to the highest and best use set forth within the Zoning/Rezoning Application without the necessity of rezoning. However, Applicant and Property Owners do not contend the current zoning category of B-1 and B-2 zoning categories are unconstitutional, per se, only as applied. Thus, the Ordinances deprive Applicant and Property Owners of their Property under and pursuant to Art. I, § I, ¶¶ I and II of the Georgia Constitution of 1983, and the Equal Protection and Due Process Clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States of America. This deprivation of Property without due process violates the constitutional prohibition against the taking of private property without just compensation. Also violated are the Applicant's and Property Owners' rights to unfettered use of their Property, as stated above, in that said zoning classifications do not bear a substantial relation to the public health, safety, morality, or general welfare and are, therefore, confiscatory and void. Further, said Ordinances are unconstitutional in that they are arbitrary and unreasonable resulting in relatively little gain or benefit to the public, while inflicting serious injury and loss on the Applicant and Property Owners.

5.

To the extent the Code of Ordinances of the City of Dallas allows or permits the Mayor and City Council to rezone the Subject Property to any category other than as requested, said Ordinance is further unconstitutional in that same violates Applicant's and Property Owners' constitutionally guaranteed rights to due process, both substantive and procedural. Furthermore, any such action by the Mayor and City Council, or as allowed by the Code of Ordinances for the City of Dallas, is an unconstitutional use of the zoning power

and would constitute an abuse of discretion with no justification or benefit flowing to the public welfare. Accordingly, said Ordinance or action would likewise represent a taking of private property rights without the payment of just and adequate compensation in violation of the Constitutions of the State of Georgia and the United States of America.

6.

The Ordinances are further unconstitutional in that the procedures contained therein pertaining to the public hearing held in connection with the Zoning/Rezoning Application also violate Art. I, § I, ¶¶ I, II, and XII of the Georgia Constitution of 1983 in that said procedures impose unreasonable time restraints, contain the absence of rebuttal, contain the inability to confront witnesses, contain the lack of procedural and evidentiary safeguards, do not restrict evidence received to the issue at hand and are controlled wholly and solely by political considerations rather than the facts and considerations required by law. These procedures fail to comport with the due process requirements of the Constitution of the State of Georgia 1983 and the due process requirements of the Constitution of the United States of America.

Respectfully submitted, this 26th day of November, 2025.

MOORE INGRAM JOHNSON & STEELE, LLP

BY: 

J. KEVINMOORE

Georgia Bar No. 519728

Attorneys for Applicant and Titleholders

Printed: 11/13/2025 15:30:10 PM



Official Tax Receipt
Paulding County, GA
240 Constitution Blvd
Dallas, 30132
—Online Receipt—

Phone: 770-443-7581

Trans No	Map Code	Property ID & District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2025-069677	R0138 76	469 SUMMERHILL RD	\$2,952.91	\$0.00 Fees: \$0.00	\$0.00	\$2,952.91	\$0.00
Totals:			\$2,952.91	\$0.00	\$0.00	\$2,952.91	\$0.00

Paid Date: 11/07/2025

Charge Amount: \$2,952.91

TIBBITTS MARY SUE
4809 SHAE CT
POWDER SPRINGS, GA 30127



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bill

2025 Property Tax Statement

Kayla Amos
Paulding County Tax Commissioner
240 Constitution Blvd. Room# 3006
Dallas, GA 30132-4614
(770) 443-7581

TIBBITTS MARY SUE
4809 SHAE CT
POWDER SPRINGS, GA 30127

RETURN THIS PORTION WITH PAYMENT

(Interest will be added per month if not paid by due date)

Bill No.	Due Date	Current Due	Prior Payment	Back Taxes	*Total Due*	Item 9.
2025-069677	11/15/2025	\$0.00	\$2,952.91	\$0.00	Paid 11/07/2025	

Map: R0138 76

Printed: 11/13/2025

Location: 469 SUMMERHILL RD

Account No: 013876R

Certain persons are eligible for certain homestead exemptions from ad valorem taxation. In addition to the regular homestead exemption authorized for all homeowners, certain elderly persons are entitled to additional exemptions. The full law relating to each exemption must be referred to in order to determine eligibility for the exemption. If you are eligible for one of these exemptions and are not now receiving the benefit of the exemption, you must apply for the exemption not later than April 1, 2026 in order to receive the exemption in future years. For more information on eligibility for exemptions or on the proper method of applying for an exemption, you may contact:

Paulding County Board of Tax Assessors
240 Constitution Blvd. Room #3082
Dallas, GA 30132
(770) 443-7606

If you believe that the fair market value placed upon your property by the Board of Tax Assessors is higher than it should be and if you can provide supporting evidence (mortgage appraisal, sales of comparable properties, etc.), then it may be in your best interest to file a property tax return with the Board of Tax Assessors requesting a review of your property appraisal. This must be done not later than April 1, 2026. Information on how to file a property tax return can be obtained from the address above.

Kayla Amos
Paulding County Tax Commissioner
240 Constitution Blvd. Room# 3006
Dallas, GA 30132-4614
(770) 443-7581



Tax Payer: TIBBITTS MARY SUE
Map Code: R0138 76 Property
Description: 469 SUMMERHILL RD
Location: 469 SUMMERHILL RD
Bill No: 2025-069677
District: 01

Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
COUNTY BND	\$660,300	\$264,120	\$145,410	\$118,710	0.800000	\$94.97	\$0.00	\$94.97
COUNTY M&O	\$660,300	\$264,120	\$145,410	\$118,710	4.300000	\$510.45	\$0.00	\$510.45
FIRE DIST	\$660,300	\$264,120	\$145,410	\$118,710	2.100000	\$249.29	\$0.00	\$249.29
SCHOOL M&O	\$660,300	\$264,120	\$145,410	\$118,710	17.675000	\$2,098.20	\$0.00	\$2,098.20
TOTALS					24.875000	\$2,952.91	\$0.00	\$2,952.91

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Current Due	\$2,952.91
Penalty	\$0.00
Interest	\$0.00
Other Fees	\$0.00
Previous Payments	\$2,952.91
Back Taxes	\$0.00
Total Due	\$0.00
Paid Date	11/07/2025

Printed: 11/18/2025 16:38:57 PM



Official Tax Receipt
Paulding County, GA
240 Constitution Blvd
Dallas, 30132
—Online Receipt—

Phone: 770-443-7581

Trans No	Map Code	Property ID & District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2025-078183	R0082 25	UNASSIGNED ADDRESS	\$420.89	\$0.00 Fees: \$0.00	\$0.00	\$420.89	\$0.00
Totals:			\$420.89	\$0.00	\$0.00	\$420.89	\$0.00

Paid Date: 11/14/2025

Charge Amount: \$420.89

230 SUMMERHILL ROAD LLC
 783 HOLLAND RD
 POWDER SPRINGS, GA 30127



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 bill

2025 Property Tax Statement

Kayla Amos
Paulding County Tax Commissioner
240 Constitution Blvd. Room# 3006
Dallas, GA 30132-4614
(770) 443-7581

230 SUMMERHILL ROAD LLC
783 HOLLAND RD
POWDER SPRINGS, GA 30127

RETURN THIS PORTION WITH PAYMENT

(Interest will be added per month if not paid by due date)

Bill No.	Due Date	Current Due	Prior Payment	Back Taxes	*Total Due
2025-078183	11/15/2025	\$0.00	\$420.89	\$0.00	Paid 11/14/2025

Map: R0082 25

Printed: 11/18/2025

Location: UNASSIGNED ADDRESS

Account No: 008225R

Certain persons are eligible for certain homestead exemptions from ad valorem taxation. In addition to the regular homestead exemption authorized for all homeowners, certain elderly persons are entitled to additional exemptions. The full law relating to each exemption must be referred to in order to determine eligibility for the exemption. If you are eligible for one of these exemptions and are not now receiving the benefit of the exemption, you must apply for the exemption not later than April 1, 2026 in order to receive the exemption in future years. For more information on eligibility for exemptions or on the proper method of applying for an exemption, you may contact:

Paulding County Board of Tax Assessors
240 Constitution Blvd. Room #3082
Dallas, GA 30132
(770) 443-7606

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Kayla Amos
Paulding County Tax Commissioner
240 Constitution Blvd. Room# 3006
Dallas, GA 30132-4614
(770) 443-7581



Tax Payer: 230 SUMMERHILL ROAD LLC
Map Code: R0082 25 Property
Description: UNASSIGNED ADDRESS
Location: UNASSIGNED ADDRESS
Bill No: 2025-078183
District: 01

Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
COUNTY BND	\$42,300	\$16,920	\$0	\$16,920	0.800000	\$13.54	\$0.00	\$13.54
COUNTY M&O	\$42,300	\$16,920	\$0	\$16,920	4.300000	\$72.76	\$0.00	\$72.76
FIRE DIST	\$42,300	\$16,920	\$0	\$16,920	2.100000	\$35.53	\$0.00	\$35.53
SCHOOL M&O	\$42,300	\$16,920	\$0	\$16,920	17.675000	\$299.06	\$0.00	\$299.06
TOTALS					24.875000	\$420.89	\$0.00	\$420.89

This gradual reduction and elimination of the state property tax and the reduction in your tax bill this year is the result of property tax relief passed by the Governor and the House of Representatives and the Georgia State Senate. To pay online go to pauldingcountytax.com. If you have any questions concerning this bill, please call our office at (770) 443-7581. Check Verification and Returned Check processing provided by: Envision Payment Solutions

Current Due	\$420.89
Penalty	\$0.00
Interest	\$0.00
Other Fees	\$0.00
Previous Payments	\$420.89
Back Taxes	\$0.00
Total Due	\$0.00
Paid Date	11/14/2025

Printed: 11/18/2025 16:34:59 PM



Official Tax Receipt
Paulding County, GA
240 Constitution Blvd
Dallas, 30132
—Online Receipt—

Phone: 770-443-7581

Trans No	Map Code	Property ID & District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2025-053863	R0151 24	JIMMY LEE SMITH PKWY	\$410.94	\$0.00 Fees: \$0.00	\$0.00	\$410.94	\$0.00
Totals:			\$410.94	\$0.00	\$0.00	\$410.94	\$0.00

Paid Date: 11/14/2025

Charge Amount: \$410.94

POPE MIKE
95 AVERY WAY
DALLAS, GA 30157



Scan this code with your
mobile phone to view this
bill

2025 Property Tax Statement

Kayla Amos
Paulding County Tax Commissioner
240 Constitution Blvd. Room# 3006
Dallas, GA 30132-4614
(770) 443-7581

POPE MIKE
95 AVERY WAY
DALLAS, GA 30157

RETURN THIS PORTION WITH PAYMENT

(Interest will be added per month if not paid by due date)

Bill No.	Due Date	Current Due	Prior Payment	Back Taxes	*Total Due
2025-053863	11/15/2025	\$0.00	\$410.94	\$0.00	Paid 11/14/2025

Map: R0151 24

Location: JIMMY LEE SMITH PKWY

Account No: 015124R

Printed: 11/18/2025

Certain persons are eligible for certain homestead exemptions from ad valorem taxation. In addition to the regular homestead exemption authorized for all homeowners, certain elderly persons are entitled to additional exemptions. The full law relating to each exemption must be referred to in order to determine eligibility for the exemption. If you are eligible for one of these exemptions and are not now receiving the benefit of the exemption, you must apply for the exemption not later than April 1, 2026 in order to receive the exemption in future years. For more information on eligibility for exemptions or on the proper method of applying for an exemption, you may contact:

Paulding County Board of Tax Assessors
240 Constitution Blvd. Room #3082
Dallas, GA 30132
(770) 443-7606

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Kayla Amos
Paulding County Tax Commissioner
240 Constitution Blvd. Room# 3006
Dallas, GA 30132-4614
(770) 443-7581



Tax Payer: POPE MIKE
Map Code: R0151 24 Property
Description: JIMMY LEE SMITH PKWY
Location: JIMMY LEE SMITH PKWY
Bill No: 2025-053863
District: 01

Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
COUNTY BND	\$41,300	\$16,520	\$0	\$16,520	0.800000	\$13.22	\$0.00	\$13.22
COUNTY M&O	\$41,300	\$16,520	\$0	\$16,520	4.300000	\$71.04	\$0.00	\$71.04
FIRE DIST	\$41,300	\$16,520	\$0	\$16,520	2.100000	\$34.69	\$0.00	\$34.69
SCHOOL M&O	\$41,300	\$16,520	\$0	\$16,520	17.675000	\$291.99	\$0.00	\$291.99
TOTALS					24.875000	\$410.94	\$0.00	\$410.94

This gradual reduction and elimination of the state property tax and the reduction in your tax bill this year is the result of property tax relief passed by the Governor and the House of Representatives and the Georgia State Senate. To pay online go to pauldingcountytax.com . If you have any questions concerning this bill, please call our office at (770) 443-7581. Check Verification and Returned Check processing provided by: Envision Payment Solutions

Current Due	\$410.94
Penalty	\$0.00
Interest	\$0.00
Other Fees	\$0.00
Previous Payments	\$410.94
Back Taxes	\$0.00
Total Due	\$0.00
Paid Date	11/14/2025

ATTACHMENT TO ZONING/REZONING APPLICATION

Application No.: _____
Hearing Dates: _____

BEFORE THE PLANNING COMMISSION AND THE MAYOR AND CITY COUNCIL FOR THE CITY OF DALLAS, GEORGIA

FISCAL IMPACT ANALYSIS

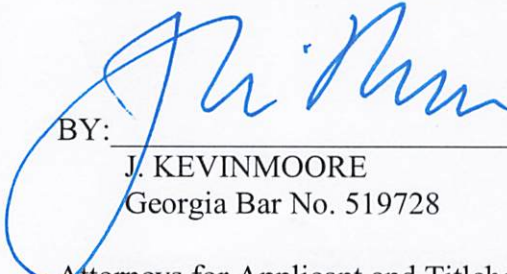
Applicant, GEORGIA CAPITAL, LLC, has received the following letters and communications regarding potential infrastructure impacts resulting from the proposed development:

- (1) Paulding County School District (dated October 7, 2025);
- (2) City of Dallas Police Department (dated September 29, 2025);
- (3) Paulding County Fire and Rescue (dated October 20, 2025);
- (4) Paulding County Water System (dated September 8, 2025);
- (5) Greystone Power Corporation (dated May 13, 2024);
- (6) Atlanta Gas Light Company (dated April 25, 2024);
- (7) AT&T (dated May 1, 2024); and
- (8) Comcast (dated April 25, 2024).

Copies of the referenced letters and communications are submitted and comprise the overall Fiscal Impact Analysis, which is submitted as part of the Zoning/Rezoning Application.

Respectfully submitted, this 26th day of November, 2025.

MOORE INGRAM JOHNSON & STEELE, LLP

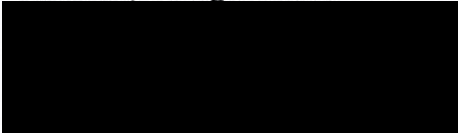
BY: 

J. KEVINMOORE

Georgia Bar No. 519728

Attorneys for Applicant and Titleholders

Moore Ingram Johnson & Steele, LLP
Attorneys at Law
Emerson Overlook – Suite 100
326 Roswell Street
Marietta, Georgia 30060





October 7, 2025

School District Impact Statement for Georgia Capital, LLC

The Paulding County School District has been provided with information by **Georgia Capital, LLC**, concerning a proposed residential development, **Summerhill Road Property**, located at 469 Summerhill Road, Dallas, Georgia 30132. From the information submitted, it is our understanding that the Summerhill Road Property will be a 175-unit townhouse community located near the intersection of State Highway 278 and Charles Hardy Parkway. An application has been submitted for the property to be annexed into the City of Dallas.

To determine the impact that a development will have on the school district, we utilize the results of an annual assessment of our residents and properties that is conducted in partnership with MGT, a company that specializes in demographic studies for education and government. Working with MGT allows us to generate student yield factors (SFY) for Paulding County based on development type: Single Family Detached, Single Family Attached, Apartments, etc.

In collaboration with MGT, a student yield was calculated for the Summerhill Road Property by applying the Single Family Attached SYFs to the development. The results of those calculations are outlined in **Exhibit A**. The student yield estimate for the Summerhill Road Property indicates that the development will generate approximately 28 (27.8) elementary students, 15 (14.9) middle school students, and 18 (18.4) high school students for a total of 61 (61.1) students.

Exhibit A

Unit Type	No. Units	Elementary School			Middle School			High School			District		
		Factor	Type	Students	Factor	Type	Students	Factor	Type	Students	Factor	Type	Students
3 BD TH's	175	0.159	K-5 SFA	27.8	0.085	6-8 SFA	14.9	0.105	9-12 SFA	18.4	0.349	K-12 SFA	61.1



To assess the potential impact of 61 additional students on the Paulding County School District, primary consideration was given to school capacity and existing overcrowding concerns. Each new student increases the demand for instructional space. As a result, we must account for the need for additional classroom square footage.

Using student yield projections in conjunction with classroom size assumptions by grade level (elementary, middle, and high), the state-required minimum square footage per Instructional Unit (IU), and the current construction cost per square foot (\$275), a capital cost was estimated using the following formula:

$$(Student\ Yield \div Students\ per\ Classroom) \times Minimum\ SqFt \times Cost\ per\ SqFt = Capital\ Cost$$

Based on a projected yield of 61 students from the proposed residential development, the total estimated capital cost is \$437,651.

This initial cost is offset by anticipated Education Special Purpose Local Option Sales Tax (ESPLOST) collections contributed by future residents. ESPLOST VII collections dedicated to new school construction are projected at \$30,409,600, equating to \$468 (\$468.04) per existing residential unit (based on 64,972 units). Applying this per-unit estimate to the 61 new units reduces the capital impact by \$81,907.

After applying the ESPLOST offset, the net capital impact of the proposed development is approximately \$355,744 or \$2,033 per residential unit. Detailed calculations supporting this analysis are provided in **Exhibit B**.

Exhibit B

Summerhill Road Property - 175 Units

Level	Student Yield	Class Size	Add'l IU's	IU Min SqFt	Add'l Req SqFt	Cost
ES	28	23	1.22	700	852	\$234,348
MS	15	28	0.54	660	354	\$97,232
HS	18	28	0.64	600	386	\$106,071

Total	\$437,651
ESPLOST	\$81,907
Difference	\$355,744

Total:	\$355,744
Per Unit:	\$2,033

From: [REDACTED]
Sent: Monday, September 29, 2025 3:42 PM
To: Joe Duvall
Cc: J. Kevin Moore; Carolyn Cook; Kendall King; Levi Stoner
Subject: RE: Fiscal Impact Analysis - Rezoning Application 469 Summerhill Road

Follow Up Flag: Follow up
Flag Status: Completed

Thank you, Chief Duvall. We will incorporate this into our study. I appreciate you looking into this for us.

Thanks,

Whit Porter
Laseter Development Group
[REDACTED]

From: Joe Duvall <jduvall@dallas-ga.gov>
Sent: Monday, September 29, 2025 3:40 PM
To: Whit Porter [REDACTED]
Subject: RE: Fiscal Impact Analysis - Rezoning Application 469 Summerhill Road

Whit,

In regards to the development, fire services, school system, and utility service will have to be determined by Paulding County and other utility providers for the area. The impact of the development size and population equates to adding one officer. The cost for one police officer position to include equipment, vehicle, etc. is approximately cost \$176,486.00. If you have any questions, please feel free to contact me.

Regards,



Joe Duvall
Chief of Police
Dallas Police Department
120 Main Street, Dallas, Ga., 30132
Office 770-443-8103
jduvall@dallas-ga.gov
FBINAA Session #208

From: Whit Porter [REDACTED]
Sent: Monday, September 22, 2025 10:14 AM
To: Joe Duvall <jduvall@dallas-ga.gov>
Cc: J. Kevin Moore <[REDACTED]>; Kendall King <[REDACTED]>; Justin Whitehorn <[REDACTED]>; Levi Stoner <[REDACTED]>
Subject: Fiscal Impact Analysis - Rezoning Application 469 Summerhill Road

[EXTERNAL Email: Think before you Click]

Good Morning Chief Duvall –

I hope you're doing well. I work with Georgia Capital, LLC, a land development company here in Atlanta. We are preparing a rezoning application for a proposed development at 469 Summerhill Road, Dallas, Georgia 30132 that is planned to be annexed into the City of Dallas (Parcel IDs: 147.1.2.002.0000, 147.1.3.008.0000, and 147.2.4.006.0000). As part of the application process, the City of Dallas is requiring that we complete a Fiscal Impact Analysis to determine the impact of new residents coming into the area with regard to police protection, fire protection, utility service, educational facilities, and other applicable factors.

Please see our proposed site plan that we are submitting. The rezoning plan includes a residential community with 175 townhomes as well as a commercial component that will include a combination of either office, restaurant, small business, retail, or hotel uses.

Could you please review the site plan and provide any comments that you would like to include in the analysis? Please feel free to reach out with any additional questions you may have anytime.

Thank you,

Whit Porter
Georgia Capital
[REDACTED]

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Item 9.

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Paulding County Fire & Rescue
247 Industrial Way North
Dallas, Georgia 30132
770-222-1160

Paulding County Fire & Rescue – Impact Statement

Subject: Rezoning Request – 469 Summerhill Road

Prepared by: Fire Chief Garrett Brubaker

Date: 10/20/2025

Overview

Paulding County Fire & Rescue (PCFR) has reviewed the proposed rezoning request located at **469 Summerhill Road**. This area falls within the future service district of the planned Fire Station 15, identified in the department's long-range planning and deployment model. The purpose of Station 15 is to address current and projected growth patterns, improve response coverage, and maintain compliance with national standards for emergency response times.

Impact Analysis

The area surrounding 469 Summerhill Road has experienced consistent population and residential development growth, contributing to an increase in emergency response demand. At present, this region is primarily served by existing stations located several miles away, which already manage high call volumes and extended travel distances.

Without the establishment of Station 15, additional development in this area will further strain PCFR's operational capacity. Increased call volume without corresponding infrastructure and staffing could result in longer response times, higher workload on current personnel, and potential impacts on service reliability and ISO performance metrics.

Future Station 15

The future Fire Station 15 is strategically planned to ensure adequate coverage for this corridor and surrounding developments. Once operational, it will:

- Enhance fire suppression, EMS, and rescue response times within the Summerhill Road area.
- Support balanced call distribution among adjacent stations.

- Provide improved community risk reduction and public safety coverage.

To achieve these objectives, appropriate funding, personnel, and apparatus allocations must coincide with ongoing development to ensure that public safety infrastructure keeps pace with community growth.

Conclusion

The rezoning and subsequent development of 469 Summerhill Road will directly increase response demand in an area already identified for future expansion. If the site and construction of Station 15 are not realized in coordination with this growth, the department's ability to meet response benchmarks may be compromised, placing significant strain on existing stations and resources.

Paulding County Fire & Rescue strongly recommends that future development and rezoning approvals in this region remain aligned with the timely establishment and staffing of Fire Station 15 to ensure sustainable service delivery and community safety.

As always, Stay safe,

John G Brubaker

Garrett Brubaker
Fire Chief, PCFR



Paulding County Board of Commissioners

Water System

3844 Atlanta Hwy Hiram, Georgia 30141
770-222-6850 • www.paulding.gov

Ray Wooten, P.E.
Department Director

September 8, 2025

Angie Wiggins
Evergreen Development and Real Estate Services

RE: Water and Sewer Availability for Paulding County Tax Parcel bearing ID # 147.1.2.002.0000

Dear Angie,

This is an updated letter to confirm PCWS water infrastructure is present in the right-of-way of Summerhill Rd (6-inch PVC main), and there is a 10-inch gravity sewer main crossing the southeast corner of the property. The majority of the property is in the Coppermine WRF sewer basin. Water and sewer would be served through PCWS, due to the contract with the City of Dallas.

Due to uncontrollable variables, Paulding County Water System (PCWS) makes no guarantees as to the minimum pressures, volumes, or capacities available to the project. PCWS does not guarantee water availability above an elevation of 1130 feet MSL. Depending on the scope of the development, demands imposed by the proposed development may require capacity improvements to the water mains. Any costs associated with such required capacity improvements will be the responsibility of the development and will not be provided by the Water System.

If you need any additional information, please do not hesitate to call.

Sincerely,

A handwritten signature in blue ink, appearing to read "C. Reese".

Carter D. Reese, E.I.T.
Engineering Project Manager II
Paulding County Water System
678-224-4089
carter.reese@paulding.gov



P.O. Box 897, Douglasville, GA 30133-0897
Tel 770-942-6576 Fax 770-489-0940
www.greystonepower.com

May 13, 2024

Angie Wiggins
Evergreen Development and Real Estate Services
11 South Gilmer St.
Cartersville, GA 30120

RE: 469 Summerhill Rd – Parcel ID 147.1.2.002.0000

Angie:

This letter is to confirm that GreyStone Power Corporation is currently providing single phase overhead electric service to the property in Paulding County at the address of 469 Summerhill Rd, Dallas, GA, Parcel ID 147.1.2.002.0000.

The 95 single family home development would also be served by us. The property has single phase service supplied by the East Dallas Substation .

Depending upon the developer's project design, the "on site" distribution facilities can either be provided in standard overhead construction, in developer preferred underground construction (could be an additional cost to the developer for underground facilities), or any combination of the two.

If you have any other specific questions regarding construction or other service-related items, please give me a call at (770)-370-2039 M-F, 8-5 and I will be glad to assist you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Hammond", is written over a horizontal line.

Chris Hammond
Greystone Power - Engineer
Phone: 770-370-2039

Email: christopher.hammond@greystonepower.com

04-25-24

Angie Wiggins
Evergreen DRES
475 E Main St PMB 132
Cartersville, GA 30121

RE: 469 Summerhill Rd, Dallas, GA 30132

Dear Georgia Capital,

This is to advise you that natural gas is presently available to serve the above residential location.

This is to further advise you that natural gas service will be made available to the above referenced project, in accordance with the Rules and Regulations governing our operations on file with the Georgia Public Service Commission at the time said service is requested **(the "Rules"), which may require that customer contribute to any excess installation costs (as calculated pursuant to the Rules).**

Please contact Justin Hancock, 404-558-5746, regarding gas installation.

Sincerely,


Craig Cameron

05/01/2024

EVERGREEN

Attn: Angie Wiggins
11 South Gilmer St
Cartersville, GA 30120

RE: Proposed Development Summerhill Rd, Dallas Ga; Paulding County;

Dear Angie:

This letter is in response to your request for information on the availability of service at the above Summerhill Rd by AT&T.

This letter acknowledges that the above referenced Summerhill Rd Development is located in an area served by AT&T. Any service arrangements for the Summerhill Rd Development will be subject to later discussions and agreements between the developer and AT&T. Please be advised that this letter is not a commitment by AT&T to provide service to the Summerhill Rd Development.

Please contact me at the phone number included in this letter with any questions.

Thank you for contacting AT&T.

Sincerely,

Don Wade

Don Wade
SR Specialist-OSP Design Engineer
AT&T GA / Atlanta District
(Office) 706-701-6085
DW9954@att.com



April 25, 2024

Angie Wiggins
Evergreen Development
11 South Gilmer St
Cartersville, Ga. 30120

Thank you for your request regarding:

Property: Summerhill Rd Project
Location: 469 Summerhill Rd Dallas, Ga. 30132

Comcast has facilities in this area and could potentially be the service provider for this property. However, this information is submitted to you under the following conditions:

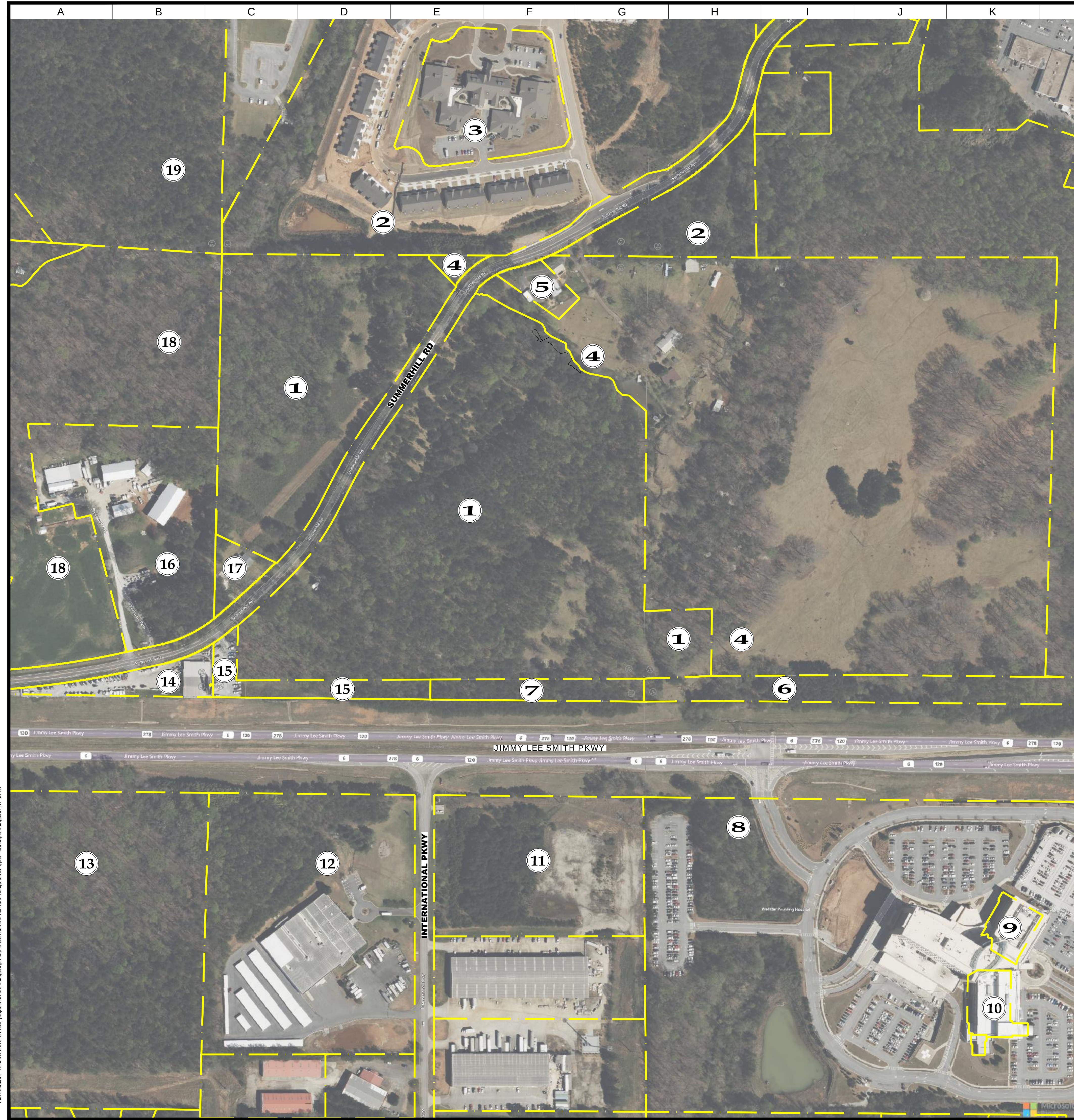
1. This is not an agreement or bid to begin work.
2. Service to the property will be based upon easement allowances made via final plat.
3. This letter does not bind or commit Comcast to any construction schedule.

If we may provide any additional information, or if you have questions, please feel free to contact me at.

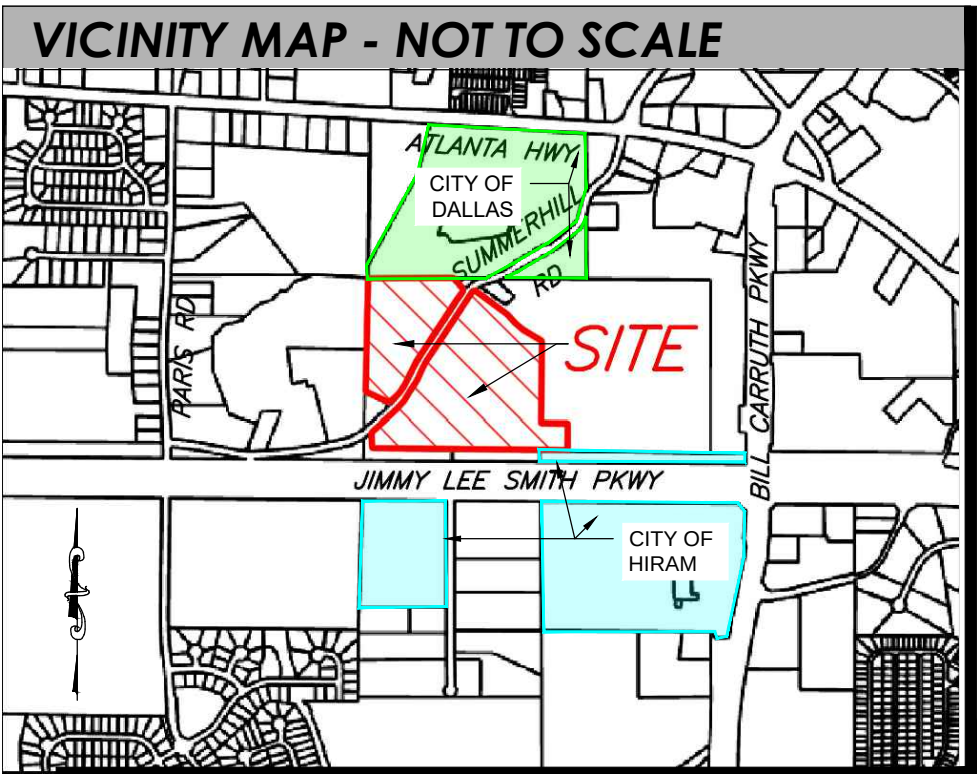


John Pauley
Development Expansion Professional
Georgia Market
Phone: 770-870-9949
Email: john_pauley@cable.comcast.com

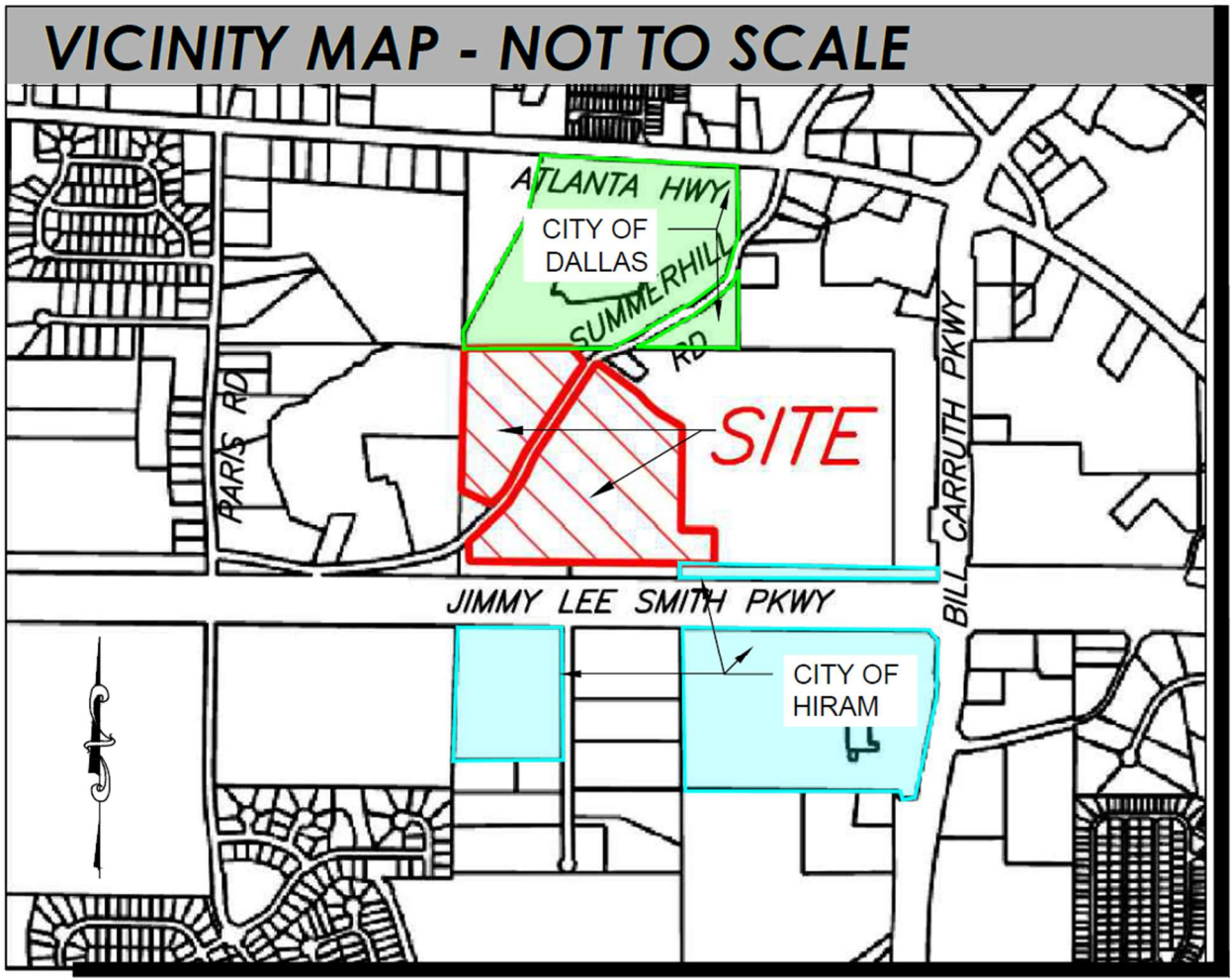
The information contained in this communication is privileged and confidential. The content is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify me immediately by telephone or e-mail, and delete this message from your systems.



- | | |
|--|--|
| 1. Estate of Mary Sue Tibbitts
4809 Shae Court
Powder Springs, GA 30127
(Parcel No. 147.1.2.002.0000)
ZONED PAULDING COUNTY R-2 | 13. Linda Paris Holley
Larry D. Paris
150 Smith Road
Hiram, GA 30141
(Parcel No. 147.1.4.001.0000)
ZONED PAULDING COUNTY R-2 |
| 2. ZEJ Dallas, LLC
10933 Crabapple Road
Roswell, GA 30075
(Parcel No. 140.4.3.072.0000)
ZONED CITY OF DALLAS OMI | 14. 230 Summerhill Road, LLC
783 Holland Road
Powder Springs, GA 30127
(Parcel No. 147.1.3.007.0000)
ZONED PAULDING COUNTY B-2 |
| 3. 3366 Atlanta Highway, LLC
c/o Altus Group
Post Office Box 92129
Southlake, TX 76092
(Parcel No. 140.4.3.070.0000)
ZONED CITY OF DALLAS OMI | 15. 230 Summerhill Road, LLC
783 Holland Road
Powder Springs, GA 30127
(Parcel No. 147.1.3.008.0000)
ZONED PAULDING COUNTY B-2 |
| 4. 2011 Edwards Family Revocable Trust
c/o Charlie Edwards, Jr.
598 Summerhill Road
Dallas, GA 30132
(Parcel No. 147.2.1.002.0000)
ZONED PAULDING COUNTY R-2 | 16. 230 Summerhill Road, LLC
783 Holland Road
Powder Springs, GA 30127
(Parcel No. 147.1.2.004.0000)
ZONED PAULDING COUNTY I-1 |
| 5. Lester Jackson Lindsey
Joanna Lindsey
578 Summerhill Road
Dallas, GA 30132
(Parcel No. 147.1.2.003.0000)
ZONED PAULDING COUNTY R-2 | 17. 303 Summerhill Road, LLC
783 Holland Road
Powder Springs, GA 30127
(Parcel No. 147.1.2.001.0000)
ZONED PAULDING COUNTY R-2 |
| 6. Aiken Business Properties, LLP
Otis Production, Inc.
c/o Aiken Management Trust
Post Office Box 1055
Dallas, GA 30132
(Parcel No. 147.2.4.006.0000)
ZONED CITY OF HIRAM R-2 | 18. Richard L. Harris
Delores C. Harris
783 Holland Road
Powder Springs, GA 30127
(Parcel No. 147.1.1.006.0000)
ZONED PAULDING COUNTY R-2 |
| 7. Mike Pope
95 Avery Way
Dallas, GA 30157
(Parcel No. 147.1.3.010.0000)
ZONED PAULDING COUNTY B-1 | 19. Thomas C. Tabor
404 Redwood Drive NE
Marietta, GA 30060
(Parcel No. 140.4.4.046.0000)
ZONED PAULDING COUNTY R-2 |
| 8. Paulding Medical Center, Inc.
c/o Altus Group
Post Office Box 92129
Southlake, TX 76092
(Parcel No. 147.2.4.002.0000)
ZONED CITY OF HIRAM B-1 | |
| 9. Pop 144 Bill Carruth, LLC
c/o Altus Group
Post Office Box 92129
Southlake, TX 76092
(Parcel No. 147.2.4.005.0000)
ZONED CITY OF HIRAM B-1 | |
| 10. PPC 148 Bill Carruth, LLC
c/o Altus Group
Post Office Box 92129
Southlake, TX 76092
(Parcel No. 147.2.4.003.0000)
ZONED CITY OF HIRAM B-1 | |
| 11. McNeel Covey 278, LLC
Post Office Box 2993
Kennesaw, GA 30156
(Parcel No. 147.1.3.002.0000)
ZONED PAULDING COUNTY I-1 | |
| 12. 90 International, LLC
c/o Brown Realty Advisors, Inc.
1303 Hightower Trail, Suite 205
Atlanta, GA 30350
(Parcel No. 147.1.3.006.0000)
ZONED CITY OF HIRAM I-1 | |



Item 9.		CHK	AS
		BY	DESCRIPTION
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PARCEL MAP FOR KINSHIP GROVE		DALLAS GEORGIA LL 458,459 & 479 ~ 3rd Section ~ 2nd District	
		NORTH	
		SCALE: 1" = 150'	
		PROJECT NUMBER GA3944-2301	
		SHEET TITLE PARCEL MAP	
		SHEET NUMBER	



Summerhill Road Vicinity Map

Item 9.



STAFF ACTION ITEM

MEETING DATE: 05/04/2026

TITLE: **Z-2025-07: ZONING REQUEST**

Georgia Capital, LLC (Applicant), Estate of Mary Sue Tibbitts; 230 Summerhill Road, LLC.; Mike J. Pope (Titleholder), and Moore Ingram Johnson & Steele, LLP; J. Kevin Moore (Representative), have applied and seek to annex & zone +/-34.455 acres of property located at the Northwesterly and Southeasterly sides of Summerhill Road, from R-2 & B-2 (Paulding County) to TH-Townhome and C-2 Commercial Medium-Density (City of Dallas) for a residential , one hundred seventy-five (175) unit townhome community and medium-density commercial space for retail and office use. The subject property is located and legally known by Tax Parcel ID No(s):147.1.2.002.0000; 147.1.3.008.0000; 147.1.3.010.0000, in Land Lot(s): 458; 459; 479, 2nd District, 3rd Section, of Paulding County.

PRESENTED BY: **Brandon Rakestraw – Community Development Director**

AGENDA ITEM DESCRIPTION (Agenda Content):

Z-2025-07: ZONING REQUEST

Georgia Capital, LLC (Applicant), Estate of Mary Sue Tibbitts; 230 Summerhill Road, LLC.; Mike J. Pope (Titleholder), and Moore Ingram Johnson & Steele, LLP; J. Kevin Moore (Representative), have applied and seek to annex & zone +/-34.455 acres of property located at the Northwesterly and Southeasterly sides of Summerhill Road, from R-2 & B-2 (Paulding County) to TH-Townhome and C-2 Commercial Medium-Density (City of Dallas) for a residential , one hundred seventy-five (175) unit townhome community and medium-density commercial space for retail and office use. The subject property is located and legally known by Tax Parcel ID No(s):147.1.2.002.0000; 147.1.3.008.0000; 147.1.3.010.0000, in Land Lot(s): 458; 459; 479, 2nd District, 3rd Section, of Paulding County.

HISTORY/PAST ACTION:

Planning Commission – Public Hearing; April 23, 2026

****Recommendation**** – *Approve the zoning/rezoning request as follows:*

- *Approval - Rezoning Application Z-2025-07 with the following conditions:*
 - *Staff Recommendations: No(s) 1-11 as presented and specified in the Planning & Zoning Staff Document.*
 - *Ownership and Rental Restrictions Stipulation as specified in item C. below (Revised Staff Recommendation No. 12)*
- *Intended Use of Property: Commercial / Office & Attached Townhomes*
- *Proposed Lot Sizing: C-2 +/-9.335 acres; TH +/-26.298 acres*
- *Proposed Unit Count: C-2 Tract A +/-78,800; C-2 Tract B +/-9,400; TH 175-units*
- *Proposed townhome development density of 6.65 units per acre*
- *Zoning District: C-2 Medium-Density Commercial District & TH Townhome Residential District (City)Stipulations: All staff recommended stipulations as listed below.*
 1. *Development shall be constructed in substantial conformity to the site plan provided in zoning application.*
 2. *Owner/developer shall provide a minimum 20-foot planted or natural (where possible) buffer around the site perimeter and a minimum 20-foot-wide landscape area adjacent to public roads or right-of-way. Buffers and landscape areas shall be designated as common areas controlled by a Homeowner's Association.*
 3. *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.*
 4. *Owner/developer shall comply, design, and construct all roadway and development entrance improvements and/or transportation improvements as required by Georgia Department of Transportation and/or Paulding County Department of Transportation and/or City of Dallas for access.*
 5. *Owner/developer shall comply, design, and construct all offsite sanitary sewer system and/or water system improvements and/or upgrades required by Paulding County Water System for servicing the proposed development.*

6. *The Developer shall install, operate, and maintain a complete Automated License Plate Reader (ALPR) system at each entrance at its sole cost and expense. The Developer must grant immediate and unfettered access to all ALPR data and live feeds to the Dallas Police Department. The system must comply with all applicable federal, state, and local laws, and the Dallas Police Department's established policies and procedures.*
 - a. *Installation & Maintenance: Developer is responsible for all costs related to procurement, installation, maintenance, software access, data hosting, and support of the ALPR system.*
 - b. *System Specifications: The system, including camera locations, power sources, and data storage mechanisms, must meet the technical specifications and approval of the Dallas Police Department.*
 - c. *Law Enforcement Access & Use: Legal ownership and control of the data reside with the Dallas Police Department, and the Developer shall ensure seamless integration and access for law enforcement personnel for public safety and investigative purposes.*
7. *A Homeowners Association shall be required for the Town Home development in its entirety. The Homeowners Association shall be created and enacted as part of final plating process for any development phase. Homeowners Association shall require mandatory membership.*
8. *A Property Management Association shall be required for the C-2 commercial development in its entirety. The Property Management Association shall be created and enacted as part of final plating process for any development phase. Property Management Association shall include all commercial zoned property mandatory.*
9. *Owner/developer shall supply for City of Dallas approval, detailed architectural elevation design plans for front, left side, right side, and rear of townhomes for each townhome to be constructed. All townhomes, buildings, or other structures shall comply with standards set forth in the city's ordinance codes.*
10. *Owner/developer shall supply for City of Dallas approval, detailed architectural elevation design plans for front, left side, right side, and rear of commercial buildings for each commercial building to be constructed. All buildings, or other structures shall comply with standards set forth in the city's ordinance codes.*
11. *Owner/developer shall provide written notice of concurrence stating noted impact have been satisfied from all entities found in the Fiscal Impact Analysis including but not limited to Paulding County School System, Paulding County Department of Transportation, Paulding County Water System, Paulding County Sheriff's Office, Paulding County Fire Department, Georgia Department of Transportation, City of Dallas Police Department and Solid Waste Department, Greystone Power/GA Power Company, Comcast, AT&T, Southern Company Gas, and any additional utility provider located in and servicing the development area.*
12. ~~*Owner/developer shall agree rental properties shall not exceed 10% (Seventeen (17) units) of the overall 175-unit count.*~~ *Ownership and Rental Restrictions (Revised Staff Recommendation No.12):*

Prior to or concurrent with approval of the preliminary plat, the Owner/Developer shall provide to the City a legally binding instrument, in a form acceptable to the City Attorney, establishing the ownership and rental structure for the subject development. Such instrument shall irrevocably elect and enforce one (1) of the following development options:

1. **For-Rent Community Option:** The development shall be established and maintained as a one hundred percent (100%) for-rent townhome community, owned and operated under the unified control of a single ownership entity and/or management company. Individual unit sales shall be prohibited.

OR

- a. **For-Sale Community with Rental Cap Option:** The development shall be established as a for-sale townhome community. Rental of units shall be limited to no more than ten percent (10%) of the total number of units within the development, not to exceed seventeen (17) units based on the approved maximum of one hundred seventy-five (175) units.

The option selected by the Owner/Developer in the required legal instrument shall be incorporated into the homeowners' association (HOA) covenants, conditions, and restrictions (CC&Rs) and/or bylaws, as applicable, and shall be recorded with the final plat. Such provisions shall run with the land and be binding on all successors and assigns.

Unless explicitly stated herein, all other lot and development standards shall comply with the C-1 & TH zoning district as written in the City of Dallas Unified Development Code. All other regulations, requirements, standards and specifications shall comply with City of Dallas Code of Ordinances.

FINANCIAL IMPACT:

N/A

INFORMATION:

Z-2025-07: ZONING REQUEST

Georgia Capital, LLC (Applicant), Estate of Mary Sue Tibbitts; 230 Summerhill Road, LLC.; Mike J. Pope (Titleholder), and Moore Ingram Johnson & Steele, LLP; J. Kevin Moore (Representative), have applied and seek to annex & zone +/-34.455 acres of property located at the Northwesterly and Southeasterly sides of Summerhill Road, from R-2 & B-2 (Paulding County) to TH-Townhome and C-2 Commercial Medium-Density (City of Dallas) for a residential, one hundred seventy-five (175) unit townhome community and medium-density commercial space for retail and office use. The subject property is located and legally known by Tax Parcel ID No(s):147.1.2.002.0000; 147.1.3.008.0000; 147.1.3.010.0000, in Land Lot(s): 458; 459; 479, 2nd District, 3rd Section, of Paulding County.

ANNEXATION & ZONING APPLICATION AND DOCUMENTS:

A-2025-04 & Z-2025-07 – Planning & Zoning Staff Document

Attachment A – Annexation/Zoning Official Application

Attachment B – Boundary Survey / Legal Description

Attachment C – Site Plan

Attachment D - A-2025-04_Z-2025-07_Georgia Capital, LLC - Paulding County Notification Letter

Attachment E – A-2025-04_Z-2025-07_ Georgia Capital, LLC - Paulding County School System Notification Letter

Attachment F – A-2025-04_Z-2025-07_ Georgia Capital, LLC / Moore Ingram Johnson & Steele, LLP - Notification Letter

Attachment G – A-2025-04_Z-2025-07_ Georgia Capital, LLC / Moore Ingram Johnson & Steele, LLP - Public Hearing Notification Letter

Attachment H - A-2025-04_Z-2025-07_ Georgia Capital, LLC - Legal Notice

Attachment I - A-2025-04_Z-2025-07_ Georgia Capital, LLC - Surrounding Property Owners Letter

Attachment J - A-2025-04_Z-2025-07_ Georgia Capital, LLC - Proposed Architectural Elevations

ANNEXATION & ZONING REQUEST:

APPLICATION No: A-2025-04 & Z-2025-07

Applicant: Georgia Capital, LLC

Applicant Address: 400 Galleria Parkway, Suite 1130

City: Atlanta State: Georgia Zip: 30339

Representative: Moore Ingram Johnson & Steele, LLP – J. Kevin Moore

Representative Address: Emerson Overlook, Suite 100, 326 Roswell Street

City: Marietta State: Georgia Zip: 30060

Titleholder: Estate of Mary Sue Tibbitts

Titleholder Address: 2928 Stanway Avenue

City: Douglasville State: Georgia Zip: 30135

Titleholder: 230 Summerhill Road, LLC.

Titleholder Address: 783 Holland Road

City: Powder Springs State: Georgia Zip: 30127

Titleholder: Mike J. Pope

Titleholder Address: 95 Avery Way

City: Dallas State: Georgia Zip: 30157

Location of Property: **469 Summerhill Road, Dallas, Georgia 30132 & Unaddressed property along the Northwesterly and Southeasterly sides of Summerhill Road and Jimmy Lee Smith Parkway**

Tax Parcel ID No.: **147.1.2.002.0000; 147.1.3.008.0000; 147.1.3.010.0000**

Land Lot(s): **458; 459; 479** District: **2nd** Section: **3rd**

Intended Use of Property: **Commercial / Office & Attached Townhomes**

Proposed Lot Sizing: **C-2 +/-9.335 acres; TH +/-26.298 acres**

Proposed Unit Count: **C-2 Tract A +/-78,800; C-2 Tract B +/-9,400; TH 175-units**

Zoning District: **C-2 Medium-Density Commercial District & TH Townhome Residential District (City)**

Setbacks & Lot Requirements:

C-2 Medium - Density Commercial District:

Minimum Lot Size –2.5 ac. subject parcel.; Minimum Lot Width – 150ft subject parcel; Minimum Lot Frontage – 50ft. subject parcel; Maximum Building Height – (Principal 60ft.) (Accessory – 26ft.); Front Setback_{1,10} –35ft. subject parcel; Side Setback₂ – (Principal – 30ft.) Accessory – 10ft / 30ft.₄) subject parcel; Rear Setback₂ – (Principal – 45ft.) (Accessory –10ft. / 45 ft.₆)subject parcel; Minimum Distance from Structure on Same Lot – 10ft.; Minimum Ground Floor Area (Per Unit) – (1 Story – N/A Average) (2+ Story – N/A); Total Minimum Living Area (Per Unit) – 750sf; Minimum Living Area Façade Width – N/A; Maximum Lot Coverage (structures and buildings) – 50%; Maximum Lot Coverage (all impervious surfaces) – 80%

TH Townhome Residential District:

Minimum Lot Size –1ac. subject parcel.; Minimum Lot Width – 100ft subject parcel; Minimum Lot Frontage – 50ft. subject parcel; Maximum Building Height – (Principal 45ft.) (Accessory – 24ft.); Front Setback –25ft. subject parcel; Side Setback – (Principal – 40ft.) Accessory – 10ft.) subject parcel; Rear Setback – (Principal – 40ft.) (Accessory –10ft.)subject parcel; Minimum Distance from Structure on Same Lot – 20ft.; Minimum Ground Floor Area (Per Unit) – (1 Story – 1,040sf Average) (2+ Story – 650); Total Minimum Living Area (Per Unit) – 1,040sf / 950sf; Minimum Living Area Façade Width – 24ft; Maximum Lot Coverage (structures and buildings) – 50%, Acc: 5% or 600sf (whichever is greater); Maximum Lot Coverage (all impervious surfaces) – 60%

STAFF COMMENTS:

Georgia Capital, LLC (Applicant), Estate of Mary Sue Tibbitts; 230 Summerhill Road, LLC.; Mike J. Pope (Titleholder), and Moore Ingram Johnson & Steele, LLP; J. Kevin Moore (Representative), have applied and seek to annex & zone +/-34.455 acres of property located at the Northwesterly and Southeasterly sides of Summerhill Road, from R-2 & B-2 (Paulding County) to TH-Townhome and C-2 Commercial Medium-Density (City of Dallas) for a residential, one hundred seventy-five (175) unit townhome community and medium-density commercial space for retail and office use. The subject property is located and legally known by Tax Parcel ID No(s):147.1.2.002.0000; 147.1.3.008.0000; 147.1.3.010.0000, in Land Lot(s): 458; 459; 479, 2nd District, 3rd Section, of Paulding County.

Property that borders the site to the north is within the city limits of Dallas. Property that borders the site to the south and west are light industrial zoned properties within Paulding County. Properties that border to the west and east are residential zone properties in Paulding County.

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

ADJACENT ZONING

NORTH: OMI – City of Dallas

EAST: R-2 – Paulding County

SOUTH: I-1 – City of Hiram

WEST: R-2 and I-1 – Paulding County

ADJACENT DEVELOPMENT

NORTH: Office Medical Institutional - Residential

EAST: Residential

SOUTH: Light Industrial

WEST: Residential & Light Industrial

B. Permitted Use impact on adjacent properties

- Proposed townhome development density of 6.65 units per acre.
- Minimum lot size: 1:2,500sf
- Total unit count: 175
- Adjacent lot sizes:
 - +/-30 acres – Office Medical Institutional – Assisted Living Community to north
 - +/-40 acre – Residential property to east
 - +/-20 acre – Residential property to west
 - +/-6 and +/-12-acre Light Industrial properties to south

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

- None – surrounding residential property is undeveloped single residence as current zoned land use.
- Light Industrial properties to west and south are developed.

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

- Applicant shall complete a Fiscal Impact Analysis. Applicant shall provide written letters of concurrence from all utility providers, city/county government service departments,

and public school system noting all impacts are either addressed or will be addressed on or before final platting of subject development.

- *Staff comments:*
 - *Increased traffic on existing State, County, and City public roadways and other nearby major and minor collector roads. Traffic Impact Study is required as part of the annexation and zoning submission and approval process. Developer shall complete all noted improvements as part of platting process. Developer shall provide concurrence document from Paulding County DOT and Georgia Department of Transportation.*
 - *Increase student population of nearby public schools. Developer shall provide impact concurrence document from Paulding County School System verifying all impacts have been mitigated.*
 - *Possible increase in calls for service for city police department. Developer shall provide impact concurrence documents from City of Dallas Police Department and Paulding County Sheriff's Office verifying all impacts have been mitigated.*
 - *Increase daily demand for the existing water system and decrease available sanitary sewer capacity - Paulding County Water System. Developer shall provide capacity certification from Paulding County Water System.*
 - *Increase in customer count for city garbage service.*

E. Supported by current conditions

- *Public Water supply via Paulding County Water exists along Summer Hill Road. Water supply capacity to be verified by Paulding County.*
- *Property is within Paulding County's – Sewer Service Area. Connection and extension of the county's sanitary sewer system may be required to service. Existing sewer infrastructure is located on property to the southeast. Sewer capacity to be verified by Paulding County.*
- *Public Roadway connection via Summer Hill Road. Summer Hill Road is a Paulding County roadway currently connecting Paris Road and Atlanta Highway.*
- *Property is located within the Wellstar Wellness District per the 2022-2027 Paulding County Joint Comprehensive Plan. This district promotes the consideration of multi-family housing to provide housing options for the area's growing future workforce.*
- *Development layout adheres to "park-like setting with quality-of-life amenities and attract additional medical and wellness uses" notated within the Land Use + Economic Development section under the Wellstar Wellness District recommendations.*

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 shown to be located in the Wellstar Wellness District, per the Special Area Studies section of the comprehensive plan. This district notates the consideration of multi-family housing, along with attraction of additional medical and wellness uses. The property is also located within Paulding County's Sewer Service Area. Existing sewer infrastructure is located on property to the southeast.

STAFF RECOMMENDATIONS:

Based on the preceding analysis Community Development staff recommend approval of this Annexation and Rezoning request. If the Planning Commission votes to recommend approval, staff recommend the following stipulations be applied:

1. Development shall be constructed in substantial conformity to the site plan provided in zoning application.
2. Owner/developer shall provide a minimum 20-foot planted or natural (where possible) buffer around the site perimeter and a minimum 20-foot-wide landscape area adjacent to public roads or right-of-way. Buffers and landscape areas shall be designated as common areas controlled by a Homeowner's Association.
3. 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.
4. Owner/developer shall comply, design, and construct all roadway and development entrance improvements and/or transportation improvements as required by Georgia Department of Transportation and/or Paulding County Department of Transportation and/or City of Dallas for access.
5. Owner/developer shall comply, design, and construct all offsite sanitary sewer system and/or water system improvements and/or upgrades required by Paulding County Water System for servicing the proposed development.
6. The Developer shall install, operate, and maintain a complete Automated License Plate Reader (ALPR) system at each entrance at its sole cost and expense. The Developer must grant immediate and unfettered access to all ALPR data and live feeds to the Dallas Police Department. The system must comply with all applicable federal, state, and local laws, and the Dallas Police Department's established policies and procedures.
 1. Installation & Maintenance: Developer is responsible for all costs related to procurement, installation, maintenance, software access, data hosting, and support of the ALPR system.

2. System Specifications: The system, including camera locations, power sources, and data storage mechanisms, must meet the technical specifications and approval of the Dallas Police Department.
3. Law Enforcement Access & Use: Legal ownership and control of the data reside with the Dallas Police Department, and the Developer shall ensure seamless integration and access for law enforcement personnel for public safety and investigative purposes.
7. A Homeowners Association shall be required for the Town Home development in its entirety. The Homeowners Association shall be created and enacted as part of final plating process for any development phase. Homeowners Association shall require mandatory membership.
8. A Property Management Association shall be required for the C-2 commercial development in its entirety. The Property Management Association shall be created and enacted as part of final plating process for any development phase. Property Management Association shall include all commercial zoned property mandatory.
9. Owner/developer shall supply for City of Dallas approval, detailed architectural elevation design plans for front, left side, right side, and rear of townhomes for each townhome to be constructed. All townhomes, buildings, or other structures shall comply with standards set forth in the city's ordinance codes.
10. Owner/developer shall supply for City of Dallas approval, detailed architectural elevation design plans for front, left side, right side, and rear of commercial buildings for each commercial building to be constructed. All buildings, or other structures shall comply with standards set forth in the city's ordinance codes.
11. Owner/developer shall provide written notice of concurrence stating noted impact have been satisfied from all entities found in the Fiscal Impact Analysis including but not limited to Paulding County School System, Paulding County Department of Transportation, Paulding County Water System, Paulding County Sheriff's Office, Paulding County Fire Department, Georgia Department of Transportation, City of Dallas Police Department and Solid Waste Department, Greystone Power/GA Power Company, Comcast, AT&T, Southern Company Gas, and any additional utility provider located in and servicing the development area.
12. ~~Owner/developer shall agree rental properties shall not exceed 10% (Seventeen (17) units) of the overall 175-unit count.~~

PLANNING COMMISSION:

A. PUBLIC HEARING DATE:

- April 23, 2026

B. RECOMMENDATION:

- **Approval** - Annexation Application A-2025-04 as presented.
- **Approval** - Rezoning Application Z-2025-07 with the following conditions:
 - i. Staff Recommendations: No(s) 1-11 as presented and specified in the Planning & Zoning Staff Document.
 - ii. Ownership and Rental Restrictions Stipulation as specified in item C. below (*Revised Staff Recommendation No. 12*)

C. ADDITIONAL STIPLULATIONS:**12. Ownership and Rental Restrictions (*Revised Staff Recommendation No.12*):**

Prior to or concurrent with approval of the preliminary plat, the Owner/Developer shall provide to the City a legally binding instrument, in a form acceptable to the City Attorney, establishing the ownership and rental structure for the subject development. Such instrument shall irrevocably elect and enforce one (1) of the following development options:

- a. **For-Rent Community Option:** The development shall be established and maintained as a one hundred percent (100%) for-rent townhome community, owned and operated under the unified control of a single ownership entity and/or management company. Individual unit sales shall be prohibited.

OR

- b. **For-Sale Community with Rental Cap Option:** The development shall be established as a for-sale townhome community. Rental of units shall be limited to no more than ten percent (10%) of the total number of units within the development, not to exceed seventeen (17) units based on the approved maximum of one hundred seventy-five (175) units.

The option selected by the Owner/Developer in the required legal instrument shall be incorporated into the homeowners' association (HOA) covenants, conditions, and restrictions (CC&Rs) and/or bylaws, as applicable, and shall be recorded with the final plat. Such provisions shall run with the land and be binding on all successors and assigns.

ADDITIONAL STAFF RECOMMENDATIONS:**12. Enforcement and Compliance: (*Addition to Planning Commission Stipulation No.12*)**

The ownership and rental restrictions set forth herein, and as further detailed in the recorded legal instrument and HOA documents, shall constitute zoning conditions of approval. Any violation of the Ownership or Rental Restrictions development option, including but not limited to unauthorized unit sales, exceeding the permitted rental cap,

or failure to maintain single-entity control (as applicable), shall be deemed a violation of the City's zoning ordinance.

The City shall have full authority to enforce these provisions through all remedies available under the zoning code and applicable law, including but not limited to issuance of citations, stop-work orders, withholding or revocation of permits or certificates of occupancy, and pursuit of civil penalties or injunctive relief. The Owner/Developer and the HOA shall cooperate with the City by providing documentation reasonably necessary to verify ongoing compliance, including leasing records or ownership data upon request.

Unless explicitly stated herein, all other lot and development standards shall comply with the C-2 & TH zoning district as written in the City of Dallas Unified Development Code. All other regulations, requirements, standards and specifications shall comply with City of Dallas Code of Ordinances.

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



PLANNING & ZONING STAFF DOCUMENT
ANNEXATION APPLICATION NO. A-2025-04
ZONING/REZONING APPLICATION NO. Z-2025-07

HEARING

Item 10.

Planning Commission:

04/23/2026 at 6:00 PM

City Council:

05/04/2026 at 5:15 PM

ANNEXATION & ZONING APPLICATION AND DOCUMENTS:

- Attachment A – Annexation/Zoning Official Application
Attachment B – Boundary Survey / Legal Description
Attachment C – Site Plan
Attachment D - A-2025-04_Z-2025-07_Georgia Capital, LLC - Paulding County Notification Letter
Attachment E – A-2025-04_Z-2025-07_Georgia Capital, LLC - Paulding County School System Notification Letter
Attachment F – A-2025-04_Z-2025-07_Georgia Capital, LLC / Moore Ingram Johnson & Steele, LLP - Notification Letter
Attachment G – A-2025-04_Z-2025-07_Georgia Capital, LLC / Moore Ingram Johnson & Steele, LLP - Public Hearing Notification Letter
Attachment H - A-2025-04_Z-2025-07_Georgia Capital, LLC - Legal Notice
Attachment I - A-2025-04_Z-2025-07_Georgia Capital, LLC - Surrounding Property Owners Letter
Attachment J - A-2025-04_Z-2025-07_Georgia Capital, LLC - Proposed Architectural Elevations

ANNEXATION & ZONING REQUEST:

APPLICATION No: A-2025-04 & Z-2025-07

Applicant: *Georgia Capital, LLC*

Applicant Address: *400 Galleria Parkway, Suite 1130*

City: *Atlanta* State: *Georgia* Zip: *30339*

Representative: *Moore Ingram Johnson & Steele, LLP – J. Kevin Moore*

Representative Address: *Emerson Overlook, Suite 100, 326 Roswell Street*

City: *Marietta* State: *Georgia* Zip: *30060*

Titleholder: *Estate of Mary Sue Tibbitts*

Titleholder Address: *2928 Stanway Avenue*

City: *Douglasville* State: *Georgia* Zip: *30135*

Titleholder: *230 Summerhill Road, LLC.*

Titleholder Address: *783 Holland Road*

City: *Powder Springs* State: *Georgia* Zip: *30127*



PLANNING & ZONING STAFF DOCUMENT
ANNEXATION APPLICATION NO. A-2025-04
ZONING/REZONING APPLICATION NO. Z-2025-07

HEARING

Item 10.

Planning Commission:

04/23/2026 at 6:00 PM

City Council:

05/04/2026 at 5:15 PM

Titleholder: **Mike J. Pope**

Titleholder Address: **95 Avery Way**

City: **Dallas**

State: **Georgia**

Zip: **30157**

Location of Property: **469 Summerhill Road, Dallas, Georgia 30132 & Unaddressed property along the Northwesterly and Southeasterly sides of Summerhill Road and Jimmy Lee Smith Parkway**

Tax Parcel ID No.: **147.1.2.002.0000; 147.1.3.008.0000; 147.1.3.010.0000**

Land Lot(s): **458; 459; 479**

District: **2nd**

Section: **3rd**

Intended Use of Property: **Commercial / Office & Attached Townhomes**

Proposed Lot Sizing: **C-2 +/-9.335 acres; TH +/-26.298 acres**

Proposed Unit Count: **C-2 Tract A +/-78,800; C-2 Tract B +/-9,400; TH 175-units**

Zoning District: **C-2 Medium-Density Commercial District & TH Townhome Residential District (City)**

Setbacks & Lot Requirements:

C-2 Medium - Density Commercial District:

Minimum Lot Size –2.5 ac. subject parcel; Minimum Lot Width – 150ft subject parcel; Minimum Lot Frontage – 50ft. subject parcel; Maximum Building Height – (Principal 60ft.) (Accessory – 26ft.); Front Setback_{1,10} –35ft. subject parcel; Side Setback₂ – (Principal – 30ft.) Accessory – 10ft / 30ft.₄) subject parcel; Rear Setback₂ – (Principal – 45ft.) (Accessory –10ft. / 45 ft.₄)subject parcel; Minimum Distance from Structure on Same Lot – 10ft.; Minimum Ground Floor Area (Per Unit) – (1 Story – N/A Average) (2+ Story – N/A); Total Minimum Living Area (Per Unit) – 750sf; Minimum Living Area Façade Width – N/A; Maximum Lot Coverage (structures and buildings) – 50%; Maximum Lot Coverage (all impervious surfaces) – 80%

TH Townhome Residential District:

Minimum Lot Size –1ac. subject parcel; Minimum Lot Width – 100ft subject parcel; Minimum Lot Frontage – 50ft. subject parcel; Maximum Building Height – (Principal 45ft.) (Accessory – 24ft.); Front Setback –25ft. subject parcel; Side Setback – (Principal – 40ft.) Accessory – 10ft.) subject parcel; Rear Setback – (Principal – 40ft.) (Accessory –10ft.)subject parcel; Minimum Distance from Structure on Same Lot – 20ft.;



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04/23/2026 at 6:00 PM

City Council:

05/04/2026 at 5:15 PM

Minimum Ground Floor Area (Per Unit) – (1 Story – 1,040sf Average) (2+ Story – 650); Total Minimum Living Area (Per Unit) – 1,040sf / 950sf; Minimum Living Area Façade Width – 24ft; Maximum Lot Coverage (structures and buildings) – 50%, Acc: 5% or 600sf (whichever is greater); Maximum Lot Coverage (all impervious surfaces) – 60%

STAFF COMMENTS:

Georgia Capital, LLC (Applicant), Estate of Mary Sue Tibbitts; 230 Summerhill Road, LLC.; Mike J. Pope (Titleholder), and Moore Ingram Johnson & Steele, LLP; J. Kevin Moore (Representative), have applied and seek to annex & zone +/-34.455 acres of property located at the Northwesterly and Southeasterly sides of Summerhill Road, from R-2 & B-2 (Paulding County) to TH-Townhome and C-2 Commercial Medium-Density (City of Dallas) for a residential, one hundred seventy-five (175) unit townhome community and medium-density commercial space for retail and office use. The subject property is located and legally known by Tax Parcel ID No(s):147.1.2.002.0000; 147.1.3.008.0000; 147.1.3.010.0000, in Land Lot(s): 458; 459; 479, 2nd District, 3rd Section, of Paulding County.

Property that borders the site to the north is within the city limits of Dallas. Property that borders the site to the south and west are light industrial zoned properties within Paulding County. Properties that border to the west and east are residential zone properties in Paulding County.

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

ADJACENT ZONING

NORTH: OMI – City of Dallas

EAST: R-2 – Paulding County

SOUTH: I-1 – City of Hiram

WEST: R-2 and I-1 – Paulding County

ADJACENT DEVELOPMENT

NORTH: Office Medical Institutional - Residential

EAST: Residential

SOUTH: Light Industrial

WEST: Residential & Light Industrial

B. Permitted Use impact on adjacent properties

- *Proposed townhome development density of 6.65 units per acre.*
- *Minimum lot size: 1:2,500sf*
- *Total unit count: 175*
- *Adjacent lot sizes:*
 - *+/-30 acres – Office Medical Institutional – Assisted Living Community to north*



PLANNING & ZONING STAFF DOCUMENT
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04/23/2026 at 6:00 PM

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05/04/2026 at 5:15 PM

- +/-40 acre – Residential property to east
- +/-20 acre – Residential property to west
- +/-6 and +/-12 acre Light Industrial properties to south

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

- None – surrounding residential property is undeveloped single residence as current zoned land use.
- Light Industrial properties to west and south are developed.

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

- Applicant shall complete a Fiscal Impact Analysis. Applicant shall provide written letters of concurrence from all utility providers, city/county government service departments, and public school system noting all impacts are either addressed or will be addressed on or before final platting of subject development.
- Staff comments:
 - Increased traffic on existing State, County, and City public roadways and other nearby major and minor collector roads. Traffic Impact Study is required as part of the annexation and zoning submission and approval process. Developer shall complete all noted improvements as part of platting process. Developer shall provide concurrence document from Paulding County DOT and Georgia Department of Transportation.
 - Increase student population of nearby public schools. Developer shall provide impact concurrence document from Paulding County School System verifying all impacts have been mitigated.
 - Possible increase in calls for service for city police department. Developer shall provide impact concurrence documents from City of Dallas Police Department and Paulding County Sheriffs Office verifying all impacts have been mitigated.
 - Increase daily demand for the existing water system and decrease available sanitary sewer capacity - Paulding County Water System. Developer shall provide capacity certification from Paulding County Water System.
 - Increase in customer count for city garbage service.

E. Supported by current conditions

- Public Water supply via Paulding County Water exists along Summer Hill Road. Water supply capacity to be verified by Paulding County.
- Property is within Paulding County's – Sewer Service Area. Connection and extension of the county's sanitary sewer system may be required to service. Existing sewer infrastructure is located on property to the southeast. Sewer capacity to be verified by Paulding County.



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04/23/2026 at 6:00 PM

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- *Public Roadway connection via Summer Hill Road. Summer Hill Road is a Paulding County roadway currently connecting Paris Road and Atlanta Highway.*
- *Property is located within the Wellstar Wellness District per the 2022-2027 Paulding County Joint Comprehensive Plan. This district promotes the consideration of multi-family housing to provide housing options for the area's growing future workforce.*
- *Development layout adheres to "park-like setting with quality-of-life amenities and attract additional medical and wellness uses" notated within the Land Use + Economic Development section under the Wellstar Wellness District recommendations.*

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 shown to be located in the Wellstar Wellness District, per the Special Area Studies section of the comprehensive plan. This district notates the consideration of multi-family housing, along with attraction of additional medical and wellness uses. The property is also located within Paulding County's Sewer Service Area. Existing sewer infrastructure is located on property to the southeast.

STAFF RECOMMENDATIONS:

Based on the preceding analysis Community Development staff recommend approval of this Annexation and Rezoning request. If the Planning Commission votes to recommend approval, staff recommend the following stipulations be applied:

1. Development shall be constructed in substantial conformity to the site plan provided in zoning application.
2. Owner/developer shall provide a minimum 20-foot planted or natural (where possible) buffer around the site perimeter and a minimum 20-foot-wide landscape area adjacent to public roads or right-of-way. Buffers and landscape areas shall be designated as common areas controlled by a Homeowner's Association.
3. 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.
4. Owner/developer shall comply, design, and construct all roadway and development entrance improvements and/or transportation improvements as required by Georgia Department of Transportation and/or Paulding County Department of Transportation and/or City of Dallas for access.



PLANNING & ZONING STAFF DOCUMENT
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04/23/2026 at 6:00 PM

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05/04/2026 at 5:15 PM

5. Owner/developer shall comply, design, and construct all offsite sanitary sewer system and/or water system improvements and/or upgrades required by Paulding County Water System for servicing the proposed development.
6. The Developer shall install, operate, and maintain a complete Automated License Plate Reader (ALPR) system at each entrance at its sole cost and expense. The Developer must grant immediate and unfettered access to all ALPR data and live feeds to the Dallas Police Department. The system must comply with all applicable federal, state, and local laws, and the Dallas Police Department's established policies and procedures.
 1. Installation & Maintenance: Developer is responsible for all costs related to procurement, installation, maintenance, software access, data hosting, and support of the ALPR system.
 2. System Specifications: The system, including camera locations, power sources, and data storage mechanisms, must meet the technical specifications and approval of the Dallas Police Department.
 3. Law Enforcement Access & Use: Legal ownership and control of the data reside with the Dallas Police Department, and the Developer shall ensure seamless integration and access for law enforcement personnel for public safety and investigative purposes.
7. A Homeowners Association shall be required for the Town Home 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.
8. A Property Management Association shall be required for the C-2 commercial development in its entirety. The Property Management Association shall be created and enacted as part of final platting process for any development phase. Property Management Association shall include all commercial zoned property mandatory.
9. Owner/developer shall supply for City of Dallas approval, detailed architectural elevation design plans for front, left side, right side, and rear of townhomes for each townhome to be constructed. All townhomes, buildings, or other structures shall comply with standards set forth in the city's ordinance codes.
10. Owner/developer shall supply for City of Dallas approval, detailed architectural elevation design plans for front, left side, right side, and rear of commercial buildings for each commercial building to be constructed. All buildings, or other structures shall comply with standards set forth in the city's ordinance codes.



PLANNING & ZONING STAFF DOCUMENT
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04/23/2026 at 6:00 PM

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11. Owner/developer shall provide written notice of concurrence stating noted impact have been satisfied from all entities found in the Fiscal Impact Analysis including but not limited to Paulding County School System, Paulding County Department of Transportation, Paulding County Water System, Paulding County Sheriff's Office, Paulding County Fire Department, Georgia Department of Transportation, City of Dallas Police Department and Solid Waste Department, Greystone Power/GA Power Company, Comcast, AT&T, Southern Company Gas, and any additional utility provider located in and servicing the development area.
12. ~~Owner/developer shall agree rental properties shall not exceed 10% (Seventeen (17) units) of the overall 175 unit count.~~

PLANNING COMMISSION:

A. PUBLIC HEARING DATE:

- April 23, 2026

B. RECOMMENDATION:

- **Approval** - Annexation Application A-2025-04 as presented.
- **Approval** - Rezoning Application Z-2025-07 with the following conditions:
 - i. Staff Recommendations: No(s) 1-11 as presented and specified in the Planning & Zoning Staff Document.
 - ii. Ownership and Rental Restrictions Stipulation as specified in item C. below (*Revised Staff Recommendation No. 12*)

C. ADDITIONAL STIPLULATIONS

12. Ownership and Rental Restrictions (*Revised Staff Recommendation No.12*):

Prior to or concurrent with approval of the preliminary plat, the Owner/Developer shall provide to the City a legally binding instrument, in a form acceptable to the City Attorney, establishing the ownership and rental structure for the subject development. Such instrument shall irrevocably elect and enforce one (1) of the following development options:

1. **For-Rent Community Option:** The development shall be established and maintained as a one hundred percent (100%) for-rent townhome community, owned and operated under the unified control of a single ownership entity and/or management company. Individual unit sales shall be prohibited.



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Planning Commission:

04/23/2026 at 6:00 PM

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OR

2. **For-Sale Community with Rental Cap Option:** The development shall be established as a for-sale townhome community. Rental of units shall be limited to no more than ten percent (10%) of the total number of units within the development, not to exceed seventeen (17) units based on the approved maximum of one hundred seventy-five (175) units.

The option selected by the Owner/Developer in the required legal instrument shall be incorporated into the homeowners' association (HOA) covenants, conditions, and restrictions (CC&Rs) and/or bylaws, as applicable, and shall be recorded with the final plat. Such provisions shall run with the land and be binding on all successors and assigns.

ADDITIONAL STAFF RECOMMENDATIONS:

12. Enforcement and Compliance: (*Addition to Planning Commission Stipulation No.12*)

The ownership and rental restrictions set forth herein, and as further detailed in the recorded legal instrument and HOA documents, shall constitute zoning conditions of approval. Any violation of the Ownership or Rental Restrictions development option, including but not limited to unauthorized unit sales, exceeding the permitted rental cap, or failure to maintain single-entity control (as applicable), shall be deemed a violation of the City's zoning ordinance.

The City shall have full authority to enforce these provisions through all remedies available under the zoning code and applicable law, including but not limited to issuance of citations, stop-work orders, withholding or revocation of permits or certificates of occupancy, and pursuit of civil penalties or injunctive relief. The Owner/Developer and the HOA shall cooperate with the City by providing documentation reasonably necessary to verify ongoing compliance, including leasing records or ownership data upon request.

Unless explicitly stated herein, all other lot and development standards shall comply with the C-2 & TH zoning district as written in the City of Dallas Unified Development Code. All other regulation, requirements, standards and specification shall comply with City of Dallas Code of Ordinances.

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



ANNEXATION APPLICATION

Application No. A - 2025 - 04
(PAGE 1 of 11)

HEARING DATE

Item 10.

Planning Commission:
04/23/2026 6:00 PM
City Council:
05/04/2026 5:15 PM

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Georgia Capital, LLC

Address: 400 Galleria Parkway, Suite 1130

City: Atlanta State: GA Zip: 30339

Phone: [REDACTED] E-mail address: [REDACTED]
Georgia Capital, LLC

See Applicant's Signature on Previously Filed
BY: Rezoning/Annexation Application (Copy Attached Hereto) Kendall B. King, Director

Applicant's Signature

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Commission Expires:

The day of , 20 .

Notary Public Signature

SEAL:

Representative: Moore Ingram Johnson & Steele, LLP - J. Kevin Moore

Address: Emerson Overlook, Suite 100, 326 Roswell Street

City: Marietta State: GA Zip: 30060

Phone: [REDACTED] E-mail address: [REDACTED]
MOORE INGRAM JOHNSON & STEELE, LLP

BY: [Signature]
Applicant's Signature

J. Kevin Moore

Printed Name of Signatory

J. Kevin Moore; GA Bar No. 519728
Attorneys for Applicant and Property Owners

Signed, sealed and delivered in the presence of:

Notary Commission Expires:

The 10th day of January, 2027.

Notary Public Signature

SEAL:



CITY STAFF ONLY:

TIME/DATE STAMP:

FILED WITH COMMUNITY DEVELOPMENT: November 26, 2025

APPLICATION ACCEPTANCE DATE: January 28, 2026

DIRECTOR: [Signature] 01-28-2026
(SIGNATURE) (DATE)



ANNEXATION APPLICATION

Application No. A - 2025 - 04

(PAGE 2 of 11)

(PLEASE PRINT OR TYPE ALL INFORMATION)

Titleholder: Estate of Mary Sue Tibbitts

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 2928 Stanway Avenue

City: Douglasville **State:** GA **Zip:** 30135

Phone: [REDACTED] **E-mail address:** _____

Georgia Capital, LLC

See Applicant's Signature on Previously Filed Rezoning/

BY: Annexation Application (Copy Attached Hereto)

Kendall B. King, Director

Applicant's Signature

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Commission Expires:

The _____ day of _____, 20____.

Notary Public Signature

SEAL:

Property Information

Present Zoning Classification: R-2, B-2 (Overall) (PAULDING) Requested Zoning Classification: TH, C-2 (CITY)

Total Acreage of Annexation Application: 35.633+/- (Overall) Acreage of Titleholder: 34.455+/-

10.409+/- (N); 24.046+/- (S)

Land Lot(s): 458, 459 District(s): 2nd Section(s): 3rd

Tax Parcel I.D. Number(s): 147.1.2.002.0000

Location of Property: Northwesterly and southeasterly sides of Summerhill Road (469 Summerhill Road)

(Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road))

Detailed description of proposed land use (including maximum number of lots, if residential, or number of units):

Proposed Use: Townhome community consisting of maximum 175 residential units, including related amenities;
two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Proposed Lot Count: 175 Proposed Density: 6.65+/- upa Proposed Lot Size: 24' x 40'

Compliant with 2022-2027 Joint Comprehensive Plan: YES ☒ NO ☐

Additional Tax Parcel I.D. No.(s) 147.1.3.008.0000; 147.1.3.010.0000

Additional Land Lots here: 479, _____, _____, _____, _____, _____

Zoning Application No. Z - _____ - _____



ANNEXATION APPLICATION

Application No. A - 2025 - 04

(PAGE 2 of 11)

(PLEASE PRINT OR TYPE ALL INFORMATION)

Titleholder: 230 Summerhill Road, LLC

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 783 Holland Road

City: Powder Springs State: GA Zip: 30127

Phone: ([REDACTED]) E-mail address: _____

Georgia Capital, LLC

BY: See Applicant's Signature on Previously Filed Rezoning/
Annexation Application (Copy Attached Hereto)

Applicant's Signature

Kendall B. King, Director

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Commission Expires:

The _____ day of _____, 20____.

Notary Public Signature

SEAL:

Property Information

Present Zoning Classification: R-2 (Overall) (PAULDING) Requested Zoning Classification: TH, C-2 (CITY)

Total Acreage of Annexation Application: 35.633+/- (Overall) Acreage of Titleholder: 0.495+/-

Land Lot(s): 479 District(s): 2nd Section(s): 3rd

Tax Parcel I.D. Number(s): 147.1.3.008.0000

Location of Property: Northerly side of Jimmy Lee Smith Parkway; southeasterly of Summerhill Road (unassigned)
(Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road))

Detailed description of proposed land use (including maximum number of lots, if residential, or number of units):

Proposed Use: Townhome community consisting of maximum 175 residential units, including related amenities;
two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Proposed Lot Count: 175 Proposed Density: 6.65+/- upa Proposed Lot Size: 24' x 40'

Compliant with 2022-2027 Joint Comprehensive Plan: YES ☒ NO ☐

Additional Tax Parcel I.D. No.(s) 147.1.3.010.0000; 147.1.2.002.0000

Additional Land Lots here: 458, 459, _____, _____, _____, _____

Zoning Application No. Z - _____ - _____



ANNEXATION APPLICATION

Application No. A - A-2025-04

(PAGE 2 of 11)

(PLEASE PRINT OR TYPE ALL INFORMATION)

Titleholder: Mike J. Pope

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 95 Avery Way

City: Dallas State: GA Zip: 30157

Phone: ([REDACTED]) E-mail address: _____

Georgia Capital, LLC

BY: See Applicant's Signature on Previously Filed Rezoning/
Annexation Application (Copy Attached Hereto)

Applicant's Signature

Kendall B. King, Director

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Commission Expires:

The _____ day of _____, 20____.

Notary Public Signature

SEAL:

Property Information

Present Zoning Classification: B-1 (Overall) (PAULDING) Requested Zoning Classification: TH, C-2 (CITY)

Total Acreage of Annexation Application: 35.633+/- (Overall) Acreage of Titleholder: 0.683+/-

Land Lot(s): 479 District(s): 2nd Section(s): 3rd

Tax Parcel I.D. Number(s): 147.1.3.010.0000

Location of Property: Northerly side of Jimmy Lee Smith Parkway; southeasterly of Summerhill Road (unassigned)
(Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road))

Detailed description of proposed land use (including maximum number of lots, if residential, or number of units):

Proposed Use: Townhome community consisting of maximum 175 residential units, including related amenities;
two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Proposed Lot Count: 175 Proposed Density: 6.65+/- upa Proposed Lot Size: 24' x 40'

Compliant with 2022-2027 Joint Comprehensive Plan: YES ☒ NO ☐

Additional Tax Parcel I.D. No.(s) 147.1.3.008.0000; 147.1.2.002.0000

Additional Land Lots here: 458, 459, _____, _____, _____, _____

Zoning Application No. Z - _____ - _____



Zoning/Rezoning Application

Application No. Z - 2025 - 07

(PAGE 1 of 15)

HEARING DATE

Item 10.

Planning Commission:

04/23/2026 6:00 PM

City Council:

05/04/2026 5:15 PM

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Georgia Capital, LLC

Address: 400 Galleria Parkway, Suite 1130

City: Atlanta State: GA Zip: 30339

Phone: [REDACTED] E-mail address: [REDACTED]

Georgia Capital, LLC

See Applicant's Signature on Previously Filed Rezoning/
BY: Annexation Application (Original Attached Hereto)

Applicant's Signature

Kendall B. King, Director

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Commission Expires:

The day of , 20 .

Notary Public Signature

SEAL:

Representative: Moore Ingram Johnson & Steele, LLP - J. Kevin Moore

Address: Emerson Overlook, Suite 100, 326 Roswell Street

City: Marietta State: GA Zip: 30060

Phone: [REDACTED] E-mail address: [REDACTED]

MOORE INGRAM JOHNSON & STEELE, LLP

BY: *J. Kevin Moore*

Applicant's Signature

J. Kevin Moore

Printed Name of Signatory

J. Kevin Moore; GA Bar No. 519728

Attorneys for Applicant and Titleholders

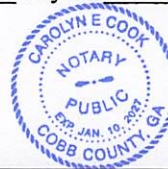
Signed, sealed and delivered in the presence of:

Notary Commission Expires:

The 10th day of January, 20 27.

Carolyn E. Cook
Notary Public Signature

SEAL:



CITY STAFF ONLY:

TIME/DATE STAMP:

FILED WITH COMMUNITY DEVELOPMENT: NOVEMBER 26, 2025

APPLICATION ACCEPTANCE DATE: JANUARY 28, 2026

DIRECTOR: *[Signature]* 01-28-2026
(SIGNATURE) (DATE)

**ZONING / REZONING APPLICATION**

City of Dallas, Georgia

Application # _____ - _____

Hearing Dates: PC: _____ CC: _____

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Georgia Capital, LLC Business phone: _____ Cell: _____Address: 400 Galleria Parkway, Suite 1130 Home phone: _____City: Atlanta State: GA Zip: 30389 Fax phone: _____

E-mail address: _____

BY: Kendall B. King
Applicant's SignatureKendall B. King, Director
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

J. Kevin Moore
Notary Public2/2/27
Date Notary Commission ExpiresRepresentative: Moore Ingram Johnson & Steele, LLP Phone: _____ Cell: _____Address: Emerson Overlook, Suite 100, 326 Roswell Street City: Marietta State: GA Zip: 30060

E-mail address: _____ Fax phone: _____

BY: J. Kevin Moore
Representative's Signature
Attorneys for Applicant and Property Owners
Signed, sealed and delivered in the presence of:J. Kevin Moore
Printed Name of SignatoryCarolyn E. Cook
Notary PublicJanuary 10, 2027
Date Notary Commission Expires

Titleholder: _____ Business phone: _____ Home phone: _____

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: _____ City: _____ State: _____ Zip: _____

See Attached for Titleholders' Signatures

Signature

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Public

Date Notary Commission Expires

Property InformationPresent Zoning Classification: R-2, B-1, B-2 (Paulding County) Requested Zoning Classification: TH, C-2 (City of Dallas)Total Acreage of Zoning/Rezoning Application: 35.633+/- (Overall) Acreage of Titleholder: _____Land Lot(s): 458, 459, 479 District(s): 2nd Section(s): 3rd Tax Parcel I.D. Number(s): 147.1.2.002.0000
147.1.3.008.0000
147.1.3.010.0000Location of Property: Northwesterly and southeasterly sides of Summerhill Road; portion on northerly side of Jimmy Lee Smith Parkway
Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road) (469 Summerhill Road; unassigned parcels)Detailed description of proposed development (including maximum number of lots, if residential, or number of units): Townhome Community consisting of maximum 174 residential units, including related amenities; two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Filed with City: _____ (Date) _____ (Signature)

City of Dallas Planning Commission Recommendation: ☐ Approve ☐ Disapprove ☐ No recommendation

Conditions, reasons, stipulations: _____

City Council Decision: ☐ Approve ☐ Approve as different classification ☐ Disapprove

Conditions, reasons, stipulations: _____

Revised 7/2019

**ZONING / REZONING APPLICATION**

City of Dallas, Georgia

Application # _____ - _____

Hearing Dates: PC: _____ CC: _____

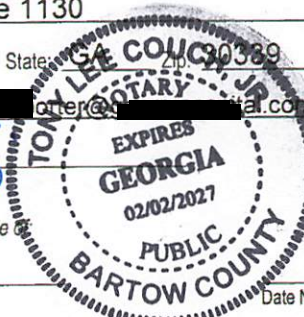
(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Georgia Capital, LLC Business phone: _____ Cell: _____Address: 400 Galleria Parkway, Suite 1130 Home phone: _____City: Atlanta State: GA Zip: 30389 Fax phone: _____

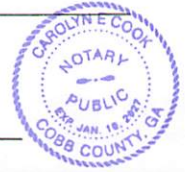
E-mail address: _____

BY: [Signature]
Applicant's Signature

Signed, sealed and delivered in the presence of:

[Signature]
Notary PublicKendall B. King, Director
Printed Name of SignatoryDate Notary Commission Expires 2/2/27Representative: Moore Ingram Johnson & Steele, LLP Phone: _____ Cell: _____Address: Emerson Overlook, Suite 100, 326 Roswell Street City: Marietta State: GA Zip: 30060

E-mail address: _____ Fax phone: _____

BY: [Signature]
Representative's Signature
Attorneys for Applicant and Property Owners
Signed, sealed and delivered in the presence of:[Signature]
Notary PublicJ. Kevin Moore
Printed Name of SignatoryJanuary 10, 2027
Date Notary Commission Expires

Titleholder: _____ Business phone: _____ Home phone: _____

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: _____ City: _____ State: _____ Zip: _____

See Attached for Titleholders' Signatures

Signature

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Public

Date Notary Commission Expires

Property InformationPresent Zoning Classification: R-2, B-1, B-2 (Paulding County) Requested Zoning Classification: TH, C-2 (City of Dallas)Total Acreage of Zoning/Rezoning Application: 35.633+/- (Overall) Acreage of Titleholder: _____Land Lot(s): 458, 459, 479 District(s): 2nd Section(s): 3rd Tax Parcel I.D. Number(s): 147.1.2.002.0000
10.409+/- (N); 25.224+/- (S) 147.1.3.008.0000
147.1.3.010.0000Location of Property: Northwesterly and southeasterly sides of Summerhill Road; portion on northerly side of Jimmy Lee Smith Parkway
Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road) (469 Summerhill Road; unassigned parcels)Detailed description of proposed development (including maximum number of lots, if residential, or number of units): Townhome Community consisting of maximum 174 residential units, including related amenities; two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Filed with City: _____ (Date) _____ (Signature)

City of Dallas Planning Commission Recommendation: ☐ Approve ☐ Disapprove ☐ No recommendation

Conditions, reasons, stipulations: _____

City Council Decision: ☐ Approve ☐ Approve as different classification ☐ Disapprove

Conditions, reasons, stipulations: _____

Revised 7/2019



Zoning/Rezoning Application

Application No. Z - 225 - 07

(PAGE 2 of 15)

(PLEASE PRINT OR TYPE ALL INFORMATION)

Titleholder: Estate of Mary Sue Tibbitts

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 2928 Stanway Avenue

City: Douglasville State: GA Zip: 30135

Phone: () E-mail address: _____

Georgia Capital, LLC

See Applicant's Signature on Previously Filed Rezoning/
BY: Annexation Application (Original Attached Hereto)

Applicant's Signature

Kendall B. King, Director

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Commission Expires:

The ____ day of _____, 20 ____.

Notary Public Signature

SEAL:

Property Information

Present Zoning Classification: R-2, B-2 (Overall) Requested Zoning Classification: TH, C-2

Total Acreage of Zoning Application: 35.633+/- (Overall) Acreage of Titleholder: 34.455+/-

Land Lot(s): 458, 459 District(s): 2nd Section(s): 3rd 10.409+/- (N); 24.046+/- (S)

Tax Parcel I.D. Number(s): 147.1.2.002.0000

Location of Property: Northwesterly and southeasterly sides of Summerhill Road (469 Summerhill Road)
(Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road))

Detailed description of proposed land use (including maximum number of lots, if residential, or number of units):

Proposed Use: Townhome community consisting of maximum 175 residential units, including related amenities;
two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Proposed Lot Count: 175 Proposed Density: 6.65+/- upa Proposed Lot Size: 24' x 40'

Compliant with 2022-2027 Joint Comprehensive Plan: YES ☒ NO ☐

Additional Tax Parcel I.D. No.(s) 147.1.3.008.0000; 147.1.3.010.0000

Additional Land Lots here: 479, _____, _____, _____, _____, _____

Annexation Application No. Z - _____ - _____

**ZONING / REZONING APPLICATION**

City of Dallas, Georgia

Application # _____ - _____

Hearing Dates: PC: _____ CC: _____

OFFICE OF THE CITY CLERK
Time/Date _____
Item 10.

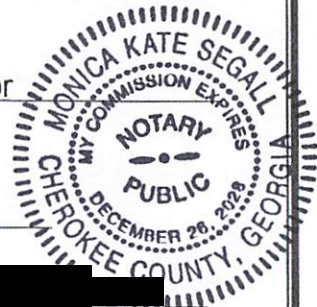
(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Georgia Capital, LLC Business phone: _____ Cell: _____Address: 400 Galleria Parkway, Suite 1130 Home phone: _____City: Atlanta State: GA Zip: 30339 Fax phone: _____

E-mail address: _____

BY: [Signature]
Applicant's SignatureKendall B. King, Director
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public12.26.2028
Date Notary Commission ExpiresRepresentative: Moore Ingram Johnson & Steele, LLP Phone: _____ Cell: _____Address: Emerson Overlook, Suite 100, 326 Roswell Street City: Marietta State: GA Zip: 30060

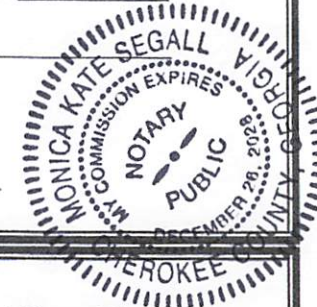
E-mail address: _____ Fax phone: _____

BY: [Signature]
Representative's SignatureJ. Kevin Moore
Printed Name of SignatoryAttorneys for Applicant and Property Owners
Signed, sealed and delivered in the presence of:[Signature]
Notary PublicJanuary 10, 2027
Date Notary Commission ExpiresTitleholder: Estate of Mary Sue Tibbitts Business phone: _____ Cell: _____
(Each Titleholder must have a separate, complete form with notarized signatures)Address: 2928 Stanway Avenue City: Douglasville State: GA Zip: 30135

Signature

Tammy J. Kone, Executor
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public12.26.2028
Date Notary Commission Expires**Property Information**Present Zoning Classification: R-2, B-2 (Paulding County) (Overall)
Requested Zoning Classification: TH, C-2 (City of Dallas)Total Acreage of Zoning/Rezoning Application: 35.633+/- (Overall) Acreage of Titleholder: 34.455 +/- (Overall)Land Lot(s): 458, 459 District(s): 2nd Section(s): 3rd Tax Parcel I.D. Number(s): 147.1.2.002.0000Location of Property: Northwesterly and southeasterly sides of Summerhill Road (469 Summerhill Road)
Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road)Detailed description of proposed development (including maximum number of lots, if residential, or number of units): Townhome Community consisting of maximum 174 residential units, including related amenities; two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Filed with City: _____ (Date) _____ (Signature)

City of Dallas Planning Commission Recommendation: ☐ Approve ☐ Disapprove ☐ No recommendation

Conditions, reasons, stipulations: _____

City Council Decision: ☐ Approve ☐ Approve as different classification ☐ Disapprove

Conditions, reasons, stipulations: _____



Zoning/Rezoning Application

Application No. Z - 2025 - 07

(PAGE 2 of 15)

Item 10.

(PLEASE PRINT OR TYPE ALL INFORMATION)

Titleholder: 230 Summerhill Road, LLC

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 783 Holland Road

City: Powder Springs State: GA Zip: 30127

Phone: [REDACTED] E-mail address: _____

Georgia Capital, LLC

See Applicant's Signature on Previously Filed Rezoning/
BY: Annexation Application (Original Attached Hereto)

Applicant's Signature

Kendall B. King, Director

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Commission Expires:

Notary Public Signature

The ____ day of _____, 20 ____.

SEAL:

Property Information

Present Zoning Classification: R-2 (Overall) Requested Zoning Classification: TH, C-2

Total Acreage of Zoning Application: 35.633+/- (Overall) Acreage of Titleholder: 0.495+/-

Land Lot(s): 479 District(s): 2nd Section(s): 3rd

Tax Parcel I.D. Number(s): 147.1.3.008.0000, _____, _____

Location of Property: Northerly side of Jimmy Lee Smith Parkway; southeasterly of Summerhill Road (unassigned)
(Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road))

Detailed description of proposed land use (including maximum number of lots, if residential, or number of units):

Proposed Use: Townhome community consisting of maximum 175 residential units, including related amenities; two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Proposed Lot Count: 175 Proposed Density: 6.65+/- upa Proposed Lot Size: 24' x 40'

Compliant with 2022-2027 Joint Comprehensive Plan: YES ☒ NO ☐

Additional Tax Parcel I.D. No.(s) 147.1.3.010.0000; 147.1.2.002.0000

Additional Land Lots here: 458, 459, _____, _____, _____, _____

Annexation Application No. Z - _____ - _____



ZONING / REZONING APPLICATION

City of Dallas, Georgia

Application # _____ - _____

Hearing Dates: PC: _____ CC: _____

OFFICE U
Time/Date S
Item 10.

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Georgia Capital, LLC Business phone: _____ Cell: _____

Address: 400 Galleria Parkway, Suite 1130 Home phone: _____

City: Atlanta State: GA Zip: 30339 Fax phone: _____

E-mail address: _____

BY: [Signature]
Applicant's Signature

Kendall B. King, Director
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

12.26.2028
Date Notary Commission Expires



Representative: Moore Ingram Johnson & Steele, LLP Phone: _____ Cell: _____

Address: Emerson Overlook, Suite 100, 326 Roswell Street City: Marietta State: GA Zip: 30060

E-mail address: _____ Fax phone: _____

BY: [Signature]
Representative's Signature
Attorneys for Applicant and Property Owners

J. Kevin Moore
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

January 10, 2027
Date Notary Commission Expires



Titleholder: 230 Summerhill Road, LLC Business phone: _____
(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 783 Holland Road City: Powder Springs State: GA Zip: 30127

BY: [Signature]
Signature

Richard L. Harris
Printed Name of Signatory

TITLE: NOTARY KATHLEEN H. SMITH
Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

4-15-27
Date Notary Commission Expires



Property Information

Present Zoning Classification: R-2 (Paulding County) (Overall) Requested Zoning Classification: TH, C-2 (City of Dallas)

Total Acreage of Zoning/Rezoning Application: 35.633+/- (Overall) Acreage of Titleholder: 0.495+/-

Land Lot(s): 479 District(s): 2nd Section(s): 3rd Tax Parcel I.D. Number(s): 147.1.3.008.0000

Location of Property: Northerly side of Jimmy Lee Smith Parkway; southeasterly side of Summerhill Road (unassigned)
Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road)

Detailed description of proposed development (including maximum number of lots, if residential, or number of units): Townhome Community consisting of maximum 174 residential units, including related amenities; two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Filed with City: _____ (Date) _____ (Signature)

City of Dallas Planning Commission Recommendation: ☐ Approve ☐ Disapprove ☐ No recommendation

Conditions, reasons, stipulations: _____

City Council Decision: ☐ Approve ☐ Approve as different classification ☐ Disapprove

Conditions, reasons, stipulations: _____



ZONING / REZONING APPLICATION

City of Dallas, Georgia

Application # _____ - _____

Hearing Dates: PC: _____ CC: _____

OFFICIAL _____ Item 10.

Time/Date Stamp _____

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Georgia Capital, LLC Business phone: _____ Cell: _____

Address: 400 Galleria Parkway, Suite 1130 Home phone: _____

City: Atlanta State: GA Zip: 30339 Fax phone: _____

E-mail address: _____

BY: [Signature]
Applicant's Signature

Kendall B. King, Director
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

12.26.2028
Date Notary Commission Expires



Representative: Moore Ingram Johnson & Steele, LLP Phone: _____ Cell: _____

Address: Emerson Overlook, Suite 100, 326 Roswell Street City: Marietta State: GA Zip: 30060

E-mail address: _____ Fax phone: _____

BY: [Signature]
Representative's Signature

J. Kevin Moore
Printed Name of Signatory

Attorneys for Applicant and Property Owners

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

January 10, 2027
Date Notary Commission Expires



Titleholder: 230 Summerhill Road, LLC Business phone: _____ Home phone: _____

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 783 Holland Road City: Powder Springs State: GA Zip: 30127

BY: [Signature]
Signature

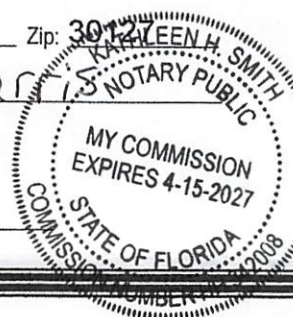
Delores C. Harris
Printed Name of Signatory

TITLE: Member

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

4-15-27
Date Notary Commission Expires



Property Information

Present Zoning Classification: R-2 (Paulding County)

(Overall)
Requested Zoning Classification: TH, C-2 (City of Dallas)

Total Acreage of Zoning/Rezoning Application: 35.633+/- (Overall) Acreage of Titleholder: 0.495+/-

Land Lot(s): 479 District(s): 2nd Section(s): 3rd Tax Parcel I.D. Number(s): 147.1.3.008.0000

Location of Property: Northerly side of Jimmy Lee Smith Parkway; southeasterly side of Summerhill Road (unassigned)

Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road)

Detailed description of proposed development (including maximum number of lots, if residential, or number of units): Townhome Community consisting of maximum

174 residential units, including related amenities; two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Filed with City: _____ (Date) _____ (Signature)

City of Dallas Planning Commission Recommendation: ☐ Approve ☐ Disapprove ☐ No recommendation

Conditions, reasons, stipulations: _____

City Council Decision: ☐ Approve ☐ Approve as different classification ☐ Disapprove

Conditions, reasons, stipulations: _____



Zoning/Rezoning Application

Application No. Z - 2025 - 07

(PAGE 2 of 15)

(PLEASE PRINT OR TYPE ALL INFORMATION)

Titleholder: Mike J. Pope

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 98 Avery Way

City: Dallas State: GA Zip: 30157

Phone: () E-mail address: _____

Georgia Capital, LLC

See Applicant's Signature on Previously Filed Rezoning/
BY: Annexation Application (Original Attached Hereto)

Applicant's Signature

Kendall B. King, Director

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Commission Expires:

The _____ day of _____, 20____.

Notary Public Signature

SEAL:

Property Information

Present Zoning Classification: B-1

(Overall)

Requested Zoning Classification: TH, C-2

Total Acreage of Zoning Application: 35.633+/- (Overall) Acreage of Titleholder: 0.683+/-

Land Lot(s): 479 District(s): 2nd Section(s): 3rd

Tax Parcel I.D. Number(s): 147.1.3.010.0000

Location of Property: Northerly side of Jimmy Lee Smith Parkway; southeasterly of Summerhill Road (unassigned)
(Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road))

Detailed description of proposed land use (including maximum number of lots, if residential, or number of units):

Proposed Use: Townhome community consisting of maximum 175 residential units, including related amenities; two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Proposed Lot Count: 175 Proposed Density: 6.65+/- upa Proposed Lot Size: 24' x 40'

Compliant with 2022-2027 Joint Comprehensive Plan: YES ☒ NO ☐

Additional Tax Parcel I.D. No.(s) 147.1.3.008.0000; 147.1.2.002.0000

Additional Land Lots here: 458, 459, _____, _____, _____, _____

Annexation Application No. Z - _____ - _____



ZONING / REZONING APPLICATION

City of Dallas, Georgia

Application # _____ - _____

Hearing Dates: PC: _____ CC: _____

Item 10.

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Georgia Capital, LLC Business phone: _____ Cell: _____

Address: 400 Galleria Parkway, Suite 1130 Home phone: _____

City: Atlanta State: GA Zip: 30339 Fax phone: _____

E-mail address: _____

BY: [Signature]
Applicant's Signature

Kendall B. King, Director
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

12.26.2025
Date Notary Commission Expires



Representative: Moore Ingram Johnson & Steele, LLP Phone: _____ Cell: _____

Address: Emerson Overlook, Suite 100, 326 Roswell Street City: Marietta State: GA Zip: 30060

E-mail address: _____ Fax phone: _____

BY: [Signature]
Representative's Signature
Attorneys for Applicant and Property Owners

J. Kevin Moore
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

January 10, 2027
Date Notary Commission Expires



Titleholder: Mike J. Pope Business phone: _____ Home phone: _____

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 95 Avery Way City: Dallas State: GA Zip: 30157

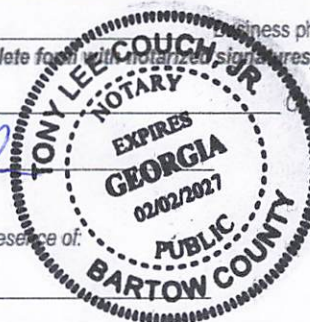
[Signature]
Signature

Mike J. Pope
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

Date Notary Commission Expires



Property Information

Present Zoning Classification: B-1 (Paulding County) (Overall) Requested Zoning Classification: TH, C-2 (City of Dallas)

Total Acreage of Zoning/Rezoning Application: 35.633+/- (Overall) Acreage of Titleholder: 0.683±

Land Lot(s): 479 District(s): 2nd Section(s): 3rd Tax Parcel I.D. Number(s): 147.1.3.010.0000

Location of Property: Northerly side of Jimmy Lee Smith Parkway; southeasterly of Summerhill Road (unassigned)

Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road)

Detailed description of proposed development (including maximum number of lots, if residential, or number of units): Townhome Community consisting of maximum 174 residential units, including related amenities; two commercial out parcels; and related infrastructure to accommodate topography and flood plain.

Filed with City: _____ (Date) _____ (Signature)

City of Dallas Planning Commission Recommendation: Approve Disapprove No recommendation

Conditions, reasons, stipulations: _____

City Council Decision: Approve Approve as different classification Disapprove

Conditions, reasons, stipulations: _____

RESOLUTION OF 230 SUMMERHILL ROAD, LLC

THE UNDERSIGNED, being the Manager and Members of 230 SUMMERHILL ROAD, LLC, a limited liability company organized and existing pursuant to the laws of the State of Georgia (hereinafter referred to as the "Company"), does on oath, state as follows:

WHEREAS, the Company is the owner of approximately 0.495 acres of real property located on the northerly side of Jimmy Lee Smith Parkway, westerly of Bill Carruth Parkway, being identified as a portion of Paulding County Tax Parcel No. 147.1.3.008.0000, and being an unassigned and unnumbered parcel, in Land Lots 458 and 479, 2nd District, 3rd Section, Paulding County, Georgia (hereinafter the "Property" or the "Subject Property"); and

WHEREAS, the Company consents to the filing of an Application for Annexation for the Property in the City of Dallas, Paulding County, Georgia, and, in connection therewith, the Company must execute an Authorization of Titleholder and any other ancillary documentation (hereinafter collectively referred to as "Application") to consummate the contemplated filing of the Application, and written documentation is required to authorize the Application and to specifically authorize the execution on behalf of the Company of all documents necessary to consummate the filing of the Application; and

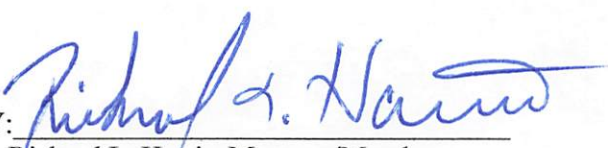
WHEREAS, the undersigned are the Manager and Members of the Company.

NOW, THEREFORE, BE IT RESOLVED that both RICHARD L. HARRIS, as Member and Manager of the Company, and DELORES C. HARRIS, as Member of the Company, are authorized to execute the aforesaid Application for Annexation and any and all other documents necessary or appropriate to file and complete the annexation process for the Subject Property on such terms, conditions, and provisions as they deem necessary and appropriate; such execution of any documents being conclusive evidence that RICHARD L. HARRIS and DELORES C. HARRIS deem the terms, conditions, and provisions thereof to be proper and in the best interest of the Company.

RESOLVED, FURTHER, that any and all acts of RICHARD L. HARRIS and DELORES C. HARRIS are pursuant to the authority granted to them by the Company and are accepted as actions of the Company.

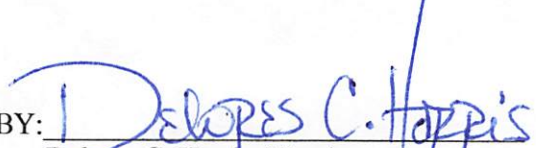
IN WITNESS WHEREOF, the undersigned Manager and Members of the Company have hereunto set their hands and seals as of the day and year written below.

230 SUMMERHILL ROAD, LLC

BY: 
Richard L. Harris, Manager/Member

Executed: 11/8, 2025

230 SUMMERHILL ROAD, LLC

BY: 
Delores C. Harris, Member

Executed: 11/8, 2025



Probate Court of Cobb County

IN THE PROBATE COURT OF COBB COUNTY
STATE OF GEORGIA

FILED IN OFFICE

2022 AUG 31 AM 11:52

IN RE: ESTATE OF

MARY SUE TIBBITTS,
DECEASED

PROBATE COURT OF
COBB COUNTY, GA
ESTATE NO. 22-1173

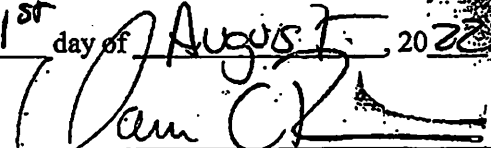
LETTERS TESTAMENTARY

[Relieved of filing returns]

At a regular term of probate court, the last will and testament dated AUGUST 3, 2021 of the above-named decedent, who was domiciled in this county at the time of his or her death or was domiciled in another state but owned property in this county at the time of his or her death, was legally proven in solemn form to be the decedent's will and was admitted to record by order, and it was further ordered that TAMMY J. KONE named as executor in said will, be allowed to qualify, and that upon so doing, letters testamentary be issued to such executor.

THEREFORE, the executor, having taken the oath of office and complied with all necessary prerequisites of the law, is legally authorized to discharge all the duties and exercise all powers of executor under the will of said decedent, according to the decedent's will and the law.

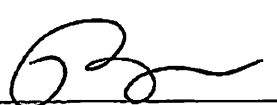
Given under my hand and official seal, the 31st day of August, 2022


Tara C. Riddle, Associate Judge
Cobb County Probate Court

*The following must be signed if the judge
does not sign the original of this document:*

Issued by:

[Seal]


Clerk of the Probate Court



AUTHORIZATION OF TITLEHOLDER

Tammy J. Kone, Executor of the
I, Estate of Mary Sue Tibbitts, being duly sworn upon ~~his~~ her oath, being of sound mind
and legal age, deposes and states that ~~XXXX~~ XXXX is the owner of the property which is subject of this
application, as is shown in the records of Paulding County, Georgia.
the Estate

~~XX~~/she authorizes the person named below to act as applicant in the pursuit of a request for Rezoning.

I hereby authorize the City of Dallas – Community Development Department to inspect the premises
which are subject of the application.

Name of Applicant Georgia Capital, LLC

Address 400 Galleria Parkway, Suite 1130

City Atlanta State GA Zip 30339

Email [REDACTED]

Phone [REDACTED]

Name(s) of Titleholder(s) Estate of Mary Sue Tibbitts

Address 2928 Stanway Avenue

City Douglasville State GA Zip 30135

Email [REDACTED] Phone [REDACTED]

Estate of Mary Sue Tibbitts

BY: See Titleholder's Signature on Previously Filed
Rezoning/Annexation Application (Original Attached Hereto)
Signature of Titleholder(s) Tammy J. Kone, Executor

Signed, sealed and delivered in the presence of:

Notary Public Signature My Commission Expires _____

Seal:

***A SEPARATE AUTHORIZATION OF TITLEHOLDER IS REQUIRED
TO BE COMPLETED BY EACH TITLEHOLDER***



AUTHORIZATION OF TITLEHOLDER

I, 230 Summerhill Road, LLC, being duly sworn upon ~~his~~^{its} oath, being of sound mind and legal age, deposes and states that ~~he/she~~^{it} is the owner of the property which is subject of this application, as is shown in the records of Paulding County, Georgia.

It ~~is~~^{is} she authorizes the person named below to act as applicant in the pursuit of a request for Rezoning.

It ~~is~~^{is} hereby authorize^s the City of Dallas – Community Development Department to inspect the premises which are subject of the application.

Name of Applicant Georgia Capital, LLC

Address 400 Galleria Parkway, Suite 1130

City Atlanta State GA Zip 30339

Email [REDACTED]

Phone [REDACTED]

Name(s) of Titleholder(s) 230 Summerhill Road, LLC

Address 783 Holland Road

City Powder Springs State GA Zip 30127

Email [REDACTED] Phone [REDACTED]

230 Summerhill Road, LLC

BY: See Titleholder's Signature on Previously Filed
Rezoning/Annexation Application (Original Attached Hereto)

Signature of Titleholder(s) Richard L. Harris, Manager/Member
Delores C. Harris, Member

Signed, sealed and delivered in the presence of:

Notary Public Signature My Commission Expires _____

Seal:

***A SEPARATE AUTHORIZATION OF TITLEHOLDER IS REQUIRED
TO BE COMPLETED BY EACH TITLEHOLDER***



AUTHORIZATION OF TITLEHOLDER

I, Mike J. Pope, being duly sworn upon his/~~her~~ oath, being of sound mind and legal age, deposes and states that he/~~she~~ is the owner of the property which is subject of this application, as is shown in the records of Paulding County, Georgia.

He/~~she~~ authorizes the person named below to act as applicant in the pursuit of a request for Rezoning.

I hereby authorize the City of Dallas – Community Development Department to inspect the premises which are subject of the application.

Name of Applicant Georgia Capital, LLC

Address 400 Galleria Parkway, Suite 1130

City Atlanta State GA Zip 30339

Email [REDACTED]

Phone [REDACTED]

Name(s) of Titleholder(s) Mike J. Pope

Address 98 Avery Way

City Dallas State GA Zip 30157

Email [REDACTED] Phone [REDACTED]

See Titleholder's Signature on Previously Filed
Rezoning/Annexation Application (Original Attached Hereto)

Signature of Titleholder(s) Mike J. Pope

Signed, sealed and delivered in the presence of:

Notary Public Signature My Commission Expires _____

Seal:

***A SEPARATE AUTHORIZATION OF TITLEHOLDER IS REQUIRED
TO BE COMPLETED BY EACH TITLEHOLDER***



PROPERTY/FINANCIAL DISCLOSURE REPORT BY APPLICANT¹ AND/OR AUTHORIZED AGENT

Does any member of the City Council or Planning Commission have a property interest (direct or indirect ownership, including any percentage of ownership less than total) in the subject property? ☒ No ☐ Yes

If yes, describe the nature and extent of such interest: Not Applicable.

Does any member of the City Council or Planning Commission have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is 10% or more) of a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property? ☒ No ☐ Yes

If yes, describe the nature and extent of such interest: Not Applicable.

Does any member of the City Council or Planning Commission have a spouse, mother, father, brother, sister, son or daughter who has any interest as described above? ☒ No ☐ Yes

If yes, describe the relationship and the nature and extent of such interest: Not Applicable.

If the answer to any of the above is "Yes", as required by [O.C.G.A §36-67A-2](#), the member of the City Council or Planning Commission must immediately disclose the nature and extent of such interest, in writing to the City Council, City of Dallas, Georgia. A copy should be filed with this application. Such disclosures shall be a public record and available for public inspection at any time during normal working hours.

I certify that the foregoing information is true and correct, this 26th day of November, 2025.
Georgia Capital, LLC
See Applicant's Signature on Previously Filed
BY: Rezoning/Annexation Application (Original Attached Hereto) Kendall B. King, Director
Applicant's Signature Applicant's Name Printed

Signed, sealed and delivered in the presence of:

Notary Public Signature
My Commission Expires _____
(SEAL)

A SEPARATE PROPERTY/FINANCIAL DISCLOSURE REPORT IS REQUIRED TO BE COMPLETED BY EACH APPLICANT AND AUTHORIZED AGENT

¹ Applicant means any person who applies for any application and any attorney or other person representing or acting on behalf of a person who applies for any application.

**PROPERTY/FINANCIAL DISCLOSURE REPORT BY APPLICANT¹ AND/OR AUTHORIZED AGENT**

Does any member of the City Council or Planning Commission have a property interest (direct or indirect ownership, including any percentage of ownership less than total) in the subject property? ☒ No ☐ Yes

If yes, describe the nature and extent of such interest: Not Applicable.

Does any member of the City Council or Planning Commission have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is 10% or more) of a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property? ☒ No ☐ Yes

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I certify that the foregoing information is true and correct, this 26th day of November, 2025.
MOORE INGRAM JOHNSON & STEELE, LLP

BY: [Signature]
Applicant's Signature J. Kevin Moore; GA Bar No. 519728
Attorneys for Applicant and Titleholders

J. Kevin Moore
Applicant's Name Printed

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public Signature

My Commission Expires January 10, 2027
(SEAL)



A SEPARATE PROPERTY/FINANCIAL DISCLOSURE REPORT IS REQUIRED TO BE COMPLETED BY EACH APPLICANT AND AUTHORIZED AGENT

¹ Applicant means any person who applies for any application and any attorney or other person representing or acting on behalf of a person who applies for any application.



DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS
BY APPLICANT AND/OR AUTHORIZED AGENT

Applicant(s) Name¹: Georgia Capital, LLC

Reference: Application filed on November 26, 2025

to annex real property described as follows: 35.633+/- acres located along the northwesterly and southeasterly sides of Summerhill Road; portion on northerly side of Jimmy Lee Smith Parkway

All Individuals and business entities² have a property interest³ in said properties are as follows:

Georgia Capital, LLC; Kendall B. King; Whit Porter; Estate of Mary Sue Tibbitts; Tammy J. Kone, Executor; 230 Summerhill Road, LLC; Richard L. Harris; Delores C. Harris; Mike J. Pope

Has the applicant made, within two years immediately preceding the filing of this application for annexation, campaign contributions aggregating \$250 or more, or made gifts having in the aggregate a value of \$250 or more to a member or members of the City Council, Planning Commission or Zoning Board of Appeals (or any local government official) who will consider this application? ☒ No ☐ Yes

If "Yes" to the above, O.C.G.A. § 36-67A-3 requires applicant to file a disclosure report within 10 days after the rezoning application is filed. Please provide the following information which will be considered as the required disclosure:

Name and official position of the local government official to whom the campaign contribution/gift was made:
Not Applicable.

The dollar amount of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of this application and the date of each such contribution:
Not Applicable.

An enumeration and description of each gift having a value of \$250 or more made by the applicant to the local government official during the two years immediately preceding the filing of this application:
Not Applicable.

Please attach additional sheet if necessary.

I certify that the foregoing information is true and correct, this 26th day of November, 2025.
Georgia Capital, LLC

BY: See Applicant's Signature on Previously Filed Rezoning/Annexation Disclosure (Original Attached Hereto)

Kendall B. King, Director

Applicant's Signature

Applicant's Name Printed

Signed, sealed and delivered in the presence of:

Notary Public Signature My Commission Expires _____

City of Dallas - Community Development Department cannot advise anyone on how to complete this form. Applicants may want to confer with an attorney for guidance.

A SEPARATE DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS FORM IS REQUIRED BY EACH APPLICANT AND/OR AUTHORIZED AGENT

¹Applicant means any person who applies for any application and any attorney or other person representing or acting on behalf of a person who applies for any application.

²Business entity – Corporation, partnership, limited partnership, firm, enterprise, franchise, association or trust.

³Property interest – Direct or indirect ownership, including any percentage of ownership less than total ownership.



**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS
BY APPLICANT AND/OR AUTHORIZED AGENT**

Applicant(s) Name¹: Georgia Capital, LLC

Reference: Application filed on November 26, 2025

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Georgia Capital, LLC; Kendall B. King; Whit Porter; Estate of Mary Sue Tibbitts; Tammy J. Kone, Executor; 230 Summerhill Road, LLC; Richard L. Harris; Delores C. Harris; Mike J. Pope

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Not Applicable.

An enumeration and description of each gift having a value of \$250 or more made by the applicant to the local government official during the two years immediately preceding the filing of this application:
Not Applicable.

Please attach additional sheet if necessary.

I certify that the foregoing information is true and correct, this 26th day of November, 2025.
MOORE INGRAM JOHNSON & STEELE, LLP

BY: [Signature] J. Kevin Moore
Applicant's Signature J. Kevin Moore; GA Bar No. 519728 Applicant's Name Printed
Attorneys for Applicant and Titleholders

Signed, sealed and delivered in the presence of:

[Signature] My Commission Expires January 10, 2027
Notary Public Signature



City of Dallas - Community Development Department cannot advise anyone on how to complete this form. Applicants may want to confer with an attorney for guidance.

A SEPARATE DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS FORM IS REQUIRED BY EACH APPLICANT AND/OR AUTHORIZED AGENT

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²Business entity - Corporation, partnership, limited partnership, firm, enterprise, franchise, association or trust.

³Property interest - Direct or indirect ownership, including any percentage of ownership less than total ownership.



SIGN FEE

Separate check for **sign fee** of \$50.00 for each sign(s), which is non-refundable. If signs are not removed from the property by the 15th day following Public Hearings, City of Dallas (or their representative) has permission to remove the signs from property. It is the Applicant's responsibility to pick up and post signs provided by the Community Development Department. Signs must be posted in clear view along **each** road frontage with no obstacles blocking the view of the petitioned property as required by State law.

Applicants should not attach the notice signs to any natural vegetation, existing signage or utility structures and signs may not be posted in the right-of-way. Failure to post and maintain signs continuously will prohibit consideration of the application at any scheduled public hearing. It is the responsibility of the applicant to ensure that signs remain posted throughout the advertising period, **including the day of the public hearings.**

Signs must be posted on the property by 8:00 AM 30 days prior to the date of the public hearing and remain posted throughout the advertising period, including the day of the public hearings. **FAILURE TO MEET THIS REQUIREMENT WILL RESULT IN THE APPLICATION BEING WITHDRAWN AND WILL REQUIRE SUBMISSION OF A NEW APPLICATION AND PAYMENT OF FEES.**

DEVELOPMENTS OF REGIONAL IMPACT (DRI)

The State of Georgia, Department of Community Affairs has established specific thresholds for the identification of Developments of Regional Impact (DRI). DRI Tiers and Development Thresholds are used to determine if the proposed project meets or exceeds any of the development thresholds. If the proposed project meets or exceeds any of the development thresholds, a DRI Review must be conducted prior to scheduling a public hearing for the Planning Commission. The rules and procedures for a DRI Review are available in the Planning & Zoning Division Office or at <https://www.dca.ga.gov/local-government-assistance/planning/regional-planning/developments-regional-impact>.

Does the annexation request warrant a Development of Regional Impact Review? ☒ No ☐ Yes

DRI Application # (if applicable) Not Applicable.

I HAVE READ AND UNDERSTAND EACH OF THE REQUIREMENTS AND NOTES.

MOORE INGRAM JOHNSON & STEELE, LLP

Signature of Applicant: BY: [Signature]
Representative J. Kevin Moore; GA Bar No. 519728; Attorneys for Applicant and Titleholders
Date: November 26, 2025

Signed, sealed and delivered in the presence of:

My Commission Expires January 10, 2027

Notary Public Signature: [Signature] (SEAL)

****MAKE CHECKS PAYABLE TO CITY OF DALLAS****





Applicant / Representative Attendance Required

Applicant or representative must be present at the public hearings before the Dallas Planning Commission and the Mayor and City Council. Failure to attend may result in dismissal with prejudice, rejection of the application, or continuance of the hearing at the Commission or Council's sole discretion.

~~XX~~We (Cross Out One) have investigated the site as to the existence of archeological and/or architectural landmarks.
~~XX~~We (Cross Out One) hereby certify there ~~are~~ are not (Cross Out One) any such assets. If any exist, documentation must be provided with the application. to the best of our knowledge, information, and belief.

~~XX~~We (Cross Out One) have investigated the site as to the existence of any cemetery located on the property. ~~XX~~We (Cross Out One) hereby certify there ~~is~~ is not (Cross Out One) such a cemetery. If any exist, documentation must be provided with the application, including notice to the Paulding County Cemetery Commission. to the best of our knowledge, information, and belief.

Georgia Capital, LLC

BY: [Signature]

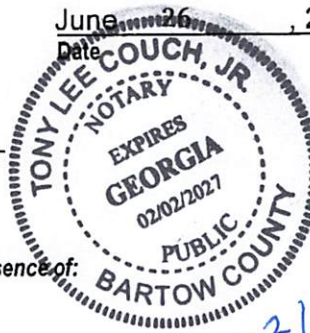
Signature of Applicant/Representative

June 26, 2025

Date

Kendall B. King, Director

Printed Name of Applicant/Representative



Signed, sealed and delivered in the presence of:

[Signature]
 Notary Public Signature

2/2/27
 Commission Expiration

MOORE INGRAM JOHNSON & STEELE, LLP

BY: [Signature]

Signature of Applicant/Representative

June 26, 2025

Date

J. Kevin Moore

Printed Name of Applicant/Representative

Attorneys for Applicant and Property Owners

Signed, sealed and delivered in the presence of:

Carolyn E. Cook
 Notary Public Signature

January 10, 2027

Commission Expiration





Applicant / Representative Attendance Required

Applicant or representative must be present at the public hearings before the Dallas Planning Commission and the Mayor and City Council. Failure to attend may result in dismissal with prejudice, rejection of the application, or continuance of the hearing at the Commission or Council's sole discretion.

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ESTATE OF MARY SUE TIBBITTS

BY: Tammy J. Kone
 Signature of ~~Applicant/Representative~~ Titleholder

August 7, 2025
 Date

Tammy J. Kone, Executor
 Printed Name of ~~Applicant/Representative~~ Titleholder

Signed, sealed and delivered in the presence of:

Carolyn E. Cook
 Notary Public Signature

January 10, 2027
 Commission Expiration



MOORE INGRAM JOHNSON & STEELE, LLP

BY: J. Kevin Moore
 Signature of ~~Applicant/Representative~~

November 26, 2025
 Date

J. Kevin Moore
 Printed Name of ~~Applicant/Representative~~

Attorneys for Applicant and Titleholders

Signed, sealed and delivered in the presence of:

Carolyn E. Cook
 Notary Public Signature

January 10, 2027
 Commission Expiration





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~~XX~~We (Cross Out One) hereby certify there ~~is~~ is not (Cross Out One) such a cemetery. If any exist, documentation must be provided with the application, including notice to the Paulding County Cemetery Commission. to the best of our knowledge, information, and belief.

230 Summerhill Road, LLC

BY: Richard L. Harris

August 7th, 2025
 Date

Signature of ~~Applicant/Representative~~ Owner
 Richard L. Harris, Manager/Member

BY: Delores C. Harris

Printed Name of ~~Applicant/Representative~~ Signature of Owner
 Delores C. Harris, Member

Signed, sealed and delivered in the presence of:

Lindsey H. Morrison
 Notary Public Signature



3/15/29
 Commission Expiration

MOORE INGRAM JOHNSON & STEELE, LLP

BY: J. Kevin Moore

August 7, 2025
 Date

Signature of ~~Applicant/Representative~~

J. Kevin Moore

Printed Name of ~~Applicant/Representative~~
 Attorneys for Applicant and Property Owners

Signed, sealed and delivered in the presence of:

Carolyn E. Cook
 Notary Public Signature



January 10, 2027
 Commission Expiration

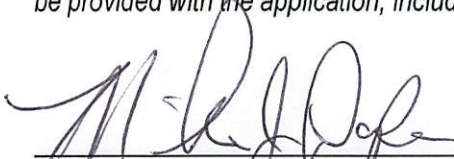


Applicant / Representative Attendance Required

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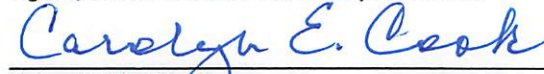
X/ We (Cross Out One) have investigated the site as to the existence of any cemetery located on the property. X/ We (Cross Out One) hereby certify there ~~is~~ / is not (Cross Out One) such a cemetery. If any exist, documentation must be provided with the application, including notice to the Paulding County Cemetery Commission. to the best of our knowledge, information, and belief.


 Signature of ~~Applicant/Representative~~ Titleholder

9/17/25
 Date

MIKE J. POPE
 Printed Name of ~~Applicant/Representative~~ Titleholder

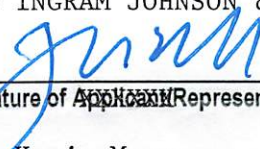
Signed, sealed and delivered in the presence of:


 Notary Public Signature

January 10, 2027
 Commission Expiration



MOORE INGRAM JOHNSON & STEELE, LLP

BY: 
 Signature of ~~Applicant/Representative~~

November 26, 2025
 Date

J. Kevin Moore
 Printed Name of ~~Applicant/Representative~~
 Attorneys for Applicant and Titleholders

Signed, sealed and delivered in the presence of:


 Notary Public Signature

January 10, 2027
 Commission Expiration





AUTHORIZATION OF TITLEHOLDER

Tammy J. Kone, Executor of the
I, Estate of Mary Sue Tibbitts, being duly sworn upon ~~XX~~ her oath, being of sound mind
and legal age, deposes and states that ~~XXXX~~ is the owner of the property which is subject of this
application, as is shown in the records of Paulding County, Georgia.
the Estate

~~XX~~/she authorizes the person named below to act as applicant in the pursuit of a request for Rezoning.

I hereby authorize the City of Dallas – Community Development Department to inspect the premises
which are subject of the application.

Name of Applicant Georgia Capital, LLC

Address 400 Galleria Parkway, Suite 1130

City Atlanta State GA Zip 30339

Email [REDACTED]

Phone [REDACTED]

Name(s) of Titleholder(s) Estate of Mary Sue Tibbitts

Address 2928 Stanway Avenue

City Douglasville State GA Zip 30135

Email [REDACTED] Phone [REDACTED]

Estate of Mary Sue Tibbitts
See Titleholder's Signature on Previously Filed
BY: Rezoning/Annexation Application (Copy Attached Hereto)
Signature of Titleholder(s) Tammy J. Kone, Executor

Signed, sealed and delivered in the presence of:

Notary Public Signature My Commission Expires _____

Seal:

***A SEPARATE AUTHORIZATION OF TITLEHOLDER IS REQUIRED
TO BE COMPLETED BY EACH TITLEHOLDER***



AUTHORIZATION OF TITLEHOLDER

I, 230 Summerhill Road, LLC, being duly sworn upon ~~XXXX~~ oath, being of sound mind and legal age, deposes and states that ~~XXXX~~ is the owner of the property which is subject of this application, as is shown in the records of Paulding County, Georgia.

It ~~XXXX~~ authorizes the person named below to act as applicant in the pursuit of a request for Rezoning.

It ~~X~~ hereby authorize ^Sthe City of Dallas – Community Development Department to inspect the premises which are subject of the application.

Name of Applicant Georgia Capital, LLC

Address 400 Galleria Parkway, Suite 1130

City Atlanta State GA Zip 30339

Email [REDACTED]

Phone [REDACTED]

Name(s) of Titleholder(s) 230 Summerhill Road, LLC

Address 783 Holland Road

City Powder Springs State GA Zip 30127

Email [REDACTED] Phone [REDACTED]

230 Summerhill Road, LLC

See Titleholder's Signature on Previously Filed

BY: Rezoning/Annexation Application (Copy Attached Hereto)

Signature of Titleholder(s) Richard L. Harris, Manager/Member
Delores C. Harris, Member

Signed, sealed and delivered in the presence of:

Notary Public Signature My Commission Expires _____

Seal:

***A SEPARATE AUTHORIZATION OF TITLEHOLDER IS REQUIRED
TO BE COMPLETED BY EACH TITLEHOLDER***

Disclosure Statement

(Required by O.C.G.A. 36-67A)



~~My~~ **X**(we), Georgia Capital, LLC, do hereby certify that, to the best of ~~my~~ (our) knowledge, no elected official of the City of Dallas, Georgia has a property interest, a financial interest nor does any family member of an elected official of the City of Dallas, Georgia have a property interest or financial interest in this property or in this application for rezoning except as follows:

Not Applicable

~~My~~ **X**(we), Georgia Capital, LLC, do further certify that we, nor the property owner, have not contributed any monies and/or gifts totaling over \$250.00 within the last two years to any elected official of the City of Dallas, Georgia except for the following (Give the names of officials, dates and amounts of contribution):

Not Applicable

Georgia Capital, LLC

June 26, 2025
Date

BY: Kendall B. King

Applicant

Kendall B. King, Director

Disclosure Statement

(Required by O.C.G.A. 36-67A)



~~XX~~(we), Moore Ingram Johnson & Steele, LLP/J. Kevin Moore, do hereby certify that, to the best of ~~my~~ (our) knowledge, no elected official of the City of Dallas, Georgia has a property interest, a financial interest nor does any family member of an elected official of the City of Dallas, Georgia have a property interest or financial interest in this property or in this application for rezoning except as follows:

Not Applicable

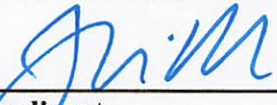
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Not Applicable

MOORE INGRAM JOHNSON & STEELE, LLP

June 26, 2025

Date

BY: 

~~Applicant~~

J. Kevin Moore; Georgia Bar No. 519728
Attorneys for Applicant and Property Owners

Disclosure Statement

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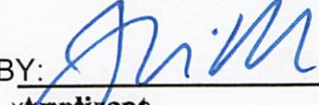
Not Applicable

~~XX~~(we), Moore Ingram Johnson & Steele, LLP/J. Kevin Moore, do further certify that we, nor the property owner, have not contributed any monies and/or gifts totaling over \$250.00 within the last two years to any elected official of the City of Dallas, Georgia except for the following (Give the names of officials, dates and amounts of contribution):

Not Applicable

MOORE INGRAM JOHNSON & STEELE, LLP

June 26, 2025
Date

BY: 
~~x~~Applicant
J. Kevin Moore; Georgia Bar No. 519728
Attorneys for Applicant and Property Owners



**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS
BY APPLICANT AND/OR AUTHORIZED AGENT**

Applicant(s) Name¹: Georgia Capital, LLC

Reference: Application filed on November 26, 20 25

to annex real property described as follows: 35.633+/- acres located along the northwesterly and southeasterly sides of Summerhill Road; portion on northerly side of Jimmy Lee Smith Parkway

All Individuals and business entities² have a property interest³ in said properties are as follows:

Georgia Capital, LLC; Kendall B. King; Whit Porter; Estate of Mary Sue Tibbitts; Tammy J. Kone, Executor; 230 Summerhill Road, LLC; Richard L. Harris; Delores C. Harris; Mike J. Pope

Has the applicant made, within two years immediately preceding the filing of this application for annexation, campaign contributions aggregating \$250 or more, or made gifts having in the aggregate a value of \$250 or more to a member or members of the City Council, Planning Commission or Zoning Board of Appeals (or any local government official) who will consider this applications? ☒ No ☐ Yes

If "Yes" to the above, [O.C.G.A. § 36-67A-3](#) requires applicant to file a disclosure report within 10 days after the rezoning application is filed. Please provide the following information which will be considered as the required disclosure:

Name and official position of the local government official to whom the campaign contribution/gift was made:
Not Applicable.

The dollar amount of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of this application and the date of each such contribution:
Not Applicable.

An enumeration and description of each gift having a value of \$250 or more made by the applicant to the local government official during the two years immediately preceding the filing of this application:
Not Applicable.

Please attach additional sheet if necessary.

I certify that the foregoing information is true and correct, this 26th day of November, 20 25.
Georgia Capital, LLC

See Applicant's Signature on Previously Filed Rezoning/
BY: Annexation Disclosure (Copy Attached Hereto)

Applicant's Signature

Kendall B. King, Director

Applicant's Name Printed

Signed, sealed and delivered in the presence of:

Notary Public Signature My Commission Expires _____

City of Dallas - Community Development Department cannot advise anyone on how to complete this form. Applicants may want to confer with an attorney for guidance.

A SEPARATE DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS FORM IS REQUIRED BY EACH APPLICANT AND/OR AUTHORIZED AGENT

¹Applicant means any person who applies for any application and any attorney or other person representing or acting on behalf of a person who applies for any application.

²Business entity – Corporation, partnership, limited partnership, firm, enterprise, franchise, association or trust.

³Property interest – Direct or indirect ownership, including any percentage of ownership less than total ownership.



**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS
BY APPLICANT AND/OR AUTHORIZED AGENT**

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If "Yes" to the above, O.C.G.A. § 36-67A-3 requires applicant to file a disclosure report within 10 days after the rezoning application is filed. Please provide the following information which will be considered as the required disclosure:

Name and official position of the local government official to whom the campaign contribution/gift was made:
Not Applicable.

The dollar amount of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of this application and the date of each such contribution:
Not Applicable.

An enumeration and description of each gift having a value of \$250 or more made by the applicant to the local government official during the two years immediately preceding the filing of this application:
Not Applicable.

Please attach additional sheet if necessary.

I certify that the foregoing information is true and correct, this 26th day of November, 2025.
MOORE INGRAM JOHNSON & STEELE, LLP

BY: [Signature]
Applicant's Signature J. Kevin Moore; GA Bar No. 519728

J. Kevin Moore
Applicant's Name Printed

Attorneys for Applicant and Titleholders

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public Signature

My Commission Expires January 10, 2027



City of Dallas - Community Development Department cannot advise anyone on how to complete this form. Applicants may want to confer with an attorney for guidance.

A SEPARATE DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS FORM IS REQUIRED BY EACH APPLICANT AND/OR AUTHORIZED AGENT

¹Applicant means any person who applies for any application and any attorney or other person representing or acting on behalf of a person who applies for any application.

²Business entity - Corporation, partnership, limited partnership, firm, enterprise, franchise, association or trust.

³Property interest - Direct or indirect ownership, including any percentage of ownership less than total ownership.



PROPERTY/FINANCIAL DISCLOSURE REPORT BY APPLICANT¹ AND/OR AUTHORIZED AGENT

Does any member of the City Council or Planning Commission have a property interest (direct or indirect ownership, including any percentage of ownership less than total) in the subject property? ☒ No ☐ Yes

If yes, describe the nature and extent of such interest: Not Applicable.

Does any member of the City Council or Planning Commission have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is 10% or more) of a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property? ☒ No ☐ Yes

If yes, describe the nature and extent of such interest: Not Applicable.

Does any member of the City Council or Planning Commission have a spouse, mother, father, brother, sister, son or daughter who has any interest as described above? ☒ No ☐ Yes

If yes, describe the relationship and the nature and extent of such interest: Not Applicable.

If the answer to any of the above is "Yes", as required by [O.C.G.A §36-67A-2](#), the member of the City Council or Planning Commission must immediately disclose the nature and extent of such interest, in writing to the City Council, City of Dallas, Georgia. A copy should be filed with this application. Such disclosures shall be a public record and available for public inspection at any time during normal working hours.

I certify that the foregoing information is true and correct, this 26th day of November, 2025.
Georgia Capital, LLC

See Applicant's Signature on Previously Filed Rezoning/
BY: Annexation Disclosure (Copy Attached Hereto)

Applicant's Signature

Kendall B. King, Director

Applicant's Name Printed

Signed, sealed and delivered in the presence of:

Notary Public Signature

My Commission Expires

(SEAL)

A SEPARATE PROPERTY/FINANCIAL DISCLOSURE REPORT IS REQUIRED TO BE COMPLETED BY EACH APPLICANT AND AUTHORIZED AGENT

¹ Applicant means any person who applies for any application and any attorney or other person representing or acting on behalf of a person who applies for any application.



PROPERTY/FINANCIAL DISCLOSURE REPORT BY APPLICANT¹ AND/OR AUTHORIZED AGENT

Does any member of the City Council or Planning Commission have a property interest (direct or indirect ownership, including any percentage of ownership less than total) in the subject property? ☒ No ☐ Yes

If yes, describe the nature and extent of such interest: Not Applicable.

Does any member of the City Council or Planning Commission have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is 10% or more) of a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property? ☒ No ☐ Yes

If yes, describe the nature and extent of such interest: Not Applicable.

Does any member of the City Council or Planning Commission have a spouse, mother, father, brother, sister, son or daughter who has any interest as described above? ☒ No ☐ Yes

If yes, describe the relationship and the nature and extent of such interest: Not Applicable.

If the answer to any of the above is "Yes", as required by [O.C.G.A §36-67A-2](#), the member of the City Council or Planning Commission must immediately disclose the nature and extent of such interest, in writing to the City Council, City of Dallas, Georgia. A copy should be filed with this application. Such disclosures shall be a public record and available for public inspection at any time during normal working hours.

I certify that the foregoing information is true and correct, this 26th day of November, 2025.
MOORE INGRAM JOHNSON & STEELE, LLP

BY:

J. Kevin Moore

Applicant's Signature J. Kevin Moore; GA Bar No. 519728

Applicant's Name Printed

Attorneys for Applicant and Titleholders

Signed, sealed and delivered in the presence of:

Notary Public Signature

My Commission Expires January 10, 2027

(SEAL)



A SEPARATE PROPERTY/FINANCIAL DISCLOSURE REPORT IS REQUIRED TO BE COMPLETED BY EACH APPLICANT AND AUTHORIZED AGENT

¹ Applicant means any person who applies for any application and any attorney or other person representing or acting on behalf of a person who applies for any application.



SIGN FEE

Separate check for **sign fee** of \$50.00 for each sign(s), which is non-refundable. If signs are not removed from the property by the 15th day following Public Hearings, City of Dallas (or their representative) has permission to remove the signs from property. It is the Applicant's responsibility to pickup and post signs provided by the Community Development Department. Signs must be posted in clear view along **each** road frontage with no obstacles blocking the view of the petitioned property as required by State law.

Applicants should not attach the notice signs to any natural vegetation, existing signage or utility structures and signs may not be posted in the right-of-way. Failure to post and maintain signs continuously will prohibit consideration of the application at any scheduled public hearing. It is the responsibility of the applicant to ensure that signs remain posted throughout the advertising period, **including the day of the public hearings.**

Signs must be posted on the property by 8:00 AM 30 days prior to the date of the public hearing and remain posted throughout the advertising period, including the day of the public hearings. **FAILURE TO MEET THIS REQUIREMENT WILL RESULT IN THE APPLICATION BEING WITHDRAWN AND WILL REQUIRE SUBMISSION OF A NEW APPLICATION AND PAYMENT OF FEES.**

DEVELOPMENTS OF REGIONAL IMPACT (DRI)

The State of Georgia, Department of Community Affairs has established specific thresholds for the identification of Developments of Regional Impact (DRI). DRI Tiers and Development Thresholds are used to determine if the proposed project meets or exceeds any of the development thresholds. If the proposed project meets or exceeds any of the development thresholds, a DRI Review must be conducted prior to scheduling a public hearing for the Planning Commission. The rules and procedures for a DRI Review are available in the Planning & Zoning Division Office or at <https://www.dca.ga.gov/local-government-assistance/planning/regional-planning/developments-regional-impact>.

Does the annexation request warrant a Development of Regional Impact Review? ☒ No ☐ Yes

DRI Application # (if applicable) Not Applicable.

I HAVE READ AND UNDERSTAND EACH OF THE REQUIREMENTS AND NOTES.

MOORE INGRAM JOHNSON & STEELE, LLP

Signature of Applicant BY: J. Kevin Moore

J. Kevin Moore; GA Bar No. 519728; Attorneys for Applicant and Titleholders

Date: November 26, 2025

Signed, sealed and delivered in the presence of:

My Commission Expires January 10, 2027

Notary Public Signature: Carolyn E. Cook

(SEAL)



****MAKE CHECKS PAYABLE TO CITY OF DALLAS****

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

MARIETTA, GEORGIA
EMERSON OVERLOOK
328 ROSWELL STREET
SUITE 100
MARIETTA, GEORGIA 30060
TELEPHONE (770) 429-1499

KNOXVILLE, TENNESSEE
408 N. CEDAR BLUFF ROAD
SUITE 500
KNOXVILLE, TENNESSEE 37923
TELEPHONE (865) 692-9039

JACKSONVILLE, FLORIDA
10201 CENTURION PARKWAY N.
SUITE 401
JACKSONVILLE, FLORIDA 32258
TELEPHONE (904) 428-1485

BRENTWOOD, TENNESSEE
12 CADILLAC DRIVE
SUITE 200
BRENTWOOD, TENNESSEE 37027
TELEPHONE (615) 425-7347

LEXINGTON, KENTUCKY
2408 SIR BARTON WAY
SUITE 375
LEXINGTON, KENTUCKY 40509
TELEPHONE (555) 309-0028

ORLANDO, FLORIDA
1000 LEGION PLACE
SUITE 701
ORLANDO, FLORIDA 32801
TELEPHONE (407) 367-8233

HARRISBURG, PENNSYLVANIA
101 ERFORD ROAD
SUITE 300
CAMP HILL, PENNSYLVANIA 17011
TELEPHONE (717) 790-2854

FAIRFIELD, NEW JERSEY
185 PASSAIC AVENUE
SUITE 205
FAIRFIELD, NEW JERSEY 07004
TELEPHONE 201-602-4082

RE: Applicant: Georgia Capital, LLC
Property: 35.633 acres, more or less, located on and along the northwesterly and southeasterly sides of Summerhill Road and along the northerly side of Jimmy Lee Smith Parkway, southeasterly of Summerhill Road, Land Lots 458, 459, and 479, 2nd District, 3rd Section, Paulding County, Georgia

LETTER OF INTENT

(Updated January 16, 2026)

Applicant, Georgia Capital, LLC (hereinafter "Applicant"), requests the annexation and rezoning of approximately 35.633 acres located on and along the northwesterly and southeasterly sides of Summerhill Road and along the northerly side of Jimmy Lee Smith Parkway, southeasterly of Summerhill Road, Land Lots 458, 459, and 479, 2nd District, 3rd Section, Paulding County, Georgia, being identified as Paulding County Tax Parcel Nos. 147.1.2.002.0000, 147.1.3.008.0000, and 147.1.3.010.0000 (hereinafter referred to as the "Property" or the "Subject Property"), from the existing Paulding County zoning classifications of R-2, B-1, and B-2 to the proposed City of Dallas zoning classifications of TH and C-2.

Applicant seeks rezoning of approximately 26.298 acres to the City of Dallas TH zoning classification to accommodate development of a townhome community, containing a maximum of one hundred seventy-five (175) townhomes, as more particularly shown on the revised Zoning Plan prepared for Applicant by LIA Engineering, dated and last revised January 11, 2026. Applicant is proposing to rezone the portion of the overall Property to permit the development of the Property for a townhome community at a size, quality, and price adequate to or exceeding existing homes in the surrounding area. The homes would be traditional and craftsman in architecture, featuring a combination of exterior building materials, with homes being a minimum of 1,800 square feet. Exterior building materials will include a minimum of 40 percent masonry on front elevations consistent with the City of Dallas's architectural standards for townhome communities. For further reference, we have included with the Application a detailed and itemized list of the architectural details. The proposed rezoning would positively impact the property values in the vicinity while providing the growing community with a quality and convenient housing option.

The proposed C-2 zoning, comprised of approximately 9.335 acres, would provide for needed commercial growth along Jimmy Lee Smith Parkway which is integrated into the overall development.

MOORE INGRAM JOHNSON & STEELE

Letter of Intent
Page 2 of 3

Applicant envisions commercial uses such as hotel, office, restaurant, and retail would have an opportunity to be very successful, thus further advancing the overall goals of the City of Dallas. Due to the nature of the envisioned development of the C-2 tract, commercial hours of operation would necessarily and potentially be 24 hours, 7 days a week (e.g., hotel), with other uses having typically associated and more limited business hours for office, retail, and restaurant uses. The Applicant envisions the commercial architecture to be aesthetically pleasing and complementary to the proposed townhome community such that masonry accents would be employed throughout.

Applicant believes that its vision and corresponding plan for the Property aligns with the City of Dallas's intention for the area as reflected in the Comprehensive Plan for the County and City. The site layout designed by LIA Engineering adheres to the fundamental characteristics of the proposed TH and C-2 zoning classifications. Further, Applicant's intent and as expressed throughout the application materials is to meet all applicable City of Dallas zoning and development standards excepting only the single variance request. The variance request is to allow for a reduction in the distance for curved streets at intersections as measured from the cross street (100 feet required, 56.8 feet requested). The requested variance is necessary to maintain the integrity of the townhome layout, design, and features and in order to provide connectivity between the uses in a manner that creates seamless transitions. The curvature of the road in this location is very slight, and the variance does not result in a reduction in the internal traffic safety.

Applicant is acceptable to the following conditions and stipulations to be attached to an approved annexation and rezoning:

- (1) Installation of a Flock Security Camera at the entrances of the community; and
- (2) The establishment of a mandatory homeowners association with accompanied Declaration of Covenants, Easements, and Restrictions; as well as Bylaws.

The City's vision for the area surrounding Summerhill Road is to create a mixed-use community with a mix of residential, commercial, and office uses while preserving the existing character of the area and enhancing recreation and green space. Applicant firmly contends the proposed community will enhance all the characteristics previously mentioned and become the example of development that was intended when the Comprehensive Plan was established. The proposed community is within walking distance from a variety of office, retail, and commercial uses in every direction. The central location of the site will allow its residents to partake in all aspects of daily life without having to steer too far away from home.

Applicant believes the proposed development would encompass the desired goals of the City by providing open space, product offerings, and design layout. The open space provided will allow for large community gatherings.

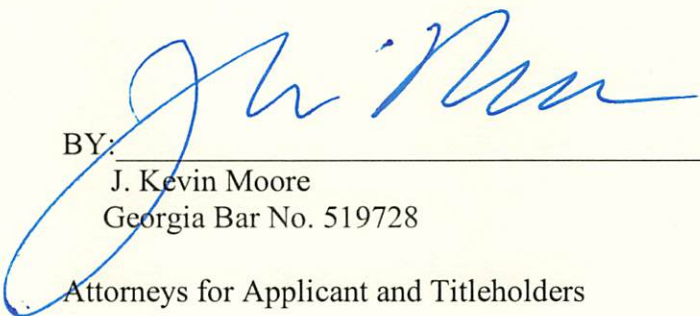
MOORE INGRAM JOHNSON & STEELELetter of Intent
Page 3 of 3

If annexation and rezoning are approved, as submitted, Applicant anticipates commencement of the project in approximately August 2026, and anticipates substantial completion of the overall development in approximately April 2029.

The proposed TH and C-2 zoning classification are appropriate for rezoning the respective portions of the Subject Property. The properties in and around the Subject Property are various uses, from residential, to commercial, to industrial, and have been substantially impacted by the Highway 278 commercial corridor. The rezoning of the Subject Property to the proposed zoning classifications will not adversely impact or in any way affect the use or useability of adjacent or nearby properties. Likewise, the proposed development will not cause negative impact on the existing streets, transportation facilities, utilities, or schools. The proposed zoning categories allow for appropriate infrastructure to service the residences, leading to the construction of a quality residential community which will be beneficial to the City and County and their future residents. The proposed commercial uses are appropriate for the Highway 278 corridor and will offer opportunities for uses beneficial to residents of the City and County and serve the interests of the wider community.

Applicant will work with both the City of Dallas and Paulding County Staff and Department Representatives to lessen any impact on surrounding properties and infrastructure. The exchange of dialogue with all interested representatives will allow for the development of the Property to a quality community, which will set the standard for any future developments within the area.

Respectfully submitted, this 16th day of January, 2026.

MOORE INGRAM JOHNSON & STEELE, LLPBY: 

J. Kevin Moore
Georgia Bar No. 519728

Attorneys for Applicant and Titleholders

ATTACHMENT TO ZONING/REZONING APPLICATION

Application No.: _____
Hearing Dates: _____

BEFORE THE PLANNING COMMISSION AND THE MAYOR AND CITY COUNCIL FOR THE CITY OF DALLAS, GEORGIA

CONSTITUTIONAL CHALLENGE ATTACHMENT TO ZONING/REZONING APPLICATION

COME NOW, Applicant, GEORGIA CAPITAL, INC. (hereinafter referred to as “Applicant”), and the Property Owners, the ESTATE OF MARY SUE TIBBITTS; 230 SUMMERHILL ROAD, LLC; and MIKE J. POPE (hereinafter collectively referred to as “Owners” or “Property Owners”), and assert the following:

1.

By Zoning/Rezoning Application submitted to the City of Dallas Community Development Department, Applicant and Property Owners applied for annexation and rezoning of certain real property, located within unincorporated Paulding County, Georgia, a more particular description and delineation of the subject property being set forth in said Application (hereinafter referred to as the “Property” or “Subject Property”).

2.

The Zoning/Rezoning Application of the Property seeks rezoning from the existing zoning categories of R-2, B-1, and B-2, under and pursuant to the “The Unified Development Ordinance of Paulding County, Georgia” (hereinafter “UDO of Paulding County”), to Townhome (“TH”) and C-2, as established by the governing authority of the City of Dallas,

Georgia, under and pursuant to the Code of Ordinances of the City of Dallas, Georgia, as amended, being hereinafter referred to as the "Code of Ordinances of the City of Dallas."

3.

As to the portion of the Subject Property within the R-2 zoning category and located within unincorporated Paulding County, Georgia, the UDO of Paulding County and the Code of Ordinances of the City of Dallas (collectively the "Ordinances"), are unconstitutional as applied to the Property in that said Ordinances deprive Applicant and Property Owners of their Property under and pursuant to Art. I, § I, ¶¶ I and II of the Georgia Constitution of 1983, and the Equal Protection and Due Process Clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States of America. This deprivation of Property without due process violates the constitutional prohibition against the taking of private property without just compensation. The R-2 zoning category, as it presently exists, together with any intervening zoning categories between the existing R-2 zoning category (Paulding County) and the requested TH and C-2 zoning categories (City of Dallas), violates the Applicant's and Property Owners' right to unfettered use of their Property in that said zoning classifications do not bear a substantial relation to the public health, safety, morality, or general welfare and are therefore confiscatory and void. Further, said Ordinances are unconstitutional in that they are arbitrary and unreasonable resulting in relatively little gain or benefit to the public, while inflicting serious injury and loss on the Applicant and Property Owners.

4.

As to the portion of the Subject Property within the B-1 and B-2 zoning categories and located within unincorporated Paulding County, Georgia, Applicant and Property Owners do

contend the Ordinances are unconstitutional as applied to the Property in that said Ordinances do not permit the Applicant and Property Owners to utilize the Property to the highest and best use set forth within the Zoning/Rezoning Application without the necessity of rezoning. However, Applicant and Property Owners do not contend the current zoning category of B-1 and B-2 zoning categories are unconstitutional, per se, only as applied. Thus, the Ordinances deprive Applicant and Property Owners of their Property under and pursuant to Art. I, § I, ¶¶ I and II of the Georgia Constitution of 1983, and the Equal Protection and Due Process Clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States of America. This deprivation of Property without due process violates the constitutional prohibition against the taking of private property without just compensation. Also violated are the Applicant's and Property Owners' rights to unfettered use of their Property, as stated above, in that said zoning classifications do not bear a substantial relation to the public health, safety, morality, or general welfare and are, therefore, confiscatory and void. Further, said Ordinances are unconstitutional in that they are arbitrary and unreasonable resulting in relatively little gain or benefit to the public, while inflicting serious injury and loss on the Applicant and Property Owners.

5.

To the extent the Code of Ordinances of the City of Dallas allows or permits the Mayor and City Council to rezone the Subject Property to any category other than as requested, said Ordinance is further unconstitutional in that same violates Applicant's and Property Owners' constitutionally guaranteed rights to due process, both substantive and procedural. Furthermore, any such action by the Mayor and City Council, or as allowed by the Code of Ordinances for the City of Dallas, is an unconstitutional use of the zoning power

and would constitute an abuse of discretion with no justification or benefit flowing to the public welfare. Accordingly, said Ordinance or action would likewise represent a taking of private property rights without the payment of just and adequate compensation in violation of the Constitutions of the State of Georgia and the United States of America.

6.

The Ordinances are further unconstitutional in that the procedures contained therein pertaining to the public hearing held in connection with the Zoning/Rezoning Application also violate Art. I, § I, ¶¶ I, II, and XII of the Georgia Constitution of 1983 in that said procedures impose unreasonable time restraints, contain the absence of rebuttal, contain the inability to confront witnesses, contain the lack of procedural and evidentiary safeguards, do not restrict evidence received to the issue at hand and are controlled wholly and solely by political considerations rather than the facts and considerations required by law. These procedures fail to comport with the due process requirements of the Constitution of the State of Georgia 1983 and the due process requirements of the Constitution of the United States of America.

Respectfully submitted, this 26th day of November, 2025.

MOORE INGRAM JOHNSON & STEELE, LLP

BY: 

J. KEVINMOORE

Georgia Bar No. 519728

Attorneys for Applicant and Titleholders

Printed: 11/13/2025 15:30:10 PM



Official Tax Receipt
Paulding County, GA
240 Constitution Blvd
Dallas, 30132
—Online Receipt—

Phone: 770-443-7581

Trans No	Map Code	Property ID & District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2025-069677	R0138 76	469 SUMMERHILL RD	\$2,952.91	\$0.00 Fees: \$0.00	\$0.00	\$2,952.91	\$0.00
Totals:			\$2,952.91	\$0.00	\$0.00	\$2,952.91	\$0.00

Paid Date: 11/07/2025

Charge Amount: \$2,952.91

TIBBITTS MARY SUE
 4809 SHAE CT
 POWDER SPRINGS, GA 30127



Scan this code with your
 mobile phone to view this
 bill

2025 Property Tax Statement

Kayla Amos
Paulding County Tax Commissioner
240 Constitution Blvd. Room# 3006
Dallas, GA 30132-4614
(770) 443-7581

TIBBITTS MARY SUE
4809 SHAE CT
POWDER SPRINGS, GA 30127

RETURN THIS PORTION WITH PAYMENT

(Interest will be added per month if not paid by due date)

Bill No.	Due Date	Current Due	Prior Payment	Back Taxes	*Total Due*	Item 10.
2025-069677	11/15/2025	\$0.00	\$2,952.91	\$0.00	Paid 11/07/2025	

Map: R0138 76

Printed: 11/13/2025

Location: 469 SUMMERHILL RD

Account No: 013876R

Certain persons are eligible for certain homestead exemptions from ad valorem taxation. In addition to the regular homestead exemption authorized for all homeowners, certain elderly persons are entitled to additional exemptions. The full law relating to each exemption must be referred to in order to determine eligibility for the exemption. If you are eligible for one of these exemptions and are not now receiving the benefit of the exemption, you must apply for the exemption not later than April 1, 2026 in order to receive the exemption in future years. For more information on eligibility for exemptions or on the proper method of applying for an exemption, you may contact:

Paulding County Board of Tax Assessors
240 Constitution Blvd. Room #3082
Dallas, GA 30132
(770) 443-7606

If you believe that the fair market value placed upon your property by the Board of Tax Assessors is higher than it should be and if you can provide supporting evidence (mortgage appraisal, sales of comparable properties, etc.), then it may be in your best interest to file a property tax return with the Board of Tax Assessors requesting a review of your property appraisal. This must be done not later than April 1, 2026. Information on how to file a property tax return can be obtained from the address above.

Kayla Amos
Paulding County Tax Commissioner
240 Constitution Blvd. Room# 3006
Dallas, GA 30132-4614
(770) 443-7581



Tax Payer: TIBBITTS MARY SUE
Map Code: R0138 76 Property
Description: 469 SUMMERHILL RD
Location: 469 SUMMERHILL RD
Bill No: 2025-069677
District: 01

Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
COUNTY BND	\$660,300	\$264,120	\$145,410	\$118,710	0.800000	\$94.97	\$0.00	\$94.97
COUNTY M&O	\$660,300	\$264,120	\$145,410	\$118,710	4.300000	\$510.45	\$0.00	\$510.45
FIRE DIST	\$660,300	\$264,120	\$145,410	\$118,710	2.100000	\$249.29	\$0.00	\$249.29
SCHOOL M&O	\$660,300	\$264,120	\$145,410	\$118,710	17.675000	\$2,098.20	\$0.00	\$2,098.20
TOTALS					24.875000	\$2,952.91	\$0.00	\$2,952.91

This gradual reduction and elimination of the state property tax and the reduction in your tax bill this year is the result of property tax relief passed by the Governor and the House of Representatives and the Georgia State Senate. To pay online go to pauldingcountytax.com. If you have any questions concerning this bill, please call our office at (770) 443-7581. Check Verification and Returned Check processing provided by: Envision Payment Solutions

Current Due	\$2,952.91
Penalty	\$0.00
Interest	\$0.00
Other Fees	\$0.00
Previous Payments	\$2,952.91
Back Taxes	\$0.00
Total Due	\$0.00
Paid Date	11/07/2025

Printed: 11/18/2025 16:38:57 PM



Official Tax Receipt
Paulding County, GA
240 Constitution Blvd
Dallas, 30132
—Online Receipt—

Phone: 770-443-7581

Trans No	Map Code	Property ID & District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2025-078183	R0082 25	UNASSIGNED ADDRESS	\$420.89	\$0.00 Fees: \$0.00	\$0.00	\$420.89	\$0.00
Totals:			\$420.89	\$0.00	\$0.00	\$420.89	\$0.00

Paid Date: 11/14/2025

Charge Amount: \$420.89

230 SUMMERHILL ROAD LLC
 783 HOLLAND RD
 POWDER SPRINGS, GA 30127



Scan this code with your
 mobile phone to view this
 bill

2025 Property Tax Statement

Kayla Amos
Paulding County Tax Commissioner
240 Constitution Blvd. Room# 3006
Dallas, GA 30132-4614
(770) 443-7581

230 SUMMERHILL ROAD LLC
783 HOLLAND RD
POWDER SPRINGS, GA 30127

RETURN THIS PORTION WITH PAYMENT

(Interest will be added per month if not paid by due date)

Bill No.	Due Date	Current Due	Prior Payment	Back Taxes	*Total Due
2025-078183	11/15/2025	\$0.00	\$420.89	\$0.00	Paid 11/14/2025

Map: R0082 25

Printed: 11/18/2025

Location: UNASSIGNED ADDRESS

Account No: 008225R

Certain persons are eligible for certain homestead exemptions from ad valorem taxation. In addition to the regular homestead exemption authorized for all homeowners, certain elderly persons are entitled to additional exemptions. The full law relating to each exemption must be referred to in order to determine eligibility for the exemption. If you are eligible for one of these exemptions and are not now receiving the benefit of the exemption, you must apply for the exemption not later than April 1, 2026 in order to receive the exemption in future years. For more information on eligibility for exemptions or on the proper method of applying for an exemption, you may contact:

Paulding County Board of Tax Assessors
240 Constitution Blvd. Room #3082
Dallas, GA 30132
(770) 443-7606

If you believe that the fair market value placed upon your property by the Board of Tax Assessors is higher than it should be and if you can provide supporting evidence (mortgage appraisal, sales of comparable properties, etc.), then it may be in your best interest to file a property tax return with the Board of Tax Assessors requesting a review of your property appraisal. This must be done not later than April 1, 2026. Information on how to file a property tax return can be obtained from the address above.

Kayla Amos
Paulding County Tax Commissioner
240 Constitution Blvd. Room# 3006
Dallas, GA 30132-4614
(770) 443-7581



Tax Payer: 230 SUMMERHILL ROAD LLC
Map Code: R0082 25 Property
Description: UNASSIGNED ADDRESS
Location: UNASSIGNED ADDRESS
Bill No: 2025-078183
District: 01

Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
COUNTY BND	\$42,300	\$16,920	\$0	\$16,920	0.800000	\$13.54	\$0.00	\$13.54
COUNTY M&O	\$42,300	\$16,920	\$0	\$16,920	4.300000	\$72.76	\$0.00	\$72.76
FIRE DIST	\$42,300	\$16,920	\$0	\$16,920	2.100000	\$35.53	\$0.00	\$35.53
SCHOOL M&O	\$42,300	\$16,920	\$0	\$16,920	17.675000	\$299.06	\$0.00	\$299.06
TOTALS					24.875000	\$420.89	\$0.00	\$420.89

This gradual reduction and elimination of the state property tax and the reduction in your tax bill this year is the result of property tax relief passed by the Governor and the House of Representatives and the Georgia State Senate. To pay online go to pauldingcountytax.com. If you have any questions concerning this bill, please call our office at (770) 443-7581. Check Verification and Returned Check processing provided by: Envision Payment Solutions

Current Due	\$420.89
Penalty	\$0.00
Interest	\$0.00
Other Fees	\$0.00
Previous Payments	\$420.89
Back Taxes	\$0.00
Total Due	\$0.00
Paid Date	11/14/2025

Printed: 11/18/2025 16:34:59 PM



Official Tax Receipt
Paulding County, GA
240 Constitution Blvd
Dallas, 30132
—Online Receipt—

Phone: 770-443-7581

Trans No	Map Code	Property ID & District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2025-053863	R0151 24	JIMMY LEE SMITH PKWY	\$410.94	\$0.00 Fees: \$0.00	\$0.00	\$410.94	\$0.00
Totals:			\$410.94	\$0.00	\$0.00	\$410.94	\$0.00

Paid Date: 11/14/2025

Charge Amount: \$410.94

POPE MIKE
95 AVERY WAY
DALLAS, GA 30157



Scan this code with your
mobile phone to view this
bill

2025 Property Tax Statement

Kayla Amos
Paulding County Tax Commissioner
240 Constitution Blvd. Room# 3006
Dallas, GA 30132-4614
(770) 443-7581

POPE MIKE
95 AVERY WAY
DALLAS, GA 30157

RETURN THIS PORTION WITH PAYMENT

(Interest will be added per month if not paid by due date)

Bill No.	Due Date	Current Due	Prior Payment	Back Taxes	*Total Due	Item 10.
2025-053863	11/15/2025	\$0.00	\$410.94	\$0.00	Paid 11/14/2025	

Map: R0151 24

Printed: 11/18/2025

Location: JIMMY LEE SMITH PKWY

Account No: 015124R

Certain persons are eligible for certain homestead exemptions from ad valorem taxation. In addition to the regular homestead exemption authorized for all homeowners, certain elderly persons are entitled to additional exemptions. The full law relating to each exemption must be referred to in order to determine eligibility for the exemption. If you are eligible for one of these exemptions and are not now receiving the benefit of the exemption, you must apply for the exemption not later than April 1, 2026 in order to receive the exemption in future years. For more information on eligibility for exemptions or on the proper method of applying for an exemption, you may contact:

Paulding County Board of Tax Assessors
240 Constitution Blvd. Room #3082
Dallas, GA 30132
(770) 443-7606

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Kayla Amos
Paulding County Tax Commissioner
240 Constitution Blvd. Room# 3006
Dallas, GA 30132-4614
(770) 443-7581



Tax Payer: POPE MIKE
Map Code: R0151 24 Property
Description: JIMMY LEE SMITH PKWY
Location: JIMMY LEE SMITH PKWY
Bill No: 2025-053863
District: 01

Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
COUNTY BND	\$41,300	\$16,520	\$0	\$16,520	0.800000	\$13.22	\$0.00	\$13.22
COUNTY M&O	\$41,300	\$16,520	\$0	\$16,520	4.300000	\$71.04	\$0.00	\$71.04
FIRE DIST	\$41,300	\$16,520	\$0	\$16,520	2.100000	\$34.69	\$0.00	\$34.69
SCHOOL M&O	\$41,300	\$16,520	\$0	\$16,520	17.675000	\$291.99	\$0.00	\$291.99
TOTALS					24.875000	\$410.94	\$0.00	\$410.94

This gradual reduction and elimination of the state property tax and the reduction in your tax bill this year is the result of property tax relief passed by the Governor and the House of Representatives and the Georgia State Senate. To pay online go to pauldingcountytax.com . If you have any questions concerning this bill, please call our office at (770) 443-7581. Check Verification and Returned Check processing provided by: Envision Payment Solutions

Current Due	\$410.94
Penalty	\$0.00
Interest	\$0.00
Other Fees	\$0.00
Previous Payments	\$410.94
Back Taxes	\$0.00
Total Due	\$0.00
Paid Date	11/14/2025

ATTACHMENT TO ZONING/REZONING APPLICATION

Application No.: _____
 Hearing Dates: _____

BEFORE THE PLANNING COMMISSION AND THE MAYOR AND CITY COUNCIL FOR THE CITY OF DALLAS, GEORGIA

FISCAL IMPACT ANALYSIS

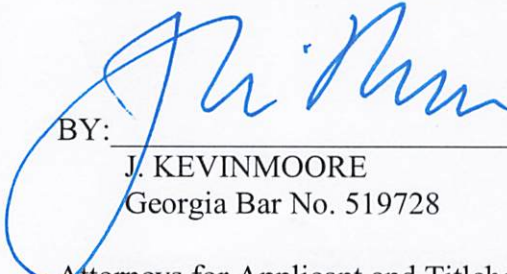
Applicant, GEORGIA CAPITAL, LLC, has received the following letters and communications regarding potential infrastructure impacts resulting from the proposed development:

- (1) Paulding County School District (dated October 7, 2025);
- (2) City of Dallas Police Department (dated September 29, 2025);
- (3) Paulding County Fire and Rescue (dated October 20, 2025);
- (4) Paulding County Water System (dated September 8, 2025);
- (5) Greystone Power Corporation (dated May 13, 2024);
- (6) Atlanta Gas Light Company (dated April 25, 2024);
- (7) AT&T (dated May 1, 2024); and
- (8) Comcast (dated April 25, 2024).

Copies of the referenced letters and communications are submitted and comprise the overall Fiscal Impact Analysis, which is submitted as part of the Zoning/Rezoning Application.

Respectfully submitted, this 26th day of November, 2025.

MOORE INGRAM JOHNSON & STEELE, LLP

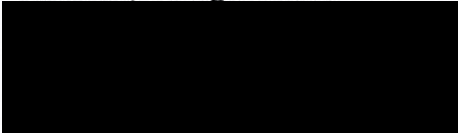
BY: 

J. KEVINMOORE

Georgia Bar No. 519728

Attorneys for Applicant and Titleholders

Moore Ingram Johnson & Steele, LLP
Attorneys at Law
Emerson Overlook – Suite 100
326 Roswell Street
Marietta, Georgia 30060





October 7, 2025

School District Impact Statement for Georgia Capital, LLC

The Paulding County School District has been provided with information by **Georgia Capital, LLC**, concerning a proposed residential development, **Summerhill Road Property**, located at 469 Summerhill Road, Dallas, Georgia 30132. From the information submitted, it is our understanding that the Summerhill Road Property will be a 175-unit townhouse community located near the intersection of State Highway 278 and Charles Hardy Parkway. An application has been submitted for the property to be annexed into the City of Dallas.

To determine the impact that a development will have on the school district, we utilize the results of an annual assessment of our residents and properties that is conducted in partnership with MGT, a company that specializes in demographic studies for education and government. Working with MGT allows us to generate student yield factors (SFY) for Paulding County based on development type: Single Family Detached, Single Family Attached, Apartments, etc.

In collaboration with MGT, a student yield was calculated for the Summerhill Road Property by applying the Single Family Attached SYFs to the development. The results of those calculations are outlined in **Exhibit A**. The student yield estimate for the Summerhill Road Property indicates that the development will generate approximately 28 (27.8) elementary students, 15 (14.9) middle school students, and 18 (18.4) high school students for a total of 61 (61.1) students.

Exhibit A

Unit Type	No. Units	Elementary School			Middle School			High School			District		
		Factor	Type	Students	Factor	Type	Students	Factor	Type	Students	Factor	Type	Students
3 BD TH's	175	0.159	K-5 SFA	27.8	0.085	6-8 SFA	14.9	0.105	9-12 SFA	18.4	0.349	K-12 SFA	61.1



To assess the potential impact of 61 additional students on the Paulding County School District, primary consideration was given to school capacity and existing overcrowding concerns. Each new student increases the demand for instructional space. As a result, we must account for the need for additional classroom square footage.

Using student yield projections in conjunction with classroom size assumptions by grade level (elementary, middle, and high), the state-required minimum square footage per Instructional Unit (IU), and the current construction cost per square foot (\$275), a capital cost was estimated using the following formula:

$$(Student\ Yield \div Students\ per\ Classroom) \times Minimum\ SqFt \times Cost\ per\ SqFt = Capital\ Cost$$

Based on a projected yield of 61 students from the proposed residential development, the total estimated capital cost is \$437,651.

This initial cost is offset by anticipated Education Special Purpose Local Option Sales Tax (ESPLOST) collections contributed by future residents. ESPLOST VII collections dedicated to new school construction are projected at \$30,409,600, equating to \$468 (\$468.04) per existing residential unit (based on 64,972 units). Applying this per-unit estimate to the 61 new units reduces the capital impact by \$81,907.

After applying the ESPLOST offset, the net capital impact of the proposed development is approximately \$355,744 or \$2,033 per residential unit. Detailed calculations supporting this analysis are provided in **Exhibit B**.

Exhibit B

Summerhill Road Property - 175 Units

Level	Student Yield	Class Size	Add'l IU's	IU Min SqFt	Add'l Req SqFt	Cost
ES	28	23	1.22	700	852	\$234,348
MS	15	28	0.54	660	354	\$97,232
HS	18	28	0.64	600	386	\$106,071

Total	\$437,651
ESPLOST	\$81,907
Difference	\$355,744

Total:	\$355,744
Per Unit:	\$2,033

From: [REDACTED]
Sent: Monday, September 29, 2025 3:42 PM
To: Joe Duvall
Cc: J. Kevin Moore; Carolyn Cook; Kendall King; Levi Stoner
Subject: RE: Fiscal Impact Analysis - Rezoning Application 469 Summerhill Road

Follow Up Flag: Follow up
Flag Status: Completed

Thank you, Chief Duvall. We will incorporate this into our study. I appreciate you looking into this for us.

Thanks,

Whit Porter
Laseter Development Group
[REDACTED]

From: Joe Duvall <jduvall@dallas-ga.gov>
Sent: Monday, September 29, 2025 3:40 PM
To: Whit Porter [REDACTED]
Subject: RE: Fiscal Impact Analysis - Rezoning Application 469 Summerhill Road

Whit,

In regards to the development, fire services, school system, and utility service will have to be determined by Paulding County and other utility providers for the area. The impact of the development size and population equates to adding one officer. The cost for one police officer position to include equipment, vehicle, etc. is approximately cost \$176,486.00. If you have any questions, please feel free to contact me.

Regards,



Joe Duvall
Chief of Police
Dallas Police Department
120 Main Street, Dallas, Ga., 30132
Office 770-443-8103
jduvall@dallas-ga.gov
FBINAA Session #208

From: Whit Porter <[REDACTED]>
Sent: Monday, September 22, 2025 10:14 AM
To: Joe Duvall <jduvall@dallas-ga.gov>
Cc: J. Kevin Moore <[REDACTED]>; Kendall King <[REDACTED]>; Justin Whitehorn <[REDACTED]>; Levi Stoner <[REDACTED]>
Subject: Fiscal Impact Analysis - Rezoning Application 469 Summerhill Road

[EXTERNAL Email: Think before you Click]

Good Morning Chief Duvall –

I hope you're doing well. I work with Georgia Capital, LLC, a land development company here in Atlanta. We are preparing a rezoning application for a proposed development at 469 Summerhill Road, Dallas, Georgia 30132 that is planned to be annexed into the City of Dallas (Parcel IDs: 147.1.2.002.0000, 147.1.3.008.0000, and 147.2.4.006.0000). As part of the application process, the City of Dallas is requiring that we complete a Fiscal Impact Analysis to determine the impact of new residents coming into the area with regard to police protection, fire protection, utility service, educational facilities, and other applicable factors.

Please see our proposed site plan that we are submitting. The rezoning plan includes a residential community with 175 townhomes as well as a commercial component that will include a combination of either office, restaurant, small business, retail, or hotel uses.

Could you please review the site plan and provide any comments that you would like to include in the analysis? Please feel free to reach out with any additional questions you may have anytime.

Thank you,

Whit Porter
Georgia Capital
[REDACTED]

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Item 10.

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Paulding County Fire & Rescue
247 Industrial Way North
Dallas, Georgia 30132
770-222-1160

Paulding County Fire & Rescue – Impact Statement

Subject: Rezoning Request – 469 Summerhill Road

Prepared by: Fire Chief Garrett Brubaker

Date: 10/20/2025

Overview

Paulding County Fire & Rescue (PCFR) has reviewed the proposed rezoning request located at **469 Summerhill Road**. This area falls within the future service district of the planned Fire Station 15, identified in the department's long-range planning and deployment model. The purpose of Station 15 is to address current and projected growth patterns, improve response coverage, and maintain compliance with national standards for emergency response times.

Impact Analysis

The area surrounding 469 Summerhill Road has experienced consistent population and residential development growth, contributing to an increase in emergency response demand. At present, this region is primarily served by existing stations located several miles away, which already manage high call volumes and extended travel distances.

Without the establishment of Station 15, additional development in this area will further strain PCFR's operational capacity. Increased call volume without corresponding infrastructure and staffing could result in longer response times, higher workload on current personnel, and potential impacts on service reliability and ISO performance metrics.

Future Station 15

The future Fire Station 15 is strategically planned to ensure adequate coverage for this corridor and surrounding developments. Once operational, it will:

- Enhance fire suppression, EMS, and rescue response times within the Summerhill Road area.
- Support balanced call distribution among adjacent stations.

- Provide improved community risk reduction and public safety coverage.

To achieve these objectives, appropriate funding, personnel, and apparatus allocations must coincide with ongoing development to ensure that public safety infrastructure keeps pace with community growth.

Conclusion

The rezoning and subsequent development of 469 Summerhill Road will directly increase response demand in an area already identified for future expansion. If the site and construction of Station 15 are not realized in coordination with this growth, the department's ability to meet response benchmarks may be compromised, placing significant strain on existing stations and resources.

Paulding County Fire & Rescue strongly recommends that future development and rezoning approvals in this region remain aligned with the timely establishment and staffing of Fire Station 15 to ensure sustainable service delivery and community safety.

As always, Stay safe,

John G Brubaker

Garrett Brubaker
Fire Chief, PCFR



Paulding County Board of Commissioners

Water System

3844 Atlanta Hwy Hiram, Georgia 30141
770-222-6850 • www.paulding.gov

Ray Wooten, P.E.
Department Director

September 8, 2025

Angie Wiggins
Evergreen Development and Real Estate Services

RE: Water and Sewer Availability for Paulding County Tax Parcel bearing ID # 147.1.2.002.0000

Dear Angie,

This is an updated letter to confirm PCWS water infrastructure is present in the right-of-way of Summerhill Rd (6-inch PVC main), and there is a 10-inch gravity sewer main crossing the southeast corner of the property. The majority of the property is in the Coppermine WRF sewer basin. Water and sewer would be served through PCWS, due to the contract with the City of Dallas.

Due to uncontrollable variables, Paulding County Water System (PCWS) makes no guarantees as to the minimum pressures, volumes, or capacities available to the project. PCWS does not guarantee water availability above an elevation of 1130 feet MSL. Depending on the scope of the development, demands imposed by the proposed development may require capacity improvements to the water mains. Any costs associated with such required capacity improvements will be the responsibility of the development and will not be provided by the Water System.

If you need any additional information, please do not hesitate to call.

Sincerely,

A handwritten signature in blue ink, appearing to read "C. Reese".

Carter D. Reese, E.I.T.
Engineering Project Manager II
Paulding County Water System
678-224-4089
carter.reese@paulding.gov



P.O. Box 897, Douglasville, GA 30133-0897
Tel 770-942-6576 Fax 770-489-0940
www.greystonepower.com

May 13, 2024

Angie Wiggins
Evergreen Development and Real Estate Services
11 South Gilmer St.
Cartersville, GA 30120

RE: 469 Summerhill Rd – Parcel ID 147.1.2.002.0000

Angie:

This letter is to confirm that GreyStone Power Corporation is currently providing single phase overhead electric service to the property in Paulding County at the address of 469 Summerhill Rd, Dallas, GA, Parcel ID 147.1.2.002.0000.

The 95 single family home development would also be served by us. The property has single phase service supplied by the East Dallas Substation .

Depending upon the developer's project design, the "on site" distribution facilities can either be provided in standard overhead construction, in developer preferred underground construction (could be an additional cost to the developer for underground facilities), or any combination of the two.

If you have any other specific questions regarding construction or other service-related items, please give me a call at (770)-370-2039 M-F, 8-5 and I will be glad to assist you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Hammond", is written over a horizontal line.

Chris Hammond
Greystone Power - Engineer
Phone: 770-370-2039

Email: christopher.hammond@greystonepower.com

04-25-24

Angie Wiggins
Evergreen DRES
475 E Main St PMB 132
Cartersville, GA 30121

RE: 469 Summerhill Rd, Dallas, GA 30132

Dear Georgia Capital,

This is to advise you that natural gas is presently available to serve the above residential location.

This is to further advise you that natural gas service will be made available to the above referenced project, in accordance with the Rules and Regulations governing our operations on file with the Georgia Public Service Commission at the time said service is requested **(the "Rules"), which may require that customer contribute to any excess installation costs (as calculated pursuant to the Rules).**

Please contact Justin Hancock, 404-558-5746, regarding gas installation.

Sincerely,


Craig Cameron

05/01/2024

EVERGREEN
Attn: Angie Wiggins
11 South Gilmer St
Cartersville, GA 30120

RE: Proposed Development Summerhill Rd, Dallas Ga; Paulding County;

Dear Angie:

This letter is in response to your request for information on the availability of service at the above Summerhill Rd by AT&T.

This letter acknowledges that the above referenced Summerhill Rd Development is located in an area served by AT&T. Any service arrangements for the Summerhill Rd Development will be subject to later discussions and agreements between the developer and AT&T. Please be advised that this letter is not a commitment by AT&T to provide service to the Summerhill Rd Development.

Please contact me at the phone number included in this letter with any questions.

Thank you for contacting AT&T.

Sincerely,

Don Wade

Don Wade
SR Specialist-OSP Design Engineer
AT&T GA / Atlanta District
(Office) 706-701-6085
DW9954@att.com



April 25, 2024

Angie Wiggins
Evergreen Development
11 South Gilmer St
Cartersville, Ga. 30120

Thank you for your request regarding:

Property: Summerhill Rd Project
Location: 469 Summerhill Rd Dallas, Ga. 30132

Comcast has facilities in this area and could potentially be the service provider for this property. However, this information is submitted to you under the following conditions:

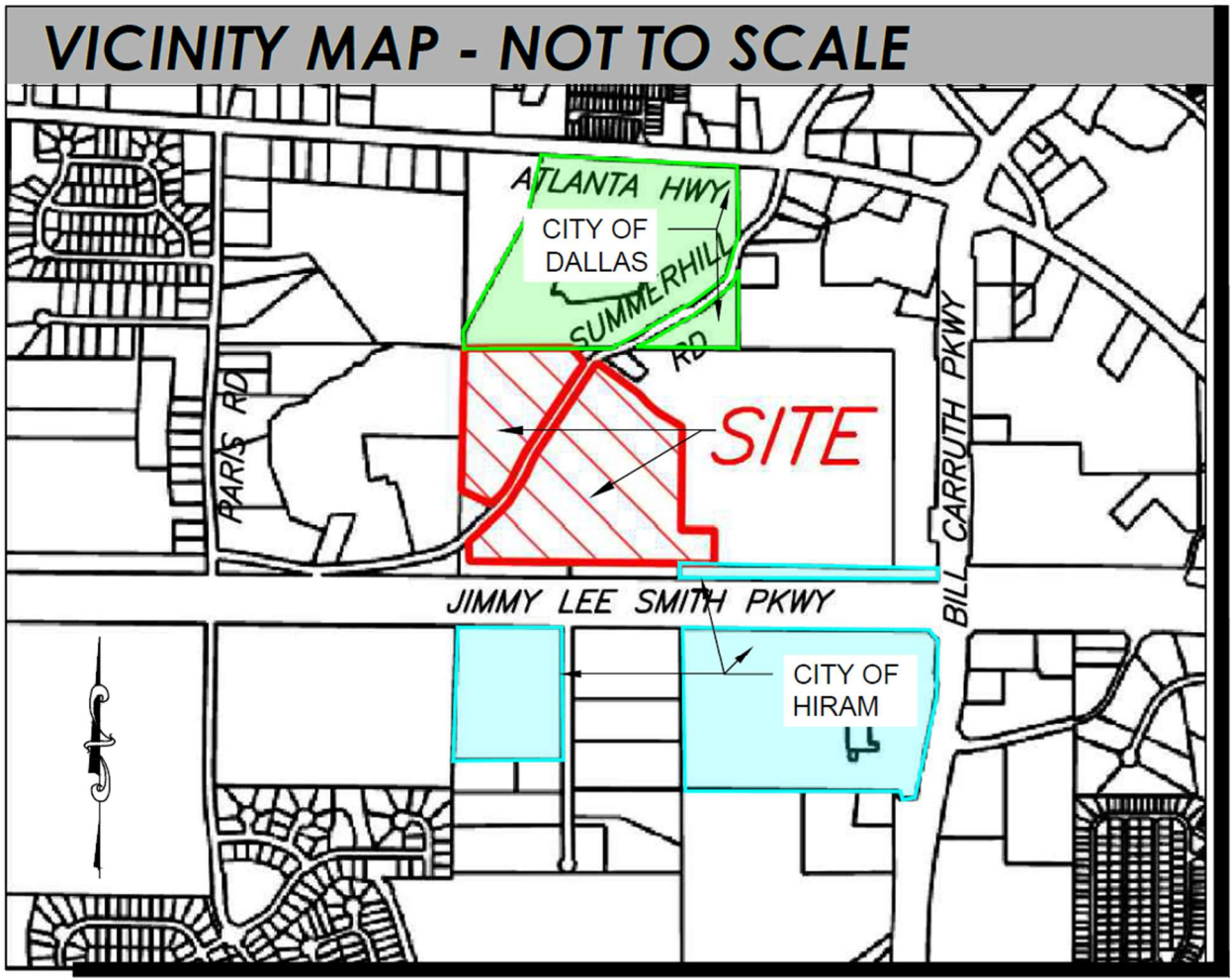
1. This is not an agreement or bid to begin work.
2. Service to the property will be based upon easement allowances made via final plat.
3. This letter does not bind or commit Comcast to any construction schedule.

If we may provide any additional information, or if you have questions, please feel free to contact me at.



John Pauley
Development Expansion Professional
Georgia Market
Phone: 770-870-9949
Email: john_pauley@cable.comcast.com

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Summerhill Road Vicinity Map

Item 10.



STAFF ACTION ITEM

MEETING DATE: 05/06/2026

TITLE: *Engineering Services Agreement: Dallas Battlefield Trail Phase III – P.I. No. 0021219 Project – Keck & Wood, Inc.*

PRESENTED BY: *Brandon Rakestraw – Director*

AGENDA ITEM DESCRIPTION (Agenda Content):

Engineering Services Agreement: Dallas Battlefield Trail Phase III – P.I. No. 0021219 Project – Keck & Wood, Inc.

HISTORY/PAST ACTION:

Solicited - Qualification Based Selection (QBS)

FINANCIAL IMPACT:

\$391,630.00

INFORMATION:

Request approval to enter into an Engineering Agreement with Keck & Wood, Inc. for professional engineering and design services for the Dallas Battlefield Trail Phase III Project. The total contract amount is \$391,630.00

Attachment: Keck & Wood, Inc. – Fee Proposal for Battlefield Trail Phase III – PI 0021219

March 26, 2026

Brandon Rakestraw – Public Works Director
City of Dallas
Sent via email: brakestraw@dallas-ga.gov

Re: Fee Proposal for Battlefield Trail Phase III - PI 0021219
City of Dallas, GA

Dear Mr. Rakestraw:

The City of Dallas (the “City”) was recently awarded federal Transportation Alternatives funds through the Atlanta Regional Commission (ARC). ARC facilitates and provides an opportunity for local governments to pursue non-traditional transportation related activities such as pedestrian facilities, bicycle facilities, and pedestrian streetscaping projects. The City solicited responsive qualified firms for engineering and design services for the Battlefield Trail Phase III Project. Keck & Wood, Inc. (the “Engineer”) intends to provide the City with professional engineering services for the design of this project.

Scope of Work

Located in Dallas, the project proposes to connect the existing Battlefield Trail to the existing Silver Comet Trail. The project will begin at the Tara Druman Silver Comet Trailhead near Seaboard Avenue and US 278. A pedestrian bridge is proposed to span US 278 at this location. The 10-foot-wide, concrete, roadside shared use path will continue along the north side of US 278 for approximately 1 mile, where it will connect with the existing Battlefield Trail on SR 61 at Chattahoochee Technical College. Our initial scope of services will include survey, concept development, and environmental resource identification. Future additional scope of services will include engineering design / permitting, right-of-way acquisition services (if needed), bidding services, and construction administration services. We anticipate all submissions to GDOT will be submitted through GDOT’s TAP program manager ATLAS. We propose the following scope of services:

Phase 1: Concept Phase

1. Project Team Kick-Off for PE
2. Project Description (PD) and Project Justification Statement (PJS)
 - a. Consultant provides
 - b. GDOT review cycle
3. Environmental Survey boundary (ESB) – Consultant Task
 - a. Consultant provides
 - b. GDOT review cycle
4. Early activities
 - a. Property Owner Access Notification Letter
 - i. Consultant provides
 - ii. GDOT review cycle
 - iii. Letter distributed
 - b. Cultural Resources (CR_106) Notification Letter
 - i. Consultant provides
 - ii. GDOT review cycle

- iii. Consultant distributes approved CR106 ECL to outside entities
 - iv. State Historic Preservation Office (SHPO) issues receipt and number
 - c. Tribal Notification
 - i. Dependent on Office of Environmental Services (OES) History approval of CR106 Notification Letter
 - ii. OES history sends the package to OES Archaeology
 - iii. OES archeology initiates with the Native American Tribes
 - iv. Tribes have a minimum of the 30-day response period
 - v. OES archeology maintains records and provides tribal response information to the Team
 - d. Ecology - Dependent on existing ecological features such as water resources
 - e. National Environmental Protection Act (NEPA) Early Coordination Letter (ECL)
 - i. Consultant to provides
 - ii. GDOT review cycle
 - iii. Consultant distributes to various entities
- 5. Fieldwork
 - a. Land Surveyors
 - b. Archaeologist
 - c. Ecologist
 - d. Historian
- 6. Land Survey Database
 - a. Field data to surveyor's office
 - b. Database creation
 - c. Database to Engineer of Record (EOR)
 - d. EOR approval of the database
- 7. Environmental Resource Identification (RID) survey Reports
 - a. Archeology
 - i. Archaeology Short Report (ASR) – if no artifact is found
 - 1. Consultant provides to OES
 - 2. GDOT review cycle
 - ii. If an artifact or recorded site found: Archaeology Management Summary (Arch Man Sum) & Archaeology Phase 1 Environmental Site Assessment (Ph1 Arch ESA)
 - 1. Consultant provides Arch Man Sum to OES
 - 2. GDOT review cycle
 - 3. Consultant provides Ph 1 Arc ESA to OES
 - 4. GDOT review cycle
 - 5. OES transmits to SHPO
 - 6. SHPO review cycle
 - b. History Resource Survey Report (HRSR)
 - i. Consultant provides to OES
 - ii. GDOT review cycle
 - iii. Transmittal to SHPO
 - iv. SHPO review cycle v. SHPO approval/concurrence
 - c. Ecology Resource Survey Report (ERSR)
 - i. Consultant provides to OES
 - ii. GDOT review cycle

- iii. Transmittal to agency
- 8. Preliminary Bridge Design
 - a. Prepare Bridge Concepts for Bridge over US-278
 - i. Prepare 3 alternatives:
 - b. Prepare Architectural Enhancement Layout for Bridge over US-278
 - i. Option Planning and Discussion Meeting
 - ii. Prepare for and Conduct Design Charrette Workshop with City Staff
 - iii. Conduct Initial Options Development (3 options)
 - iv. Prepare Presentations to the City (2 presentations and options refinement)
 - v. Prepare Draft Renderings
 - vi. Prepare Final Renderings
 - c. Prepare Bridge Conceptual Layout of preferred alternative
- 9. Concept report (CR)
 - a. Consultant provides
 - b. GDOT Review Cycle
 - c. Concept Team Meeting (CTM)
 - d. Consultant provides adjusted per CTM outcome
 - e. OPD transmits to ODPS
 - f. GDOT review cycles
- 10. Phase 1 ENV Site Assessment for Underground Storage Tanks/Hazardous Materials (PH 1 ESA UST/HW)
 - a. This activity would be required if excavation greater than 24 inches occurs or if ROW acquisition is required. See GDOT 5525-1 policy for more information.
 - b. Fieldwork
 - c. Consultant provides to OPD
 - d. OPD transmits to Office of Materials and Testing (OMAT)
 - e. GDOT review cycle
- 11. 1st submission Utility Coordination
 - a. Consultant initiates with providers
 - b. Consultant receives existing utility locations from providers

Compensation

Compensation for work performed shall be according to the hourly not to exceed fee noted for each phase of the project. Once per month during the existence of the contract, the Engineer shall submit to the City and invoice for payment based on the actual work performed for the Project though the invoice period. Should additional services be required, we can provide these services according to our latest standard hourly rate schedule or an agreed upon lump sum. Our proposed fees are as follows:

Phase 1: Concept Phase (Total Hourly Not to Exceed Fee) \$391,630

If you have any questions or need additional information, please call me at (678) 417-4038.

Sincerely,

KECK & WOOD, INC.



Greg Sistrunk, P.E.
Vice President

ACCEPTED by the CITY OF DALLAS

This _____ day of _____, 2026.

By: _____

Title: _____



Ben Morden, P.E.
Project Manager

Attachments:

1. 2026 Standard Hourly Rate Schedule
2. Fee Estimate
3. Terms & Conditions

2026 Hourly Rates Sheet

Keck & Wood provides services based on the hourly rate charges for each skill position as follows:

Hourly Rate	Management	Project Management	Engineering	Engineering	Landscape Architecture	Surveying	Surveying	Business Admin.
\$310	Practice Leader SVP Senior Manager							
\$290	Market Leader VP	Project Director						
\$275	Client Services Leader	Senior Project Manager 3	Chief Engineer		Chief Landscape Architect			
\$260	Submarket Leader AVP	Senior Project Manager 2	Senior Engineer 3		Senior Landscape Architect 3			
\$245	Client Service Manager 2	Senior Project Manager 1	Senior Engineer 2		Senior Landscape Architect 2	3-Man Survey Crew		
\$230	Client Service Manager 1	Project Manager 3	Senior Engineer 1		Senior Landscape Architect 1	Survey Manager 3		
\$215		Project Manager 2	Engineer 3		Landscape Architect 3	Survey Manager 2		
\$200		Project Manager 1	Engineer 2	Traffic Signal Technician 3	Landscape Architect 2	Survey Manager 1		
\$185			Staff Professional 4 Engineer 1	Traffic Signal Technician 2	Landscape Professional 4 Landscape Architect 1	2-Man Survey Crew		
\$170			Staff Professional 3	Traffic Signal Technician 1	Landscape Professional 3	2-Man Mapping Crew		
\$155			Staff Professional 2		Landscape Professional 2			
\$145			Staff Professional 1		Landscape Professional 1			
\$125			CAD Technician 3	Field Technician 3		1-Man Survey Crew	Survey Technician 3	Admin. Manager
\$110			CAD Technician 2	Field Technician 2		1-Man Mapping Crew	Survey Technician 2	Admin. Staff 2
\$95			CAD Technician 1	Field Technician 1			Survey Technician 1	Admin. Staff 1
\$90			Intern		Intern	Intern		

Dallas Battlefield Trail Phase III - PI 0021219, Dallas, GA

Keck Wood, Inc. Fee Estimate

Item 11.

		Market Leader	Project Manager 3	Engineer 3	Engineer 1	Staff Professional 1	Direct Sub-consultant	Direct Costs	Total
Task	Hourly Rate	\$290	\$230	\$215	\$185	\$145			
	Phase 1: Concept Phase								
1001	Concept Phase Project Coordination / Management, including 16 monthly status meetings	16	64	64					\$33,120
1002	Kickoff Meeting	2	2	2					\$1,470
1003	Site Visit		8		8				\$3,320
1004	Field Survey Database						\$134,921		\$134,921
1005	UST/HW Site Assessment Phase I						\$8,150		\$8,150
1006	Prepare Conceptual Bridge Layouts for 3 alternatives						\$41,665		\$41,665
1007	Prepare Architectural Renderings of 3 draft alternatives, and 1 final of preferred alternative						\$12,375		\$12,375
1008	Environmental Project Management						\$18,197		\$18,197
1009	Archaeology Phase 1 Survey, management summary and Phase I Report						\$43,280		\$43,280
1010	History Survey Report						\$11,242		\$11,242
1011	Ecology field survey, protected species surveys, ERSR, USACE delineation, and agency site						\$31,440		\$31,440
1012	Prepare Cover Sheet, Construction plan sheets for UST Phase I submittal			2		4			\$1,010
1013	Prepare Project Description and Project Justification Statement			2					\$430
1014	Existing Conditions analysis		4	4					\$1,780
1015	Complete Streets Warrant Analysis				2				\$370
1016	Prepare mainline design features chart for existing, proposed, and GDOT policy design policy			2	4				\$1,170
1017	Evaluate needs for Design Variances and Exceptions to Controlling Criteria		4						\$920
1018	Evaluate required right-of-way and easements		2	4	8				\$2,800
1019	Summarize Environmental survey findings for air & noise, archaeology, ecology, and history				4				\$740
1020	Alternatives Analysis			8		16			\$4,040
1021	Prepare/Validate Project Conceptual Layout	8	4	16	32	40			\$18,400
1022	Prepare Typical Sections			2	4	16			\$3,490
1023	Prepare MS4 Post-Construction Stormwater Concept Report				4				\$740
1024	Prepare AASHTOWARE Conceptual Construction Cost Estimate, GDOT revisions to programmed costs template, and liquid asphalt cement adjustments		2	4	4	16			\$4,380
1025	Prepare Preliminary Utility Cost Estimate and utility concept report			4					\$860
1026	Prepare Draft GDOT Concept Report, submit for Sponsor, Atlas, and GDOT review		4	8		20			\$5,540
1027	Concept Team Meeting (Virtual), included presentation preparation		4	4					\$1,780
1028	Modify Concept Report & Layout		2	4	12				\$3,540
1029	Obtain Concept Report Approval from GDOT		2						\$460
	Phase 1: Total Manhours	26	102	130	82	112			452
	Phase 1: Total Cost	\$7,540	\$23,460	\$27,950	\$15,170	\$16,240	\$301,270	\$0	\$391,630

TERMS AND CONDITIONS OF SERVICE

These Terms and Conditions, together with KECK & Wood's Proposal, make up the Agreement between Keck & Wood and you, the Client. *Before countersigning proposal, be sure you read and understand the paragraphs entitled Indemnification and Limitation of Liability, which deal with the allocation of right between KECK & WOOD.*

Item 11.

EFFECTIVE DATE: This Agreement, by and between Keck & Wood, Inc., hereinafter referred to as the Consultant, and the Client identified on the attached proposal, is binding and effective upon acceptance by a currently authorized corporate officer of the Consultant.

SCOPE OF SERVICES: Whereas the Consultant has proposed to perform, and the Client desires to have the Consultant perform, the scope of services described on the attached proposal. Any request or directions from the Client that would require extra work or additional time for performance would result in an increase in KECK & WOOD's costs, including expert witness services and unanticipated meetings, will be the subject of a negotiated amendment or change order. Additional Services are not included as part of the Basic Services in the Proposal and shall be paid for by the Client in addition to the payment for Basic Services, in accordance with KECK & WOOD's prevailing fee schedule, or as agreed to by KECK & WOOD and Client.

AGREEMENT: Now, therefore, in consideration of the premises and the covenants and undertakings hereinafter set forth, and for other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **STANDARD OF CARE:** KECK & WOOD will perform the services with the degree of skill and care ordinarily exercised by qualified professionals performing the same type of services at the same time under the same conditions in the same or similar locality. KECK & WOOD makes no warranty, expressed or implied, as to its professional services rendered under this Agreement. You will promptly notify KECK & WOOD with reasonable specificity or any deficiencies or suspected deficiencies in the services of which you become aware, so that KECK & WOOD may take measures to minimize the consequences of such a deficiency. Failure to notify KECK & WOOD shall relieve us of the cost of remedying the deficiencies above the sum such remedy would have cost had prompt notification been given. The Client acknowledges that the services entail risk or personal injury and property damage (including cross-contamination) that cannot be avoided, even with the exercise of due care. The Client also acknowledges that environmental and geotechnical conditions can vary from those encountered at the time and locations of explorations and data collection, and that the limitation on available data may result in some level of uncertainty with respect to the interpretation of these conditions, despite due professional care. KECK & WOOD therefore cannot guarantee specific results such as the identification of all contamination or other geotechnical or environmental conditions or problems nor their resolution.

2. **BASIS OF PAYMENT:** The Client agrees to compensate the Consultant as provided on the attached proposal. In the event a preliminary estimate of compensation is made, the Consultant will endeavor to accomplish services within that estimate, but the Consultant does not guarantee such estimate unless a specific written statement to that effect is given. Should the Consultant become aware that charges will or have exceeded any preliminary estimate, they will promptly notify the Client who may elect to reduce the scope of services or authorize a continuation of services at increased cost.

3. **PAYMENT AND CREDIT:** Progress or partial payments shall be made by the Client in proportion to services rendered by the Consultant unless specific extension of credit to the Client is provided on the attached proposal. Statements will be issued from time to time by the Consultant, but no more often than at 4-week intervals, and shall be fully payable within 30 days thereafter. Balances which are unpaid for more than 30 days are subject to a finance or service charge plus collection expenses. Unless stated differently on the face(s) hereof service charges shall be 1.5 percent per month, which amounts to 18 percent per year. If in the exclusive judgment of Consultant, the financial condition of the Client at any time does not appear to justify the commencement or continuance of services on the terms specified herein, Consultant may, in addition to all other remedies it may have at law or in equity, make written demand for full or partial payment in advance, suspend its performance until such payment is made and cancel this Agreement if such payment is not received by the Consultant within 30 days after delivery in person or mailing of said demand by Consultant.

4. **OWNERSHIP OF DOCUMENTS:** All documents, including original drawings, plats, estimates, field notes, specifications and other data shall remain the property of the Consultant. Copies of finished documents furnished to the Client are instruments of service for the specific project or initial purpose indicated, and are not intended to be reused for extensions of the project or for additional purposes without written authorization by the Consultant. Reuse of any of the instruments of service of the Consultant by the Client on any extension of the project or for additional purposes shall be at the Client's risk and the Client agrees to defend, indemnify and hold harmless the Consultant from all claims, damages and expenses including attorney's fees arising out of any unauthorized reuse of the Consultant's instruments of service by the Client or by others acting through the Client.

5. **ACCESS:** The Client shall be responsible for providing all rights of access upon public or private property as required by the Consultant to perform authorized services.

6. **ESTIMATES OF CONSTRUCTION COST:** Since the Consultant has no control over construction costs or of the methods by which construction contractors determine prices, or over market conditions, any opinion of the Consultant regarding construction cost are to be made on the basis of his best judgment, but Consultant cannot and does not guarantee that actual construction costs will not vary from estimates provided by the Consultant.

7. **FORCE MAJEURE:** Consultant shall not be liable for failures to perform any obligation under this Agreement where such failure arises from causes beyond Consultant's exclusive control, including (but not limited to) such causes as war; civil commotion; force majeure; acts of a public enemy; sabotage; vandalism; accident; statute; ordinances; embargoes; government regulations; priorities or allocations; interruption or delay in transportation; inadequacy, shortage or failure of supply of materials, equipment, fuel or electrical power; labor controversies (whether at Consultant's office or elsewhere); shut-downs for repairs; natural phenomena; whether such cause exists on the effective day hereof, or arises thereafter, or from compliance with any order or request of the United States Government or any officer, department, agency, instrumentality or committee thereof.

8. **CONSULTANT'S INSURANCE:** The Consultant shall acquire and maintain statutory workmen's compensation insurance coverage, employer's liability, comprehensive general liability insurance coverage of not less than \$1,000,000 limit, and professional liability insurance coverage of not less than \$1,000,000 limit.

9. **AUDIT: ACCESS TO RECORDS:** For Agreements employing cost as a basis of compensation, the Consultant shall maintain books, records, documents and other evidence directly pertinent to the Agreement in accordance with appropriate accounting standards. From time to time, but not more often than once each calendar year, the Client may have his accounting representative verify costs by examination of pertinent documents at the home office of the Consultant. During such audit, the Consultant shall provide suitable facilities for the Client's representative, and that representative shall organize and conduct his audit in a manner which minimizes special effort by the Consultant.

10. **DELEGATION OF DUTIES:** Neither the Client nor the Consultant shall delegate his duties hereunder without the written consent of the other.

11. **INDEMNIFICATION:** In addition, and notwithstanding any other provisions of this Agreement, the Client agrees, to the fullest extent permitted by law, to indemnify and hold harmless KECK & WOOD, its officers, directors, employees and consultants against all damages, liabilities or costs including reasonable attorneys' fees, arising out of or in any way connect with this Project or the performance by any of the parties above named of the services under this Agreement, excepting only those damages, liabilities or costs attributable to the negligent acts or negligent failure to act by KECK & WOOD.

12. **LIMITATION OF LIABILITY:** In recognition of the relative risks and benefits of the Project to both the Client and the Consultant, the risks have been allocated such that the Client agrees, to the fullest extent permitted by law, to limit the liability of the Consultant to the Client for any and all claims, losses, costs, damages or any nature whatsoever or claims expenses from any cause or causes, including attorneys' fees and costs and expert witness fees and costs, so that the total aggregate liability of the Consultant to the Client shall not exceed \$100,000, or the Consultants total fees for services rendered on this project, whichever is less. It is intended that this limitation apply to any and all liability or cause of action however alleged or arising, unless otherwise prohibited by law. Notwithstanding any other provision of this Agreement, and to the fullest extent permitted by law, neither the Client nor KECK & WOOD, their respective officers, directors, partners, employees, contracts or consultants shall be liable to the other or shall make any claim for any incidental, indirect or consequential damages arising out of or connected in any way to the Project of to this Agreement. This mutual waiver of consequential damages shall include, but is not limited to, loss of use, loss of profit, loss of business, loss of income, loss of reputation or any other consequential damages that either party may have incurred from any cause of action including negligence, strict liability, breach of contract and breach of strict or implied warranty. Both the Client and KECK & WOOD shall require similar waivers of consequential damages protecting all the entities or persons named herein in all contracts and subcontracts with others involved in this Project.

13. **RECORDS RETENTION:** Consultant shall maintain on file in legible form, for a period of five years following completion or termination of its services, all Documents, records (including cost records), and design calculations related to Consultant's services or pertinent to Consultant's performance under this Agreement. Upon Client's request, Consultant shall provide a copy of any such item to Client at cost.

14. **MISCELLANEOUS:** This Agreement shall be governed by Georgia law. Any legal action between the Client and KECK & WOOD arising out of this Agreement or the performance of the services shall be brought in a court of competent jurisdiction in Gwinnett County, Georgia. All limitations of liability, indemnifications, warranties and representations contained in this Agreement shall survive the completion or termination of this Agreement and shall remain in full force and effect. Any amendment to this Agreement must be in writing signed by both parties. This Agreement supersedes any contract terms, purchase orders or other documents issued by the Client. These Terms and Conditions shall govern over any inconsistent terms in the Proposal. If these Terms and Conditions have been provided to the Client, verbal authorization to commence services constitutes the Client's acceptance of them. The provisions of this Agreement are severable; if any provision is unenforceable, it shall be appropriately limited and given effect to the extent it is enforceable. Neither party to this Agreement shall transfer, sublet or assign any right under or interest in the Agreement without prior written consent of the other party. Headings in these Terms and Conditions are for convenience only and do not form part of the Agreement. Nothing in this Agreement shall be construed to give any right or benefits to third parties. It is intended by the parties to this Agreement that KECK & WOOD's services in connection with the Project shall not subject KECK & WOOD's individual employees, officers or directors to any personal legal exposure for the risks associated with this Project. Any notice required under this Agreement shall be in writing; addressed as specified in this Agreement and sent by electronic mail; facsimile; registered, certified express or regular US mail.

15. **TERMINATION:** Should this Agreement be terminated prematurely by written mutual agreement or as provided elsewhere herein, the Consultant shall be paid for services performed to the termination date plus 15 percent of the total compensation earned to the time of termination to account for Consultant's rescheduling adjustments and related costs.



STAFF ACTION ITEM

MEETING DATE: 05/04/2026

TITLE: Construction Bid Award: Wildwood Utility Replacement Project – Project No. 2018-14; HD Excavation and Utilities, LLC.

PRESENTED BY: Brandon Rakestraw – Director

AGENDA ITEM DESCRIPTION (Agenda Content):

Construction Bid Award: Wildwood Utility Replacement Project – Project No. 2018-14; HD Excavation and Utilities, LLC.

HISTORY/PAST ACTION:

Public Bid Advertisement

FINANCIAL IMPACT:

\$367,502.50

INFORMATION:

Request approval to award and enter a Construction Agreement with HD Excavation and Utilities, LLC., for construction of the Wildwood Utility Replacement Project. The total contract amount is \$367,502.50

Attachment: Wildwood Utility Replacement Project – Recommendation for Award / Bid Tabulation



APRIL 23, 2026

MR. BRANDON RAKESTRAW
CITY OF DALLAS PUBLIC WORKS DIRECTOR
320 E. FOSTER AVENUE
DALLAS, GA 30132

SUBJECT: Recommendation for Award
Wildwood Utility Replacement
City Of Dallas Project #2018-14

Dear Mr. Rakestraw:

Sealed proposals were opened for the subject project shortly after 10:00 a.m. on Tuesday, April 21, 2026, in the Commissioner's Meeting room at the City of Dallas City Hall and read aloud. Three (3) proposals were received and opened with bid prices totaling \$367,502.50, \$566,659.40, and \$653,247.50. All bids were deemed responsive to the bid specifications.

Following a review of the bid proposals and a review of the contractor's bid submittals by Ardurra Group, Inc.; HD Excavation and Utilities, LLC was determined to be the apparent low bid in the amount of \$367,502.50. A copy of the bid tabulation is included for your review. Ardurra Group, Inc., upon final review of the bid documents, recommends awarding the Wildwood Utility Replacement project to HD Excavation and Utilities, LLC.

Should you have any questions, please do not hesitate to call.

Sincerely,

Harris Pride, P.E.
Project Manager

Enclosures

BID TABULATION
ARDURRA GROUP, INC.
PROJECT NO. 20240595.00.WK
WILDWOOD UTILITY REPLACEMENT
CITY OF DALLAS PROJECT #2018-14

				CONTRACTOR'S UNIT PRICES					
				HD EXCAVATIONS & UTILITIES, LLC		RDJE, INC.		CORLEY CONTRACTORS, INC.	
				TOTAL COST \$367,502.50		TOTAL COST \$578,659.40		TOTAL COST \$653,247.50	
ITEM NO.	DESCRIPTION	EST QTY	UNIT	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	LOCATE AND CONNECT TO EXISTING 6-INCH WATER MAIN (WILDWOOD LANE)	1	LS	\$ 900.00	\$ 900.00	\$ 5,857.00	\$ 5,857.00	\$ 7,500.00	\$ 7,500.00
2	LOCATE AND CONNECT TO EXISTING 2-INCH WATER MAIN (WILDWOOD LANE)	1	LS	\$ 250.00	\$ 250.00	\$ 3,881.00	\$ 3,881.00	\$ 3,500.00	\$ 3,500.00
3	LOCATE AND CONNECT TO EXISTING 6-INCH WATER MAIN (MCBEE PLACE)	1	LS	\$ 900.00	\$ 900.00	\$ 5,857.00	\$ 5,857.00	\$ 7,500.00	\$ 7,500.00
4	8-INCH SDR 18 CLASS 200 C900 PVC, WATER MAIN, PUSH-ON JOINT	240	LF	\$ 110.00	\$ 26,400.00	\$ 154.00	\$ 36,960.00	\$ 90.00	\$ 21,600.00
5	8-INCH FUSIBLE PVC, INSTALLED VIA HDD	140	LF	\$ 115.00	\$ 16,100.00	\$ 247.00	\$ 34,580.00	\$ 455.00	\$ 63,700.00
6	8-INCH PRESSURE CLASS 350 DIP, WATER MAIN, PUSH-ON JOINT	260	LF	\$ 125.00	\$ 32,500.00	\$ 127.00	\$ 33,020.00	\$ 115.00	\$ 29,900.00
7	8-INCH PRESSURE CLASS 350 DIP, WATER MAIN, RESTRAINED JOINT	280	LF	\$ 135.00	\$ 37,800.00	\$ 137.00	\$ 38,360.00	\$ 130.00	\$ 36,400.00
8	8-INCH GATE VALVES AND VALVE BOXES	2	EA	\$ 2,300.00	\$ 4,600.00	\$ 2,821.00	\$ 5,642.00	\$ 4,300.00	\$ 8,600.00
9	MISCELLANEOUS DUCTILE IRON FITTINGS AND SPECIALS	660	LB	\$ 7.00	\$ 4,620.00	\$ 7.00	\$ 4,620.00	\$ 10.00	\$ 6,600.00
10	6-INCH RETAINER GLANDS	5	EA	\$ 65.00	\$ 325.00	\$ 114.00	\$ 570.00	\$ 180.00	\$ 900.00
11	8-INCH RETAINER GLANDS	30	EA	\$ 115.00	\$ 3,450.00	\$ 152.00	\$ 4,560.00	\$ 200.00	\$ 6,000.00
12	ADJUST EXISTING WATER VALVE BOX TO GRADE	2	EA	\$ 100.00	\$ 200.00	\$ 437.00	\$ 874.00	\$ 1,200.00	\$ 2,400.00
13	3/4" PE SERVICES	80	LF	\$ 16.50	\$ 1,320.00	\$ 58.00	\$ 4,640.00	\$ 55.00	\$ 4,400.00
14	1" PE SERVICES	90	LF	\$ 18.50	\$ 1,665.00	\$ 31.00	\$ 2,790.00	\$ 60.00	\$ 5,400.00
15	2" PVC CASING FOR SERVICE PIPE (INCLUDING BORE)	30	LF	\$ 35.00	\$ 1,050.00	\$ 41.00	\$ 1,230.00	\$ 75.00	\$ 2,250.00
16	REPLACE EXISTING WATER SERVICE METER AND BOX	8	EA	\$ 1,750.00	\$ 14,000.00	\$ 3,815.00	\$ 30,520.00	\$ 4,500.00	\$ 36,000.00
17	7' X 6' RCP PRE-CAST BOX CULVERT	1	LS	\$ 81,000.00	\$ 81,000.00	\$ 168,500.00	\$ 168,500.00	\$ 157,000.00	\$ 157,000.00
18	TEMPORARY CREEK DIVERSION	1	LS	\$ 7,500.00	\$ 7,500.00	\$ 16,445.00	\$ 16,445.00	\$ 35,000.00	\$ 35,000.00
19	CUT AND PLUG EXISTING SANITARY SEWER MAIN	2	LS	\$ 300.00	\$ 600.00	\$ 1,125.00	\$ 2,250.00	\$ 1,100.00	\$ 2,200.00
20	CONNECT TO EXISTING SANITARY SEWER MANHOLE	2	LS	\$ 750.00	\$ 1,500.00	\$ 4,359.00	\$ 8,718.00	\$ 4,800.00	\$ 9,600.00
21	TEMPORARY BYPASS OF GRAVITY SEWER MAIN	1	LS	\$ 11,500.00	\$ 11,500.00	\$ 25,015.00	\$ 25,015.00	\$ 30,000.00	\$ 30,000.00
22	8-INCH DIP (CLASS 51), GRAVITY SEWER MAIN	289	LF	\$ 140.00	\$ 40,460.00	\$ 221.00	\$ 63,869.00	\$ 185.00	\$ 53,465.00
23	CONCRETE BASE FOR TRENCHES ON PUBLIC STREETS	25	LF	\$ 25.00	\$ 625.00	\$ 153.00	\$ 3,825.00	\$ 325.00	\$ 8,125.00
24	ASPHALT FOR DRIVEWAYS AND TRENCH WIDTH PAVEMENT REPLACEMENT	25	LF	\$ 35.00	\$ 875.00	\$ 313.00	\$ 7,825.00	\$ 225.00	\$ 5,625.00
25	CONCRETE FOR DRIVEWAY REPLACEMENT	40	SY	\$ 125.00	\$ 5,000.00	\$ 473.00	\$ 18,920.00*	\$ 145.00	\$ 5,800.00
26	MISCELLANEOUS CONCRETE (WHERE AUTHORIZED)	10	CY	\$ 255.00	\$ 2,550.00	\$ 253.00	\$ 2,530.00	\$ 800.00	\$ 8,000.00
27	SOLID ROCK EXCAVATION	15	CY	\$ 105.00	\$ 1,575.00	\$ 367.00	\$ 5,505.00	\$ 250.00	\$ 3,750.00
28	SOLID ROCK EXCAVATION - HDD INSTALLATION	140	LF	\$ 175.00	\$ 24,500.00	\$ 0.01	\$ 1.40	\$ 200.00	\$ 28,000.00
29	SUB-GRADE STABILIZER STONE (WHERE AUTHORIZED)	200	TON	\$ 62.00	\$ 12,400.00	\$ 52.00	\$ 10,400.00	\$ 125.00	\$ 25,000.00
30	CONSTRUCTION EXIT (CO)	1	EA	\$ 1,350.00	\$ 1,350.00	\$ 2,955.00	\$ 2,955.00	\$ 7,500.00	\$ 7,500.00
31	RIP RAP	15	SY	\$ 43.00	\$ 645.00	\$ 118.00	\$ 1,770.00	\$ 350.00	\$ 5,250.00
32	GEOTEXTILES FOR SLOPE STABILIZATION (SS)	773	SY	\$ 5.00	\$ 3,865.00	\$ 5.00	\$ 3,865.00	\$ 5.00	\$ 3,865.00
33	GRASSING (DS2)	2750	SY	\$ 3.00	\$ 8,250.00	\$ 1.50	\$ 4,125.00	\$ 2.50	\$ 6,875.00
34	GRASSING (DS3)	2750	SY	\$ 3.00	\$ 8,250.00	\$ 2.50	\$ 6,875.00	\$ 2.75	\$ 7,562.50
35	SOD (DS4)	665	SY	\$ 13.50	\$ 8,977.50	\$ 17.00	\$ 11,305.00	\$ 12.00	\$ 7,980.00
GRAND TOTAL					\$ 367,502.50		\$ 578,659.40		\$ 653,247.50

* TOTAL FOR THIS ITEM ON THE BID SHEET DID NOT EQUAL UNIT PRICE × ESTIMATED QUANTITY. THE TOTAL HAS BEEN CORRECTED BASED ON THE UNIT PRICE PROVIDED.



STAFF ACTION ITEM

MEETING DATE: 05/06/2026

TITLE: *Right-of-Way Quit Claim Deed: Rich Osborne Road – Paulding County, Georgia to City of Dallas, Georgia*

PRESENTED BY: *Brandon Rakestraw – Director*

AGENDA ITEM DESCRIPTION (Agenda Content):

Right-of-Way Quit Claim Deed: Rich Osborne Road – Paulding County, Georgia to City of Dallas, Georgia

HISTORY/PAST ACTION:

N/A

FINANCIAL IMPACT:

N/A

INFORMATION:

Request approval to execute and accept a Quit Claim Deed for Public Right-of-Way of Rich Osborne Road. This will be a public right-of-way transition between Paulding County, Georgia (Grantor) and City of Dallas, Georgia (Grantee)

Attachment: Road Abandonment Quit Claim Deed: For a Portion of Rich Osborne Road

Recording Stamp Here:

Deed Preparation Only-No title Search Performed

**ROAD ABANDONMENT QUIT CLAIM DEED
FOR A PORTION OF RICH OSBORNE ROAD**

**STATE OF GEORGIA
COUNTY OF PAULDING**

Witnesseth that for and in consideration of the sum of One Dollar (\$1.00), in hand paid, and other good and valuable consideration, the undersigned Grantor, **PAULDING COUNTY, GEORGIA**, by and through its Board of Commissioners, a political subdivision of the State of Georgia does hereby abandon unto the said, **CITY OF DALLAS, GEORGIA**, by and through its Mayor and Council, a political subdivision of the State of Georgia, hereinafter referred to as "Grantee," the following prescriptive right-of-way:

Located in Land Lot 161 of the 2nd District & 3rd Section of Paulding County, Georgia, being more particularly described as follows:

SEE ATTACHED EXHIBIT "A" FOR MORE DETAILS

WHEREAS, said right of way was duly abandoned by an affirmative vote of the Board of Commissioners conducted at a public meeting for said political body and by the execution of this Abandonment Deed, the Grantor does hereby quit-claim and abandon to Grantee all of the existing prescriptive right-of-way of the abandoned road bed identified in Exhibit "A".

WHEREAS, said right of way was accepted by an affirmative vote of the City Council conducted at a public meeting for said political body and by the execution of this Abandonment Deed.

TO HAVE AND TO HOLD, the said conveyed premises and any rights Grantor has or may have in and to existing public rights of way are hereby conveyed unto Grantee.

IN WITNESS WHEREOF, the said Grantor has set his hand and seal this ____ day of _____, 2026

PAULDING COUNTY, GEORGIA
Grantor

BY: Michael Estes
Chairman, Paulding County
Board of Commissioners

Witness (SEAL)

Sworn to and subscribed before me
This ____ day of _____, 2026

IN WITNESS WHEREOF, the Grantee hereto have caused these presents to be executed in its name this the ____ day of _____, 2026.

CITY OF DALLAS, GEORGIA
Grantee

BY: James L. Kelly
Mayor, City of Dallas

ATTEST:

TO DO AS FORM:

City Clerk – Tina Clark

Darrin Keaton – City Attorney

This the ____ day of _____, 2026 (SEAL)

“EXHIBIT A”

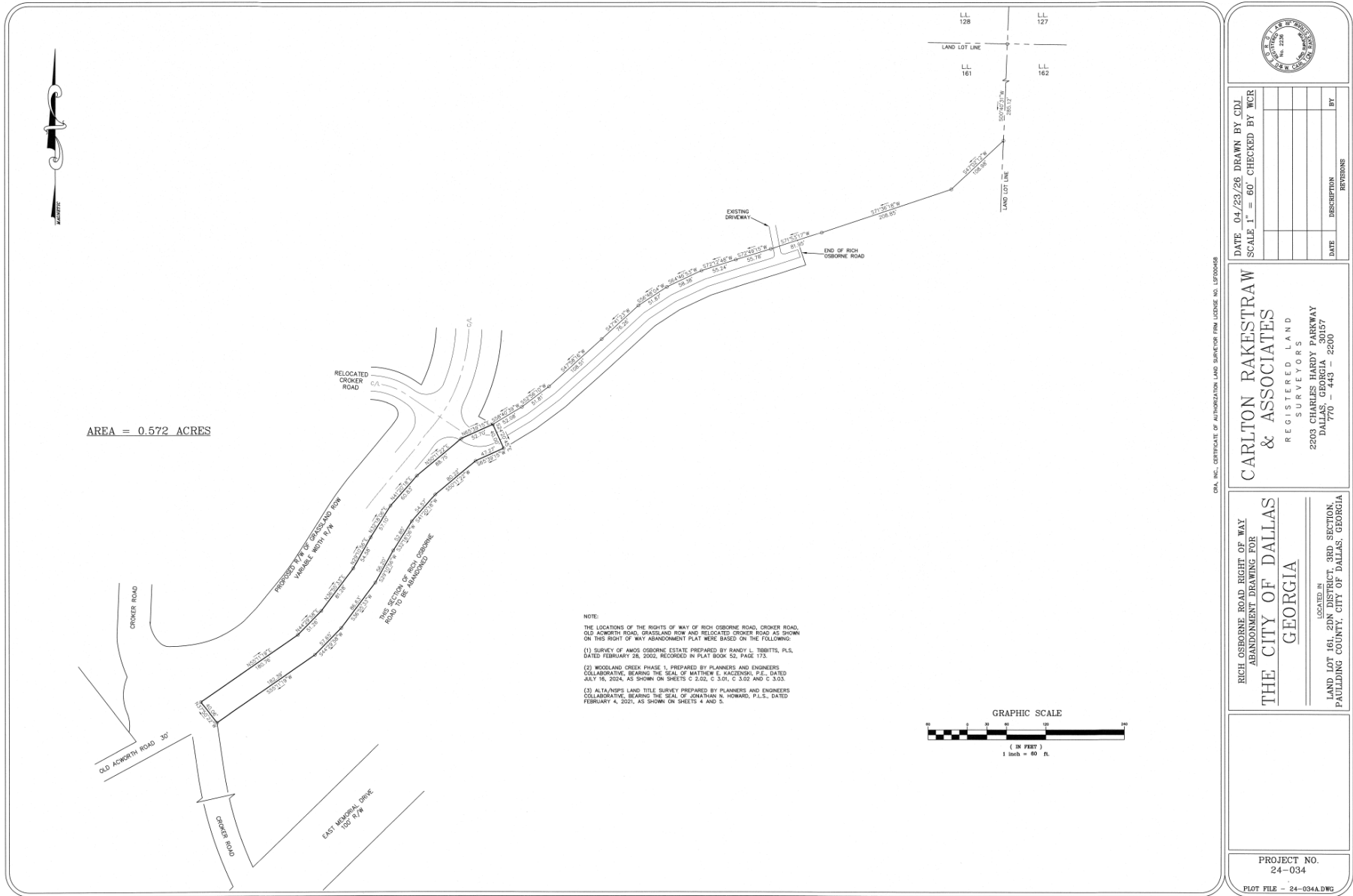
RICH OSBORNE ROAD PARTIAL ABANDONMENT

All that tract or parcel of land lying in Land Lot 161, 2nd District, 3rd Section, Paulding County, Georgia and being more particularly described as follows:

Commencing at a point, said point being a one half inch reinforcing rod found at the corner common to Land Lots 127, 128, 161 and 162; Thence running along the easterly line of Land Lot 161, South 00 degrees 40 minutes 31 seconds West, a distance of 285.12 feet to a one half inch reinforcing rod set; Thence leaving said easterly line of Land Lot 161 and running South 47 degrees 02 minutes 12 seconds West, a distance of 108.98 feet to a point; Thence South 71 degrees 36 minutes 18 seconds West, a distance of 208.85 feet to a point; Thence South 71 degrees 53 minutes 17 seconds West, a distance of 81.95 feet to a point; Thence South 72 degrees 49 minutes 15 seconds West, a distance of 55.78 feet to a point on the northwesterly margin of the right-of-way of Rich Osborne Road (a 40 foot public right-of-way); Thence running along the northwesterly margin of the right-of-way of Rich Osborne Road the following courses and distances: South 72 degrees 12 minutes 48 seconds West, a distance of 55.24 feet to a point; Thence South 64 degrees 46 minutes 53 seconds West, a distance of 58.38 feet to a point; Thence South 56 degrees 48 minutes 04 seconds West, a distance of 51.87 feet to a point; Thence South 47 degrees 41 minutes 23 seconds West, a distance of 76.26 feet to a point; Thence South 47 degrees 58 minutes 16 seconds West, a distance of 108.51 feet to a point; Thence South 52 degrees 56 minutes 10 seconds West, a distance of 51.81 feet to a point; Thence South 58 degrees 40 minutes 39 seconds West, a distance of 52.08 feet to a point and the TRUE POINT OF BEGINNING; The leaving said northwesterly margin of the right-of-way of Rich Osborne Road and crossing over to the southeasterly margin of the right-of-way of Rich Osborne Road, South 24 degrees 20 minutes 45 seconds East, a distance of 40.00 feet to a point; Thence running along said the southeasterly margin of the right-of-way of Rich Osborne Road, South 65 degrees 39 minutes 15 seconds West, a distance of 47.27 feet to a point; Thence South 50 degrees 11 minutes 22 seconds West, a distance of 80.22 feet to a point; Thence South 41 degrees 20 minutes 18 seconds West, a distance of 54.57 feet to a point; Thence South 32 degrees 18 minutes 06 seconds West, a distance of 52.85 feet to a point; Thence South 29 degrees 10 minutes 56 seconds West, a distance of 56.20 feet to a point;

Thence South 36 degrees 55 minutes 33 seconds West, a distance of 86.63 feet to a point; Thence South 44 degrees 29 minutes 58 seconds West, a distance of 57.65 feet to a point; Thence South 55 degrees 11 minutes 19 seconds West, a distance of 182.39 feet to a point on the easterly margin of the right-of-way of Croker Road (a 40 foot public right-of-way); Thence running along said easterly margin of the right-of-way of Croker Road, North 37 degrees 50 minutes 22 seconds West, a distance of 40.06 feet to a point on the northwesterly margin of the right-of-way of Rich Osborne Road; Thence running along the northwesterly margin of the right-of-way of Rich Osborne Road the following courses and distances: North 55 degrees 11 minutes 19 seconds East, a distance of 180.76 feet to a point; Thence North 44 degrees 29 minutes 58 seconds East, a distance of 51.26 feet to a point; Thence North 36 degrees 55 minutes 33 seconds East, a distance of 81.28 feet to a point; Thence North 29 degrees 10 minutes 56 seconds East, a distance of 54.58 feet to a point; Thence North 32 degrees 18 minutes 06 seconds East, a distance of 57.10 feet to a point; Thence North 41 degrees 20 minutes 18 seconds East, a distance of 60.83 feet to a point; Thence North 50 degrees 11 minutes 22 seconds East, a distance of 88.75 feet to a point; Thence North 65 degrees 39 minutes 15 seconds East, a distance of 52.70 to a point and the TRUE POINT OF BEGINNING.

Said tract or parcel of land containing 0.572 Acres.





STAFF REPORT

MEETING DATE: 5/4/2026

PRESENTED BY:

Darrin Keaton

AGENDA ITEM DESCRIPTION (Agenda Content):

RESOLUTION 2026-12 TAN Approval

REPORT/INFORMATION:

Resolution approving the TAN for the City in the amount of up to \$1,000,000 to be paid off Dec 31 2026.

RESOLUTION

RES 2026 - 12

RESOLUTION AUTHORIZING, AMONG OTHER THINGS, THE ISSUANCE AND SALE OF A TAX ANTICIPATION NOTE IN THE PRINCIPAL AMOUNT OF \$1,000,000

WHEREAS, the City of Dallas, Georgia (the “Issuer”) is a municipal corporation duly created and validly existing under the Constitution and laws of the State of Georgia, and the Mayor and Council of the Issuer is the governing body (the “Governing Body”) of the Issuer; and

WHEREAS, the Governing Body has determined that it is in the best interest of the Issuer to borrow money to pay current expenses for calendar year 2026 in anticipation of the receipt of taxes levied or to be levied for the Issuer’s general fund (the “General Fund”); and

WHEREAS, the Issuer is authorized by Article IX, Section V, Paragraph V of the Constitution of the State of Georgia and Section 36-80-2 of the Official Code of Georgia Annotated, to borrow money to pay current expenses during any calendar year and to evidence such loan by issuing a tax anticipation note in anticipation of the receipt of taxes levied or to be levied for the General Fund for expenses payable in such calendar year; and

WHEREAS, the Issuer proposes to issue a tax anticipation note to pay the current expenses of the Issuer; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Issuer and it is hereby resolved by authority of the same, as follows:

1. Findings. The Governing Body hereby finds and determines as follows: (a) there are no other temporary loans or other contracts, notes, warrants or obligations for current expenses which have been authorized or issued by the Issuer in calendar year 2026; (b) the principal amount of the tax anticipation note herein authorized does not exceed 75% of the total gross income from taxes collected by the Issuer in calendar year 2025 for the General Fund; (c) the tax anticipation note herein authorized, together with other contracts, notes, warrants or obligations of the Issuer for current expenses in calendar year 2026 for the General Fund do not exceed the total anticipated tax revenues of the Issuer for the General Fund for calendar year 2026; (d) no temporary loan or other contract, note, warrant or other obligation for current expenses incurred in calendar year 2025 or any prior calendar year remains unpaid as of the date hereof; and (e) a need exists for the Issuer to borrow up to \$1,000,000 to pay current expenses of the Issuer in calendar year 2026 prior to the receipt of sufficient revenues from taxes levied or to be levied for the General Fund for 2026.

2. Authorization of Note. There is hereby authorized to be issued a tax anticipation note of the Issuer in the principal amount of up to \$1,000,000 which shall be designated “City of Dallas, Georgia Tax Anticipation Note, 2026” (the “Note”). The Note shall be dated as of the date of delivery thereof to the purchaser; shall bear interest at the tax-exempt rate of 3.51% per annum, calculated on the basis of a 360-day year (comprised of twelve 30-day months); shall be payable as to principal and interest by wire transfer upon surrender of the Note to the person who is the registered owner on December 15, 2026 and shall be payable as to principal and interest in lawful money of the United States of America; shall be numbered R-1; and shall mature and interest shall be payable on December 30, 2026. The Note shall be issued in the form of a fully registered note. The Note shall be executed by the manual or facsimile signature of the Mayor of the Issuer and by the manual or facsimile signature of the Clerk or the Clerk of

the Governing Body, and the corporate seal of the Issuer shall be impressed or imprinted thereon. In case any officer whose signature shall be affixed to the Note or who shall have sealed the Note shall cease to be such officer before the Note so signed and sealed shall have been actually delivered, the Note, nevertheless, shall be a valid Note of the Issuer and may be delivered as such notwithstanding the fact that such officer or officers may have ceased to be such officer or officers of the Issuer when the Note shall be actually delivered.

3. Approval of Form of Note. The Note as initially issued shall be issued in substantially the form attached hereto as Exhibit 1 with such changes, insertions or omissions as may be approved by the Mayor of the Issuer, and the execution and delivery of the Note shall be conclusive evidence of such approval.

4. Designation of Paying Agent. The Clerk of the Issuer will act as Paying Agent, Note Registrar and Authenticating Agent with respect to the Note.

5. Tax Revenues Used to Repay Note. The Issuer agrees to use for payment of the Note and the interest thereon a sufficient portion of the revenues received by the Issuer from taxes levied or to be levied for calendar year 2026 for the General Fund and other funds available for such purpose. The indebtedness to be evidenced by the Note is a general obligation of the Issuer, and the full faith and credit of the Issuer are hereby pledged to secure the payment of the principal of and interest on the Note.

6. Authentication of Note. Only such Note as shall have endorsed thereon a certificate of authentication substantially in the form hereinabove set forth duly executed by the Note Registrar shall be deemed to be validly issued hereunder. No Note shall be valid or obligatory for any purpose unless and until such certificate of authentication shall have been executed by the Note Registrar, and such executed certificate of the Note Registrar upon any such Note shall be conclusive evidence that such Note has been authenticated and delivered hereunder. Said certificate of authentication on any Note shall be deemed to have been executed by the Note Registrar if signed by an authorized officer or signatory of the Note Registrar.

7. Transfer and Exchange of Note. The Note Registrar shall cause to be kept books for the registration of transfer of the Note. The Note may be registered as transferred on the books of registration by the registered owner thereof in person or by his duly authorized attorney, upon surrender thereof, together with a written instrument of transfer executed by the owner or his duly authorized attorney. Upon surrender for registration of transfer of the Note at the principal corporate office of the Note Registrar, the Issuer shall execute, and the Note Registrar shall authenticate and deliver in the name of the transferee, a new Note, numbered consecutively in order of issuance according to the records of the Note Registrar.

Such transfers of registration or exchanges of the Note shall be without charge to the owner of such Note, but any tax or other governmental charge, required to be paid with respect to the same shall be paid by the owner of the Note requesting such transfer or exchange as a condition precedent to the exercise of such privilege.

A Note surrendered upon any transfer provided for in this resolution shall be promptly cancelled by the Note Registrar and shall not be reissued.

8. Registered Owner. The person in whose name the Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of either principal or interest shall be made only to or upon the order of the registered owner thereof or his duly authorized attorney, but such registration may be changed as hereinabove provided. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

9. Mutilated or Destroyed Note. In case the Note shall become mutilated or be destroyed or lost, the Issuer, may cause to be executed, authenticated and delivered a new Note of like date and tenor in exchange or substitution for such Note upon, in the

case of a mutilated Note, surrender of such Note, or in the case of destroyed or lost Note, the owner filing with the Issuer, the Paying Agent and the Note Registrar evidence satisfactory to them that such Note was destroyed or lost and providing indemnity satisfactory to them. If the Note shall have matured, instead of issuing a new Note, the Issuer may pay the same.

10. Prepayment. The Note may not be prepaid prior to maturity.

11. Tax Covenants and Representations. The Note is being issued by the Issuer in compliance with the conditions necessary for the interest income on the Note to be excludable from gross income for federal income taxation pursuant to the provisions of Section 103(a) of the Internal Revenue Code of 1986, as amended (the “Code”). It is the intention of the Issuer that the interest on the Note be and remain excludable from gross income for federal income tax purposes, and, to that end, the Issuer hereby covenants with the holders of the Note, as follows:

(a) It will not take any action, or fail to take any action, if any such action or failure to take action would adversely affect the tax-exempt status of the interest on the Note under Section 103 of the Code.

(b) It will not directly or indirectly use or permit the use of any proceeds of the Note or any other funds of the issuer or take or omit to take any action in a way that would cause the Note to be (i) a “private activity bond” within the meaning of Section 141 of the Code, (ii) an obligation which is “federally guaranteed” within the meaning of Section 149 of the Code or (iii) a “hedge bond” within the meaning of Section 149 of the Code. Without limiting the foregoing, the Issuer will not allow 10% or more of the proceeds of the Note to be used in the trade or business of any private business and will not loan 5% or more of the proceeds of the Note to any nongovernmental units.

(c) It will not directly or indirectly use or permit the use of any proceeds of the Note or any other funds of the Issuer or take or omit to take any action that would cause the Note to be “arbitrage bonds” within the meaning of Section 148 of the Code. To that end, the Issuer will comply with all requirements of Section 148 of the Code to the extent applicable to the Note.

12. Approval of Tax Documents. The Mayor of the Issuer is hereby authorized to execute, on behalf of the Issuer a Tax and Non-Arbitrage Certificate to assure the owner of the Note and Pope Flynn, LLC, Note Counsel, that the interest on the Note will remain excludable from gross income for federal income tax purposes and that the proceeds of the Note will not be used in a manner which would result in the Note being “arbitrage bonds” within the meaning of Section 148 of the Code.

13. Bank Eligibility Designation. The Issuer hereby designates the Note as a “qualified tax-exempt obligation” for purposes of Section 265(b)(3) of the Code and covenants that not more than \$10,000,000 in aggregate principal amount of obligations the interest on which is excludable from gross income for federal income tax purposes (excluding, however, private activity bonds, as defined in Section 141 of the Code, other than qualified 501(c)(3) bonds, as defined in Section 145 of the Code), including the Note, have been or shall be issued by the Issuer, including all subordinate entities of the Issuer and all entities that issue obligations on behalf of the Issuer, during the calendar year 2026.

14. General Authority. From and after the date of adoption of this resolution, any member of the Governing Body and the officers of the Issuer are hereby authorized to do such acts and things, and to execute and deliver all such certificates or agreements as may be necessary or desirable in connection with the issuance of the Note. Without limiting the foregoing, the Mayor Pro Tem of the Governing Body is authorized to execute any and all documents on behalf of the Mayor of the Issuer. All actions of the Governing Body, officers or agents of the Issuer taken in connection therewith prior to the date hereof are hereby ratified and confirmed.

15. Sale of Note. The Note shall be sold to Regions Equipment Finance Corporation.

16. Effective Date. This resolution shall be in full force and effect immediately upon its adoption, and any and all resolutions or parts of resolutions in conflict with this resolution shall be, and they are, to the extent of such conflict, hereby repealed.

SO RESOLVED this ____ day of _____, 2026.

L. James Kelly, Mayor

James Henson, Councilmember

Christopher B. Carter, Councilmember

Nancy R. Arnold, Councilmember

Leah Alls, Councilmember

Cooper Cochran, Councilmember

Candace Callaway, Councilmember

Attest: _____
Tina Clark, City Clerk

EXHIBIT 1

FORM OF NOTE

UNITED STATES OF AMERICA

STATE OF GEORGIA

CITY OF DALLAS, GEORGIA
TAX ANTICIPATION NOTE
2026

Number R-1

Maturity Date:

December 30, 2026
2026

Date of Original Issue:

Principal Amount: \$1,000,000

Registered Owner: Regions Equipment Finance Corporation

KNOW ALL MEN BY THESE PRESENTS: CITY OF DALLAS, GEORGIA, a municipal corporation of the State of Georgia (the “Issuer”), for value received hereby promises to pay the principal amount set forth above, in immediately available funds, on the maturity date set forth above, to the registered owner hereof.

This Note shall bear interest at 3.51% per annum. Interest on this Note shall be calculated on the basis of a 360-day year (comprised of twelve 30-day months) and shall be paid, in immediately available funds, on the maturity date set forth above, to the person who is the registered owner hereof as of December 15, 2026. A late fee of five percent (5%) of the total principal and interest due at maturity will be due if payment of such principal and interest is not made with ten (10) days of the due date of this Note.

Upon the occurrence of a Determination of Taxability (as defined below), then, from and after the Date of Taxability, the interest rate used to calculate interest on this Note, shall be the Taxable Rate (as defined below). After a Determination of Taxability and upon demand of the Registered Owner, the Issuer shall pay to Registered Owner such additional amount as shall be necessary to provide, together with interest received at the Stated Rate, an equivalent amount as if the interest shall have been payable at the Taxable Rate from the Date of Taxability.

The following terms shall have the following meanings in this Note unless the context otherwise requires:

“Date of Taxability” shall mean the earliest date as of which the interest on this Note shall have been determined to be includable in the gross income of the Registered Owner as a result of a Determination of Taxability.

“Determination of Taxability” shall mean and shall be deemed to have occurred on the first to occur of the following:

- (a) on that date when the Issuer files any statement, supplemental statement or other tax schedule, return or document which discloses that an Event of Taxability shall have in fact occurred;

(b) on the date when (i) the Issuer shall be advised in writing by the Commissioner or any District Director of Internal Revenue (or any other government official or agent exercising the same or a substantially similar function from time to time) that, based upon filings of the Issuer, or upon any review or audit of the Issuer or upon any other ground whatsoever, an Event of Taxability shall have occurred (ii) a court of competent jurisdiction, has determined an Event of Taxability shall have occurred or (iii) bond counsel acceptable to Registered Owner has determined an Event of Taxability shall have occurred; and

(c) on that date when the Issuer shall receive notice from the Registered Owner that the Internal Revenue Service (or any other government official or agency exercising the same or a substantially similar function from time to time) has assessed as includable in the gross income of Registered Owner the interest on this Note paid to Registered Owner due to the occurrence of an Event of Taxability;

provided, however, that no Determination of Taxability shall occur under clauses (b) or (c) above in the definition of Determination of Taxability unless the Issuer has been afforded the opportunity, at its expense, to contest any such assessment within 3 months of such Determination of Taxability; and provided further that no Determination of Taxability shall occur until such contest, if made, has been finally determined; and provided further that upon demand from Registered Owner, the Issuer shall immediately reimburse Registered Owner for any payments Registered Owner shall be obligated to make as a result of the Determination of Taxability during any such contest.

“Event of Taxability” means the taking of any action by the Issuer, or the failure to take any action by the Issuer, or the making by the Issuer of any misrepresentation herein or in any certificate required to be given in connection with the issuance, sale or delivery of this Note, which has the effect of causing interest paid or payable under this Note to become includable, in whole or in part, in the gross income of the owner or any prior owner for federal income tax purposes.

“Stated Rate” shall mean a fixed rate of interest per annum equal to 3.51%.

“Taxable Rate” shall mean _____.

Both principal hereof and interest hereon are payable in lawful money of the United States of America by the method and at the address specified for such purpose by the registered owner of this Note in writing to the Mayor, City of Dallas, Georgia, 129 East Memorial Drive, Dallas, Georgia 30132, without the presentation or surrender of this Note, except that upon the request of the Issuer, the registered owner of this Note shall surrender this Note for cancellation, promptly after any such request, to the Issuer.

This Note is authorized by a resolution (the “Resolution”) duly adopted by the Mayor and Council of the City of Dallas, the governing body (the “Governing Body”) of the Issuer, on April __, 2026, in accordance with Article IX, Section V, Paragraph V of the Constitution of the State of Georgia and Section 36-80-2 of the Official Code of Georgia Annotated, for the purpose of making a temporary loan to pay current expenses of the Issuer in calendar year 2026.

This Note is issued in anticipation of the receipt of taxes levied or to be levied for the General Fund in calendar year 2026. The principal amount of this Note together with all other temporary loans, notes, warrants or similar obligations does not exceed 75% of the total revenues from taxes collected for the General Fund by the Issuer in calendar year 2025 and does not exceed, together with other contracts, notes, warrants and obligations of the Issuer for calendar year 2026 payable from the General Fund, the total anticipated revenues from taxes of the Issuer for the General Fund for calendar year 2026.

This Note may be registered as transferred by the registered owner hereof in person or by the owner’s attorney duly authorized in writing, but only in the manner,

subject to the limitations specified in the Resolution, and upon surrender and cancellation of this Note. Upon such registration of transfer, a new note will be issued to the transferee in exchange thereof.

No service charge shall be made for any registration of transfer hereinabove referred to, but the Paying Agent may require payment of a sum sufficient to cover any tax or other governmental charge as a condition precedent to the exercise of such privilege.

The person in whose name this Note is registered shall be deemed and regarded as the absolute owner hereof for all purposes, and payment of or on account of either principal or interest made to such registered owner shall be valid and effectual to satisfy and discharge the liability upon this Note to the extent of the sum or sums so paid.

This Note may not be prepaid prior to maturity.

The indebtedness evidenced by this Note is a general obligation of the Issuer, and the full faith and credit of the Issuer have been and are irrevocably pledged to secure the payment of the principal of and interest on this Note.

It is hereby certified, recited and declared that all acts, conditions and things required by the Constitution and laws of the State of Georgia to be done precedent to or as a condition to the issuance of this Note have been properly done, have happened and have been performed in the manner required by the Constitution and laws of the State of Georgia; that the tax levies in anticipation of which this Note is issued are or would be valid and legal levies; that the Issuer will use a sufficient amount of the proceeds of such tax levies and other available funds for the payment of this Note and the interest hereon; and that this Note, together with all other indebtedness of the Issuer, is within every debt or other limit provided by the Constitutional laws of the State of Georgia.

The Issuer has designated this Note as a “qualified tax-exempt obligation” for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

All capitalized terms used but not defined herein shall have the meanings assigned to them in the Resolution.

IN WITNESS WHEREOF, the Issuer acting by and through its Governing Body, has caused this Note to be executed in its corporate name by the manual signature of the Mayor, and attested by the manual signature of the Clerk and the corporate seal of the Issuer to be impressed or imprinted hereon, all as of the date of original issue as shown above.

CITY OF DALLAS, GEORGIA

By: _____
Mayor

(SEAL)

Attest:

Clerk

CERTIFICATE OF AUTHENTICATION

This is the Note described in the within mentioned authorizing resolution of the Mayor and Council of the City of Dallas, Georgia adopted April ____, 2026, and is hereby authenticated as of the date of its execution as stated in the Note.

CLERK OF CITY OF DALLAS, GEORGIA,
as Note Registrar

By:_____
Clerk

Date of Authentication: _____, 2026

* * * * *

ASSIGNMENT FOR TRANSFER

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto

PLEASE INSERT SOCIAL SECURITY
OR OTHER IDENTIFYING NUMBER
OF ASSIGNEE

the within Note of City of Dallas, Georgia and does hereby constitute and appoint _____ attorney to transfer the said Note on the books of the Note Registrar, with full power of substitution in the premise.

Date:

In the presence of:

Noteholder

NOTICE: The signature to this Assignment must correspond with the name as it appears upon the face of the within bond in every particular, without alteration or enlargement or any change whatever.

* * * * *

CLERK'S CERTIFICATE

The undersigned does hereby certify that the foregoing pages of typewritten matter constitute a true and correct copy of a resolution pertaining to the City of Dallas, Georgia Tax Anticipation Note, 2026 in the principal amount of \$1,000,000, which resolution was duly adopted at a meeting of the Mayor and Council (the "Governing Body") of the Issuer which was duly called and assembled on April ___, 2026, and at which a quorum was present and acting throughout and that the original of said resolution appears of record in the minute book of the Governing Body which is in my custody and control, and that said resolution has not been amended, repealed, revoked or rescinded as of the date hereof.

Given under my hand and the seal of the Governing Body of the Issuer, this ____ day of April, 2026.

Clerk

(SEAL)



STAFF REPORT

MEETING DATE: 5/4/2026

PRESENTED BY:

Darrin Keaton

AGENDA ITEM DESCRIPTION (Agenda Content):

RESOLUTION 2026-14 Police Department PSN purchase

REPORT/INFORMATION:

Resolution approving the acceptance of a microgrant and for the purchase of equipment at approximately \$32,000 and approving the Police Department finding of sole-source.

BRIAN P. KEMP
GOVERNOR



JAY NEAL
DIRECTOR

March 27, 2026

Assistant Chief Steve Kish
Dallas Police Department
129 E Memorial Dr
Dallas, GA 30132

Dear Asst. Chief Kish:

The Criminal Justice Coordinating Council, on behalf of the United States Attorney's Office, Northern District of Georgia (USAO-NDGA), would like to thank you for your application in response to the Project Safe Neighborhoods (PSN): **Project Safe Neighborhoods Gun Violence Reduction Equipment Grant Program**.

We are pleased to announce that after careful consideration your application was selected for funding by the PSN Selection Committee. The NDGA United States Attorney's Office has made it a priority to provide local law enforcement with the resources needed to better serve their communities. At the Criminal Justice Coordinating Council (CJCC), we are pleased to be a part of this effort and look forward to working with you. By providing your agency with crucial funds to expand your community engagement efforts, we can improve public safety and positively change lives of Georgians in the process.

The approval process is multi-level and includes seeking approval from the Bureau of Justice Assistance prior to issuing awards. Once final approval has been obtained, CJCC will provide you with the grant packet for completion. Please be advised that you should not begin any services or make any purchases related to this grant before having your award packet completed and submitted back to CJCC.

Please feel free to contact Planning and Policy Development Specialist, Muretta Moss, at Muretta.Moss@cjcc.ga.gov should you have any questions or concerns. Thank you for your patience through this process as well as your service to the State of Georgia.

Sincerely,

Mia Smith
Program Director

January, 2026

To Whom It May Concern,

SELEX-ES/ELSAG ALPR Systems is uniquely positioned in the state of Georgia as well as the country to provide the very best in law enforcement LPR solutions. Partnered with our local distributors, Madden & Associates, to provide the highest level of local and remote tech support.

ELSAG ALPR Systems is the sole LPR provider for the growing National HIDTA LPR Network. This is a LE ONLY LPR network not owned by a private company, therefore there is no worry about sensitive LE information being compromised on a private company's server. The National HIDTA LPR Network is the only LPR network with not only the NCIC and GCIC hot lists, but the DEA Cat 4 and HIDTA BOLO lists. Naturally, local agencies can add their local hot lists as well. There are NO ongoing user fees or user licenses on the HIDTA LPR Network, unlike our competitors who house data on private company servers.

ELSAG ALPR Systems proudly manufacturers all of its LPR systems in Greensboro, NC and we welcome our friends in law enforcement to come tour the facility. Our Tech Support and software development is also done in the U.S., so no offshore phone calls to the help desk with ELSAG.

Georgia is a great state for our business with Madden & Associates leading the way with customers like Georgia State Patrol and their 80+ mobile units, 60+ fixed cameras on the major highways in and out of the state. There are many, many more city and county agencies in Georgia all sharing LE LPR data on the HIDTA LPR Network. What this means for the local agency is that investigations can be queried in and around your local area of operation. The high-end EOC analytics provides a world class granular investigation tool, user interface, hot list management, and alerting structure. All while being CJIS compliant.

Please be advised that T.J. Madden & Associates of Buford, Georgia is the sole representative group for SELEX-ES Inc.'s ELSAG ALPR Systems in the states of North Carolina, South Carolina, Georgia, Alabama Mississippi and Tennessee. Furthermore, ELSAG ALPR Systems are the only ALPR technology systems that connects to the HIDTA ALPR Network.

Please let me know if you have any questions.

Kindest Regards,



Craig Duncan
Sr. Field Operations Manager - Southeast
SELEX-ES, Inc.
ELSAG ALPR Systems
(910)986-0596
Craig.Duncan@ELSAGNA.com

Selex ES Inc., a Leonardo Company

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Greensboro, NC 27410 USA
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5724
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7 Sutton Place
Brewster, NY 10509 USA
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info@leonardocompany-us.com



Project Safe Neighborhoods (PSN) Procurement Form

Subrecipient Name:

Dallas (GA) Police Department

Subaward Number:

NPSN-26-004

Procurement Description:

Sole Source Product

Vendor Name:

Leonardo

Total Cost:

\$32,070

Procurement Method (Select One):

- ☐ - Micro-Purchase
- ☐ - Small Purchase
- ☐ - Sealed Bids
- ☐ - Competitive Proposals
- ☒ - Sole Source / Noncompetitive

Procurement Method Rationale:

Vendor is a sole source product attached to National HIDTA (High Intensity Drug Trafficking Areas) LPR Network, DEA Cat 4 and HIDTA BOLO lists. Equipment is owned by the purchasing agency, as opposed to annual fees and licenses required by other providers. Data is stored on a law enforcement only network.

Competition Summary

Number of quotes/bids received: _____

Vendors contacted: _____

Basis for selection (check one):

☐ Lowest price ☐ Best value ☐ Technical qualification ☒ Sole source

Sole Source Justification (if applicable)

If applicable, explain why no competition was possible:

ELSAG ALPR Systems is the sole LPR provider for the growing National HIDTA LPR Network. This is a LE ONLY LPR network not owned by a private company, therefore there is no worry about sensitive LE information being compromised on a private company's server. The National HIDTA LPR Network is the only LPR network with not only the NCIC and GCIC hot lists, but the DEA Cat 4 and HIDTA BOLO lists. Naturally, local agencies can add their local hot lists as well. There are NO ongoing user fees or user licenses on the HIDTA LPR Network, unlike our competitors who house data on private company servers.

Certification

I certify this procurement complies with 2 CFR Part 200 and all applicable PSN requirements.

Name: Steve Kish

Title: Assistant Chief

Signature: 

Date: 04 / 22 / 26

Quote Number 00002566 Expiration Date 5/31/2026
 Prepared By Aaron Beach Email abeach@tjmadden.com

Bill To Name Dallas Police Dept Ship To Name Dallas Police Dept
 Bill To 120 Main St Ship To 120 Main St
 Dallas, GA 30132-4271 Dallas, GA 30132
 USA USA

Quantity	Manufacturer	Product	Product Description	Line Item Description	Price	Total Price
3.00	Elsag	140718	Street Sentry North HDWE ONLY	Street Sentry Hardware Only Purchase - North	\$6,500.00	\$19,500.00
3.00	Elsag	510521	SS VPH Perpetual Camera License	VPH License Street Sentry Perpetual	\$900.00	\$2,700.00
3.00	Elsag	422072	Pole Mount Kit - SS 4 1/2"	Pole & Mount Kit - SS 4 1/2"	\$1,630.00	\$4,890.00
3.00	Elsag	422058	Street Sentry Conduit Kit 1/2"	Street Sentry Conduit Kit 1/2"	\$470.00	\$1,410.00
3.00	Elsag	210005-H	Engineering Hour - Helpdesk	Engineering Hour - Helpdesk	\$190.00	\$570.00
2.00	Elsag	210003-SS	Street Sentry Installation	Installation	\$1,500.00	\$3,000.00

Total Price \$32,070.00
 Grand Total \$32,070.00

RESOLUTION

RES 2026 - 14

A RESOLUTION ACCEPTING THE PROJECT SAFE NEIGHBORHOODS GRANT FOR THE DALLAS POLICE DEPARTMENT; AUTHORIZING SOLE SOURCE PROCUREMENT OF ELSAG STREET SENTRY EQUIPMENT; AND FOR OTHER PURPOSES.

WHEREAS, the Dallas Police Department, through Chief Duvall and Assistant Chief Steve Kish, applied for and was awarded funding under the Project Safe Neighborhoods Gun Violence Reduction Equipment Grant Program, Subaward No. NPSN-26-004; and

WHEREAS, the grant funding is to be used for the acquisition of ELSAG Street Sentry fixed camera equipment, licenses, mounts, installation, and related support, as reflected in the vendor quote in the amount of \$32,070.00; and

WHEREAS, the City Council has been presented with procurement documentation identifying the proposed purchase as a sole source procurement on the grounds that ELSAG ALPR Systems is the only ALPR technology that connects to the National HIDTA LPR Network and provides access to the associated law-enforcement-only network features identified in the supporting materials; and

WHEREAS, the procurement findings, representations, and certifications supporting the sole source determination have been made by the Dallas Police Department, including Chief Duvall and Assistant Chief Steve Kish, and the City Council relies upon those departmental findings for purposes of this Resolution; and

WHEREAS, based upon the documentation submitted by the Dallas Police Department, the City Council finds that the proposed purchase satisfies the stated sole source procurement basis and that competitive bidding or the obtaining of competitive quotes is not required for this purchase.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Dallas, Georgia, as follows:

1. The Project Safe Neighborhoods grant for the Dallas Police Department is hereby accepted.
2. The purchase of the ELSAG Street Sentry equipment and related items from the identified vendor, in an amount not to exceed \$32,070.00, is hereby approved and authorized.
3. The Mayor, City Manager, Police Chief, and such other appropriate City officials are authorized to execute such documents and take such actions as may be necessary to carry out the intent of this Resolution and complete the approved purchase.
4. The City Council expressly finds, based upon the procurement documentation and departmental certifications submitted by the Dallas Police Department, that this purchase qualifies as a sole source procurement and that competitive bids or quotes are not required.

5. All findings relating to the technical, operational, and procurement justifications for the sole source determination are those of the Dallas Police Department, including Chief Duvall and Assistant Chief Steve Kish, as reflected in the materials submitted to the City.

SO RESOLVED this _____ day of _____, 2026.

L. James Kelly, Mayor

James Henson, Councilmember

Christopher B. Carter, Councilmember

Nancy R. Arnold, Councilmember

Leah Alls, Councilmember

Cooper Cochran, Councilmember

Candace Callaway, Councilmember

Attest: _____
Tina Clark, City Clerk



STAFF REPORT

MEETING DATE: 5/4/2026

PRESENTED BY:

Darrin Keaton

AGENDA ITEM DESCRIPTION (Agenda Content):

Charter Amendment CA-2026-01 Charter Amendment regarding purchasing

REPORT/INFORMATION:

Amendment to the City Charter as a part of the overhaul of the Purchasing and Procurement of the City of Dallas.

CHARTER AMENDMENT ORDINANCE

CA-2026-01

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DALLAS, GEORGIA, TO AMEND THE CHARTER OF THE CITY OF DALLAS, GEORGIA, RELATING TO PROCUREMENT AND CONTRACT MANAGEMENT AUTHORITY; TO AMEND SECTION 3.10 REGARDING CITY MANAGER ADMINISTRATIVE RESPONSIBILITY AND CONTRACT EXECUTION AUTHORITY; TO AMEND SECTION 6.26 REGARDING CONTRACTING PROCEDURES AND APPROVAL THRESHOLDS; TO AMEND SECTION 6.27 TO MANDATE CENTRALIZED PURCHASING PROCEDURES; TO ALIGN CHARTER PROVISIONS WITH MODERNIZED PROCUREMENT PRACTICES AND CONTEMPORARY PURCHASING THRESHOLDS; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING CHARTER PROVISIONS; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, the Mayor and Council of the City of Dallas, Georgia, are authorized pursuant to Article IX, Section II, Paragraph II of the Constitution of the State of Georgia and O.C.G.A. § 36-35-3 to amend the City Charter by ordinance duly adopted at two regular consecutive meetings of the governing authority; and

WHEREAS, the existing Charter provisions governing City Manager contract authority and contracting procedures contain inconsistent dollar thresholds that create operational confusion and limit efficient procurement; and

WHEREAS, Section 3.10(b) of the Charter currently requires City Council approval for contracts exceeding Ten Thousand Dollars (\$10,000), while Section 6.26 requires Council approval for contracts exceeding Two Thousand Five Hundred Dollars (\$2,500), creating direct conflict; and

WHEREAS, these outdated thresholds have not been adjusted for inflation or modern procurement practices and are inconsistent with contemporary municipal purchasing standards; and

WHEREAS, the City Council has adopted comprehensive procurement procedures by ordinance that establish purchasing thresholds, approval authority, and competitive procurement requirements; and

WHEREAS, alignment of Charter provisions with the City's procurement ordinance will eliminate conflicts, promote efficient administration, and ensure proper fiscal controls; and

WHEREAS, the proposed amendments establish clear Council approval thresholds at One Hundred Thousand Dollars (\$100,000) for annual contract value and for multi-year contracts, while maintaining appropriate legal review and financial oversight; and

42 **WHEREAS**, the Mayor and Council find that these Charter amendments serve the
43 public interest and promote responsible stewardship of taxpayer resources;
44

45 **NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF**
46 **THE CITY OF DALLAS, GEORGIA:**
47

48 **SECTION I – AMENDMENT TO SECTION 3.10 OF THE CITY CHARTER.**
49

50 Section 3.10 of the Charter of the City of Dallas, Georgia, is amended by deleting said
51 section in its entirety and substituting in lieu thereof a new Section 3.10 to read as
52 follows:

53 "Sec. 3.10. Administrative responsibility; powers.

54 (a) Except as otherwise provided in this Charter, all administrative functions shall be
55 vested in the City Manager. The Mayor and City Council shall deal solely through the
56 City Manager with the administrative services, and the departments, agencies, and
57 functions committed to him or her by this Charter, and no orders shall be given by the
58 Mayor or City Council members to any subordinates of the City Manager either
59 publicly or privately or directly or indirectly.

60 (b) The City Manager is authorized and empowered to make and execute contracts
61 within the scope of his or her duties as defined by this Charter and applicable
62 ordinances; provided, however, that any contract must be approved by the Mayor and
63 City Council in the following circumstances:

64 (1) Any purchase or contract with an annual value of one hundred thousand
65 dollars (\$100,000) or more;

66 (2) Any contract exceeding one fiscal year in duration, including all renewal
67 options and extensions, regardless of annual value; provided, however, that
68 contracts with an aggregate total value under twenty-five thousand dollars
69 (\$25,000) and a duration under thirty-six (36) months are excluded from this
70 multi-year requirement; and

71 (3) Any other contract designated by the City Manager or City Council as
72 requiring Council approval due to policy significance, public interest, or unusual
73 risk profile.

74 (c) Employment contracts for City employees appointed by the Mayor and City Council
75 are exempt from subsection (b) and shall be governed by applicable personnel policies
76 and Charter provisions.

77 (d) All disbursements of the City exceeding \$25,000 shall require dual signatures by the
78 City Manager and either the Mayor or Finance Director. The City Council may establish
79 by ordinance additional dual signature requirements, authorization procedures, and
80 financial controls for disbursements."
81

82 **SECTION II - AMENDMENT TO SECTION 6.26 OF THE CITY CHARTER.**

Section 6.26 of the Charter of the City of Dallas, Georgia, is amended by deleting said section in its entirety and substituting in lieu thereof a new Section 6.26 to read as follows:

"Sec. 6.26. Contracting procedures.

(a) No contract with the City of Dallas shall be binding upon the City unless executed in accordance with this Charter, applicable ordinances, and the following requirements:

(1) All contracts requiring City Council approval under Section 3.10(b) of this Charter must be authorized by the City Council by resolution or ordinance and such approval must be entered in the City Council minutes;

(2) All formal written contracts must be reviewed by the City Attorney as to form and legal sufficiency prior to execution;

(3) The Finance Director must certify that adequate funds are legally available and properly appropriated prior to execution of any contract or purchase order; and

(4) All contracts must be executed by the City Manager or such other official as authorized by this Charter or by ordinance.

(b) Formal written contracts are required for:

(1) All purchases of goods or services valued at fifty thousand dollars (\$50,000) or more;

(2) All construction contracts regardless of amount;

(3) All professional services contracts regardless of amount;

(4) All contracts exceeding one fiscal year in duration regardless of amount; and

(5) Any purchase requiring insurance, bonding, indemnification, warranty, or other risk-allocation provisions.

(c) Purchases not meeting the criteria in subsection (b) may be executed by purchase order on forms approved by the City Manager, subject to procurement procedures established by ordinance."

SECTION III - AMENDMENT TO SECTION 6.27 OF THE CITY CHARTER.

Section 6.27 of the Charter of the City of Dallas, Georgia, is amended by deleting said section in its entirety and substituting in lieu thereof a new Section 6.27 to read as follows:

"Sec. 6.27. Centralized purchasing.

(a) The City Council shall, by ordinance, establish a centralized system of procurement and contract management for all purchases of goods, services, construction, and professional services for the City.

(b) Such procurement ordinance shall establish purchasing thresholds, approval authority, competitive procurement requirements, and administrative procedures consistent with this Charter and applicable state and federal law.

(c) The City Manager shall serve as the chief procurement officer and shall have final approval authority for all purchases and contracts, subject to City Council approval as required by Section 3.10(b) of this Charter and applicable ordinances."

125

126 **SECTION IV - SEVERABILITY.**

127 If any section, subsection, sentence, clause, phrase, or portion of this ordinance is
128 declared invalid or unconstitutional by a court of competent jurisdiction, such
129 declaration shall not affect the validity of the remaining portions of this ordinance,
130 which shall remain in full force and effect. The Mayor and Council declare that they
131 would have adopted this ordinance and each section, subsection, sentence, clause,
132 phrase, and portion thereof, irrespective of the fact that any one or more sections,
133 subsections, sentences, clauses, phrases, or portions be declared invalid or
134 unconstitutional.

135

136 **SECTION V - REPEALER.**

137 All provisions of the Charter of the City of Dallas, Georgia, in conflict with this
138 ordinance are hereby repealed to the extent of such conflict.

139

140 **SECTION VI - EFFECTIVE DATE.**

141 This Charter amendment ordinance shall become effective July 1, 2026, to coincide
142 with the effective date of Purchasing Ordinance Amendment OA-2026-03 and the
143 commencement of Fiscal Year 2026-27. All City procurement and contracting activity
144 occurring on and after July 1, 2026 shall be governed by the amended Charter
145 provisions.

146

147 **SECTION VII - NOTICE AND PUBLICATION REQUIREMENTS.**

148 This Charter amendment ordinance is adopted pursuant to O.C.G.A. § 36-35-3(b)(1). A
149 synopsis of this proposed Charter amendment has been published in the official organ of
150 Paulding County once a week for three weeks within a period of sixty (60) days
151 preceding final adoption. A copy of this proposed Charter amendment has been on file
152 in the office of the City Clerk and in the office of the Clerk of the Superior Court of
153 Paulding County for examination and inspection by the public during the notice period.

FIRST READING: _____, 2026

SECOND READING AND ADOPTION: _____, 2026

**SO SHALL IT BE ORDAINED BY THE MAYOR AND COUNCIL OF THE
CITY OF DALLAS, GEORGIA, THIS THE ____ DAY OF _____,
2026.**

L. James Kelly, Mayor

James R. Henson, Councilmember

Cooper Cochran, Councilmember

Nancy R. Arnold, Councilmember

Christopher B. Carter, Councilmember

Leah Alls, Councilmember

Candace Callaway, Councilmember

ATTEST:

Tina Clark, City Clerk
City of Dallas, Georgia

Date

APPROVED AS TO FORM:

Darrin Keaton
City Attorney



STAFF REPORT

MEETING DATE: 5/4/2026

PRESENTED BY:

Darrin Keaton

AGENDA ITEM DESCRIPTION (Agenda Content):

Ordinance 2026-01 Creating a Chapter 23 for Vacancy/Blight

REPORT/INFORMATION:

Ordinance to create a Chapter 23 in the Code of Ordinances to address issues of vacancy and blight in the City of Dallas, particularly in the downtown area.

ORDINANCE

ORD-2026-01

**AN ORDINANCE OF THE CITY OF DALLAS, GEORGIA, TO
CREATE A NEW CHAPTER 23 IN THE CODE OF ORDINANCES,
TO CREATE (A) A VACANT AND FORECLOSED REAL
PROPERTY REGISTRY AND MINIMUM MAINTENANCE
PROGRAM FOR COMMERCIAL AND CENTRAL BUSINESS
DISTRICT PROPERTIES; AND (B) A COMMUNITY
REDEVELOPMENT TAX INCENTIVE PROGRAM FOR
BLIGHTED PROPERTY; TO PROVIDE FOR FINDINGS,
DEFINITIONS, STANDARDS, NOTICE AND HEARING
PROCEDURES, A TIERED ENFORCEMENT STRUCTURE,
INTEGRATION WITH THE DOWNTOWN DEVELOPMENT
AUTHORITY OF THE CITY OF DALLAS, GEORGIA AND TAX
ALLOCATION DISTRICT, LIEN AND COST RECOVERY
MECHANISMS, COORDINATION WITH THE PAULDING
COUNTY TAX COMMISSIONER, AND RELATED MATTERS;
AND FOR OTHER PURPOSES.**

- WHEREAS**, the City of Dallas, Georgia (the "City") is a municipal corporation duly organized and operating under the laws of the State of Georgia, with authority to exercise all powers of local self-government pursuant to the Georgia Constitution, Article IX, Section II, and the Georgia Municipal Home Rule Act, O.C.G.A. § 36-35-1 et seq.; and
- WHEREAS**, the Mayor and Council of the City of Dallas find that long-term vacant and poorly maintained buildings and parcels within the Central Business District ("CBD") and other commercial areas impose measurable, documented costs on City services, including code enforcement and public safety response, and depress surrounding property values, impede business investment, and hinder the revitalization of the City's downtown corridor; and
- WHEREAS**, the Dallas Courthouse Square and Main Street corridor contain multiple prominent commercial structures that have remained substantially vacant for extended periods, with some owners having repeatedly represented imminent rehabilitation without material action, a pattern that the City's existing regulatory framework has been insufficient to address; and
- WHEREAS**, the Georgia Constitution, Article IX, Section II, Paragraph VII(d) expressly authorizes municipalities to exercise the powers necessary to prevent the spread of blight and to adopt community redevelopment tax incentive programs for property officially identified as maintained in a blighted condition; and
- WHEREAS**, O.C.G.A. § 44-14-14 authorizes municipalities to adopt a vacant and foreclosed real property registry program to establish accountability for vacant properties; and
- WHEREAS**, O.C.G.A. § 41-2-7 through § 41-2-17 authorizes municipalities to issue administrative orders requiring owners of unfit structures to repair, close, or demolish those structures, and further authorizes the recovery of abatement costs through a lien on the property; and
- WHEREAS**, the City possesses home rule police power authority under O.C.G.A. § 36-35-3 to adopt ordinances regulating the use and maintenance of property within its corporate limits, including the imposition of registration requirements and escalating fees on owners of vacant commercial properties, provided such fees bear a rational relationship to the administrative and public costs of vacancy monitoring and blight remediation; and
- WHEREAS**, the Downtown Development Authority of the City of Dallas, Georgia (the "DDA"), a body politic and corporate organized under O.C.G.A. § 36-42-1 et seq., holds authority to acquire, improve, and dispose of real property within the DDA district boundary for redevelopment purposes, and the integration of the DDA's acquisition eligibility review with the City's blight designation process will maximize the effectiveness of both institutions' tools; and

WHEREAS, the City has established a Tax Allocation District ("TAD") and an existing TAD Economic Development Incentive Policy, and the availability of TAD increment financing as a rehabilitation incentive for blighted properties within the DDA district will provide a meaningful off-ramp for cooperative property owners; and

WHEREAS, the Mayor and Council find that a legally defensible, criteria-based, and procedurally sound vacant property registry and blight designation program — structured as a citywide ordinance with administrative priority in the CBD — is necessary and appropriate to protect the public health, safety, and welfare of the residents and businesses of Dallas, Georgia;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Dallas, Georgia, the Dallas Code of Ordinances shall be amended to add a new Chapter, Chapter 23 as follows:

CHAPTER 23 - VACANT AND BLIGHTED PROPERTY REDEVELOPMENT

ARTICLE I. - GENERAL PROVISIONS

Sec. 23-1. Short Title.

This Chapter shall be known and may be cited as the "City of Dallas Vacant and Blighted Property Redevelopment Ordinance" (the "Ordinance").

Sec. 23-2. Authority.

This Ordinance is adopted pursuant to the following authorities, each of which is independently sufficient to support the relevant provisions hereof:

- Georgia Constitution, Article IX, Section II, Paragraph VII(d) — community redevelopment tax incentive programs for blighted property;
- Georgia Constitution, Article IX, Section II — municipal home rule powers;
- O.C.G.A. § 36-35-3 — home rule authority for ordinance violations and police power regulation;
- O.C.G.A. § 44-14-14 — vacant and foreclosed real property registry (residential provisions, when subsequently activated by amendment);
- O.C.G.A. § 41-2-7 through § 41-2-17 — repair, close, and demolish authority; administrative orders; lien attachment;
- O.C.G.A. § 36-42-1 et seq. — Downtown Development Authorities Law, including DDA acquisition and disposition authority;
- O.C.G.A. § 48-5-7.4 — preferential assessment and blight tax mechanism;
- O.C.G.A. § 36-61-1 et seq. — Urban Redevelopment Law (contingency authority);
- O.C.G.A. § 41-1-1 et seq. — general nuisance law.

Sec. 23-3. Findings and Purpose.

(A) Findings. The Mayor and Council hereby find and declare that:

1. Long-term vacant and poorly maintained commercial structures within the City impose increased burdens on City services, including code enforcement, fire, and police response, and impose negative externalities on neighboring properties and the surrounding business district;
2. The Central Business District, and specifically the Courthouse Square and Main Street corridor, contains a concentration of vacant commercial structures that have materially impeded the City's downtown revitalization investment, including the Town Green project and associated public infrastructure improvements;
3. Existing regulatory tools, while valid, have been insufficient to motivate timely action by certain non-responsive property owners, necessitating an escalating, layered enforcement framework;
4. A criteria-based, due-process-driven program applied citywide, with administrative enforcement priority in the CBD, is the most legally defensible and equitable approach to addressing the blight and vacancy problem.

(B) Purposes. The purposes of this Ordinance are to:

1. Require registration and responsible local management of vacant commercial real property within the City;
2. Establish minimum maintenance and security standards for vacant commercial properties to prevent deterioration and nuisance conditions;

3. Create a predictable, escalating enforcement framework that encourages timely occupancy, rehabilitation, sale, or redevelopment;
4. Establish a Community Redevelopment Tax Incentive Program for property officially identified as maintained in a blighted condition, as authorized by the Georgia Constitution;
5. Integrate the enforcement framework with the authority and resources of the Downtown Development Authority of the City of Dallas, Georgia and the City's Tax Allocation District to maximize rehabilitation incentives;
6. Protect the public health, safety, and welfare of the residents and businesses of the City of Dallas.

Sec. 23-4. Definitions.

As used in this Ordinance, the following terms shall have the meanings ascribed to them in this Section. Defined terms are capitalized throughout the Ordinance.

"Agent" means the natural person or entity designated by the Owner pursuant to Section 23-22 to act as the Owner's local representative for purposes of this Ordinance, including receipt of notices, emergency contact, and compliance obligations.

"Blight Inspector" means the City's designated Code Enforcement Officer, or such additional personnel as the Community Development Director may designate, authorized to conduct inspections and initiate administrative proceedings under this Ordinance.

"Blight Remediation Fund" means the dedicated fund established pursuant to Section 23-55, into which revenue from registration fees, civil penalties, and blight tax factor increments shall be deposited and from which blight remediation expenditures shall be made.

"Blighted Condition" or "Blighted Property" means any commercial property within the City that presents two (2) or more of the ascertainable conditions set forth in Section 23-42 and is conducive to ill health, transmission of disease, or criminal activity in the immediate proximity, as documented in a Blight Inspection Report. Property shall not be designated as maintained in a Blighted Condition solely on the basis of aesthetic conditions.

"CBD" or "Central Business District" means those parcels of real property located within the CBD Zoning District as designated in Section 4.11 of the Dallas Unified Development Code (UDC), as amended.

"City Manager" means the City Manager of the City of Dallas, Georgia, or the City Manager's authorized designee.

"Code Official" means the Community Development Director, or the City Manager's designee, authorized to administer this Ordinance, issue determinations, and coordinate with the Paulding County Tax Commissioner.

"Commercial Property" means any parcel of real property, and all structures situated thereon, located within the City that is zoned for commercial, office, industrial, mixed-use, or central business district purposes under the Dallas UDC, excluding any structure currently occupied as the primary residence of one or more persons.

"Community Development Director" means the incumbent Community Development Director of the City, who serves as the Administrative Hearing Officer for Tier 1 proceedings under this Ordinance unless the City Manager designates otherwise.

"DDA" means the Downtown Development Authority of the City of Dallas, Georgia, a body politic and corporate organized under O.C.G.A. § 36-42-1 et seq.

"DDA District Boundary" means the geographic boundary of the DDA district as defined in the DDA's enabling resolution and any amendments thereto, on file with the City Clerk.

"DDA Secretary" means the incumbent Secretary of the Downtown Development Authority of the City of Dallas, Georgia .

"Eligible Commercial Property" means any Commercial Property that: (i) is located within the corporate limits of the City; and (ii) does not constitute a dwelling occupied as the primary residence of one or more persons. Eligible Commercial Property subject to the DDA overlay provisions of Article V is identified by location within the DDA District Boundary.

"Millage Rate" means the City's general ad valorem millage rate for maintenance and operations levied for the applicable tax year.

"Non-Resident Owner" means any Owner whose principal place of business or primary residence is located outside the corporate limits of Paulding County, Georgia.

"Owner" means the person, entity, or combination thereof shown on the most recent Paulding County ad valorem tax digest as responsible for payment of ad valorem taxes with respect to a subject property, and any other person or entity holding legal or equitable title of record.

"Remediation Plan" means a written remedial action or redevelopment plan submitted by an Owner pursuant to Section 23-45, setting forth the scope of work, permitting schedule, milestone dates, and contractor commitments necessary to remediate the documented Blighted Conditions.

"TAD" means the City of Dallas Tax Allocation District, established pursuant to the City's Redevelopment Powers Law authorization, O.C.G.A. § 36-44-1 et seq.

"TAD Economic Development Incentive Policy" means the City's adopted policy governing the use of TAD increment financing for eligible redevelopment projects, as may be amended from time to time.

"Vacant Commercial Property" means any Eligible Commercial Property, and all structures situated thereon, that: (i) has not been occupied in active, lawful commercial use for a continuous period of ninety (90) days or more; and (ii) does not have an active building permit for approved renovation or construction on file with the Community Development Department. Seasonal closures with documented, bona fide intent to reopen within sixty (60) days shall not constitute vacancy.

Sec. 23-5. Scope; Residential Properties Reserved.

- (A) Commercial scope. This Ordinance, as initially adopted, applies to all Eligible Commercial Properties within the corporate limits of the City, with administrative enforcement priority in the CBD, as directed by the City Manager.
- (B) Residential properties reserved. The City Council expressly reserves the authority to extend the registration, minimum maintenance, and blight designation provisions of this Ordinance to residential properties by subsequent amendment. Such amendment shall specify the applicable fee schedule, vacancy trigger period, and procedural provisions applicable to residential properties, and shall incorporate the requirements of O.C.G.A. § 44-14-14 to the extent required by state law for residential classifications. [RESERVED — Residential Amendment to follow.]
- (C) DDA overlay. Properties located within the DDA District Boundary are subject to the additional provisions of Article V of this Ordinance in addition to all other applicable provisions hereof.

Sec. 23-6. Relationship to Other Laws and Codes.

- (A) Cumulative remedies. This Ordinance is in addition to and not in lieu of the Dallas Unified Development Code, the Dallas Code of Ordinances, the Georgia Repair, Close, and Demolish Act (O.C.G.A. § 41-2-7 et seq.), and any other applicable law or regulation. All remedies are cumulative, and the exercise of any one remedy shall not preclude the exercise of any other remedy.
- (B) Historic properties. For Eligible Commercial Properties that are designated historic properties or are located within a historic district, the City may also proceed concurrently under the UDC deterioration-by-neglect provisions in addition to the provisions of this Ordinance.
- (C) UDC cross-reference. Blight conditions documented under this Ordinance that also constitute violations of the UDC shall be cross-filed with the Code Enforcement division for parallel UDC enforcement proceedings.
- (D) Conflicts. In the event of an express conflict between this Ordinance and a provision of the Dallas UDC or other Dallas Code of Ordinances chapter, the more restrictive provision shall control unless the City Attorney determines otherwise in writing.

Sec. 23-7. Severability.

If any provision of this Ordinance, or the application thereof to any person, property, or circumstance, is held invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions or applications of this Ordinance that can be given effect without the invalid provision or application.

ARTICLE II. - VACANT COMMERCIAL PROPERTY REGISTRY AND MINIMUM MAINTENANCE PROGRAM

Sec. 23-20. Short Title; Authority.

- (A) This Article may be cited as the "City of Dallas Vacant Commercial Property Registry Ordinance."
- (B) This Article is adopted pursuant to the City's home rule police power under O.C.G.A. § 36-35-3 and the Georgia Constitution, Article IX, Section II. The registration fee schedule set forth in Section 23-24 is structured as an exercise of the police power and is not adopted pursuant to O.C.G.A. § 44-14-14, which is expressly reserved for the City's subsequent

residential amendment. The fee schedule bears a rational relationship to the administrative and public costs imposed on the City by vacant commercial properties, including code enforcement, public safety response, and downtown blight remediation.

Sec. 23-21. Registration Required.

- (A) Applicability. The Owner of any Vacant Commercial Property shall register such property with the City's Vacant Commercial Property Registry (the "Registry") in accordance with this Article within thirty (30) calendar days of the date on which the property first meets the definition of Vacant Commercial Property.
- (B) Annual renewal. Registration shall be renewed annually on or before January 31 of each calendar year for so long as the property remains a Vacant Commercial Property. The Owner bears the obligation to timely renew and may not assert absence of notice of the renewal deadline as a defense to a registration violation.
- (C) Continuing obligation. The registration and minimum maintenance obligations of this Article are a continuing obligation running with the property and binding upon all successors in interest. Transfer of ownership does not extinguish outstanding registration obligations or accrued fees; provided, however, that a bona fide transferee who had no actual knowledge of the prior Owner's non-compliance may petition the Code Official for a sixty (60)-day cure period following transfer before penalties are assessed against the transferee, subject to the Code Official's discretion.

Sec. 23-22. Registration Application; Local Agent Requirement.

- (A) Form. Registration shall be made on the City's official registration form, available from the Community Development Department and on the City's website, and shall include:
 - 1. Owner's full legal name, principal address, telephone number, and email address;
 - 2. If Owner is an entity, the entity's full legal name, state of organization, registered agent in Georgia (with address), and contact information for a natural person with authority to act on behalf of the entity;
 - 3. The property's address, Paulding County Parcel Identification Number, and legal description;
 - 4. The date the property became or is expected to become vacant;
 - 5. The Owner's current stated remediation intent (lease, sale, rehabilitation, or redevelopment), with estimated timeline;
 - 6. Designation of a local Agent as provided in subsection (B);
 - 7. Such additional information as the Code Official may require by administrative regulation.
- (B) Local Agent requirement. Every Owner who is a Non-Resident Owner shall designate a local Agent residing or maintaining a regular business office within Paulding County, Georgia. The local Agent shall:
 - 1. Accept service of notices, citations, and process on behalf of the Owner;
 - 2. Serve as the point of contact for emergency response by the City's fire, police, and code enforcement personnel;
 - 3. Have authority to authorize emergency access to the property for purposes of abatement of imminent hazards.
- (C) Entity status verification. Prior to issuance of any formal enforcement notice to an Owner that is a Georgia entity, the Code Official shall confirm the entity's current registered agent and good standing with the Georgia Secretary of State. If the entity is administratively dissolved, the notice and lien strategy shall be adjusted in consultation with the City Attorney to ensure proper service under O.C.G.A. § 41-2-9(b) in rem procedures.

Sec. 23-23. Updates; Removal from Registry.

- (A) Updates required. The Owner shall notify the Code Official in writing within fifteen (15) calendar days of any change in: (i) Owner's name, address, or contact information; (ii) the designated Agent; (iii) the Owner's remediation intent or timeline; or (iv) the occupancy status of the property.
- (B) Removal from Registry. An Owner may petition the Code Official for removal of the property from the Registry upon demonstration that: (i) the property no longer meets the definition of Vacant Commercial Property; and (ii) all outstanding registration fees, accrued charges, and civil penalties have been paid in full. The Code Official shall act on a complete removal petition within twenty (20) business days.

- (C) Effect of removal. Removal from the Registry does not extinguish any accrued lien recorded against the property pursuant to Section 23-53. Recorded liens remain in force until satisfied as provided in this Ordinance.

Sec. 23-24. Registration Fee Schedule — Commercial Properties (Home Rule Police Power Model).

NOTE TO CODIFIER: This fee schedule is adopted under the City's home rule police power. It is not subject to the fee cap of O.C.G.A. § 44-14-14, which applies to residential registry fees when the residential amendment is adopted. The amounts below may be adjusted by the Mayor and Council by resolution without ordinance amendment, provided such adjusted fees remain rationally related to the City's documented administrative and remediation costs.

- (A) Annual Registration Fee Schedule. The following annual registration fees shall apply to all Vacant Commercial Property based on the consecutive number of complete twelve-month periods of vacancy, measured from the date of initial vacancy:

Year of Vacancy	Annual Registration Fee	Monthly Accrual (Lien)
Year 1 (months 1–12)	\$750.00	N/A
Year 2 (months 13–24)	\$1,500.00	N/A
Year 3 and each year thereafter	\$2,500.00	\$250.00 per month of continued vacancy, accruing as a lien on the first day of each calendar month following the anniversary date

- (B) DDA District enhanced schedule. For Vacant Commercial Property located within the DDA District Boundary, the Year 3+ annual fee shall be \$3,000.00, with the same \$250.00 per month accrual, reflecting the heightened public cost of vacancy in the core downtown redevelopment area.
- (C) Fee revenue. All registration fees shall be deposited into the Blight Remediation Fund established pursuant to Section 23-55.
- (D) Non-refundable. Registration fees are non-refundable upon removal from the Registry, except that the Code Official may authorize a pro-rata refund of the annual fee upon confirmed occupancy occurring more than six (6) months before the end of the registered year, at the Code Official's discretion.

Sec. 23-25. Fee Waiver and Deferral.

- (A) Grounds for waiver or deferral. The City Manager, upon written recommendation of the Community Development Director, may waive or defer registration fees for any Owner who demonstrates, by documentary evidence satisfactory to the Code Official, one or more of the following:
1. The Owner has executed a binding development agreement with the City or the DDA and is in material compliance with the milestones therein;
 2. The Owner has obtained an active building permit for approved renovation or construction and demonstrated material construction progress within the immediately preceding twelve (12)-month period;
 3. The Owner has executed an executed lease agreement with a qualified commercial tenant with an occupancy date within ninety (90) days; or
 4. The Owner is actively facilitating occupancy by a third-party tenant and has demonstrated material progress, as determined by the Code Official in the exercise of reasonable discretion.
- (B) Duration; conditions. A fee waiver or deferral shall be valid for a period not to exceed twelve (12) months and may be renewed upon re-demonstration of qualifying progress. Any deferred fees shall accrue without interest during the deferral period and shall become immediately due and payable upon failure to satisfy the conditions of the deferral.
- (C) No waiver of other obligations. A fee waiver or deferral does not suspend the Owner's obligations under the minimum maintenance and security standards of Section 23-26 or any outstanding code enforcement proceedings.

Sec. 23-26. Minimum Maintenance and Security Standards.

Owners of Vacant Commercial Property shall maintain the property in compliance with all applicable provisions of the Dallas UDC and the Dallas Code of Ordinances and shall, at minimum:

1. Secure all points of entry, including doors, windows, and other openings, in a manner that prevents unauthorized access. Emergency boarding is permissible only with prior written approval of the Code Official and must be maintained in sound condition; approved boarding shall not be considered a permanent solution;
2. Maintain the roof and exterior walls and surfaces in a weather-tight condition that prevents water intrusion, structural deterioration, and the infiltration of vermin;
3. Remove all litter, debris, trash, and hazardous accumulations from the property, including the lot and any sidewalks immediately adjacent to the property to the extent required by the Dallas Code of Ordinances;
4. Control vegetation at all times, including grass, weeds, and overgrowth, in compliance with the Dallas Code of Ordinances;
5. Prevent illegal dumping and posting of unauthorized signage;
6. Maintain all utility connections in a safe, code-compliant condition; unauthorized utility connections are prohibited;
7. Post, in a location visible from the public right-of-way, a weather-resistant sign of not less than eight (8) inches by ten (10) inches displaying the Owner's and Agent's name and emergency contact telephone number;
8. Maintain the structure in compliance with fire and life safety codes; no hazardous accumulations of flammable or combustible materials shall be permitted.

Sec. 23-27. Inspections.

- (A) Exterior inspections. The Blight Inspector may conduct exterior inspections of Vacant Commercial Property from publicly accessible vantage points at any reasonable time, without prior notice, to monitor compliance with this Ordinance.
- (B) Interior inspections. Interior inspections require the voluntary consent of the Owner or Agent, or a lawfully obtained inspection warrant issued by a court of competent jurisdiction. The City Attorney's office shall be consulted before seeking an inspection warrant.
- (C) Documentation. All inspections shall be documented in writing on the City's standard inspection checklist, with contemporaneous photographic evidence, and maintained in the property's enforcement file.

Sec. 23-28. Violations; Penalties.

- (A) Violations. The following constitute violations of this Article, each of which is a separate civil infraction:
 1. Failure to register a Vacant Commercial Property within the time required by Section 23-21;
 2. Failure to timely renew annual registration;
 3. Failure to update registration information as required by Section 23-23;
 4. Failure to designate or maintain a local Agent as required by Section 23-22;
 5. Failure to comply with the minimum maintenance and security standards of Section 23-26;
 6. Obstruction of, or interference with, a lawful inspection conducted under Section 23-27.
- (B) Penalties — administrative. The Code Official may assess administrative civil penalties for violations of this Article. Each day a violation continues after the expiration of a notice-and-cure period constitutes a separate offense. Administrative civil penalties shall not exceed the maximum amounts allowed by applicable Georgia law for the City's authorized penalty authority.
- (C) Penalties — Tier 2 Municipal Court. Violations of this Article may be referred to the Dallas Municipal Court for citation and prosecution as set forth in Article IV of this Ordinance.
- (D) Cumulative. The penalties set forth in this Section are cumulative to all other enforcement remedies available under this Ordinance and applicable law.

Sec. 23-29. Administrative Appeal.

- (A) Right of appeal. An Owner may appeal any administrative determination, fee assessment, or civil penalty issued under this Article by filing a written notice of appeal with the Community Development Department within thirty (30) calendar days of receipt of the determination or assessment.
- (B) Hearing officer. The Administrative Hearing Officer for appeals under this Article shall be the Community Development Director, unless the City Manager designates an alternative hearing officer to avoid a conflict.

- (C) Conduct of hearing. The Administrative Hearing Officer shall conduct an informal evidentiary hearing, at which the Owner may present evidence and argument. The City bears the burden of demonstrating the basis for the challenged determination or assessment by a preponderance of the evidence. The Hearing Officer shall issue a written decision within twenty (20) business days of the hearing.
- (D) Further appeal. The Owner may appeal the Hearing Officer's written decision to the Superior Court of Paulding County pursuant to the Georgia Administrative Procedure Act, as applicable, or by such other lawful method of review as may be available.

Sec. 23-30. Additional Remedies; Abatement Cost Recovery.

- (A) Cumulative remedies. The remedies available under this Article are cumulative. The City may pursue any lawful remedy available under this Ordinance, the Dallas Code of Ordinances, the Dallas UDC, or applicable state law, including but not limited to nuisance abatement, code enforcement citation, and proceedings under O.C.G.A. § 41-2-7 et seq.
- (B) City-performed correction. Where a Vacant Commercial Property presents conditions that pose an imminent threat to public health or safety, or where an Owner has failed to comply with a minimum maintenance notice within the applicable cure period, the City may, upon approval of the City Manager and in consultation with the City Attorney, perform or cause to be performed such corrections as are necessary to abate the hazardous condition.
- (C) Abatement cost recovery. The reasonable costs incurred by the City in performing or procuring corrective work under subsection (B) shall be assessed against the Owner and shall attach as a lien on the property as provided in Section 23-53.

ARTICLE III. - COMMUNITY REDEVELOPMENT TAX INCENTIVE PROGRAM

Sec. 23-40. Authority; Intent.

- (A) Authority. This Article is adopted pursuant to the Georgia Constitution, Article IX, Section II, Paragraph VII(d), which expressly authorizes municipalities to establish community redevelopment tax incentive programs and to apply a variation in the ad valorem tax rate for property officially identified as maintained in a blighted condition.
- (B) Intent. The intent of this Article is to discourage neglect of Eligible Commercial Property, to encourage Owners to remediate Blighted Conditions or transfer such property to owners who will, and to provide a constitutionally authorized financial incentive for timely rehabilitation and redevelopment.
- (C) Construction. This Article shall be construed in a manner consistent with the constitutional authorization and shall be applied only through the criteria-based, notice-and-hearing procedure set forth herein. Designation shall not be based solely on vacancy or aesthetic conditions.

Sec. 23-41. Eligible Property.

- (A) In general. The Community Redevelopment Tax Incentive Program established by this Article applies to Eligible Commercial Property as defined in Section 23-4.
- (B) Exclusions. The following property is not subject to blight designation under this Article:
 1. Dwellings occupied as the primary residence of one or more persons;
 2. Property owned by a governmental entity;
 3. Property for which a valid building permit for active construction or renovation has been issued within the preceding twelve (12) months, and construction is proceeding in good faith.

Sec. 23-42. Ascertainable Standards for Blight Determination.

A property may be proposed for designation as maintained in a Blighted Condition only if it presents two (2) or more of the following ascertainable conditions, documented by the Blight Inspector:

1. The structure is uninhabitable, unsafe, or has been abandoned for a period of one (1) year or more;
2. The structure provides inadequate provisions for ventilation, light, air, sanitation, or safe ingress and egress as required by applicable code;
3. Imminent harm to life or property from fire, flood, or other natural disaster has occurred with respect to the property, written notice of required remediation was provided to the Owner, and the Owner failed to take reasonable measures within the required timeframe;
4. The property is the subject of environmental contamination requiring investigation or cleanup under applicable federal or state environmental law;

5. Repeated illegal activity on the property of which the Owner knew or, with reasonable diligence, should have known, as documented by law enforcement records;
6. The Owner has maintained the property below the standards required by applicable maintenance codes for a continuous period of at least one (1) year following written notice to the Owner of a specific code violation.

In addition to the foregoing conditions, the Blight Inspector shall document, in the Blight Inspection Report required by Section 23-44, the nexus between the documented conditions and the conduciveness of the property to ill health, transmission of disease, or criminal activity in the immediate proximity. This nexus determination is a required element of any blight designation.

Sec. 23-43. Levy of Increased Ad Valorem Tax Factor

- A) Eligible Commercial Property officially identified as maintained in a Blighted Condition pursuant to Section 23-44 shall be subject to an increased rate of ad valorem taxation, accomplished by applying a factor of +5.0 to the City's general maintenance and operations millage rate for the applicable tax year.
- B) Duration. The increased factor shall apply to each tax year in which the property remains designated as maintained in a Blighted Condition, beginning with the tax year immediately following the year in which the final designation is transmitted to the Paulding County Tax Commissioner.

Sec. 23-44. Official Identification Procedure; Notice; Hearing.

- (A) Blight Inspection Report. The Blight Inspector shall document all proposed blight designation findings in a written Blight Inspection Report ("Report") containing:
 1. Property address, Paulding County Parcel ID, and Owner of record;
 2. Identity and credentials of the Inspector(s);
 3. Date(s) and time(s) of inspection;
 4. A description of each documented blight condition, with specific factual findings for each condition alleged;
 5. A photographic log, with date-stamped photographs;
 6. A summary of any prior notices, citations, or enforcement history;
 7. A summary of law enforcement or fire department call records, if relied upon;
 8. A written nexus determination documenting how the observed conditions are conducive to ill health, transmission of disease, or criminal activity in the immediate proximity;
 9. The Inspector's written conclusion as to whether the property meets the standard for designation as maintained in a Blighted Condition.
- (B) Written proposed determination. Upon completion of the Report, the Code Official shall issue a written Proposed Blight Determination that: (i) identifies the property; (ii) specifies the two or more blight conditions documented; (iii) states the nexus finding; and (iv) states that the City proposes to designate the property as maintained in a Blighted Condition.
- (C) Service of notice. The Proposed Blight Determination shall be served upon the Owner and all other reasonably ascertainable interested parties (including mortgage holders of record) by: (i) certified mail, return receipt requested, to the last known address shown on the Paulding County tax records and any address shown in the Owner's registry filing; and (ii) statutory overnight delivery or personal service. Service shall be documented in the enforcement file. If the Owner's address is unknown or service cannot be accomplished by the foregoing methods, service shall be accomplished by the method most likely to provide actual notice consistent with the due process requirements of *Mullane v. Central Hanover Bank & Trust Co.* and Georgia law, as determined by the City Attorney.
- (D) Hearing rights. The Owner may request an administrative hearing by filing a written request with the Community Development Department within thirty (30) calendar days of receipt of the Proposed Blight Determination. "Receipt" shall be presumed three (3) business days after mailing for certified mail service.
 1. If a hearing is timely requested: The hearing shall be conducted before a court or tribunal authorized by law. The City bears the burden of establishing the Blighted Condition by a preponderance of the evidence. The Owner may present documentary evidence and witness testimony. The hearing shall be transcribed or recorded.
 2. If no hearing is timely requested: The Proposed Blight Determination becomes final without further proceedings, and the Code Official shall issue a Final Blight Designation.

- (E) Final Blight Designation. Upon either: (i) a decision upholding the proposed designation following a hearing; or (ii) expiration of the hearing request deadline without a timely request, the Code Official shall issue a Final Blight Designation and shall transmit the designation to the Paulding County Tax Commissioner in accordance with Section 23-47.
- (F) Hearing packet — minimum contents. The City's hearing packet shall include, at minimum: the Blight Inspection Report; the complete photographic log; all prior notices and proofs of service; law enforcement or fire call summaries (if relied upon); the code violation history (if condition 6 of Section 23-42 is alleged); an identified staff witness list; and a proposed order with specific findings.

Sec. 23-45. Remediation Plan; Removal from Blight Designation.

- (A) Owner petition. At any time following service of a Proposed Blight Determination, the Owner may submit a written Remediation Plan to the Code Official. Submission of a Remediation Plan does not automatically stay the hearing process or blight designation, but a complete, credible Remediation Plan may be considered by the Code Official in exercising enforcement discretion.
- (B) Required contents. A Remediation Plan shall include, at minimum:
 1. Identification of each documented blight condition and the specific corrective action proposed;
 2. A milestone schedule with specific completion dates, not to exceed twelve (12) months in aggregate for ordinary repairs, or twenty-four (24) months for substantial rehabilitation or redevelopment;
 3. Identification of all permits to be obtained and contractors to be engaged;
 4. Evidence of financial capacity to complete the proposed work, which may include a letter of credit, proof of financing commitment, or demonstration of Owner's own resources;
 5. A signed certification that the Owner acknowledges that failure to meet milestones may result in continuation or reinstatement of the blight designation and enforcement.
- (C) Review and acceptance. The Code Official, in consultation with the City Attorney and Community Development Director, shall review the Remediation Plan within thirty (30) calendar days of submission and shall: (i) accept the Plan if it is complete and credible; (ii) reject the Plan with written deficiencies and an opportunity to cure within fifteen (15) days; or (iii) accept the Plan conditionally with stated modifications.
- (D) Removal upon completion. When the Owner has completed all milestones in an accepted Remediation Plan to the satisfaction of the Code Official, as verified by re-inspection, the Code Official shall issue a written removal determination and shall notify the Paulding County Tax Commissioner to remove the blight designation and increased factor, effective the next tax year.
- (E) Partial non-compliance. If the Owner fails to timely complete one or more milestones, the Code Official shall issue written notice of deficiency and allow a thirty (30)-day cure period. If the milestone is not completed within the cure period, the Code Official may reinstate the full blight designation and increased factor and shall notify the Paulding County Tax Commissioner accordingly.

Sec. 23-46. Decreased Tax Factor After Acceptance of Remediation Plan.

- (A) Interim relief. Following the City's written acceptance of a Remediation Plan and for so long as the Owner remains in material compliance with the milestone schedule, the City shall apply a decreased rate of taxation by applying a factor of -1.0 to the City's general maintenance and operations millage rate.
- (B) Duration. The decreased factor shall apply for a period not to exceed three (3) tax years or until completion of the Remediation Plan, whichever first occurs. Upon verified completion of all milestones, the blight designation shall be removed and the property shall return to the standard millage rate.
- (C) Revocation of interim relief. Interim relief under this Section shall be automatically revoked upon: (i) the Code Official's written determination of material non-compliance with the Remediation Plan; or (ii) the Owner's failure to cure a deficiency within the thirty (30)-day cure period of Section 23-45(E). Upon revocation, the full increased factor is reinstated retroactively to the beginning of the current tax year.

Sec. 23-47. Duty to Notify County Tax Commissioner.

The Code Official shall transmit written notice to the Paulding County Tax Commissioner within fifteen (15) business days of: (i) a Final Blight Designation; (ii) acceptance of a

Remediation Plan with interim relief; (iii) removal of a blight designation upon plan completion; (iv) revocation of interim relief; or (v) any other change in designation status affecting the applicable millage factor. Notices to the Tax Commissioner shall be on the City's standard form and shall identify the property by address, Paulding County Parcel ID, Owner name, effective tax year, and applicable factor. The City Attorney's office shall maintain a log of all Tax Commissioner notifications.

Sec. 23-48. Use of Revenues.

Revenues arising from the increased ad valorem tax factor generated by blight designations under this Article shall be deposited into the Blight Remediation Fund and may be expended for community redevelopment purposes consistent with the constitutional authorization, including but not limited to: code enforcement and inspection staffing; abatement operations; property acquisition for redevelopment; rehabilitation assistance to qualified cooperating owners; and administrative costs of the program.

ARTICLE IV. - TIERED ENFORCEMENT STRUCTURE

Sec. 23-50. Enforcement Structure — Overview.

The enforcement structure of this Ordinance is organized in three tiers, designed to match enforcement intensity to Owner conduct and property conditions. The tiered structure is intended to apply firm, legally defensible pressure while maintaining a cooperative pathway for Owners who engage in good faith. Progression to a higher tier is not mandatory and shall be evaluated by the Code Official and City Attorney based on the facts of each case.

TIER	TRIGGER CONDITION	STATUTORY VEHICLE	CITY COST EXPOSURE	LITIGATION RISK
1	Vacancy 90+ days (commercial) + code violation	O.C.G.A. § 41-2-9 Admin. Order + Vacancy Fee Ordinance	None — owner-borne	Low if procedurally sound
2	Non-compliance with Tier 1 order within 30 days	O.C.G.A. § 41-2-11 Superior Court enforcement + daily fine accrual	Potential lien recording cost	Moderate — court involvement
3	Imminent hazard / abandonment	O.C.G.A. § 41-2-8 Repair or Close Order — City-initiated	None — recoverable via lien	Low if hazard documented
4	Unresponsive owner / title defect	O.C.G.A. § 41-2-9(b) In Rem Proceeding against property	Lien recordation only	Low — no personal liability issue
5	Chronic blight / repeated violation	Urban Redevelopment designation (§ 36-61-3) + DDA acquisition authority	Appraisal / acquisition cost	High — condemnation standard applies

Sec. 23-51. Tier 1 — Administrative Enforcement.

- (A) Scope. Tier 1 enforcement is the first-line administrative response and is managed by the Code Enforcement division in coordination with the City Attorney's office. Tier 1 encompasses:
1. Vacancy registry registration requirements and notices;
 2. Minimum maintenance and security notices with cure deadlines;
 3. Blight designation proceedings under Article III;
 4. Compliance Agreement and Remediation Plan process;
 5. Administrative super-lien attachment for unpaid fees, abatement costs, and assessed civil penalties.
- (B) Notice and cure. Before referring a matter to Tier 2, the Code Official shall issue a written notice to the Owner identifying the specific violation(s), the required corrective action, and a cure deadline of not less than: (i) fourteen (14) calendar days for minimum maintenance and security violations; (ii) thirty (30) calendar days for registration violations; or (iii) such shorter period as the public safety emergency warrants, as determined by the Code Official in consultation with the City Attorney. The notice-and-cure period may run concurrently with the hearing notice period under Article III where a blight designation is also being pursued.
- (C) Enforcement files. The Code Official shall maintain a complete enforcement file for each subject property, organized to support potential litigation, containing, at minimum: ownership documentation; photographic logs; all inspection checklists; all notices and proofs of service; compliance history; and City Attorney correspondence.

Sec. 23-52. Tier 2 — Municipal Court Enforcement.

- (A) Referral. The Code Official may refer a matter to the Dallas Municipal Court for citation and prosecution upon: (i) the Owner's failure to cure a violation within the applicable notice-and-cure period; (ii) the Owner's failure to register or maintain a local Agent; (iii) the Owner's obstruction of a lawful inspection; or (iv) the Owner's failure to comply with an accepted Remediation Plan.
- (B) Daily civil penalties. Municipal Court may impose daily civil penalty citations for continuing violations. The amount of each daily citation shall not exceed the maximum authorized by applicable Georgia law for the City's Municipal Court jurisdiction under O.C.G.A. § 36-32-1 et seq. and the City's charter or enabling legislation.
- (C) Criminal prosecution. Willful or aggravated violations of this Ordinance, including willful obstruction of a lawful inspection or willful destruction of posted notices, may be prosecuted as criminal violations in Municipal Court consistent with the City's authorized criminal jurisdiction.
- (D) Contempt authority. Violation of a Municipal Court compliance order is subject to contempt proceedings consistent with Municipal Court authority under Georgia law.

Sec. 23-53. Tier 3 — Superior Court and Judicial Remedies.

- (A) Superior Court enforcement. Where a Vacant Commercial Property or Blighted Property presents conditions meeting the standard of O.C.G.A. § 41-2-7 et seq. (unfit structures), the City Attorney may petition the Superior Court of Paulding County for an order of compliance, including daily fines and cost recovery, as authorized by O.C.G.A. § 41-2-11.
- (B) Receivership. For abandoned Eligible Commercial Properties where the Owner is unresponsive or cannot be located, the City Attorney may petition the Superior Court for appointment of a receiver pursuant to O.C.G.A. § 44-14-600 et seq. or the Court's equity jurisdiction.
- (C) Urban Redevelopment Act — Contingency. The Urban Redevelopment Act, O.C.G.A. § 36-61-1 et seq., is reserved as a Tier 3 contingency measure for properties that remain non-compliant following Tier 1 and Tier 2 enforcement. Urban Redevelopment designation for any non-compliant property shall be evaluated at the City Manager's direction and reported to Council before initiation. The DDA's acquisition authority under O.C.G.A. § 36-42-8 shall be considered in conjunction with any Urban Redevelopment Act proceeding.
- (D) Injunctive relief. The City Attorney may seek injunctive relief in the Superior Court of Paulding County for imminent public safety hazards without prior exhaustion of administrative remedies.
- (E) Quiet title. The City Attorney may initiate quiet title actions in the Superior Court of Paulding County where title defects prevent rehabilitation or enforcement. The City has established institutional experience with companion quiet title actions in Paulding County Superior Court that shall be leveraged in appropriate cases.

Sec. 23-54. Lien Authority and Cost Recovery.

- (A) Administrative super-lien. All of the following shall attach as a lien upon the subject real property by operation of this Ordinance, without further action by the City:
 1. All unpaid registration fees assessed under Article II;
 2. All accrued monthly vacancy charges under Section 23-24;
 3. All administrative civil penalties assessed and not timely appealed or satisfied;
 4. All costs incurred by the City in performing abatement or corrective work under Section 23-30.
- (B) Priority. Liens recorded under this Section shall have priority over all subsequent encumbrances of any nature, except ad valorem tax liens.
- (C) Recording. The Code Official shall cause each lien to be recorded in the deed records of Paulding County, Georgia, within thirty (30) calendar days of the date the underlying obligation becomes final and uncontested. Recorded liens shall identify the property by address and Paulding County Parcel ID, identify the Owner, state the amount of the lien, and identify the nature of the obligation giving rise to the lien.
- (D) Lien survives transfer. A recorded lien shall survive and be binding upon all successors in interest to the property, regardless of the method of transfer, including tax sale. A bona fide purchaser for value without actual notice of the lien shall take the property subject to the lien by virtue of constructive notice through recordation.
- (E) Collection. The City may collect unpaid liens through any lawful method, including: (i) in rem proceedings against the property under O.C.G.A. § 41-2-9(b); (ii) coordination with the Paulding County Tax Commissioner for inclusion on the tax execution where authorized by

O.C.G.A. § 48-5-358; or (iii) such other collection proceedings as the City Attorney deems appropriate.

- (F) Satisfaction and release. Upon full payment of all amounts secured by a recorded lien, the Code Official shall cause a lien release to be recorded in the Paulding County deed records within fifteen (15) business days.

Sec. 23-55. Blight Remediation Fund.

- (A) Establishment. There is hereby established a dedicated fund known as the "Blight Remediation Fund" (the "Fund"), to be administered by the City Finance Director or designee.
- (B) Revenue sources. The Fund shall receive: (i) all registration fees assessed and collected under Article II; (ii) all civil penalties assessed and collected under this Ordinance; (iii) all abatement cost recoveries; and (iv) any revenues arising from the increased blight tax factor collected under Article III.
- (C) Authorized expenditures. Funds may be expended only for community redevelopment purposes consistent with the constitutional authorization and the purposes of this Ordinance, including: code enforcement and inspection operations; City-performed abatement; property acquisition or rehabilitation assistance for blighted DDA-district parcels; and administrative costs of the vacancy and blight program.
- (D) Accounting. The Finance Director shall maintain separate accounting for the Fund and shall report Fund balances and expenditures to the City Manager and Council annually with the City's budget documents.

ARTICLE V. - DOWNTOWN DEVELOPMENT AUTHORITY OF THE CITY OF DALLAS, GEORGIA INTEGRATION

Sec. 23-60. DDA District Overlay.

The provisions of this Article apply to all Eligible Commercial Properties located within the DDA District Boundary, in addition to all other applicable provisions of this Ordinance. In the event of a conflict between the provisions of this Article and another Article of this Ordinance as applied to a DDA-district property, the provisions of this Article shall control.

Sec. 23-61. DDA Secretary as Co-Notified Party.

- (A) Notice requirement. For all Eligible Commercial Property located within the DDA District Boundary, the Code Official shall simultaneously serve a copy of the following documents upon the DDA Secretary:
1. Any Proposed Blight Determination issued under Section 23-44;
 2. Any Final Blight Designation;
 3. Any notice of referral to Tier 2 or Tier 3 enforcement;
 4. Any notice of acceptance, deficiency, or rejection of a Remediation Plan.
- (B) Purpose. DDA notification is intended to enable the DDA to: (i) evaluate acquisition eligibility under Section 23-62; (ii) offer TAD-based rehabilitation incentives to cooperative Owners under Section 23-63; and (iii) coordinate the City's enforcement posture with the DDA's redevelopment priorities within the DDA district.

Sec. 23-62. DDA Acquisition Eligibility Review.

- (A) Automatic trigger. Upon issuance of a Final Blight Designation for any property within the DDA District Boundary, the DDA shall complete an acquisition eligibility review within sixty (60) calendar days of receipt of the Final Blight Designation notice.
- (B) Scope of review. The acquisition eligibility review shall evaluate: (i) the property's strategic significance to the DDA's redevelopment priorities; (ii) estimated fair market value and encumbrances; (iii) the feasibility of DDA acquisition, rehabilitation, or resale for redevelopment purposes; and (iv) the availability of TAD financing to support acquisition and rehabilitation.
- (C) DDA statutory authority. The DDA's acquisition authority is derived from O.C.G.A. § 36-42-8, and is incorporated herein by reference. This Ordinance does not expand or limit the DDA's existing acquisition authority.
- (D) Report to City Manager. The DDA Secretary shall report the results of the acquisition eligibility review to the City Manager and City Attorney within the sixty (60)-day review period, with a recommendation on whether DDA acquisition is warranted.

Sec. 23-63. TAD Financing as Rehabilitation Incentive.

- (A) Off-ramp integration. For Eligible Commercial Properties within the DDA District Boundary where the Owner has submitted and obtained acceptance of a Remediation Plan under Section 23-45, the DDA Secretary and Community Development Director shall evaluate whether the proposed rehabilitation is eligible for TAD increment financing under the City's TAD Economic Development Incentive Policy.
- (B) Incentive agreement. If the proposed rehabilitation qualifies for TAD financing, the DDA and Owner may enter into a TAD Incentive Agreement structured under the existing TAD Economic Development Incentive Policy, subject to City Council approval as required by the Policy. Execution of a TAD Incentive Agreement shall constitute grounds for fee deferral under Section 23-25 for the duration of the agreement.
- (C) Consistency. All TAD Incentive Agreements entered into under this Section shall be internally consistent with the City's existing TAD Economic Development Incentive Policy and shall not modify or supersede that Policy except to the extent expressly authorized by Council.

Sec. 23-64. DDA Right of First Negotiation.

Prior to the City's initiation of receivership proceedings under Section 23-53(B) or referral for Urban Redevelopment Act designation under Section 23-53(C) with respect to any property within the DDA District Boundary, the Code Official and City Attorney shall: (i) provide written notice to the DDA Secretary of the City's intent to proceed; and (ii) afford the DDA a period of forty-five (45) calendar days within which to commence good-faith negotiations with the Owner for voluntary acquisition or to initiate its own DDA acquisition proceedings. The City's enforcement timeline is not tolled during this period, and the City retains full discretion to proceed at the conclusion of the notice period.

ARTICLE VI. - GENERAL PROVISIONS; CODIFICATION; EFFECTIVE DATE

Sec. 23-70. Codification.

This Ordinance shall be codified in the Code of Ordinances of the City of Dallas, Georgia as Chapter 23, "Vacant and Blighted Property Redevelopment." The City Clerk is authorized to renumber sections, correct cross-references, and make such other non-substantive modifications as are necessary for codification consistency.

Sec. 23-71. UDC Cross-Reference.

The City Clerk and Community Development Director are directed to prepare, for Council adoption in the same or the immediately subsequent Council cycle, a companion UDC amendment that: (i) cross-references this Chapter in UDC Chapter XII (Violations and Enforcement); (ii) adds a definitional cross-reference to "Blighted Property / Blighted Condition" in UDC Chapter XIII (Definitions); and (iii) adds a clarifying sentence to the UDC's "Failure to Provide Ordinary Maintenance or Repair" subsection noting the parallel availability of remedies under this Chapter.

Sec. 23-71.1. Companion Amendments to Existing Code Provisions.

In the same ordinance by which this Chapter 23 is adopted, the Mayor and Council hereby adopt the following companion amendments to existing provisions of the Code of Ordinances, City of Dallas, Georgia. These amendments are necessary to ensure that the enforcement authority granted by this Chapter is fully integrated with the existing Code framework and that the designation of the Blight Inspector as a public officer under O.C.G.A. § 41-2-7 et seq. is expressly established.

- (A) Amendment to Code of Ordinances Section 22-21(b) — Public Officer Designation.** Code of Ordinances, City of Dallas, Georgia, Section 22-21(b) is hereby amended by inserting the following language immediately after the words “his designees” in the existing text of that subsection:

“, and the Code Enforcement Officer designated by the Community Development Director pursuant to Chapter 23 of this Code (Vacant and Blighted Property Redevelopment) as the Blight Inspector for purposes of that Chapter,”

As amended, Section 22-21(b) shall expressly extend the designation as a public officer under O.C.G.A. §§ 41-2-7 through 41-2-17 to the Code Enforcement Officer serving as Blight Inspector under Chapter 23 of this Code. This amendment shall not be construed to limit or otherwise affect the authority of any other public officer designated in Section 22-21(b).

- (B) Amendment to Code of Ordinances Section 21-75(b)(3) — Historic Deterioration by Neglect Cross-Reference.** Code of Ordinances, City of Dallas, Georgia, Section 21-

75(b)(3) is hereby amended by appending the following sentence at the end of that subsection:

“In addition to the remedies set forth in this subsection and in section 21-76 of this chapter, the City may also proceed concurrently under Chapter 23 of this Code (Vacant and Blighted Property Redevelopment), where applicable; the remedies available under that Chapter are cumulative to the remedies available under this article, and the City’s election to pursue historic-neglect remedies under this article does not preclude the concurrent or subsequent pursuit of registry, blight designation, or tax incentive remedies under Chapter 23 of this Code.”

(C) Codifier’s Instructions. The City Clerk is directed to cause the amendments set forth in subsections (A) and (B) of this Section to be incorporated into the official version of the Code of Ordinances, City of Dallas, Georgia, at the cited sections. The codifier is authorized to make such non-substantive formatting adjustments as are necessary for codification consistency, provided that no substantive change to the text of either amendment shall be made without authorization of the City Attorney.

Sec. 23-72. Residential Amendment Reserved.

The Mayor and Council expressly reserve the authority to extend the provisions of this Ordinance to residential properties by amendment. Such amendment shall include a fee schedule adopted pursuant to O.C.G.A. § 44-14-14 and shall specify vacancy trigger periods, procedural provisions, and enforcement mechanisms applicable to residential classifications. [RESERVED — Residential Amendment to follow.]

Sec. 23-73. Repealer.

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict. Specifically, any provision of the Dallas Code of Ordinances addressing vacant structures in the CBD District beyond UDC Section 4.11 shall be evaluated by the City Attorney and, if conflicting or superseded by this Ordinance, shall be identified for repeal concurrent with adoption of this Ordinance to avoid enforcement ambiguity.

Sec. 23-74. Effective Date.

This Ordinance shall take effect on July 1, 2026, or upon adoption and signing by the Mayor, whichever is later, to allow for administrative preparation of Registry forms, enforcement checklists, standard notices, and Tax Commissioner notification protocols prior to the commencement of the first enforcement cycle.

ADOPTED this _____ day of _____, 2026.

L. James Kelly, Mayor

James Henson, Councilmember

Christopher B. Carter, Councilmember

Nancy R. Arnold, Councilmember

Leah Alls, Councilmember

Cooper Cochran, Councilmember

Candace Callaway, Councilmember

Attest: _____
Tina Clark, City Clerk

Approved as to form:

Darrin Keaton
City Attorney and General Counsel
Georgia Bar No. 409998



STAFF REPORT

MEETING DATE: 5/4/2026

PRESENTED BY:

Darrin Keaton

AGENDA ITEM DESCRIPTION (Agenda Content):

Ordinance Amendment 2026-03 Purchasing

REPORT/INFORMATION:

Ordinance amendment to repeal and replace the purchasing ordinance of the City as part of the purchasing and procurement overhaul.

ORDINANCE AMENDMENT**NO. OA-2026-03**

**AN ORDINANCE OF THE CITY OF DALLAS, GEORGIA,
REPEALING AND REPLACING DIVISION 6 OF ARTICLE IV,
CHAPTER 2 OF THE CODE OF ORDINANCES TO MODERNIZE
AND CENTRALIZE PROCUREMENT AND CONTRACT
MANAGEMENT UNDER THE CITY MANAGER, WITH REVIEW
AND CONCURRENCE FROM THE CITY ATTORNEY AND
FINANCE DIRECTOR; TO ESTABLISH PURCHASING
THRESHOLDS AND APPROVAL AUTHORITY; TO PROVIDE FOR
ADMINISTRATIVE PROCEDURES; TO ENSURE COMPLIANCE
WITH GEORGIA PROCUREMENT LAWS AND FEDERAL
REQUIREMENTS WHEN APPLICABLE; TO PROVIDE FOR
CODIFICATION, REPEAL, SEVERABILITY, AND EFFECTIVE
DATE; AND FOR OTHER LAWFUL PURPOSES.**

WHEREAS, the Mayor and Council of the City of Dallas find that efficient and
accountable procurement practices are essential to the responsible
stewardship of public funds; and

WHEREAS, the City Charter vests executive authority in the City Manager for the
administration of City operations, including procurement and contract
management; and

WHEREAS, Georgia law authorizes municipalities to adopt ordinances regulating the
purchase of supplies, materials, equipment, and services pursuant to
O.C.G.A. § 36-35-3(a) and to establish competitive procurement procedures
pursuant to O.C.G.A. Title 36, Chapter 91; and

WHEREAS, the City is entrusted with significant taxpayer resources and has a fiduciary
duty to procure goods, services, and construction through fair, transparent,
and competitive processes that maximize public value and prevent waste,
fraud, and favoritism; and

WHEREAS, the existing purchasing ordinances have become outdated, fragmented, and
inconsistent with modern procurement practices and contemporary
purchasing thresholds; and

WHEREAS, proper procurement controls require appropriate segregation of duties, with the City Manager exercising approval authority, the Finance Director ensuring fiscal accountability, and the City Attorney providing legal review to protect the City's interests; and

WHEREAS, centralizing procurement authority under the City Manager, with appropriate legal and financial oversight, will improve accountability, ensure compliance with state and federal law, and reduce operational inefficiencies; and

WHEREAS, this ordinance establishes clear purchasing thresholds, approval requirements, and oversight mechanisms while delegating detailed administrative procedures to a Procurement Procedures Manual maintained by the City Manager;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Dallas, Georgia, as follows:

SECTION I. REPEAL OF EXISTING ORDINANCE - Chapter 2 -

ADMINISTRATION, ARTICLE IV. – DEPARTMENTS, DIVISION 6. –

PURCHASING DEPARTMENT and all amendments thereto, are hereby repealed in their entirety and replaced with the following:

SECTION II - ADOPTION OF NEW DIVISION 6 OF ARTICLE IV, CHAPTER 2 OF THE CODE OF ORDINANCES.

DIVISION 6 – PROCUREMENT AND CONTRACT MANAGEMENT

SECTION 2-218. TITLE; PURPOSE; SCOPE.

(a) Title. This Division shall be known and may be cited as the "Procurement and Contract Management Ordinance."

(b) Purpose. The purpose of this Division is to:

- (1) Establish consistent, transparent, and efficient procedures for all purchasing and contracting activity of the City of Dallas;
- (2) Define authority, accountability, and approval requirements for procurement transactions;
- (3) Ensure compliance with the City Charter, O.C.G.A. Title 36, Chapter 91, and all other applicable state and federal laws;
- (4) Promote fair and open competition to obtain best value for taxpayers; and
- (5) Provide for proper fiscal controls, legal review, and oversight of public expenditures.

(c) Scope. This Division applies to all City departments, officers, employees, boards, commissions, authorities, and other entities involved in the expenditure of City funds, regardless of funding source.

(d) Exemptions. This Division does not apply to:

- (1) Employment contracts for City employees, which are governed by personnel policies;
- (2) Contracts for legal services retained by the City Attorney, which are governed by Charter Section 3.15; or
- (3) General obligation bonds, revenue bonds, notes, or other debt instruments issued pursuant to Charter Sections 6.18 through 6.20 and applicable state law, which are not procurement transactions. Financing arrangements, lease-purchase agreements, installment contracts, and equipment financing agreements for the acquisition of goods, services, or equipment are not exempt from this Division and are governed by Section 2-221.2.

SECTION 2-219. AUTHORITY AND ADMINISTRATION.

(a) City Manager as Chief Procurement Officer. The City Manager shall serve as the Chief Procurement Officer of the City and shall have final approval authority for all purchases and contracts, subject to City Council approval as required by this Division and applicable law. The City Manager's approval authority includes but is not limited to:

- (1) Final determination of procurement method and solicitation type;
- (2) Approval of vendor selection and award recommendations;
- (3) Execution of contracts and purchase orders on behalf of the City;
- (4) Resolution of vendor protests and disputes;
- (5) Suspension and debarment of vendors; and
- (6) Interpretation and enforcement of procurement procedures.

(b) Procurement Officer. The City Manager may designate a Procurement Officer, typically within the Finance Department, to perform daily administrative functions including solicitation preparation, bid management, vendor coordination, and procurement file maintenance. Designation of a Procurement Officer does not diminish the City Manager's final authority over all procurement decisions.

(c) No Binding Obligation Without City Manager Approval. No purchase, contract, or other obligation shall be binding upon the City unless (i) approved by a Department Head within the Department Head's delegated authority under Section 2-221(a) and issued by purchase order through the Finance Director, or (ii) approved in writing by the City Manager for purchases exceeding Department Head authority, and in either case reviewed and concurred in by the City Attorney and Finance Director as required by this Division. Unauthorized purchases may be declared void and shall not be honored or paid except as provided in Section 2-228(b).

(d) Electronic File Management. The Procurement Officer shall establish and maintain an electronic file management system for all procurement records, including but not limited to requisitions, solicitations, quotations, bids, proposals, evaluations, contracts, purchase

orders, change orders, and vendor correspondence. Records shall be retained in accordance with Section 2-227(a).

SECTION 2-220. LEGAL AND FINANCIAL CONCURRENCE.

(a) City Attorney Review Required. The City Attorney shall review and provide written concurrence or comments prior to execution for:

- (1) All written contracts regardless of dollar amount;
- (2) All purchase orders exceeding twenty thousand dollars (\$20,000);
- (3) Any purchase order or contract containing indemnification, hold harmless, insurance, bonding, warranty, or liability provisions regardless of dollar amount;
- (4) Any solicitation document, including Invitations for Bids, Requests for Proposals, and Requests for Qualifications, when directed by the City Manager or when the anticipated contract value exceeds fifty thousand dollars (\$50,000);
- (5) Any modification, amendment, or change order to a previously-reviewed contract or purchase order; and
- (6) Any other procurement transaction at the direction of the City Manager.

(b) Exemption for Routine Purchase Orders. Standard purchase orders for routine goods and services under twenty thousand dollars (\$20,000) using approved City forms are exempt from City Attorney review provided they do not contain risk-transfer provisions described in subsection (a)(3).

(c) Finance Director Certification Required. The Finance Director shall certify in writing, prior to solicitation or award, that:

- (1) Adequate funds are legally available and properly appropriated in the identified budget account for the purchase or contract;
- (2) The expenditure is consistent with the budget purpose and any restrictions on the funding source; and
- (3) An encumbrance has been assigned reserving the funds.

(d) Written Concurrence in Procurement File. Written concurrence from the City Attorney and certification from the Finance Director shall be filed in the procurement record prior to execution of any contract or purchase order requiring such review under this Section.

(e) Effect of Legal or Financial Objection. If the City Attorney or Finance Director identifies legal deficiencies, fiscal irregularities, or non-compliance with applicable law or policy, the City Manager shall not proceed with the procurement until the deficiencies are resolved or the City Manager provides written justification overriding the objection, which shall be retained in the procurement file.

SECTION 2-221. PURCHASING AUTHORITY AND THRESHOLDS.

(a) Department Head Authority (Up to \$10,000). Department Heads may approve purchase requisitions up to ten thousand dollars (\$10,000) within their approved departmental budgets. The Finance Director shall issue purchase orders for approved requisitions upon verification of budget availability. The City Manager retains authority to review and reverse any departmental purchase decision.

(b) Informal Quotations (\$10,001 to \$49,999). Purchases or contracts with an estimated value from ten thousand one dollars (\$10,001) to forty-nine thousand nine hundred ninety-nine dollars (\$49,999) require:

- (1) At least three written or electronic quotations obtained by the Procurement Officer using uniform specifications and terms; and
- (2) Award by the City Manager to the lowest responsive and responsible quotation, or to another quotation based on best value with written justification, following Finance Director certification and City Attorney review as required by Section 2-220.

(c) Formal Sealed Bids or Proposals (\$50,000 and Above). Purchases or contracts with an estimated value of fifty thousand dollars (\$50,000) or more require:

- (1) A formal sealed bid process using an Invitation for Bids, or a competitive proposal process using a Request for Proposals, as determined by the City Manager based on whether price alone is the determining factor;
- (2) Public advertisement in accordance with applicable law;
- (3) For Invitations for Bids, public opening of sealed bids at the advertised date, time, and location; for Requests for Proposals, receipt of proposals by the deadline stated in the solicitation documents, with public disclosure of proposal scores and rankings following final award or cancellation of the solicitation, consistent with Section 2-227(d) and the Georgia Open Records Act; and
- (4) Award as follows:

(A) For purchases or contracts with an estimated value of fifty thousand dollars (\$50,000) to ninety-nine thousand nine hundred ninety-nine dollars (\$99,999), award shall be made by the City Manager following written concurrence from the City Attorney and Finance Director; and

(B) For purchases or contracts with an estimated value of one hundred thousand dollars (\$100,000) or more, or for any multi-year contract subject to subsection (d) below, award shall require prior City Council approval as provided in subsection (d) of this Section, in addition to written concurrence from the City Attorney and Finance Director.

(d) City Council Approval Required (\$100,000 or More; Multi-Year Contracts). In addition to the competitive procurement requirements of subsection (c) of this Section, which apply to all purchases and contracts of fifty thousand dollars (\$50,000) or more regardless of the approval authority required for award, the following purchases and contracts shall require approval by the Mayor and City Council prior to award:

- (1) Any purchase or contract with an annual value of one hundred thousand dollars (\$100,000) or more;
- (2) Any contract exceeding one fiscal year in duration, including all renewal options and extensions, regardless of annual value; provided, however, that contracts with an aggregate total value under twenty-five thousand dollars (\$25,000) and a duration under thirty-six (36) months are excluded from this multi-year requirement;

207 (3) Any other contract designated by the City Manager or City Council as
 208 requiring Council approval due to policy significance, public interest, or unusual
 209 risk profile; and

210 (4) Financing arrangements are subject to the provisions of Section 2-221.2 and
 211 require budget adjustments as specified in the Procurement Procedures Manual.

212 (e) Professional and Construction Services. Notwithstanding the thresholds in subsections
 213 (a) through (d), professional services and construction contracts are subject to additional
 214 requirements as set forth in Section 2-223.

215 (f) Cooperative Purchasing Agreements. The City Manager may utilize cooperative
 216 purchasing agreements as authorized in Section 2-226(c), which satisfy competitive
 217 procurement requirements but remain subject to the dollar thresholds in subsection (d) of
 218 this Section for Council approval.

219

220 SECTION 2-221.1. FORMAL WRITTEN CONTRACTS REQUIRED.

221 (a) Contract Requirement. Formal written contracts reviewed by the City Attorney and
 222 executed by the City Manager are required for:

223 (1) All purchases of goods or services valued at fifty thousand dollars (\$50,000)
 224 or more;

225 (2) All construction contracts regardless of amount;

226 (3) All professional services contracts regardless of amount;

227 (4) All contracts exceeding one fiscal year in duration regardless of amount;

228 (5) Any purchase involving performance obligations beyond simple delivery of
 229 goods or provision of routine services; and

230 (6) Any purchase requiring insurance, bonding, indemnification, warranty, or
 231 other risk-allocation provisions.

232 (b) Purchase Orders for Routine Purchases. Purchases not meeting the criteria in
 233 subsection (a) may be executed by purchase order on forms approved by the City
 234 Manager. Purchase orders for amounts exceeding twenty thousand dollars (\$20,000) shall
 235 be reviewed by the City Attorney as provided in Section 2-220(a)(2).

236

237 SECTION 2-221.2. FINANCING ARRANGEMENTS AND BUDGET 238 ADJUSTMENTS.

239 (a) Authorization. The City Manager is authorized to enter into financing arrangements,
 240 including but not limited to lease-purchase agreements, installment contracts, and
 241 equipment financing agreements, subject to the approval thresholds and competitive
 242 procurement requirements established in this Division.

243 (b) Budget Adjustment Requirement. All financing arrangements shall require
 244 corresponding budget adjustments to prevent duplicate appropriations for the same
 245 equipment, goods, or services. Such adjustments shall be implemented in accordance
 246 with procedures established in the Procurement Procedures Manual.

(c) Annual Payment Budgeting. Annual payments under financing arrangements shall be budgeted as operating expenses in the appropriate department budget for each fiscal year in which payments are due.

(d) Reporting to Council. The City Manager shall report all financing arrangements and associated budget adjustments to the Mayor and City Council at the next regular meeting following execution of such arrangements.

SECTION 2-222. EMERGENCY PURCHASING.

(a) Authority. The City Manager may authorize an emergency purchase when an unforeseen condition or circumstance requires immediate action to protect public health, safety, welfare, or City property, and when delay occasioned by competitive procurement procedures would cause serious injury to persons or property or substantial loss of essential City services.

(b) Competition Where Practicable. In authorizing emergency purchases, the City Manager shall make reasonable efforts to obtain competition and achieve fair pricing, considering the exigent circumstances. Competition may include obtaining telephone or electronic quotations, consulting recent procurement records, or negotiating with available vendors.

(c) Emergency Certification. For emergency purchases exceeding twenty thousand dollars (\$20,000), the City Manager shall execute a written emergency certification within forty-eight (48) hours of authorization. The certification shall state:

- (1) The specific facts and circumstances constituting the emergency;
- (2) Why delay would result in serious injury or loss;
- (3) Efforts made to obtain competition under the circumstances;
- (4) The vendor selected and basis for selection;
- (5) The total cost incurred or committed; and
- (6) The expected duration of the emergency condition.

(d) Review and Reporting. Emergency certifications shall be reviewed by the Finance Director and City Attorney for legal sufficiency. A report of all emergency purchases exceeding twenty thousand dollars (\$20,000), including the emergency certification and concurrence memoranda, shall be submitted to the Mayor and Council at their next regular meeting following the purchase. Certifications found deficient after the fact shall be referred to the City's audit committee or external auditor for review and recommendation.

(e) Abuse of Emergency Authority. Emergency purchasing authority shall not be used to circumvent competitive procurement requirements, to avoid City Council approval thresholds, or to justify poor planning or lack of advance requisition. Repeated use of emergency purchasing for similar or recurring needs may be evidence of abuse and subject the responsible employee to disciplinary action.

SECTION 2-223. PROFESSIONAL AND CONSTRUCTION SERVICES.

(a) Qualifications-Based Selection for Professional Services. Professional services, including but not limited to architecture, engineering, land surveying, landscape architecture, construction management (when functioning as owner's representative), planning, consulting, and other services requiring specialized professional licensure or expertise (excluding legal services retained by the City Attorney, which are exempt under Section 2-218(d)(2)), shall be procured using qualifications-based selection procedures consistent with O.C.G.A. § 50-22-6 and the federal Brooks Act, 40 U.S.C. §§ 1101–1104, when applicable.

(b) Prohibition on Price as Selection Factor. Price, fees, or cost proposals shall not be requested in the initial solicitation or used as an evaluation or selection factor for professional services covered by subsection (a). After ranking the most qualified firms, the City Manager may negotiate scope and fee with the highest-ranked firm. If negotiations fail to produce a fair and reasonable agreement, the City Manager shall terminate negotiations and commence negotiations with the next-ranked firm.

(c) Construction Contracts—Competitive Bidding Required. Construction contracts, including building construction, renovation, repair, alteration, and public works projects exceeding two hundred fifty thousand dollars (\$250,000), shall comply with the competitive bidding requirements of O.C.G.A. Title 36, Chapter 91, as amended by HB 137 (2025). At a minimum:

(1) Bid advertisements shall be published at least once in a newspaper of general circulation in Paulding County at least ten (10) calendar days before the bid opening, as required by O.C.G.A. § 36-91-50(b). The City shall target fourteen (14) calendar days as standard practice to maximize competition.

(2) Performance bonds and payment bonds shall be required for all construction contracts exceeding two hundred fifty thousand dollars (\$250,000) as mandated by O.C.G.A. §§ 36-91-70 and 36-91-90, as amended, and O.C.G.A. § 13-10-1 et seq. (Little Miller Act), as amended by HB 137 (2025), in the amount of one hundred percent (100%) of the contract price.

(3) Bids shall be sealed, publicly opened, and tabulated. Award shall be made to the lowest responsive and responsible bidder unless the City Manager determines rejection of all bids is in the public interest, in which case written justification shall be prepared. For construction contracts requiring City Council approval under Section 2-221(d), the City Manager's recommendation for award shall be presented to the Mayor and City Council for approval prior to contract execution.

(d) Construction Contracts Between \$100,000 and \$250,000. Construction contracts with an estimated value between one hundred thousand dollars (\$100,000) and two hundred forty-nine thousand nine hundred ninety-nine dollars (\$249,999) are exempt from the formal competitive bidding requirements of O.C.G.A. Title 36, Chapter 91 pursuant to HB 137 (2025), but remain subject to the following requirements:

(1) City Council approval is required for all construction contracts exceeding

one hundred thousand dollars (\$100,000) per Section 2-221(d);

(2) Competitive procurement shall be conducted using the formal sealed bid or competitive proposal procedures of Section 2-221(c), as determined by the City Manager based on project complexity and scope. Informal quotations under Section 2-221(b) are not available for construction contracts exceeding forty-nine thousand nine hundred ninety-nine dollars (\$49,999);

(3) Performance and payment bonds are optional but may be required by the City Manager when warranted by contractor experience, project risk, substantial subcontractor participation, or other relevant factors. The determination to require bonds shall be documented in the procurement file with written justification;

(4) All other provisions of this Division apply, including legal and finance review requirements, formal written contract requirements, and ethical standards.

(e) Federal Requirements. When federal funds are used for professional services or construction, additional federal procurement requirements shall apply as set forth in Section 2-224.

(f) Design-Build and Construction Manager at Risk. Alternative project delivery methods such as design-build or construction manager at risk may be used when authorized by state law and when the City Manager determines such methods serve the public interest. Procurement procedures for alternative delivery methods shall comply with applicable state statutes and shall be established in the Procurement Procedures Manual.

SECTION 2-224. FEDERAL AND GRANT-FUNDED PROCUREMENT.

(a) Applicability. When any portion of a procurement is funded by federal grants, cooperative agreements, reimbursement programs, or other federal financial assistance, the procurement shall comply with all applicable federal statutes, regulations, and funding conditions in addition to the requirements of this Division and state law.

(b) Identification and Incorporation of Requirements. Upon determination that federal funds are involved, the department initiating the procurement shall immediately notify the City Attorney and Finance Director. The City Attorney shall identify applicable federal requirements, which may include but are not limited to:

(1) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 C.F.R. Part 200);

(2) Davis-Bacon prevailing wage requirements for construction (40 U.S.C. § 3141 et seq.);

(3) Buy America or Buy American preferences;

(4) Disadvantaged Business Enterprise (DBE) or other small business participation goals;

(5) Federal suspension and debarment verification (2 C.F.R. Part 180);

(6) Procurement method restrictions specific to the funding program;

(7) Cost or price analysis requirements; and

(8) Federal funding agency-specific terms and conditions.

(c) Solicitation Documents. The Procurement Officer shall incorporate all applicable federal requirements into solicitation documents, including required certifications, representations, compliance obligations, contract clauses, and flow-down provisions to subcontractors.

(d) Conflict Resolution. In the event of a conflict between City procedures and federal requirements, federal requirements shall control to the extent necessary to maintain eligibility for federal funding. The City Attorney shall document any such conflict and the resolution in the procurement file.

(e) Federal Highway Administration Projects. Procurement of engineering and design-related services for projects funded by the Federal Highway Administration (FHWA) under Title 23, United States Code, shall comply with the qualifications-based selection requirements of 23 U.S.C. § 112(b)(2) and 23 C.F.R. Part 172, in addition to the Brooks Act provisions of subsection 2-223(a). Detailed procedures for FHWA-funded procurements shall be set forth in the Procurement Procedures Manual or in project-specific procurement compliance guidance issued by the City Attorney in consultation with the City Manager.

SECTION 2-225. ETHICS AND CONFLICTS OF INTEREST.

(a) Prohibition on Financial Interest. No City officer, elected official, or employee who participates in or has responsibility for any aspect of a procurement transaction shall have a direct or indirect financial interest in any vendor, contractor, or consultant seeking to contract with the City. For purposes of this subsection, participation includes but is not limited to specification preparation, requisition approval, vendor selection, evaluation, contract negotiation, contract administration, or payment authorization.

(b) Prohibition on Gratuities. No City officer, elected official, or employee involved in procurement shall solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or other thing of value from any vendor, contractor, consultant, or other person seeking to do business with the City, except as may be permitted by the City's ethics ordinance or state law for items of de minimis value.

(c) Vendor Conflict Disclosure. All vendors submitting bids, proposals, or quotations to the City shall file a written conflict-of-interest disclosure statement, disclosing any business or financial relationship between the vendor, its principals, or its subcontractors and any City official or employee. The disclosure shall be required by solicitation documents consistent with O.C.G.A. § 36-35-3(a), and, for public works solicitations, O.C.G.A. § 36-91-21(b)(4) and O.C.G.A. § 36-91-21(c)(1)(A) and (C). The disclosure shall be filed with the bid or proposal and updated promptly if circumstances change during contract performance. Failure to disclose a known conflict shall constitute grounds for bid or proposal disqualification and may result in contract termination and debarment.

(d) Violations and Penalties. Violations of this Section by City personnel may result in disciplinary action up to and including termination of employment. Violations by vendors

may result in disqualification of the bid or proposal, contract termination, and debarment from City contracts for a period of up to three (3) years. Nothing in this Section limits criminal prosecution under O.C.G.A. § 16-10-2 or other applicable law.

SECTION 2-226. SURPLUS PROPERTY AND COOPERATIVE PURCHASING.

(a) Surplus Property Designation. The City Manager, with concurrence from the Finance Director, may declare City-owned personal property surplus when it is obsolete, no longer needed for City operations, uneconomical to maintain, or otherwise appropriate for disposal. Real property may only be declared surplus and disposed of in accordance with the procedures established in the City Charter and applicable state law.

(b) Disposal Methods. Surplus personal property may be sold, traded, donated to governmental or nonprofit entities, or disposed of by any lawful means authorized by O.C.G.A. § 36-37-6. Surplus items with an estimated fair market value exceeding five hundred dollars (\$500) shall be sold by sealed bid, public auction, or online auction following public notice of at least ten (10) calendar days.

(c) Cooperative Purchasing Authority. The City may participate in state, regional, or national cooperative purchasing programs authorized by O.C.G.A. §§ 50-5-100 through 50-5-103, O.C.G.A. § 50-5-51(9), and O.C.G.A. § 36-34-2. The City Manager may execute cooperative purchasing agreements and intergovernmental agreements for joint procurement, provided the City's maximum annual financial commitment under the agreement does not exceed one hundred thousand dollars (\$100,000). Cooperative agreements exceeding this threshold require City Council approval by resolution. Cooperative purchasing agreements with a duration exceeding one fiscal year are subject to the multi-year contract approval requirements of Section 2-221(d)(2) regardless of the annual commitment amount.

(d) Effect of Cooperative Purchasing. Individual purchases made through an approved cooperative purchasing agreement or state contract satisfy the competitive procurement requirements of this Division, but remain subject to the dollar thresholds in Section 2-221(d) for City Council approval. Purchases through cooperative agreements shall comply with the legal review, financial certification, and contract execution requirements of this Division.

(e) Compliance with Cooperative Program Requirements. When utilizing cooperative purchasing agreements, state contracts, or federal procurement programs (including but not limited to the Georgia 1122 Program, Georgia State Contracts, GSA Federal Supply Schedules, or other authorized cooperative purchasing programs), the City shall strictly comply with all eligibility requirements, terms and conditions, purchasing procedures, and restrictions imposed by the administering agency or sponsoring entity. The Procurement Officer shall verify the City's eligibility, obtain any required registrations or authorizations, and ensure that goods or services sought are within the scope of the applicable cooperative agreement or state contract. Documentation of compliance with cooperative program requirements shall be maintained in the procurement file. Individual

purchases through cooperative agreements remain subject to the City Manager approval and City Council thresholds established in Section 2-221(d).

SECTION 2-227. RECORDKEEPING, REPORTING, AND OVERSIGHT.

(a) Records Retention. Procurement records, including but not limited to requisitions, solicitations, quotations, bids, proposals, evaluations, tabulations, contracts, purchase orders, change orders, payment records, and correspondence, shall be retained in accordance with the Records Retention Schedule for Georgia Local Governments published by the Georgia Archives, but in no event less than five (5) years from the date of final payment or contract completion, whichever occurs later.

Extended retention periods apply as follows:

(1) Construction contracts: Seven (7) years from final payment;

(2) Federal or grant-funded contracts: Three (3) years after submission of the final federal financial report or as specified in the grant agreement, whichever is longer, or as otherwise required by 2 C.F.R. § 200.334; and

(3) Contracts involving ongoing warranty, maintenance obligations, or potential liability exposure: Until all obligations and exposures terminate, plus five (5) years.

(b) Annual Procurement Report. The City Manager shall provide an annual procurement summary report to the Mayor and Council no later than ninety (90) days after the close of each fiscal year. The report shall include:

(1) Total number of contracts and purchase orders executed during the fiscal year;

(2) Total dollar value of contracts and purchase orders by category (construction, professional services, goods, other services);

(3) Number and type of procurements by method (quotations, sealed bids, proposals, sole source, emergency);

(4) Average procurement processing times;

(5) Summary of emergency purchases;

(6) Summary of vendor protests and resolutions;

(7) Identification of any significant compliance issues or recommendations for process improvement.

(c) Audit Review. The City's annual independent financial audit conducted pursuant to Charter Section 6.25 shall include a review of procurement compliance, including testing of competitive procurement procedures, approval requirements, contract execution, and adherence to applicable laws and policies. Audit findings related to procurement shall be reported to the City Council with management's response and corrective action plan.

(d) Public Access to Records. Public access to procurement records shall be governed by the Georgia Open Records Act, O.C.G.A. § 50-18-70 et seq. During active solicitation periods (from issuance of solicitation documents until final award or cancellation), the City may withhold disclosure of unopened bids or proposals, evaluation materials, internal deliberations, vendor scoring or ranking, and pre-decisional memoranda to protect the integrity of the competitive process and prevent disclosure of confidential

vendor information. After award or cancellation, all procurement records are subject to Open Records Act disclosure except as exempted by state law.

SECTION 2-228. ENFORCEMENT AND PENALTIES.

(a) Employee Violations. Any City employee who authorizes, approves, executes, or incurs a financial obligation on behalf of the City contrary to the requirements of this Division or the Procurement Procedures Manual shall be subject to disciplinary action up to and including termination of employment. Supervisors and department heads are responsible for ensuring subordinates comply with this Division.

(b) Unauthorized Purchases. Purchases or contracts made in violation of this Division are not binding on the City and may be declared void by the City Manager. Unauthorized purchases shall not be honored or paid by the City except as follows:

(1) If goods have been received or services rendered, the City Manager may, with written justification, ratify the purchase to avoid unjust enrichment or to mitigate damages to the City; or

(2) If ratification is denied, the employee responsible for the unauthorized purchase may be held personally liable for the cost.

(c) Vendor Violations. Vendors that violate City or state procurement laws, regulations, or contract terms may be subject to:

(1) Disqualification of bids or proposals;

(2) Termination of existing contracts for default;

(3) Withholding of payment for non-compliant performance;

(4) Debarment or suspension from City contracts for a period of up to three (3) years; and

(5) Pursuit of any other legal or equitable remedies available to the City, including but not limited to monetary damages, specific performance, or injunctive relief.

(d) Referral for Investigation. When violations of this Division involve potential fraud, theft, embezzlement, misappropriation of public funds, or other criminal conduct, the City Manager shall refer the matter to the appropriate law enforcement agency for investigation and shall notify the Mayor, City Council, and City Attorney.

SECTION 2-229. PROCUREMENT PROCEDURES MANUAL.

(a) Adoption and Maintenance. The City Manager shall adopt and maintain a Procurement Procedures Manual establishing detailed administrative procedures, timelines, forms, documentation requirements, and operational standards governing all procurement activity of the City. The Manual shall be consistent with this Division, the City Charter, and applicable state and federal law.

(b) Content. The Procurement Procedures Manual shall address, at minimum:

(1) Requisition submission and review processes;

(2) Budget verification and encumbrance procedures;

(3) Vendor solicitation methods for quotations, sealed bids, and competitive proposals;

- (4) Evaluation criteria, scoring methods, and committee procedures;
- (5) Responsiveness and responsibility standards for vendor qualification;
- (6) Contract negotiation and execution procedures;
- (7) Insurance, bonding, and surety requirements;
- (8) Change order and contract amendment procedures and approval limits;
- (9) Single-source and sole-source justification requirements;
- (10) Vendor performance monitoring and documentation;
- (11) Suspension, debarment, and protest procedures;
- (12) Federal procurement compliance procedures when applicable;
- (13) Forms, templates, and checklists for procurement activities; and
- (14) Any other procedures necessary for efficient, compliant, and transparent procurement operations.

(c) Administrative Amendment Authority. The City Manager may amend the Procurement Procedures Manual administratively without City Council action. Amendments shall be dated, assigned a version number, and published on the City's website. Material changes shall be communicated to department heads and procurement staff.

(d) Public Availability. The current Procurement Procedures Manual, including all amendments, shall be maintained on the City's official website and provided to all department heads. Copies shall be made available to vendors and members of the public upon request.

(e) Binding Effect. The Procurement Procedures Manual constitutes official City policy with full regulatory effect. Compliance with the Manual is mandatory for all City personnel involved in procurement activities unless the City Manager grants a specific written waiver documented in the procurement file.

SECTION 2-230. REPEAL OF CONFLICTING ORDINANCES; EFFECT ON EXISTING CONTRACTS.

(a) Repeal. Division 6 of Article IV, Chapter 2 of the Code of Ordinances of the City of Dallas, previously titled "Purchasing Department," and all ordinances, resolutions, policies, or parts thereof in conflict with this Division are hereby repealed to the extent of such conflict.

(b) Existing Contracts Unaffected. Contracts, purchase orders, and other procurement instruments lawfully executed prior to the effective date of this ordinance shall remain in full force and effect according to their terms. Amendments, modifications, and renewals of such pre-existing contracts shall comply with this Division.

(c) Pending Procurements. Procurements in progress on the effective date of this ordinance may be completed under the procedures in effect at the time of solicitation issuance, or may be transitioned to the procedures established by this Division at the discretion of the City Manager.

SECTION 2-231. SEVERABILITY.

581 If any section, subsection, sentence, clause, phrase, or portion of this ordinance is
582 declared invalid or unconstitutional by a court of competent jurisdiction, such declaration
583 shall not affect the validity of the remaining portions of this ordinance, which shall
584 remain in full force and effect. The City Council declares that it would have adopted this
585 ordinance and each section, subsection, sentence, clause, phrase, and portion thereof,
586 irrespective of the fact that any one or more sections, subsections, sentences, clauses,
587 phrases, or portions be declared invalid or unconstitutional.

588

589 SECTION 2-232 – 2-261. – Reserved

590

591 **SECTION III. CODIFICATION AND EFFECTIVE DATE**

592 The City Clerk is directed to cause this ordinance to be codified in the Code of
593 Ordinances of the City of Dallas, Georgia. This ordinance shall become effective July 1,
594 2026 upon its adoption by the Mayor and Council.

595

596

First read _____

Second and Adoption _____

**SO SHALL IT BE ORDAINED BY THE MAYOR AND COUNCIL OF THE
CITY OF DALLAS, GEORGIA, THIS THE ____ DAY OF _____,
2026.**

L. James Kelly, Mayor

James R. Henson, Councilmember

Cooper Cochran, Councilmember

Nancy R. Arnold, Councilmember

Christopher B. Carter, Councilmember

Leah Alls, Councilmember

Candace Callaway, Councilmember

ATTEST:

Tina Clark, City Clerk
City of Dallas, Georgia

Date

APPROVED AS TO FORM:

Darrin Keaton
City Attorney



STAFF REPORT

MEETING DATE: 5/4/2026

PRESENTED BY:

Darrin Keaton

AGENDA ITEM DESCRIPTION (Agenda Content):

Ordinance Amendment 2026-04 Alkaline Hydrolysis

REPORT/INFORMATION:

Ordinance amendment to add alkaline hydrolysis as a separate item from cremation to allow for such in legal non-conforming funeral homes and to define same.

**ORDINANCE
AMENDMENT
OA - 2026 – 04**

**AN ORDINANCE OF THE CITY OF DALLAS, GEORGIA
AMENDING THE CITY OF DALLAS UNIFIED DEVELOPMENT
CODE (UDC) TO ADDRESS ALKALINE HYDROLYSIS AND FOR
OTHER PURPOSES**

WHEREAS, the City has received requests that certain funeral homes be allowed to offer alkaline hydrolysis (also known as aquamation or water cremation) as a cremation-related service; and

WHEREAS, the City desires to establish clear, objective, and enforceable standards for alkaline hydrolysis operations that protect residential neighborhoods, ensure utility coordination, and prevent the unintended authorization of flame cremation in residential districts, except where otherwise expressly permitted by the UDC; and

WHEREAS, the Mayor and City Council find that adoption of the standards in this Ordinance promotes the public health, safety, and welfare by providing clarity in land use regulation and by requiring wastewater discharge approval from the applicable sewer authority as a condition precedent to operation; and

WHEREAS, the Mayor and City Council further find and determine, as a matter of legislative judgment, that the limited authorization of one (1) alkaline hydrolysis device as an accessory component of a lawfully existing funeral home, subject to the conditions herein, does not constitute an enlargement, expansion, or intensification of a legal nonconforming use for purposes of Chapter III of the UDC, based on the restricted number of devices, the prohibition on building expansion, and the wastewater and performance standards imposed; and

WHEREAS, the Mayor and City Council further find that the adoption of this Ordinance, being a text amendment to the UDC of general applicability, does not constitute a site-specific rezoning or spot zoning and is intended to apply uniformly to all legal nonconforming funeral homes within residential zoning districts throughout the City; and

WHEREAS, this text amendment has been processed in accordance with the notice and public hearing requirements of the Georgia Zoning Procedures Act, O.C.G.A. § 36-66-4, as documented in the official record of proceedings.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Dallas, Georgia, and it is hereby ordained by authority of the same as follows:

SECTION 1. AMENDMENT TO CHAPTER XIII (DEFINITIONS).

Chapter XIII (Definitions) of the UDC is hereby amended to add the following defined terms. If any existing definition conflicts with those set forth below, the definitions below shall control for all purposes of alkaline hydrolysis regulation under this Code.

A. Added Definitions.

ALKALINE HYDROLYSIS (AQUAMATION / WATER CREMATION). A water-based dissolution process using alkaline chemicals and heat and/or pressure that reduces human remains to residue and bone fragments and is authorized as a lawful form of disposition of human remains under O.C.G.A. § 43-18-1 et seq., as amended, including any provision specifically recognizing alkaline hydrolysis as a permissible method of final disposition.

ALKALINE HYDROLYSIS DEVICE. A commercially manufactured vessel, unit, or system used to perform alkaline hydrolysis, including associated tanks, controls, pretreatment systems, and appurtenant equipment.

FLAME CREMATION (THERMAL CREMATION). The reduction of human remains by combustion in a retort or similar device using flame and high heat.

FLAME CREMATION DEVICE / RETORT. A thermal cremation device (retort) used for flame cremation.

CREMATORY. A facility, building, structure, room, or portion thereof containing one (1) or more Flame Cremation Devices/Retorts used for flame cremation. For all purposes under this Code, the term "Crematory" shall not include any facility, room, or equipment used exclusively for alkaline hydrolysis operations authorized under Section 8.__ and, where applicable, Chapter III of this Code. This definition controls over any prior or conflicting definition of "Crematory" in this Code and shall be construed consistently with Table 4.3.

Codifier's Note: Insert these definitions in Chapter XIII in alphabetical order and update any internal indexing accordingly.

SECTION 2. AMENDMENT TO CHAPTER III (NONCONFORMITIES) — LIMITED ALKALINE HYDROLYSIS AUTHORIZATION FOR LEGAL NONCONFORMING FUNERAL HOMES IN RESIDENTIAL DISTRICTS.

Chapter III (Nonconformities) of the UDC is hereby amended by adding a new subsection to read as follows:

NONCONFORMING FUNERAL HOMES — LIMITED ALKALINE HYDROLYSIS AUTHORIZATION.

Notwithstanding any other provision of this Code regarding nonconforming uses, and consistent with the intent expressed in Section 3.01 that nonconforming uses not be enlarged, expanded, or extended without express approval, a legal nonconforming funeral home located in a residential zoning district may install and operate one (1) Alkaline Hydrolysis Device as an accessory component of the existing funeral home use, subject to the following conditions:

1. **No expansion of building footprint.** The Alkaline Hydrolysis Device and all associated process equipment shall be located entirely within the existing principal structure as of the effective date of this Ordinance. No building addition, outdoor enclosure, or accessory building shall be constructed to house or accommodate the device, and no new principal or accessory structure shall be erected in connection with the alkaline hydrolysis operation.

2. **No outdoor operations or storage.** No outdoor processing and no outdoor storage of alkaline chemicals, process additives, residue, or any related materials shall be permitted.
3. **No flame cremation.** This authorization does not permit flame cremation, a Flame Cremation Device/Retort, or the establishment or operation of a Crematory, as defined in Chapter XIII, in any residential zoning district.
4. **Utility and sewer authority approval as condition precedent.** Prior to issuance of any building permit for installation of an Alkaline Hydrolysis Device, the operator shall provide the Community Development Director with written documentation from the applicable sewer authority confirming: (a) the acceptability of discharge from the proposed alkaline hydrolysis operation; (b) any required pretreatment design and installation requirements; and (c) any required industrial user or pretreatment permitting requirements and conditions of approval.
5. **Certificate of Occupancy and operational approval.** No Certificate of Occupancy, or equivalent operational approval, shall be issued for the Alkaline Hydrolysis Device, and the device shall not be placed into operation, until the applicant provides written proof that all sewer authority requirements identified in Item 4 above have been fully satisfied, including issuance of any required permits and installation and verification of any required pretreatment equipment.
6. **Continuing compliance and revocation.** The operator shall at all times maintain in full force and effect all sewer authority approvals, permits, and required pretreatment equipment applicable to the alkaline hydrolysis operation. Failure to maintain such approvals, permits, or equipment, or to comply with any applicable sewer authority condition, shall constitute a violation of this Code and shall be grounds for suspension of operations and revocation of the Certificate of Occupancy or equivalent operational approval for the Alkaline Hydrolysis Device, in addition to any other enforcement remedies available to the City.
7. **Not an expansion for nonconformity purposes — limited Council authorization.** Installation and operation of one (1) Alkaline Hydrolysis Device meeting Items 1 through 6 above, and operating in compliance with Section 8.__, shall not be deemed an enlargement, expansion, or intensification of the legal nonconforming funeral home for purposes of this Chapter III, based on the limited number of devices authorized, the prohibition on building expansion, and the wastewater, performance, and operational conditions imposed herein. To the extent that City Council or Zoning Board of Appeals approval is required for any modification to a legal nonconforming use under Section 3.01 and Section 2.04, adoption of this Ordinance by the Mayor and City Council shall constitute and serve as such approval solely for the limited alkaline hydrolysis authorization described in this subsection and shall not be construed to approve any other modification, enlargement, or expansion of a legal nonconforming use.
8. **Table 4.3 use category — no change of use.** The installation and operation of one (1) Alkaline Hydrolysis Device at a legal nonconforming funeral home pursuant to this subsection shall not be deemed to activate, constitute, or result in a change to the "crematory" component of the "funeral home/mortuary/crematory" use category in Table

4.3 of this Code, and shall not require any additional use category authorization, rezoning, or special exception approval on account of the alkaline hydrolysis operation alone. This provision shall be construed consistently with the definition of "Crematory" as set forth in Chapter XIII, as amended by Section 1 of this Ordinance. In the event Table 4.3 is hereafter renumbered, reorganized, or amended to unbundle or reclassify funeral homes or crematories, it is the intent of this subsection that alkaline hydrolysis authorized herein remain accessory to, and not a separate principal use from, the legal nonconforming funeral home use.

- 9. **Section 8.21 inapplicable.** Alkaline hydrolysis operations authorized under this subsection are not subject to Section 8.21 (Crematories) of this Code. Section 8.21, including its one-thousand-foot (1,000') residential setback and all restrictions thereunder, applies exclusively to Flame Cremation operations involving a Crematory as defined in Chapter XIII, as amended. Nothing in this item shall be construed to authorize flame cremation or permit the installation of a Flame Cremation Device/Retort at any legal nonconforming funeral home in a residential district.
- 10. **Termination with nonconforming use.** The limited authorization granted by this subsection is accessory and subordinate to the legal nonconforming funeral home use and shall automatically terminate upon discontinuance, abandonment, or loss of legal nonconforming status of the funeral home under Chapter III, including any applicable time period for discontinuance.

Codifier's Note: Insert this subsection within Chapter III in the location determined by the City Clerk and Community Development Director, with section numbering conformed to the existing chapter format. Update any internal references affected by final numbering.

SECTION 3. ADDITION OF NEW SUPPLEMENTAL STANDARDS SECTION FOR ALKALINE HYDROLYSIS — CHAPTER VIII.

Chapter VIII of the UDC is hereby amended by adding a new section, to be codified as Section 8.33, to read as follows:

SECTION 8.33 ALKALINE HYDROLYSIS

A. Applicability. These supplemental standards apply to any Alkaline Hydrolysis Device permitted or approved within the corporate limits of the City, including devices installed at funeral homes operating as legal nonconforming uses under Chapter III. These standards are in addition to, and shall be read consistently with, the Chapter III conditions applicable to legal nonconforming funeral homes and all other generally applicable provisions of this Code and the City Code.

B. Location and Enclosure.

- 1. The Alkaline Hydrolysis Device and all associated process equipment shall be located entirely within a fully enclosed building.
- 2. No outdoor processing, outdoor chemical storage, or outdoor storage of any process byproducts or residue shall be permitted.

C. Performance Standards.

1. All operations shall be conducted so as to prevent detectable odors from escaping beyond the exterior walls of the building in which the device is located.
2. Noise, vibration, and exterior lighting shall comply with all applicable standards of the City Code and this UDC.
3. Nothing in this Section shall be construed to exempt an alkaline hydrolysis operation from any generally applicable nuisance, noise, odor, fire, building, property maintenance, or environmental regulations of the City or other governmental authority having jurisdiction.

D. Wastewater and Sewer Authority Coordination (Condition Precedent to Permitting and Operation).

1. Prior to issuance of any building permit for the installation of an Alkaline Hydrolysis Device, the applicant shall provide the Community Development Director with a written letter from the applicable sewer authority confirming whether pretreatment and/or industrial user permitting is required and stating the conditions under which discharge approval will be granted.
2. Prior to issuance of a Certificate of Occupancy or the commencement of operations, the operator shall provide written proof of: (a) sewer authority approval to discharge; (b) installation and successful start-up of any required pretreatment equipment; and (c) issuance of any required industrial user or pretreatment permit.
3. The operator shall comply with all sewer authority monitoring, sampling, reporting, and maintenance requirements applicable to the alkaline hydrolysis operation, and shall maintain copies of all required records on-site and available for City inspection upon reasonable notice, consistent with the City's general inspection authority under this Code and other applicable ordinances.
4. If the sewer authority modifies, suspends, or revokes any approval, permit, or condition applicable to the alkaline hydrolysis operation, the operator shall promptly notify the Community Development Director in writing and shall adjust operations as necessary to remain in continuous compliance with all sewer authority requirements and this Code.

E. Prohibited Equipment. No Flame Cremation Device/Retort shall be installed or operated under this Section 8.___. The presence of a Flame Cremation Device/Retort on any premises operating under this Section shall constitute a separate and independent violation of this Code.

F. Relationship to Section 8.21 (Crematories). Alkaline hydrolysis operations permitted or authorized under this Section 8.___ are not subject to Section 8.21 (Crematories) of this Code. The location restrictions, setback requirements, screening requirements, and all other operational restrictions set forth in Section 8.21 apply exclusively to Flame Cremation operations involving a Crematory as defined in Chapter XIII of this Code, as amended by Section 1 of this Ordinance. Nothing in this subsection shall be construed to authorize flame cremation or permit the installation of a Flame Cremation Device/Retort at any location subject to this section.

Codifier's Note: Assign the next available Section 8.___ number in Chapter VIII and update all internal cross-references in this Ordinance and in the UDC to reflect the final numbering.

SECTION 4. AQUAMATION-ONLY CLARIFICATION; PROHIBITION ON FLAME CREMATION IN RESIDENTIAL DISTRICTS; TABLE 4.3 USE CATEGORY CLARIFICATION.

The UDC is further amended by adding the following clarification provisions, to be codified at the end of Section 8.33 or within Section 8.21 (Crematories), as determined by the City Clerk in coordination with the Community Development Director:

AQUAMATION-ONLY CLARIFICATION; PROHIBITION ON FLAME CREMATION IN RESIDENTIAL DISTRICTS; TABLE 4.3 USE CATEGORY CLARIFICATION.

The authorization of alkaline hydrolysis by this Code amendment is limited solely to Alkaline Hydrolysis Devices and alkaline hydrolysis operations meeting Section 8.33 and, where applicable, Chapter III (Nonconformities). The following apply:

- 1. Flame cremation prohibition.** Nothing in this Ordinance shall be construed to permit flame cremation, a Flame Cremation Device/Retort, or a Crematory, as defined in Chapter XIII, in any residential zoning district, or elsewhere except in zoning districts where such uses are otherwise expressly permitted by Table 4.3 of the UDC and only upon satisfaction of all crematory supplemental standards set forth in Section 8.21 and all applicable approval procedures, including any required special exception.
- 2. Conflict rule — flame cremation.** In the event of any conflict between the provisions of this Ordinance and any provision of the UDC applicable to flame cremation or Crematories, the provisions applicable to flame cremation and Crematories, including Section 8.21, shall control and prevail with respect to flame cremation operations. This conflict rule shall not be construed to subject alkaline hydrolysis operations to Section 8.21.
- 3. Table 4.3 — use category clarification.** The installation and operation of an Alkaline Hydrolysis Device at a legal nonconforming funeral home pursuant to Section 2 of this Ordinance and Chapter III of the UDC shall not be deemed to activate, constitute, or result in a change of use to the "crematory" component of the "funeral home/mortuary/crematory" use category in Table 4.3 of the UDC. No additional use category authorization, rezoning, or special exception approval shall be required solely on account of the alkaline hydrolysis operation. This clarification shall be construed consistently with the definition of "Crematory" as amended by Section 1 of this Ordinance. In the event Table 4.3 is amended to reclassify, renumber, or unbundle funeral homes, mortuaries, or crematories, the intent of this provision is that alkaline hydrolysis authorized herein remain accessory to the funeral home use and not be treated as a separate crematory use.
- 4. Section 8.21 inapplicable to alkaline hydrolysis.** For the avoidance of doubt and notwithstanding any other provision of this Code, Section 8.21 (Crematories), including its one-thousand-foot (1,000') setback from residential structures and land and all other restrictions contained therein, does not apply to alkaline hydrolysis operations permitted

under Section 8.33 or authorized under Chapter III of this Code, as amended by this Ordinance.

Codifier's Note: Place this clarification either at the end of newly created Section 8.33 or within Section 8.21, as determined during codification, and conform all cross-references to the final code placement selected by the City.

SECTION 5. SEVERABILITY, REPEALER, AND EFFECTIVE DATE.

A. Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such determination shall not affect the validity of the remaining portions of this Ordinance, which shall remain in full force and effect. The Mayor and City Council declare that they would have adopted each section, subsection, sentence, clause, and phrase of this Ordinance independently of any portion subsequently held invalid.

B. Repealer. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict. The repeal of any ordinance shall not revive any ordinance previously repealed or superseded.

C. Effective Date. This Ordinance shall become effective upon adoption by the Mayor and City Council of the City of Dallas, Georgia, following all required public notice and public hearing procedures under O.C.G.A. § 36-66-4.

SO SHALL IT BE ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DALLAS, GEORGIA, THIS THE ____ DAY OF _____, 2026.

L. James Kelly, Mayor

James R. Henson, Councilmember

Cooper Cochran, Councilmember

Nancy R. Arnold, Councilmember

Christopher B. Carter, Councilmember

Leah Alls, Councilmember

Candace Callaway, Councilmember

ATTEST:

Tina Clark, City Clerk
City of Dallas, Georgia

Date

APPROVED AS TO FORM:

Darrin Keaton
City Attorney