



# Dallas Planning Commission

Thursday, March 21, 2024

6:00 PM

City Hall, 129 E Memorial Dr, Dallas GA 30132

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*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 at 770-443-8110 ext. 1604 to allow the city to make reasonable accommodations for those persons.*

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## AGENDA

### CALL TO ORDER

### MINUTES APPROVAL

1. Consideration for the approval of the Minutes from 11/2/2023

### RECOGNITION OF VISITORS

None

### OLD BUSINESS

None

### NEW BUSINESS

2. Re-appointment of Officers
3. Annexation Application A-2024-01 PLG, LLC have applied to annex a portion of Land Lot(s) 458 and 459 in the 2nd District, 3rd Section of Paulding County, located at 469 Summerhill Road, within Paulding County, Georgia from a zoning District of R-2 Residential in Paulding County, to a zoning District of R2-C, in the City of Dallas.
4. Zoning Application Z-2024-01 PLG, LLC have applied to zone/rezone a portion of Land Lot(s) 458 and 459 in the 2nd District, 3rd Section of Paulding County, located at 469 Summerhill Road, within Paulding County, from a zoning District of R-2 Residential in Paulding County, to a zoning District of R2-C Residential, in the City of Dallas.

### ADJOURNMENT



# Dallas Planning Commission

Thursday, November 02, 2023

6:00 PM

City Hall, 129 E Memorial Dr, Dallas GA 30132

## MINUTES

### CALL TO ORDER

#### PRESENT

David Holt  
Debbie Ewing  
Ryan Ayers

#### ABSENT

Terry Johnson  
Andrew Nesbit

### MINUTES APPROVAL

1. Consideration for the approval of the Minutes from 8/3/2023.

Motion to approve the Minutes from 8/3/2023 with changes.

Motion made by Ayers, Seconded by Ewing.

Voting Yea: Ewing, Ayers

### RECOGNITION OF VISITORS

2. None

### REPORTS

3. None

### OLD BUSINESS

4. None

**NEW BUSINESS**

5. Zoning Application Z-2023-08 Kerley Family Homes, LLC have applied to zone/rezone a portion of Land Lot(s) 273 in the 2nd District, 3rd Section of Paulding County, located at 260 Merchants Drive, within City of Dallas, Georgia, from a Zoning District of C-2 Commercial to a Zoning District of R-4 Residential and C-2 Commercial, in the City of Dallas.

Kevin Moore spoke in favor of the application. Sam Braly spoke in favor of the application with concern.

Motion to approve recommendation of Zoning Application Z-2023-08 with the following stipulations:

1. Developer is responsible for off-site downstream sewer infrastructure improvements that are required. Improvements must be installed and accepted by City prior to final plat approval.
2. Development shall be constructed in substantial conformity with the site plan provided in the zoning application.
3. Developer shall provide a minimum 20-foot planted or natural (where possible) buffer adjacent to the property boundaries as shown on the zoning site plan.
4. Developer shall provide a 5-6 foot high earthen berm with two rows of evergreen trees staggered six feet on center where the development borders single family residential properties. Berm with evergreen trees shall be located on the development side of the 20-foot planted or natural buffer.
5. Developer shall provide a 6-foot high chain link fence along development side of 20-foot buffer along north and east sides of development down to the stormwater management facility and tie into the private alley.
6. Developer shall provide a 10-foot concrete multi-use trail along the entire length of the property frontage along Merchants Drive for connection to City of Dallas Battlefield Trail.
7. Developer shall provide curb and gutter along entire length of property frontage along Merchants Drive.
8. Developer is responsible for providing required all development entrance improvements as required by Georgia DOT.
9. Developer is responsible for providing and installing license plate reader camera at development entrance compatible with City of Dallas Police Department system.
10. Home Owners Association with mandatory membership required for preservation and maintenance of common areas.
11. Developer shall submit detailed architectural, site, and landscaping plans to the City of Dallas for design review approval.
12. Additional 150-foot extension of berm from the Braly property along the City property for a total of 250-feet.

Motion made by Ewing, Seconded by Ayers.

Voting Yea: Ewing, Ayers

6. Zoning Application Z-2023-09 Kerley Family Homes, LLC have applied to zone/rezone a portion of Land Lot(s) 273 in the 2nd District, 3rd Section of Paulding County, located at 200 Clay Drive, within City of Dallas, Georgia, from a zoning of R-1 Residential District to a Zoning District of R-4 Residential and C-2 Commercial, in the City of Dallas.

Kevin Moore spoke in favor of the application. Sam Braly spoke in favor of the application with concern.

Motion to approve Zoning Application Z-2023-09 with the following stipulations:

1. Developer is responsible for off-site downstream sewer infrastructure improvements that are required. Improvements must be installed and accepted by City prior to final plat approval.
2. Development shall be constructed in substantial conformity with the site plan provided in the zoning application.
3. Developer shall provide a minimum 20-foot planted or natural (where possible) buffer adjacent to the property boundaries as shown on the zoning site plan.
4. Developer shall provide a 5-6 foot high earthen berm with two rows of evergreen trees staggered six feet on center where the development borders single family residential properties. Berm with evergreen trees shall be located on the development side of the 20-foot planted or natural buffer.
5. Developer shall provide a 6-foot high chain link fence along development side of 20-foot buffer along north and east sides of development down to the stormwater management facility and tie into the private alley.
6. Developer shall provide a 10-foot concrete multi-use trail along the entire length of the property frontage along Merchants Drive for connection to City of Dallas Battlefield Trail.
7. Developer shall provide curb and gutter along entire length of property frontage along Merchants Drive.
8. Developer is responsible for providing required all development entrance improvements as required by Georgia DOT.
9. Developer is responsible for providing and installing license plate reader camera at development entrance compatible with City of Dallas Police Department system.
10. Home Owners Association with mandatory membership required for preservation and maintenance of common areas.
11. Developer shall submit detailed architectural, site, and landscaping plans to the City of Dallas for design review approval.
12. Additional 150-foot extension of berm from the Braly property along the City property for a total of 250-feet.

Motion made by Ewing, Seconded by Ayers.  
Voting Yea: Ewing, Ayers



- 7. First National Community Bank has submitted development plans for property that is located within the Corridor Overlay District. The property is 0.93 acres located at 104 Village Walk, Dallas, GA 30132.

Jerry Johnson and Jonathan Colvin spoke in favor of the application.

Motion to approve DEV-2023-02.

Motion made by Ewing, Seconded by Ayers.

Voting Yea: Ewing, Ayers

- 8. The City of Dallas has proposed text amendments to the Zoning Ordinance.

Public hearing was held for proposed chapter 44 zoning amendments as presented.

- 9. Consideration for the 2024 meeting schedule.

No action was taken.

**ADJOURNMENT**

Motion to adjourn

Motion made by Ayers, Seconded by Ewing.

Voting Yea: Ewing, Ayers

\_\_\_\_\_  
**Board Secretary**

\_\_\_\_\_  
**Date**



# City of Dallas

PUBLIC HEARING

Zoning/Annexation

March 21, 2024

6:00PM

DALLAS CITY HALL

129 E. Memorial Dr

Dallas, GA 30132

**A-2024-01**



**ZONING / REZONING APPLICATION**  
City of Dallas, Georgia

Application # \_\_\_\_\_ - \_\_\_\_\_  
Hearing Dates: PC: \_\_\_\_\_ CC: \_\_\_\_\_

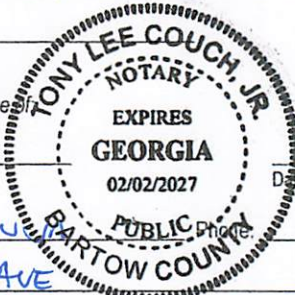
Item 3.

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: PLG, LLC Business phone: 678-776-9446 Cell: 504-256-2160  
Address: 20 Mansell Court E. Suite 100 Home phone: \_\_\_\_\_  
City: Roswell State: GA Zip: 30076 Fax phone: \_\_\_\_\_  
E-mail address: wporter@georgia-capital.com

Whit Porter Applicant's Signature Whit Porter Printed Name of Signatory

Signed, sealed and delivered in the presence of \_\_\_\_\_  
[Signature] Notary Public 2/2/27 Date Notary Commission Expires



Representative: BOYD L. AUSTIN Business phone: \_\_\_\_\_ Cell: (404) 402-3539  
Address: 255 CONFEDERATE AVE City: DALLAS State: TX Zip: 75201  
E-mail address: boyaustin@comcast.net Fax phone: \_\_\_\_\_

[Signature] Representative's Signature Boyd L. Austin Printed Name of Signatory

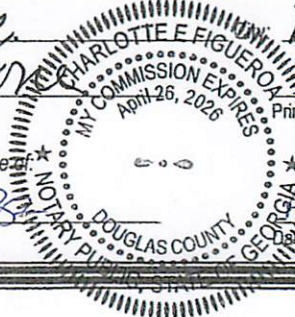
Signed, sealed and delivered in the presence of \_\_\_\_\_  
[Signature] Notary Public 2/2/27 Date Notary Commission Expires



Titleholder: Mary Sue P. Whitte - Tammy J. Kone <sup>executors</sup> Business phone: \_\_\_\_\_ Cell: 404 216 5810  
(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 2928 Stanway Ave. Douglasville State: GA Zip: 30135  
Tammy J. Kone Signature Tammy J. Kone Printed Name of Signatory

Signed, sealed and delivered in the presence of \_\_\_\_\_  
Charlotte E. Figueroa Notary Public April 26, 2026 Date Notary Commission Expires



**Property Information**

Present Zoning Classification: B-2 (Parking) Requested Zoning Classification: R-2C (Dallas)  
Total Acreage of Zoning/Rezoning Application: 34.447 Acreage of Titleholder: 34.614  
Land Lot(s): 458 & 459 District(s): 2nd Section(s): 3rd Tax Parcel I.D. Number(s): 147.1.2.002.000  
Location of Property: 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): 103 single-family lot subdivision.

Filed with City: 2/9/24 (Date) Whit Porter (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: \_\_\_\_\_

Item 3.

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: PLG, LLC Business phone: 678-726-9646 Cell: 504-256-2160

Address: 20 Mansell Court E. Suite 100 Home phone: \_\_\_\_\_

City: Roswell State: GA Zip: 30076 Fax phone: \_\_\_\_\_

E-mail address: wporter@georgia.ca.gov

Whit Porter  
Applicant's Signature

Whit Porter  
Printed Name of Signatory

Signed, sealed and delivered in the presence of

[Signature]  
Notary Public



2/2/27  
Date Notary Commission Expires

Representative: \_\_\_\_\_ Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

E-mail address: \_\_\_\_\_ Fax phone: \_\_\_\_\_

Representative's Signature

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Public

Date Notary Commission Expires

Titleholder: Mary Sue Tibbitts - Tammy J. Kone Business phone: \_\_\_\_\_ Cell: 404 216-5810

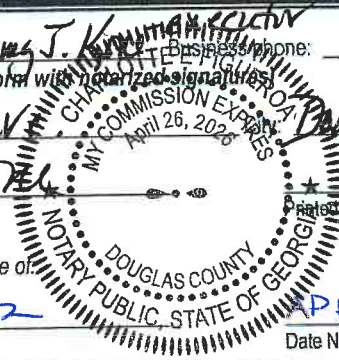
(Each Titleholder must have a separate, complete form with notarized signatures)  
Address: 2928 Stanway Ave. Douglasville State: GA Zip: 30135

Tammy J. Kone  
Signature

Tammy J. Kone  
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Charlotta E. Figg  
Notary Public



APRIL 26, 2020  
Date Notary Commission Expires

### Property Information

Present Zoning Classification: R-2 Requested Zoning Classification: R-2C

Total Acreage of Zoning/Rezoning Application: 34.447 Acreage of Titleholder: 34.614

Land Lot(s): 458/459 District(s): 2 Section(s): 3 Tax Parcel I.D. Number(s): 147.1.2.002.000

Location of Property: 469 Summerhill Road, Dallas, GA 30132  
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): A residential subdivision consisting of 103 single-family lots.

Filed with City: 2/16/24 (Date) Whit Porter (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: \_\_\_\_\_  
Type Date: \_\_\_\_\_

Item 3.

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: PLG, LLC Business phone: 678-726-9446 Cell: 504-256-2160

Address: 20 Mansell Court E. Suite 100 Home phone: \_\_\_\_\_

City: Roswell State: GA Zip: 30076 Fax phone: \_\_\_\_\_

E-mail address: wporter@georgia.capital.com

Whit Porter  
Applicant's Signature

Whit Porter  
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]  
Notary Public



2/2/27  
Date Notary Commission Expires

Representative: \_\_\_\_\_ Cell: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

E-mail address: \_\_\_\_\_ Fax phone: \_\_\_\_\_

Representative's Signature

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Public

Date Notary Commission Expires

Titleholder: Mary Sue Tibbitts - Tammy J. Kone <sup>executor</sup> Business phone: \_\_\_\_\_ Cell Home phone: 404 216 5810  
(Each Titleholder must have a separate, complete form with notarized signatures)

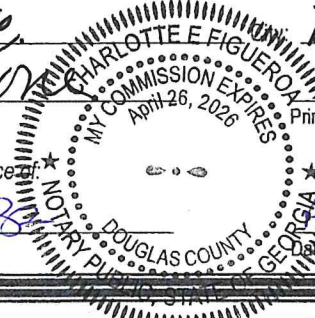
Address: 2928 Stanway Ave. Douglasville State: GA Zip: 30135

Tammy J. Kone  
Signature

Tammy J. Kone  
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Charlotte E. Figuera  
Notary Public



April 26, 2026  
Date Notary Commission Expires

**Property Information**

Present Zoning Classification: \_\_\_\_\_ Requested Zoning Classification: \_\_\_\_\_

Total Acreage of Zoning/Rezoning Application: \_\_\_\_\_ Acreage of Titleholder: \_\_\_\_\_

Land Lot(s): \_\_\_\_\_ District(s): \_\_\_\_\_ Section(s): \_\_\_\_\_ Tax Parcel I.D. Number(s): \_\_\_\_\_

Location of Property: \_\_\_\_\_  
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): \_\_\_\_\_

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: \_\_\_\_\_





### 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.**

1/ We (Cross Out One) have investigated the site as to the existence of archeological and/or architectural landmarks. 1/ 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.

1/ We (Cross Out One) have investigated the site as to the existence of any cemetery located on the property. 1/ 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.

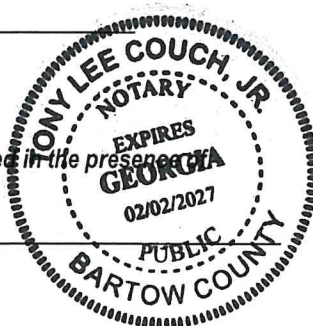
Whit Porter  
Signature of Applicant/Representative

2/9/24  
Date

Whit Porter  
Printed Name of Applicant/Representative

Signed, sealed and delivered in the presence of:

[Signature]  
Notary Public Signature



2/2/27  
Commission Expiration

\_\_\_\_\_  
Signature of Applicant/Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name of Applicant/Representative

Signed, sealed and delivered in the presence of:

\_\_\_\_\_  
Notary Public Signature

\_\_\_\_\_  
Commission Expiration

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



I (we), Whit Porter, 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:

N/A.

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I (we), Whit Porter, 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):

N/A.

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2/9/24  
Date

Whit Porter  
Applicant



CITY OF DALLAS  
LEGAL NOTICE  
ZONING / REZONING



I / WE(Choose one), PLG, LLC  
HAVE APPLIED TO ZONE/REZONE A PORTION OF LAND LOT(S) 458 + 459  
IN THE 2<sup>nd</sup> DISTRICT AND 3<sup>rd</sup> SECTION OF PAULDING COUNTY, LOCATED  
AT 469 Summerhill Road WITHIN THE CITY OF DALLAS, GEORGIA,  
FROM A ZONING DISTRICT OF R-2 (County) TO A ZONING DISTRICT OF  
R-2C (Dallas) SUBJECT TO PUBLIC HEARING TO BE HELD AT  
7:00 PM AT THE DALLAS CITY COUNCIL ROOM, 129 EAST MEMORIAL DRIVE, DALLAS, GEORGIA.

SAID PUBLIC HEARING WILL BE HELD ON \_\_\_\_\_ BEFORE THE  
CITY OF DALLAS PLANNING COMMISSION AND ON \_\_\_\_\_ BEFORE THE  
MAYOR AND COUNCIL OF THE CITY OF DALLAS.

THIS, THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.

PLG, LLC  
APPLICANT(S) NAME

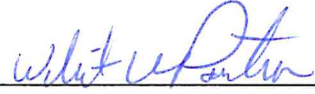
For City Use

NOTICE WILL RUN WEEKS OF: \_\_\_\_\_  
AND THE WEEK OF: \_\_\_\_\_  
AND THE WEEK OF: \_\_\_\_\_



allow for large community gatherings. Paran Homes, LLC (“Paran”) is an affiliate of PLG and will be constructing the homes for this neighborhood. Paran intends to build a range of for-sale homes with a minimum of 1,800 square feet, giving families who want to grow their roots in a lively, safe, and expanding city a variety of housing options. Paran has previous experience building these plans with positive feedback in projects across the State of Georgia. Architectural elevations of the proposed product offerings can be found attached to this Letter of Intent (Exhibit A). Lastly, the design of the neighborhood allows for walkability and social interaction that inspires a sense of community among its residents.

Sincerely,  
PLG, LLC

Signature:   
Name: Whit Porter  
Title: Land Acquisition Manager  
Date: 2/9/24



February 9, 2024

**Letter of Intent for Annexation & Rezoning Application:**  
**34.447 acres on 469 Summerhill Road**  
**Paulding County Parcel Identification Number: 147.1.2.002.000**  
**City of Dallas, Georgia**

The applicant and contract holder, PLG, LLC (“PLG”), requests the annexation and rezoning of approximately 34.447 acres (“the Property”) of a larger 34.614-acre tract at 469 Summerhill Road, Dallas, Georgia, Land Lots 458 & 459, District 2, 3<sup>rd</sup> section from Suburban Residential District (R-2) in Paulding County to Single-Family Residential District – Conservation (R-2C) in the City of Dallas, Georgia.

PLG requests a rezoning from R2 in Paulding County to R-2C in the City of Dallas, Georgia to accommodate for a development of one hundred three (103) single-family lots, as shown on the site plan provided by LJA Engineering attached hereto and incorporated herein (“the Site Plan”). PLG is proposing to rezone the Property to R-2C to permit the development of the Property for use as a single-family residential community at a size, quality, and price adequate to or exceeding existing homes in the surrounding area. The proposed rezoning would positively impact the property values in the vicinity while providing the growing community with a quality and convenient housing option.

PLG 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 LJA Engineering adheres to the fundamental characteristics of the R-2C zoning classification with a minimum lot size of seven thousand five hundred (7,500) square feet and a total density below 3 dwelling units per acre.

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

1. The installation of a Flock Security Camera at the entrance of the community.
2. The establishment of a Homeowners’ Association with accompanied Covenants, Restrictions, and 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. PLG firmly contends that the proposed community will check all the characteristics previously mentioned and become the example of residential 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.

Development in the R-2C district can be described as a “vibrant and livable community with a variety of services.” PLG believes the proposed development on Summerhill Road would encompass this description with its open space, product offerings, and design layout. The provided open space will





**EXHIBIT A**

**Brighton – 2,455 Square Feet**



**Oakmont – 2,118 Square Feet**





# PLG

**Reno – 2,006 Square Feet**



**Richmond – 1,897 Square Feet**





**Rosewood – 1,860 Square Feet**







**Boundary Survey Legal Description**

## Tract 1

All that tract or parcel of land lying and being in Land Lot 458 of the 2nd District, 3rd Section, Paulding County, Georgia and being more particularly described as follows:

BEGINNING at a 1/2" rebar found at the Land Lot corner common to Land Lots 407, 408, 457 & 458; from point thus established and running along the line common to Land Lots 407 & 458 South 89° 39' 19" East a distance of 640.39 feet to a 1" rebar found; thence leaving said Land Lot line South 00° 21' 10" West a distance of 9.73 feet to an axle found; thence South 43° 53' 17" East a distance of 121.92 feet to an iron pin set on the northwesterly Right of Way of Summerhill Road (60' R/W); thence running along said Right of Way the following courses: running along a curve to the left an arc length of 84.29 feet, (said curve having a radius of 775.00 feet, with a chord bearing of South 33° 04' 55" West, and a chord length of 84.25 feet) to a point; thence running along a curve to the right an arc length of 203.00 feet, (said curve having a radius of 5440.00 feet, with a chord bearing of South 32° 42' 30" West, and a chord length of 202.99 feet) to a point; thence running along a curve to the right an arc length of 167.80 feet, (said curve having a radius of 4240.00 feet, with a chord bearing of South 34° 03' 40" West, and a chord length of 167.79 feet) to a point; thence running along a curve to the left an arc length of 266.06 feet, (said curve having a radius of 1540.00 feet, with a chord bearing of South 31° 32' 26" West, and a chord length of 265.72 feet) to a point; thence South 27° 10' 21" West a distance of 81.44 feet to a point; thence running along a curve to the right an arc length of 218.85 feet, (said curve having a radius of 765.00 feet, with a chord bearing of South 36° 25' 01" West, and a chord length of 218.10 feet) to a 1/2" rebar found; thence North 64° 38' 11" West a distance of 207.36 feet to a 1/2" rebar found on the Land Lot line common to Land Lots 457 & 458; thence running along said Land Lot line North 01° 10' 42" East a distance of 867.64 feet to the TRUE POINT OF BEGINNING. Said tract contains 10.409 Acres (453,438 Square Feet).



## Tract 2

All that tract or parcel of land lying and being in Land Lot 458 & 459 of the 2nd District, 3rd Section, Paulding County, Georgia and being more particularly described as follows:

To Reach the TRUE POINT OF BEGINNING commence at a 1/2" rebar found at the Land Lot corner common to Land Lots 407, 408, 457 & 458; thence running along the line common to Land Lots 407 & 458 South 89° 39' 19" East a distance of 640.39 feet to a 1" rebar found; thence leaving said Land Lot line South 00° 21' 10" West a distance of 9.73 feet to an axle found; thence South 43° 53' 17" East a distance of 121.92 feet to an iron pin set on the northwesterly Right of Way of Summerhill Road (60' R/W); thence running along a tie line South 71° 59' 28" East a distance of 63.44 feet to a point on the southeasterly Right of Way of Summerhill Road, said point lying in the centerline of a creek; thence leaving said Right of Way and running along said creek the following courses: thence South 65° 38' 18" East a distance of 11.94 feet to a point; thence North 69° 17' 02" East a distance of 8.65 feet to a point; thence South 44° 29' 53" East a distance of 5.91 feet to a point; thence South 88° 00' 18" East a distance of 13.41 feet to a point; thence South 56° 32' 26" East a distance of 21.84 feet to a point; thence South 60° 28' 33" East a distance of 52.77 feet to a point; thence South 64° 41' 00" East a distance of 104.59 feet to a point; thence South 56° 15' 30" East a distance of 13.88 feet to a point; thence South 27° 47' 01" East a distance of 14.55 feet to a point; thence South 08° 05' 54" East a distance of 8.64 feet to a point; thence South 50° 09' 13" East a distance of 22.40 feet to a point; thence South 64° 01' 26" East a distance of 52.19 feet to a point; thence South 03° 44' 22" East a distance of 16.49 feet to a point; thence South 52° 54' 39" East a distance of 12.53 feet to a point; thence South 24° 40' 18" East a distance of 32.81 feet to a point; thence South 46° 58' 19" East a distance of 18.83 feet to a point; thence South 30° 16' 04" East a distance of 14.35 feet to a point; thence South 57° 31' 13" East a distance of 17.57 feet to a point; thence South 69° 23' 40" East a distance of 15.91 feet to a point; thence South 80° 06' 20" East a distance of 21.70 feet to a point; thence South 76° 26' 10" East a distance of 20.14 feet to a point; thence South 81° 41' 17" East a distance of 10.36 feet to a point; thence South 78° 16' 17" East a distance of 8.54 feet to a point; thence South 51° 36' 07" East a distance of 14.62 feet to a point; thence South 21° 55' 19" East a distance of 31.86 feet to a point; thence South 48° 05' 59" East a distance of 21.90 feet to a point; thence South 84° 07' 26" East a distance of 20.70 feet to a point; thence leaving said Land Lot line South 47° 41' 09" East a distance of 72.19 feet to a point on the Land Lot line common to Land Lots 458 & 459; thence running along said Land Lot line South 00° 32' 27" West a distance of 618.61 feet to an iron pin set; thence leaving said Land Lot line North 87° 52' 52" East a distance of 208.82 feet to an iron pin set; thence South 00° 34' 06" West a distance of 208.69 feet to a 1/2" rebar found on the Land Lot line common to Land Lots 459 & 478; thence running along said Land Lot line South 87° 50' 38" West a distance of 208.73 feet to a fence corner at the Land Lot corner common to Land Lots 458, 459, 478 & 479; thence running along the Land Lot line common to Land Lots 478 & 479 South 89° 45' 30" West a distance of 659.75 feet to an iron pin found; thence South 89° 44' 42" West a distance of 600.36 feet to a 1/2" rebar found; thence leaving said Land Lot line North 00° 34' 52" East a distance of 7.42 feet to a 1/2" rebar found; thence North 01° 50' 53" East a distance of 163.39 feet to a 3" open top pipe found at the aforementioned southeasterly Right of Way of Summerhill Road (60' R/W); thence running along said Right of Way the following courses: running along a curve to the left an arc length of 221.06 feet,

(said curve having a radius of 2410.00 feet, with a chord bearing of North 47° 10' 43" East, and a chord length of 220.99 feet) to a point; thence running along a curve to the left an arc length of 236.57 feet, (said curve having a radius of 825.00 feet, with a chord bearing of North 36° 23' 51" East, and a chord length of 235.76 feet) to a point; thence North 27° 10' 21" East a distance of 82.28 feet to a point; thence running along a curve to the right an arc length of 256.66 feet, (said curve having a radius of 1480.00 feet, with a chord bearing of North 31° 32' 52" East, and a chord length of 256.34 feet) to a point; thence running along a curve to the left an arc length of 170.41 feet, (said curve having a radius of 4300.00 feet, with a chord bearing of North 34° 04' 07" East, and a chord length of 170.40 feet) to a point; to the left an arc length of 205.69 feet, (said curve having a radius of 5500.00 feet, with a chord bearing of North 32° 42' 05" East, and a chord length of 205.68 feet) to a point; thence running along a curve to the right an arc length of 98.43 feet, (said curve having a radius of 715.00 feet, with a chord bearing of North 33° 50' 29" East, and a chord length of 98.35 feet) to the TRUE POINT OF BEGINNING. Said tract contains 24.205 Acres (1,054,382 Square Feet).



CONT'D NEXT PAGE

126/427

(12)

WARRANTY DEED

NEW ERA PRINT, DALLAS, GA.

STATE OF GEORGIA, PAULDING County.

THIS INDENTURE, made this... day of... November... in the year of our Lord One Thousand Nine Hundred and... Eighty Three... between RETHA TIBBITTS

of the State of... Georgia... and County of... Paulding... of the first part and J. U. TIBBITTS and MARY SUE TIBBITTS

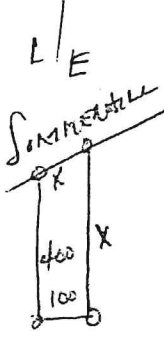
of the State of... Georgia... and County of... Paulding... of the second part.

WITNESSETH: That the said part... of the first part, for and in consideration of the sum of \$10.00 plus other good and valuable considerations... DOLLARS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, he... granted, bargained, sold and conveyed and by these presents do... grant, bargain, sell and convey unto the said parties... of the second part, their heirs and assigns, all that tract or parcel of land lying and being in Land Lot No. 458 of the 2nd District and 3rd Section of Paulding County, Georgia, and being more particularly described as follows:

BEGINNING at a point on the Southerly right-of-way of Summerhill Road (sometimes known as Croker Road), said point being located 430 feet Northeasterly (as measured along the Southerly right-of-way of Summerhill Road) from the intersection of the West land lot line of Land Lot No. 458 with the Southerly right-of-way of Summerhill Road; thence running South 00 degrees, 00 minutes, 55 seconds East for a distance of 475 feet; thence running East parallel with the South land lot line of Land Lot No. 458 for a distance of 325 feet to a point; thence running North 00 degrees, 00 minutes, 55 seconds West for a distance of 823 feet to a point on the Southerly right-of-way of Summerhill Road; thence running in a Southwesterly direction along the Southerly right-of-way of Summerhill Road a distance of 390 feet to the Point of Beginning.

LESS AND EXCEPTED and not conveyed hereby, that property described as follows:

BEGINNING at a point on the Southerly right-of-way of Summerhill Road (sometimes known as Croker Road), said point being located 430 feet Northeasterly (as measured along the Southerly right-of-way of Summerhill Road) from the intersection of the Southerly right-of-way of Summerhill Road with the West land lot line of Land Lot No. 458; thence running South 00 degrees, 00 minutes, 55 seconds East for a distance of 400 feet to a point; thence running in an Easterly direction parallel with the South land lot line of Land Lot No. 458 for a distance of 100 feet; thence running North 00 degrees, 00 minutes, 55 seconds West to a point on the Southerly right-of-way of Summerhill Road; thence running in a Southwesterly direction along the Southerly right-of-way of Summerhill Road to the Point of Beginning.



X

BACK IN RTV C 253/760

Paulding County, Ga. Real Estate Transfer Tax Paid \$ None Date 12-29-87 (City/Clerk) Superior Court

PAULDING COUNTY, GEORGIA 27 DEC 29 PM 2:08

BOOK - 126 PAGE 427

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of them the said part 1st of the second part, their heirs and assigns forever, IN FEE SIMPLE.

And the said part 2nd of the first part, for her heirs, executors and administrators will warrant and forever defend the right and title to the above described property unto the said part 1st of the second part, their heirs and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, The said party of the first part has hereunto set her hand and affixed her seal, this day and year above written.

Signed, sealed and delivered in the presence of

Witness  
*[Signature]*  
*[Signature]*

*[Signature]* (Seal)  
Retha Tibbitts (Seal)  
(Seal)  
(Seal)  
(Seal)

Tonny S. Beavers  
N.P. Notary Public



RECORDED 12-30-19 87  
STELLA R. SIMMONS, CLERK  
SUPERIOR COURT, PAULDING CO.

BOOK - 126 PAGE 428

WARRANTY DEED  
FROM  
RETHA TIBBITTS  
TO  
J. U. TIBBITTS and  
MARY SUE TIBBITTS  
November 11 19 83  
Georgia Paulding County  
Notary Public  
Filed for Record at 10:00 a.m. 11 19 83  
Recorded in Book 126 Page 428  
Clerk



253/760

13

WARRANTY DEED

NEW ERA PRINT, DALLAS, GA.

STATE OF GEORGIA, Paulding County.

THIS INDENTURE, made this 27th day of December in the year of our Lord One Thousand Nine Hundred and Ninety-one between RETHA TIBBITTS

of the State of Georgia and County of Paulding of the first part and J. U. TIBBITTS and MARY SUE TIBBITTS

of the State of Georgia and County of Paulding of the second part.

WITNESSETH: That the said part y. of the first part, for and in consideration of the sum of \$10.00 plus other good and valuable considerations DOLLARS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, ha. granted, bargained, sold and conveyed and by these presents do. grant, bargain, sell and convey unto the said part. i.e.s. of the second part, their heirs and assigns, all that tract or parcel of land lying and being in Land Lot No. 458 of the 2nd District and 3rd Section of Paulding County, Georgia, and being more particularly described as follows:

BEGINNING at a point on the Southerly right-of-way of Summerhill Road (sometimes known as Croker Road), said point being located 430 feet Northeasterly (as measured along the Southerly right-of-way of Summerhill Road) from the intersection of the Southerly right-of-way of Summerhill Road with the West land lot line of Land Lot No. 458; thence running South 00 degrees, 00 minutes, 55 seconds East for a distance of 400 feet to a point; thence running in an Easterly direction parallel with the South land lot line of Land Lot No. 458 for a distance of 100 feet; thence running North 00 degrees, 00 minutes, 55 seconds West to a point on the Southerly right-of-way of Summerhill Road; thence running in a Southwesterly direction along the Southerly right-of-way of Summerhill Road to the Point of Beginning.

Paulding County, Ga. Real Estate Transfer Tax Paid Date 1-6-92 (Click on Signature) Superior Court

RECORDED 1-6-92 SILVIA G. SHERIDAN SUPERIOR COURT, PAULDING CO.

52 JAN -6 4:10 PM '92

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of them the said part. i.e.s. of the second part, their heirs and assigns forever, IN FEE SIMPLE.

And the said part y. of the first part, for her heirs, executors and administrators will warrant and forever defend the right and title to the above described property unto the said part. i.e.s. of the second part, their heirs and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, The said part y. of the first part has hereunto set her hand and affixed her seal the day and year above written.

Signed, sealed and delivered in the presence of WITNESS

Retha Tibbitts (Seal) Retha Tibbitts (Seal) (Seal) (Seal)

Notary Public Term No. 25



TONNY S. BEAVERS SUSAN K. BEAVERS N.P.

Handwritten mark resembling a stylized 'N' or '4'.

Deed Doc: BSTD  
Filed 06/07/2018 10:42AM  
Georgia Transfer Tax Paid : \$0.00  
BANK OF AMERICA NOT CERTIFY TITLE  
Clerk Superior Court, Paulding County, Ga.  
Bk 03881 Pg 0249-0251  
1102018003953

DOCUMENT PREPARATION ONLY - DRAFTING ATTORNEY HAS NOT EXAMINED

Please return to:  
Mason Law Group (Georgia) LLC  
201 W Memorial Dr.  
Dallas, GA 30132

Executors Deed

Handwritten notes: 3881/249 (10)

STATE OF GEORGIA

COUNTY OF PAULDING

THIS INDENTURE, made this 7<sup>th</sup> day of June, 2018 between CONNIE SUE TIBBITTS, as Executrix of the Estate of Jerrell Umbrey Tibbitts a/k/a J.U. Tibbitts, Deceased of the First Part (hereinafter called "grantor") and MARY SUE TIBBITTS of the Second Part, (hereinafter called "grantee"); the words "grantor" and "grantee" to include their respective heirs, successors and assigns where the context requires or permits:

WITNESSETH: That the said grantor (acting under and by virtue of the power and authority contained in the Letters Testamentary by the Paulding County, Georgia Probate Court on March 29, 2017, in Estate No. 2017-096), for and in consideration of the sum of TEN DOLLARS (\$10.00) Dollars in hand paid, at and before the sealing and delivery of these presents (the receipt of which is hereby acknowledged), has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said grantee,

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

This deed is given subject to all easements and restrictions of record.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said grantee forever, in fee simple: in as full and ample a manner as the same was held, possessed and enjoyed, or might have been held, possessed and enjoyed, by the said deceased.

IN WITNESS WHEREOF, the grantor herein has hereunto set hand and seal, the day and year above written.

Signed, sealed and delivered in the presence of:

*[Signature]*  
WITNESS: *Meredith Hamilton*

GRANTOR:

*Connie Sue Tibbitts* (SEAL)  
CONNIE SUE TIBBITTS, AS EXECUTRIX OF  
THE ESTATE OF JERRELL UMBREY  
TIBBITTS, DECEASED

*[Signature]*

Notary Public  
(Affix Notary Seal)





# Exhibit "A"

... a one-half undivided interest in all that tract or parcel of land lying and being in the Second District and Third Second of Paulding County, Georgia, and being more particularly described as follows:

One acre off the Southwest corner of Land Lot 459 plus all of Original Land Lot No. 458 EXCEPT one acre off the East end of the North half of said Land Lot EXCEPT One one-fourth (1/4) acre described as follows:

BEGINNING at the Northwest corner of the above described 1 acre tract in the Northeast corner of Land Lot No. 458 and thence running West along the North original line of said Land Lot No. 458 to the line of the property formerly owned by Ben F. Groker, now owned by J. U. Tibbitts; thence South along the East boundary line of property now owned by J. U. Tibbitts a distance of 10 feet to a stake; thence running East on a line which runs through a spring and a culvert and continuing down through the center of said stream to the East original line of said Land Lot No. 458; thence North along the East original line of said Land Lot No. 458 to the Southeast corner of the above described 1 acre tract in the Northeast corner of said Land Lot No. 458; thence running in a Westerly direction along the South boundary line of said above described 1 acre tract to the Southwest corner of same; thence North along the West boundary line of said above described 1 acre tract to the North original line of said Land Lot No. 458 and the point of beginning.

Rec'd L. H. T. ...  
Paid \$ 115.00  
Date 12-28-50  
P. M. ...

TV/638

①

Filed February 24, 1976 9:33 A. M.

538

Recorded February 24, 1976 C. M. Turner, Clerk

WARRANTY DEED

NEW ERA PRINT, DALLAS, GA.

STATE OF GEORGIA, PAULDING County.

THIS INDENTURE, made this \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord One Thousand Nine Hundred and \_\_\_\_\_ Seventy-Six between J. U. TIBBITTS

of the State of Georgia and County of Paulding of the first part and MARY SUE TIBBITTS

of the State of Georgia and County of Paulding of the second part

WITNESSETH: That the said part... of the first part, for and in consideration of the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION

in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, he... granted, bargained, sold and conveyed and by these presents do... grant, bargain, sell and convey unto the said part... of the second part, her heirs and assigns, a one-half undivided interest in all that tract or parcel of land lying and being in the Second District and Third Second of Paulding County, Georgia, and being more particularly described as follows:

One acre off the Southwest corner of Land Lot 459 plus all of Original Land Lot No. 458 EXCEPT one acre off the East end of the North half of said Land Lot EXCEPT One one-fourth (1/4) acre described as follows:

BEGINNING at the Northwest corner of the above described 1 acre tract in the Northeast corner of Land Lot No. 458 and thence running West along the North original line of said Land Lot No. 458 to the line of the property formerly owned by Ben F. Croker, now owned by J. U. Tibbitts; thence South along the East boundary line of property now owned by J. U. Tibbitts a distance of 10 feet to a stake; thence running East on a line which runs through a spring and a culvert and continuing down through the center of said stream to the East original line of said Land Lot No. 458; thence North along the East original line of said Land Lot No. 458 to the Southeast corner of the above described 1 acre tract in the Northeast corner of said Land Lot No. 458; thence running in a Westerly direction along the South boundary line of said above described 1 acre tract to the Southwest corner of same; thence North along the West boundary line of said above described 1 acre tract to the North original line of said Land Lot No. 458 and the point of beginning.

Paulding, Georgia  
Paid \$ 12.00  
Date 2-24-76  
C. M. Turner  
Clerk of Superior Court

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of herself the said part... of the second part, her heirs and assigns forever, IN FEE SIMPLE.

And the said part... of the first part, for himself, his heirs, executors and administrators will warrant and forever defend the right and title to the above described property unto the said part... of the second part, her heirs and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, The said part... of the first part hereunto set his hand and seized his seal, the day and year above written:

Stated, sealed and delivered in the presence of

Jeffrey E. Talley  
D. L. Lester

J. U. Tibbitts (Seal)  
J. U. Tibbitts (Seal)  
(Seal)  
(Seal)

Jeffrey E. Talley  
D. L. Lester, N. P.  
Equal Notaries

1.0 AC  
LL 458  
ALL  
458 AC  
ONE AC  
1/4

4 LL 459  
ALL 458  
4 1/4 AC  
1/4 AC

Adjacent Property Owner Info - 469 Summerhill Road			
Owner	Property Address	Mailing Address	Tax Parcel ID
Pope, Mike	UNASSIGNED ADDRESS	95 Avery Way, Dallas, GA, 30157	147.1.3.010.0000
230 Summerhill Road, LLC	UNASSIGNED ADDRESS	783 Holland Rd, Powder Springs, GA, 30127	147.1.3.008.0000
230 Summerhill Road, LLC	105 Beckward Path, Dallas GA	783 Holland Rd, Powder Springs, GA, 30127	147.1.2.004.0000
303 Summerhill Road, LLC	303 Summerhill Road, Dallas, GA	783 Holland Rd, Powder Springs, GA, 30127	147.1.2.001.0000
ZEI Dallas, LLC	3366 Allanta Hwy, Dallas, GA	10933 Crabapple Rd, Roswell, GA, 30075	140.4.3.072.0000
2011 Edwards Family Revocable Trust	598 Summerhill Road, Dallas, GA	598 Summerhill Road, C/O Charlie Edwards Jr, Dallas, GA, 30132	147.2.1.002.0000
Tabor, Thomas C	UNASSIGNED ADDRESS	404 Redwood Dr NE, Marietta, GA, 30060	140.4.4.046.0000
Aiken Business Properties LP / Ollis Production Inc	UNASSIGNED ADDRESS	PO Box 827 C/O Aiken Magement Trust, Dallas, GA, 30132	147.2.4.006.0000
Harris, Richard L & Harris, Dolores C	UNASSIGNED ADDRESS	783 Holland Rd, Powder Springs, GA, 30127	147.1.1.006.0000
Paulding Medical Center, Inc	146 Bill Carruth Pkwy, Hiram, 30141	PO Box 92129 C/O Altus Group, Southlake, TX, 76092	147.2.4.002.0000
McNeel Covey 278, LLC	UNASSIGNED ADDRESS	990 Cobb Pwky N Suite 201, Marietta, GA, 30062	147.1.2.002.0000
90 International, LLC	90 International Pkwy, Dallas, GA, 30157	1303 Hightower Trail Suite 205, C/O Brown Realty Advisors, Inc, Atlanta, GA, 30350	147.1.3.006.0000

Printed: 10/25/2023 13:06:39 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
2022-065499	R0138 76	469 SUMMERHILL RD	\$2,541.22	\$26.46 Fees: \$0.00	\$0.00	\$2,567.68	\$0.00
<b>Totals:</b>			<b>\$2,541.22</b>	<b>\$26.46</b>	<b>\$0.00</b>	<b>\$2,567.68</b>	<b>\$0.00</b>

Paid Date: 02/01/2023

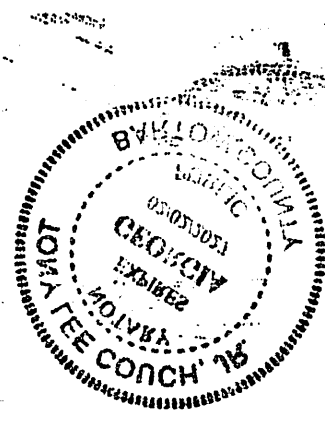
Charge Amount: \$2,567.68

TIBBITTS MARY SUE  
4809 SHAE CT  
POWDER SPRINGS, GA 30127



Scan this code with your mobile phone to view this bill

[Faint, illegible text, possibly bleed-through from the reverse side of the page]





469 Summerhill Road  
A-2024-01  
Z-2024-01  
February 19<sup>th</sup>, 2024

Item 3.

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

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

Dear Miss Elgaydi:

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

Background:

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

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



469 Summerhill Road  
 A-2024-01  
 Z-2024-01  
 February 19<sup>th</sup>, 2024

Item 3.

Annexation and Rezoning Request:

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

Description of Rezoning Request:

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

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

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

Site Analysis:

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

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

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

Review of Criteria for Granting a Rezoning:

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





469 Summerhill Road  
A-2024-01  
Z-2024-01  
February 19<sup>th</sup>, 2024

Item 3.

**1. The Comprehensive Plan;**

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

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

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

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

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

Highway 278 within this vicinity is considered an Employment Corridor:

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

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

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





**2. Permitted Use impact on adjacent properties;**

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

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

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

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

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

**5. Supported by current conditions:**

Water and Sewer are available.

Recommendation:

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

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

Conditions of Approval (if applicable):

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

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



469 Summerhill Road  
A-2024-01  
Z-2024-01  
February 19<sup>th</sup>, 2024

Item 3.

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

Public Comments:

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

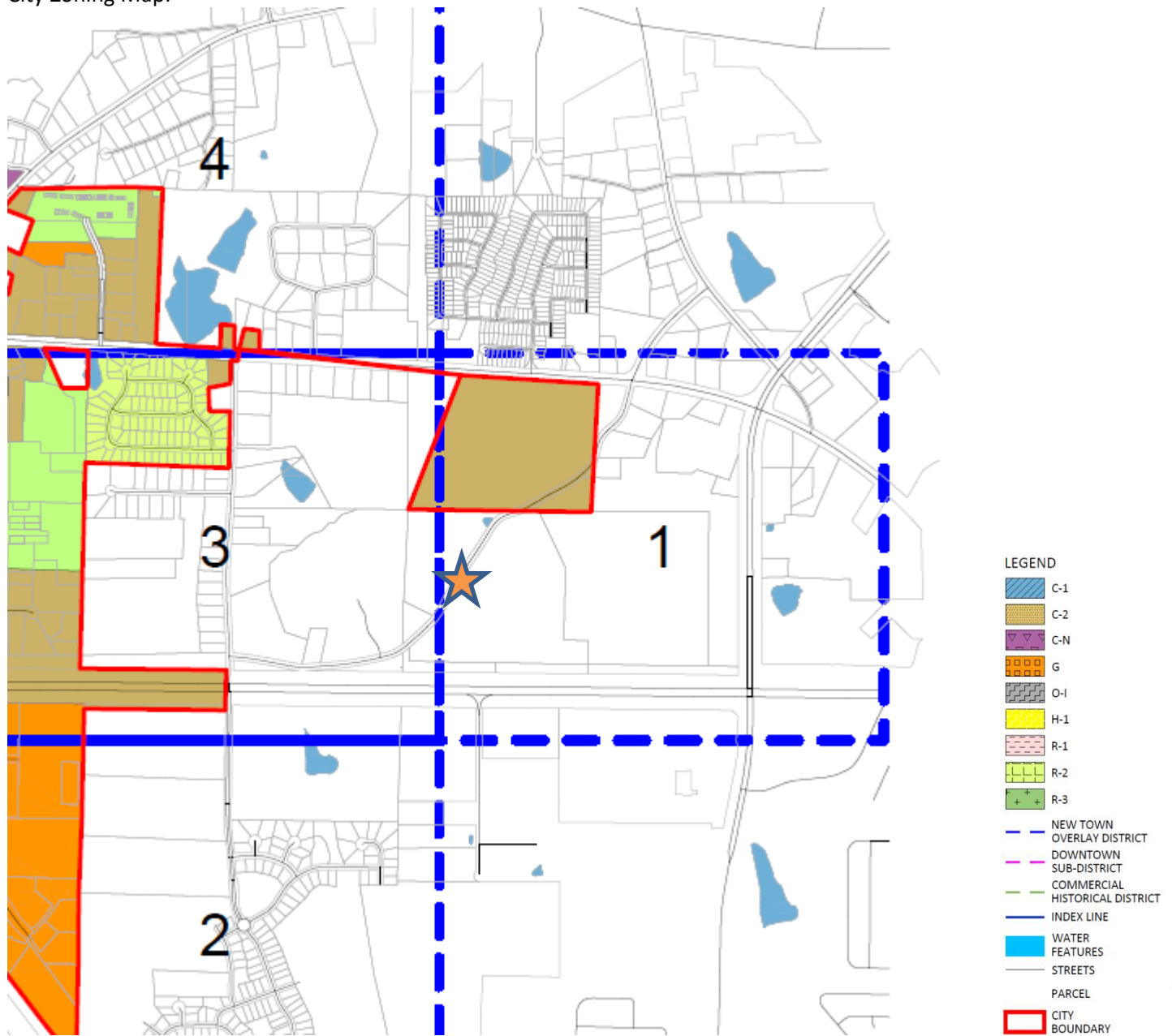
Conclusion:

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

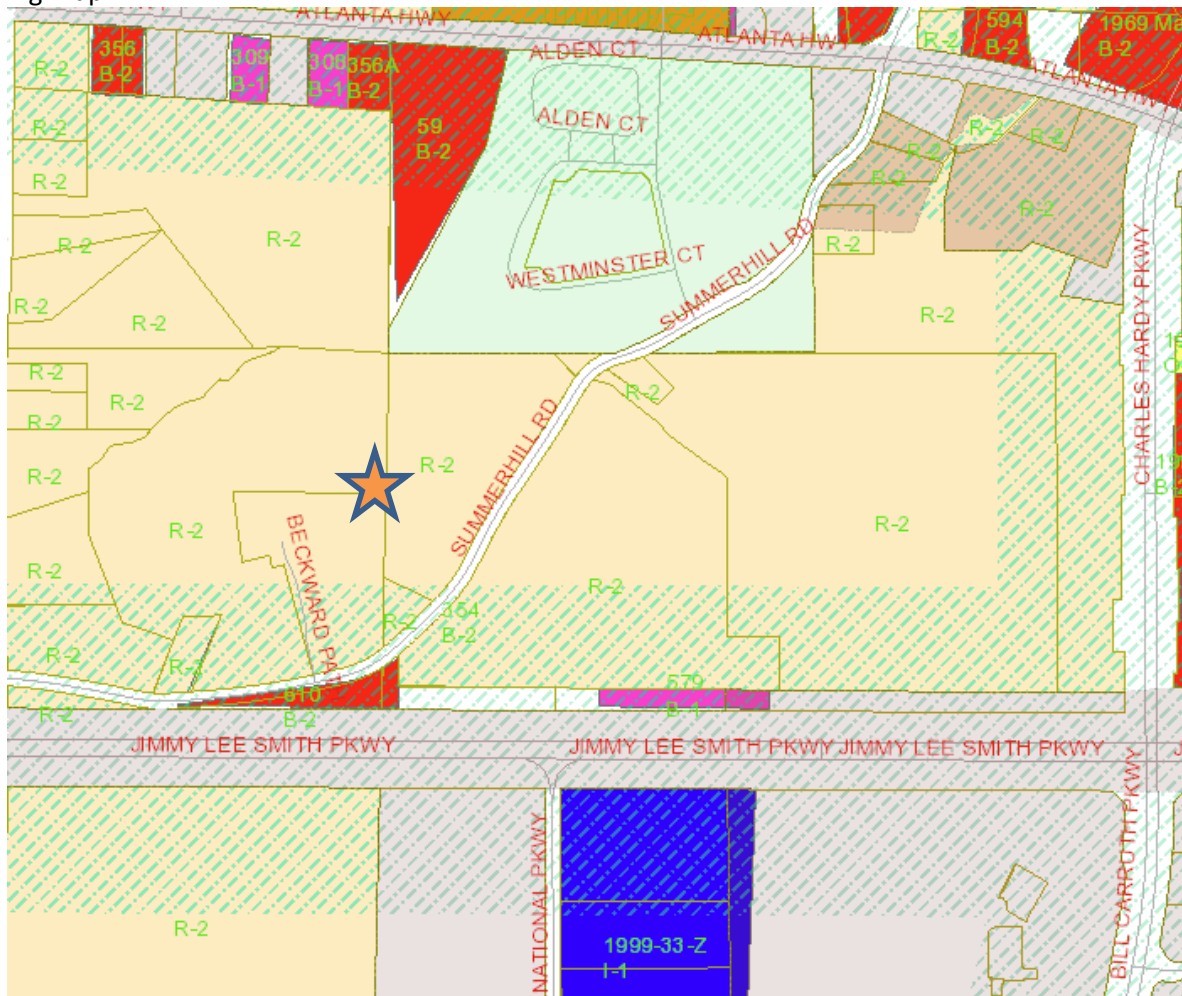
Attachments:

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

City Zoning Map:

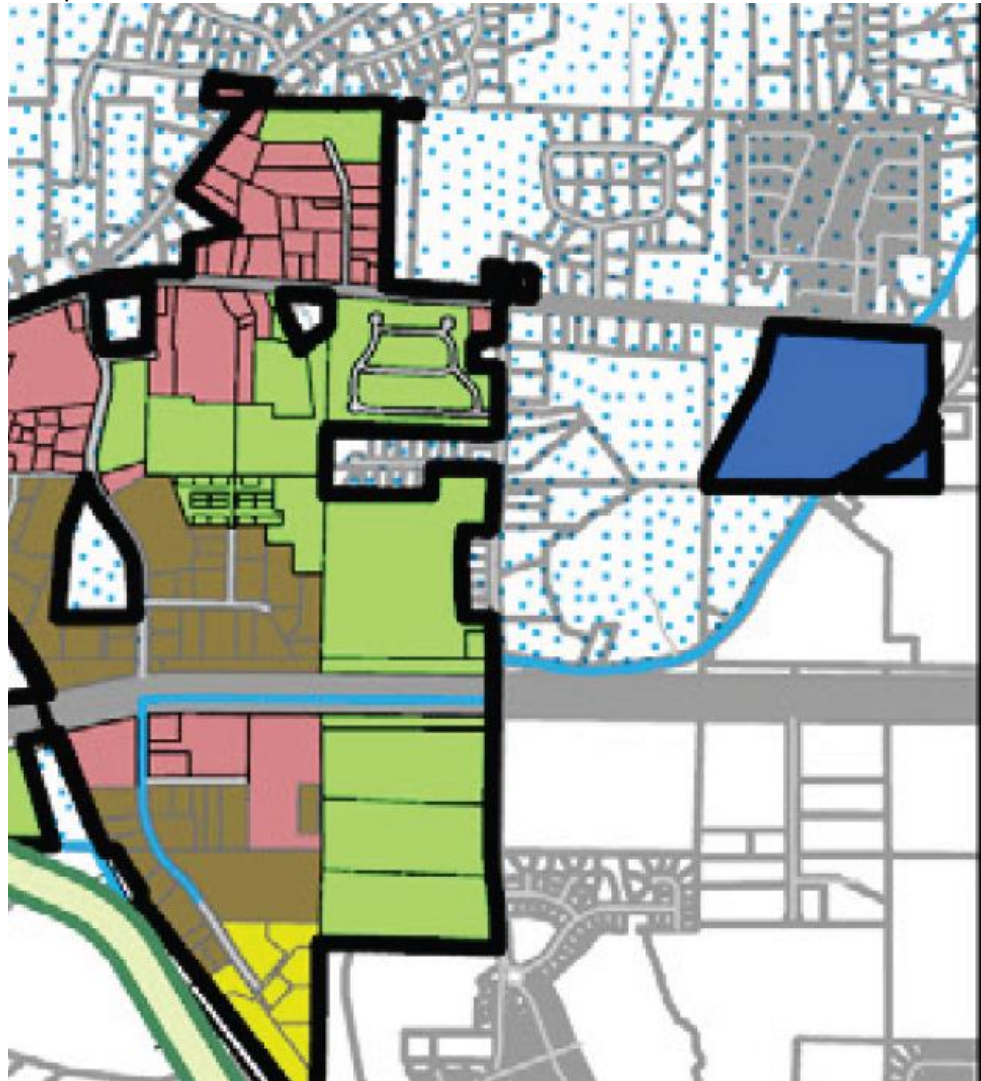


County Zoning Map:



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

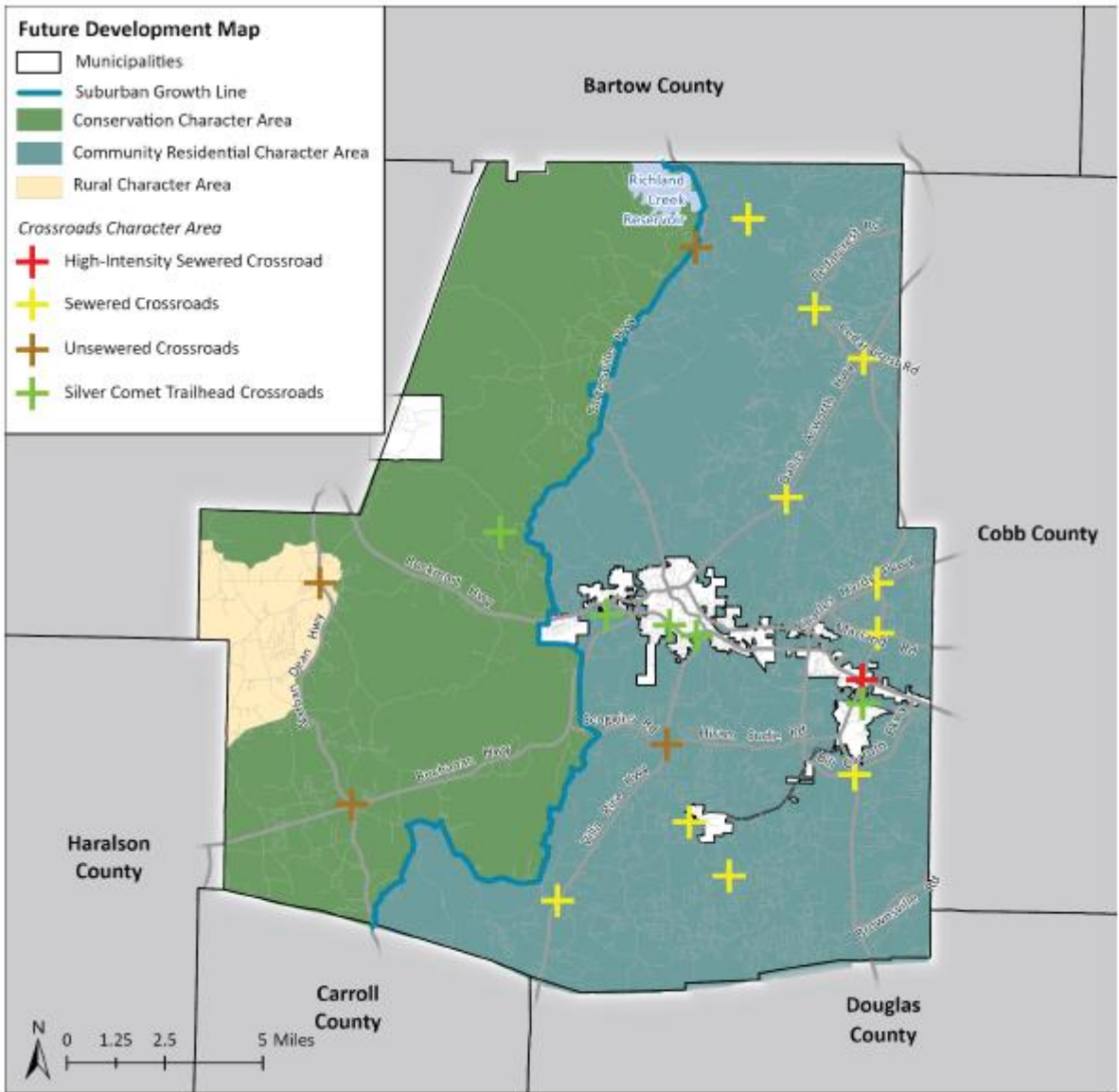
City Future Land Use Map:



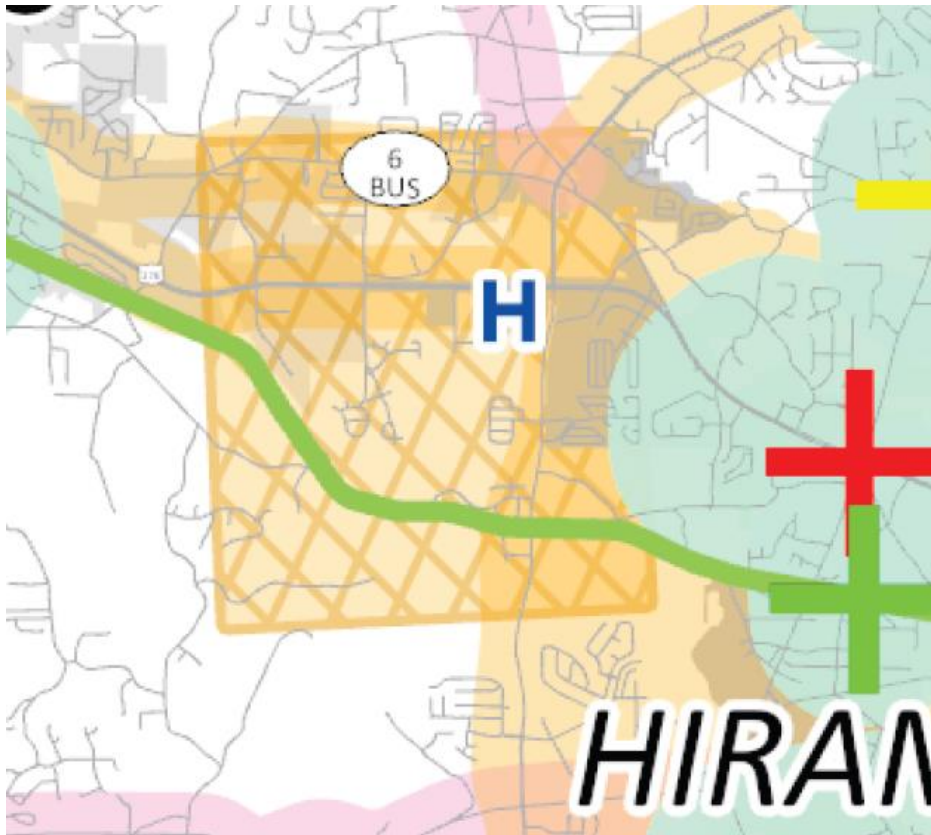
- Commercial
- Industrial
- Industrial-Heavy
- Health/Wellness/Longevity
- Downtown Special Interest
- Parks/Recreation/Conservation
- Public Institutional
- Residential
- Transportation/Communication/Utilities
- City of Dallas Sewer Service Area
- Silver Comet Trailhead Crossroad



County Future Land Use Map:



MAP 2.11



### Supporting Policy Map

-  Silver Comet Trailhead Crossroads
-  High-Intensity Sewered Crossroad
-  Sewered Crossroads
-  Unsewered Crossroads
-  Hospital
-  Municipalities
-  Wellness District
-  Airport Employment Hub
-  Employment Corridor
-  Richland Creek Recreation Area
-  Crossroad Areas of Influence
-  Community Character Corridors
-  Silver Comet Trail
-  Suburban Growth Line

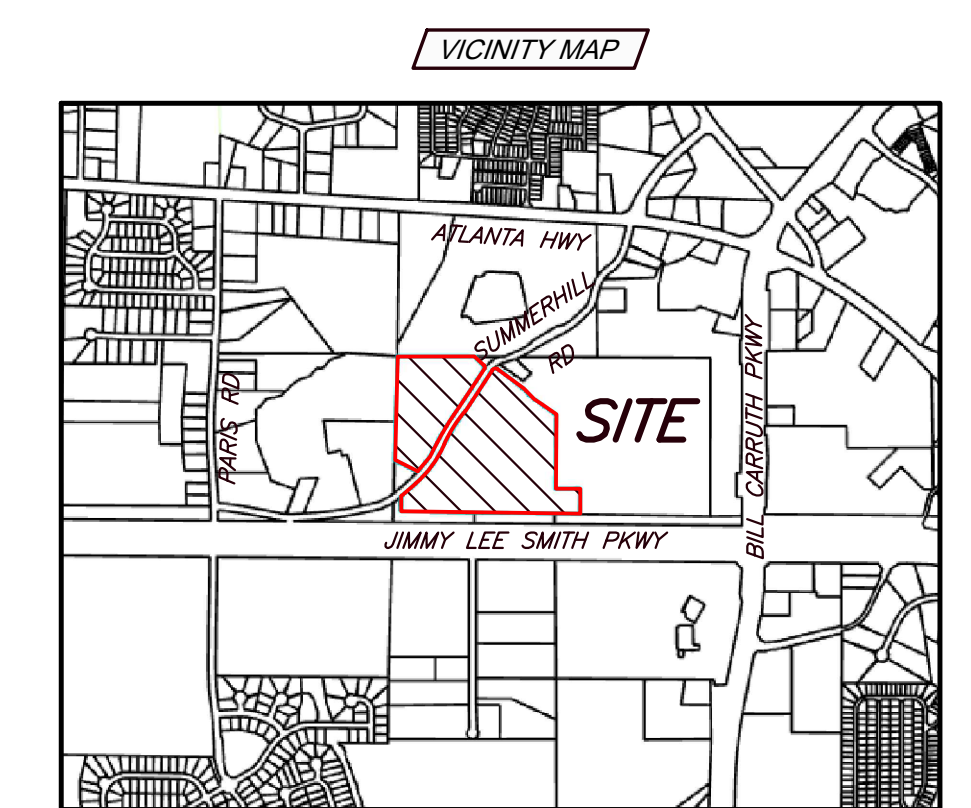






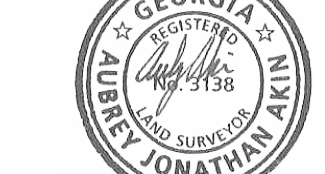


Date	
Revision	
No	
Field Date:	04/17/2023
Plot Date:	02/1/2024
Scale:	1"=60'



**SURVEYOR'S CERTIFICATION**

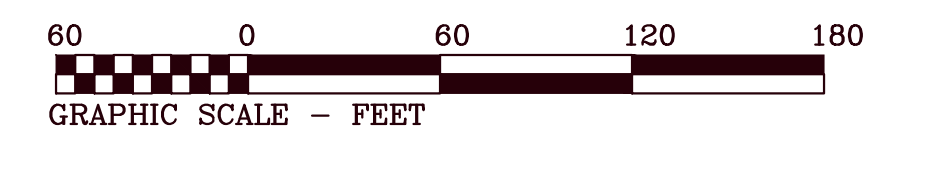
I certify that this survey was prepared in conformity with The Technical Standards for Property Surveys in Georgia as set forth in Chapter 180-7 of the Rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the Georgia Plot Act O.C.G.A. 15-6-67.



February 1, 2024  
Aubrey J. Akin, R.L.S. #3138 Date

**LEGEND**

- IRP IRON PIN FOUND
- IPS IRON PIN SET
- PIB PARCEL I.D.
- REAR REAR
- OTW OPEN TOP PIPE
- OW RIGHT OF WAY
- DB DEED BOOK
- FB FLAT BOOK
- PID PARCEL ID
- TSV TEMPORARY BENCHMARK
- MH MANHOLE
- CB CATCH BASIN
- DI DROP INLET
- JWB JUNCTION BOX
- RDI RAISED TOP DROP INLET
- HW HEADWALL
- CMP CORRUGATED METAL PIPE
- RCP REINFORCED CONCRETE PIPE
- DIP DUCTILE IRON PIPE
- PH FIRE HYDRANT
- WM WATER METER
- WV WATER VALVE
- GV GAS VALVE
- C&G 24" CURB & GUTTER
- GUY GUY WIRE
- FP POWER POLE
- LP LIGHT POLE
- FM FM
- F FENCE
- UT UTILITY
- UP UNDERGROUND POWER LINE
- WU UNDERGROUND WATER LINE
- GL GAS LINE
- SE SPOT ELEVATION
- 90 90
- 11 11 REGULAR PARKING SPACES
- 1 1 HANDICAP PARKING SPACE
- TR TRANSFORMER
- CP CONCRETE PAVING
- PID PROPERTY IDENTIFICATION NUMBER



**LEGAL DESCRIPTION**

Tract 2  
All that tract or parcel of land lying and being in Land Lot 458 & 459 of the 2nd District, 3rd Section, Paulding County, Georgia and being more particularly described as follows:

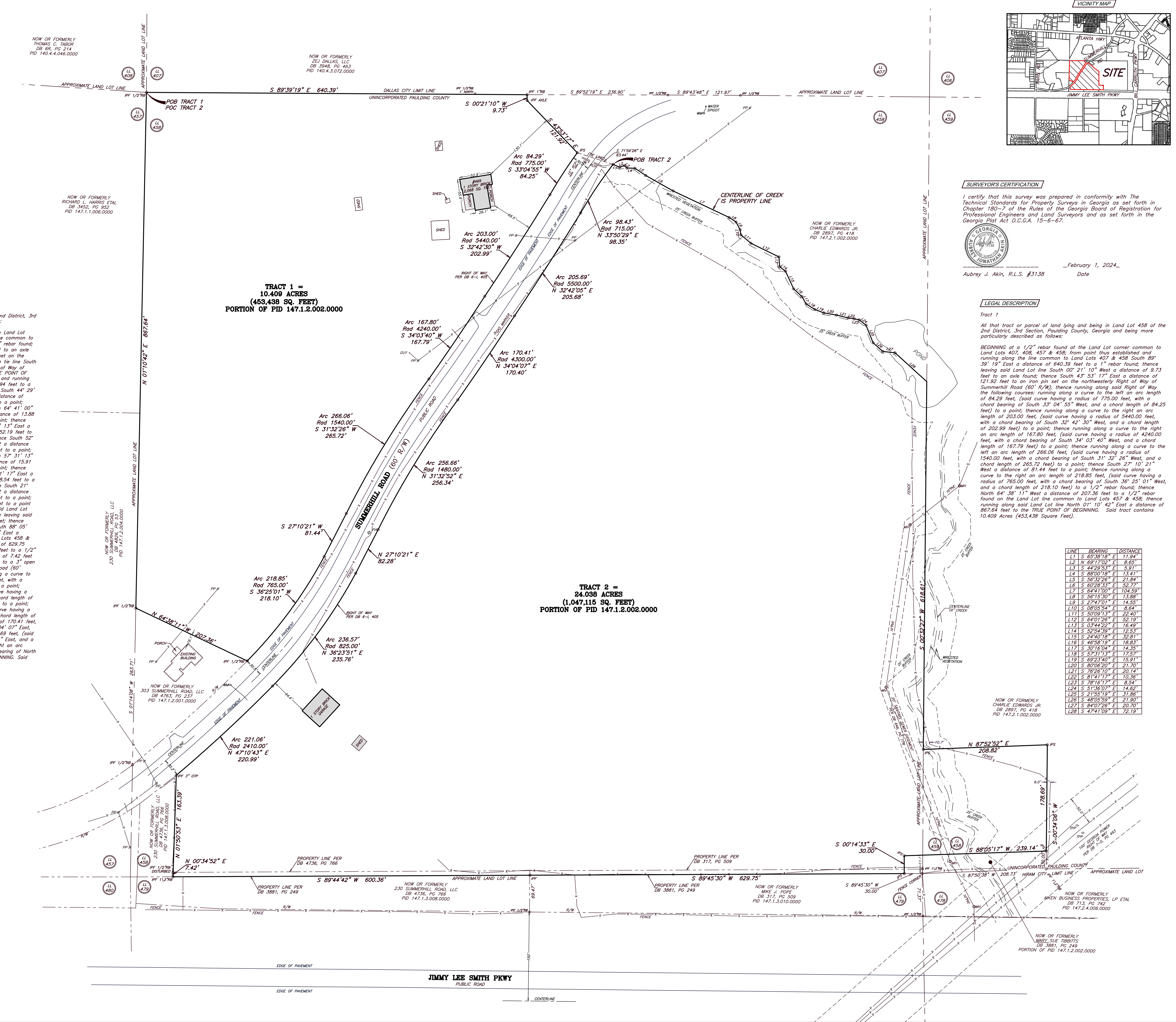
To Reach the TRUE POINT OF BEGINNING commence at a 1/2" rebar found at the Land Lot corner common to Land Lots 407, 408, 457 & 458; thence running along the line common to Land Lots 407 & 458 South 89° 39' 19" East a distance of 640.39 feet to a 1" rebar found; thence leaving said Land Lot line South 00° 21' 10" West a distance of 9.73 feet to an axle found; thence South 43° 53' 17" East a distance of 121.92 feet to an iron pin set on the northwesterly Right of Way of Summerhill Road (60' R/W); thence running along a tie line South 71° 59' 28" East a distance of 63.44 feet to a point on the southeasterly Right of Way of Summerhill Road, said point lying in the centerline of a creek and being the TRUE POINT OF BEGINNING; thence from the point thus established and leaving said Right of Way and running along said creek the following courses: South 65° 39' 18" East a distance of 11.94 feet to a point; thence North 69° 17' 02" East a distance of 8.65 feet to a point; thence South 44° 29' 53" East a distance of 8.91 feet to a point; thence South 86° 00' 18" East a distance of 13.41 feet to a point; thence South 56° 32' 26" East a distance of 21.84 feet to a point; thence South 60° 28' 33" East a distance of 52.77 feet to a point; thence South 64° 41' 00" East a distance of 104.59 feet to a point; thence South 56° 15' 30" East a distance of 13.88 feet to a point; thence South 27° 47' 01" East a distance of 14.55 feet to a point; thence South 08° 05' 54" East a distance of 8.64 feet to a point; thence South 50° 09' 13" East a distance of 22.40 feet to a point; thence South 64° 01' 26" East a distance of 52.19 feet to a point; thence South 03° 44' 22" East a distance of 16.49 feet to a point; thence South 52° 54' 39" East a distance of 12.53 feet to a point; thence South 24° 40' 18" East a distance of 32.81 feet to a point; thence South 46° 58' 19" East a distance of 18.83 feet to a point; thence South 30° 16' 04" East a distance of 14.35 feet to a point; thence South 57° 31' 13" East a distance of 17.57 feet to a point; thence South 08° 23' 40" East a distance of 15.91 feet to a point; thence South 80° 06' 20" East a distance of 21.70 feet to a point; thence South 76° 26' 10" East a distance of 20.14 feet to a point; thence South 81° 41' 17" East a distance of 10.36 feet to a point; thence South 78° 16' 17" East a distance of 8.54 feet to a point; thence South 51° 36' 07" East a distance of 14.62 feet to a point; thence South 21° 55' 19" East a distance of 31.86 feet to a point; thence South 48° 05' 59" East a distance of 21.90 feet to a point; thence South 84° 07' 26" East a distance of 20.70 feet to a point; thence leaving said Land Lot line South 47° 41' 09" East a distance of 72.19 feet to a point on the Land Lot line common to Land Lots 458 & 459; thence running along said Land Lot line South 00° 32' 27" West a distance of 618.61 feet to an iron pin set; thence leaving said Land Lot line North 87° 52' 52" East a distance of 208.82 feet to an iron pin set; thence South 00° 34' 08" West a distance of 178.69 feet to an iron pin set; thence South 88° 05' 17" West a distance of 239.14 feet to an iron pin set; thence South 00° 14' 30" East a distance of 30.00 feet to an iron pin set on the Land Lot line common to Land Lots 458 & 478; thence running along said Land Lot line South 89° 45' 30" West a distance of 629.75 feet to an iron pin found; thence South 89° 44' 42" West a distance of 600.36 feet to a 1/2" rebar found; thence leaving said Land Lot line North 00° 34' 52" East a distance of 7.42 feet to a 1/2" rebar found; thence North 01° 50' 53" East a distance of 163.39 feet to a 3" open top pipe found at the aforementioned southeasterly Right of Way of Summerhill Road (60' R/W); thence running along said Right of Way the following courses: running along a curve to the left an arc length of 221.06 feet, (said curve having a radius of 2410.00 feet, with a chord bearing of North 47° 10' 43" East, and a chord length of 220.99 feet) to a point; thence running along a curve to the left an arc length of 236.57 feet, (said curve having a radius of 825.00 feet, with a chord bearing of North 36° 23' 51" East, and a chord length of 235.76 feet) to a point; thence North 27° 10' 21" East a distance of 82.28 feet to a point; thence running along a curve to the left an arc length of 170.41 feet, (said curve having a radius of 4300.00 feet, with a chord bearing of North 34° 04' 07" East, and a chord length of 170.40 feet) to a point; to the left an arc length of 205.69 feet, (said curve having a radius of 5500.00 feet, with a chord bearing of North 32° 42' 05" East, and a chord length of 205.68 feet) to a point; thence running along a curve to the right an arc length of 98.43 feet, (said curve having a radius of 715.00 feet, with a chord bearing of North 33° 50' 29" East, and a chord length of 98.35 feet) to the TRUE POINT OF BEGINNING. Said tract contains 24,038 Acres (1,047,115 Square Feet).

**REFERENCES**  
1. SURVEY FOR J.U. TIBBITTS BY CRUSSELL, RAKESTRAW & TWITTY, INC., DATED NOVEMBER 14, 1986.

**ZONING NOTE**  
THE SUBJECT PROPERTY IS ZONED R-2 (SUBURBAN RESIDENTIAL DISTRICT).

**FLOOD NOTE**  
THE SUBJECT PROPERTY DOES NOT LIE WITHIN A FLOOD HAZARD AREA PER FIRM MAPS NUMBER 13223C0141C AND 13223C0143C, BOTH DATED SEPTEMBER 29, 2006. THE SUBJECT PROPERTY LIES WITHIN A ZONE X, WHICH IS DEFINED AS AREAS OUTSIDE THE 500 YEAR FLOODPLAIN.

**CLOSURE STATEMENT**  
THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 125,990 FEET AND AN ANGULAR ERROR OF .22 PER ANGLE AND WAS ADJUSTED USING THE COMPASS RULE. A LEICA TS12 TOTAL STATION AND A CARLSON DATA COLLECTOR WERE USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 272,348 FEET.



**LEGAL DESCRIPTION**

Tract 1  
All that tract or parcel of land lying and being in Land Lot 458 of the 2nd District, 3rd Section, Paulding County, Georgia and being more particularly described as follows:

BEGINNING at a 1/2" rebar found at the Land Lot corner common to Land Lots 407, 408, 457 & 458; from point thus established and running along the line common to Land Lots 407 & 458 South 89° 39' 19" East a distance of 640.39 feet to a 1" rebar found; thence leaving said Land Lot line South 00° 21' 10" West a distance of 9.73 feet to an axle found; thence South 43° 53' 17" East a distance of 121.92 feet to an iron pin set on the northwesterly Right of Way of Summerhill Road (60' R/W); thence running along said Right of Way the following courses: running along a curve to the left an arc length of 84.29 feet, (said curve having a radius of 775.00 feet, with a chord bearing of South 33° 04' 55" West, and a chord length of 84.25 feet) to a point; thence running along a curve to the right an arc length of 203.00 feet, (said curve having a radius of 5440.00 feet, with a chord bearing of South 34° 03' 40" West, and a chord length of 202.99 feet) to a point; thence running along a curve to the left an arc length of 167.80 feet, (said curve having a radius of 4240.00 feet, with a chord bearing of South 34° 03' 40" West, and a chord length of 167.79 feet) to a point; thence running along a curve to the left an arc length of 170.41 feet, (said curve having a radius of 4300.00 feet, with a chord bearing of North 34° 04' 07" East, and a chord length of 170.40 feet) to a point; thence running along a curve to the right an arc length of 98.43 feet, (said curve having a radius of 715.00 feet, with a chord bearing of North 33° 50' 29" East, and a chord length of 98.35 feet) to the TRUE POINT OF BEGINNING. Said tract contains 10.409 Acres (453,438 Square Feet).

LINE	BEARING	DISTANCE
L1	S 85°38'18" E	11.94
L2	N 69°17'02" E	8.65
L3	S 44°29'53" E	5.91
L4	S 88°00'18" E	13.41
L5	S 66°32'26" E	21.84
L6	S 60°28'33" E	52.77
L7	S 64°41'00" E	104.59
L8	S 56°15'30" E	13.88
L9	S 27°47'01" E	14.55
L10	S 08°05'54" E	8.64
L11	S 50°09'13" E	22.40
L12	S 64°01'26" E	52.19
L13	S 03°44'22" E	16.49
L14	S 52°54'39" E	12.53
L15	S 24°40'18" E	32.81
L16	S 46°58'19" E	18.83
L17	S 30°16'04" E	14.35
L18	S 57°31'13" E	17.57
L19	S 69°17'02" E	15.91
L20	S 80°06'20" E	21.70
L21	S 76°26'10" E	20.14
L22	S 81°41'17" E	10.36
L23	S 78°16'17" E	8.54
L24	S 51°36'07" E	14.62
L25	S 21°55'19" E	31.86
L26	S 48°05'59" E	21.90
L27	S 84°07'26" E	20.70
L28	S 47°41'09" E	72.19

**ANNEXATION AND ZONING PLAT**  
 FOR  
**PLG, LLC**  
 OF  
**469 SUMMERHILL ROAD**  
 LAND LOTS 458 & 459 - 3RD SECTION, 2ND DISTRICT  
 PAULDING COUNTY, GEORGIA



**Boundary Survey Legal Description**

## Tract 1

All that tract or parcel of land lying and being in Land Lot 458 of the 2nd District, 3rd Section, Paulding County, Georgia and being more particularly described as follows:

BEGINNING at a 1/2" rebar found at the Land Lot corner common to Land Lots 407, 408, 457 & 458; from point thus established and running along the line common to Land Lots 407 & 458 South 89° 39' 19" East a distance of 640.39 feet to a 1" rebar found; thence leaving said Land Lot line South 00° 21' 10" West a distance of 9.73 feet to an axle found; thence South 43° 53' 17" East a distance of 121.92 feet to an iron pin set on the northwesterly Right of Way of Summerhill Road (60' R/W); thence running along said Right of Way the following courses: running along a curve to the left an arc length of 84.29 feet, (said curve having a radius of 775.00 feet, with a chord bearing of South 33° 04' 55" West, and a chord length of 84.25 feet) to a point; thence running along a curve to the right an arc length of 203.00 feet, (said curve having a radius of 5440.00 feet, with a chord bearing of South 32° 42' 30" West, and a chord length of 202.99 feet) to a point; thence running along a curve to the right an arc length of 167.80 feet, (said curve having a radius of 4240.00 feet, with a chord bearing of South 34° 03' 40" West, and a chord length of 167.79 feet) to a point; thence running along a curve to the left an arc length of 266.06 feet, (said curve having a radius of 1540.00 feet, with a chord bearing of South 31° 32' 26" West, and a chord length of 265.72 feet) to a point; thence South 27° 10' 21" West a distance of 81.44 feet to a point; thence running along a curve to the right an arc length of 218.85 feet, (said curve having a radius of 765.00 feet, with a chord bearing of South 36° 25' 01" West, and a chord length of 218.10 feet) to a 1/2" rebar found; thence North 64° 38' 11" West a distance of 207.36 feet to a 1/2" rebar found on the Land Lot line common to Land Lots 457 & 458; thence running along said Land Lot line North 01° 10' 42" East a distance of 867.64 feet to the TRUE POINT OF BEGINNING. Said tract contains 10.409 Acres (453,438 Square Feet).

## Tract 2

All that tract or parcel of land lying and being in Land Lot 458 & 459 of the 2nd District, 3rd Section, Paulding County, Georgia and being more particularly described as follows:

To Reach the TRUE POINT OF BEGINNING commence at a 1/2" rebar found at the Land Lot corner common to Land Lots 407, 408, 457 & 458; thence running along the line common to Land Lots 407 & 458 South 89° 39' 19" East a distance of 640.39 feet to a 1" rebar found; thence leaving said Land Lot line South 00° 21' 10" West a distance of 9.73 feet to an axle found; thence South 43° 53' 17" East a distance of 121.92 feet to an iron pin set on the northwesterly Right of Way of Summerhill Road (60' R/W); thence running along a tie line South 71° 59' 28" East a distance of 63.44 feet to a point on the southeasterly Right of Way of Summerhill Road, said point lying in the centerline of a creek; thence leaving said Right of Way and running along said creek the following courses: thence South 65° 38' 18" East a distance of 11.94 feet to a point; thence North 69° 17' 02" East a distance of 8.65 feet to a point; thence South 44° 29' 53" East a distance of 5.91 feet to a point; thence South 88° 00' 18" East a distance of 13.41 feet to a point; thence South 56° 32' 26" East a distance of 21.84 feet to a point; thence South 60° 28' 33" East a distance of 52.77 feet to a point; thence South 64° 41' 00" East a distance of 104.59 feet to a point; thence South 56° 15' 30" East a distance of 13.88 feet to a point; thence South 27° 47' 01" East a distance of 14.55 feet to a point; thence South 08° 05' 54" East a distance of 8.64 feet to a point; thence South 50° 09' 13" East a distance of 22.40 feet to a point; thence South 64° 01' 26" East a distance of 52.19 feet to a point; thence South 03° 44' 22" East a distance of 16.49 feet to a point; thence South 52° 54' 39" East a distance of 12.53 feet to a point; thence South 24° 40' 18" East a distance of 32.81 feet to a point; thence South 46° 58' 19" East a distance of 18.83 feet to a point; thence South 30° 16' 04" East a distance of 14.35 feet to a point; thence South 57° 31' 13" East a distance of 17.57 feet to a point; thence South 69° 23' 40" East a distance of 15.91 feet to a point; thence South 80° 06' 20" East a distance of 21.70 feet to a point; thence South 76° 26' 10" East a distance of 20.14 feet to a point; thence South 81° 41' 17" East a distance of 10.36 feet to a point; thence South 78° 16' 17" East a distance of 8.54 feet to a point; thence South 51° 36' 07" East a distance of 14.62 feet to a point; thence South 21° 55' 19" East a distance of 31.86 feet to a point; thence South 48° 05' 59" East a distance of 21.90 feet to a point; thence South 84° 07' 26" East a distance of 20.70 feet to a point; thence leaving said Land Lot line South 47° 41' 09" East a distance of 72.19 feet to a point on the Land Lot line common to Land Lots 458 & 459; thence running along said Land Lot line South 00° 32' 27" West a distance of 618.61 feet to an iron pin set; thence leaving said Land Lot line North 87° 52' 52" East a distance of 208.82 feet to an iron pin set; thence South 00° 34' 06" West a distance of 208.69 feet to a 1/2" rebar found on the Land Lot line common to Land Lots 459 & 478; thence running along said Land Lot line South 87° 50' 38" West a distance of 208.73 feet to a fence corner at the Land Lot corner common to Land Lots 458, 459, 478 & 479; thence running along the Land Lot line common to Land Lots 478 & 479 South 89° 45' 30" West a distance of 659.75 feet to an iron pin found; thence South 89° 44' 42" West a distance of 600.36 feet to a 1/2" rebar found; thence leaving said Land Lot line North 00° 34' 52" East a distance of 7.42 feet to a 1/2" rebar found; thence North 01° 50' 53" East a distance of 163.39 feet to a 3" open top pipe found at the aforementioned southeasterly Right of Way of Summerhill Road (60' R/W); thence running along said Right of Way the following courses: running along a curve to the left an arc length of 221.06 feet,

(said curve having a radius of 2410.00 feet, with a chord bearing of North 47° 10' 43" East, and a chord length of 220.99 feet) to a point; thence running along a curve to the left an arc length of 236.57 feet, (said curve having a radius of 825.00 feet, with a chord bearing of North 36° 23' 51" East, and a chord length of 235.76 feet) to a point; thence North 27° 10' 21" East a distance of 82.28 feet to a point; thence running along a curve to the right an arc length of 256.66 feet, (said curve having a radius of 1480.00 feet, with a chord bearing of North 31° 32' 52" East, and a chord length of 256.34 feet) to a point; thence running along a curve to the left an arc length of 170.41 feet, (said curve having a radius of 4300.00 feet, with a chord bearing of North 34° 04' 07" East, and a chord length of 170.40 feet) to a point; to the left an arc length of 205.69 feet, (said curve having a radius of 5500.00 feet, with a chord bearing of North 32° 42' 05" East, and a chord length of 205.68 feet) to a point; thence running along a curve to the right an arc length of 98.43 feet, (said curve having a radius of 715.00 feet, with a chord bearing of North 33° 50' 29" East, and a chord length of 98.35 feet) to the TRUE POINT OF BEGINNING. Said tract contains 24.205 Acres (1,054,382 Square Feet).

**Z-2024-01**



**ZONING / REZONING APPLICATION**  
City of Dallas, Georgia

Application # \_\_\_\_\_ - \_\_\_\_\_  
Hearing Dates: PC: \_\_\_\_\_ CC: \_\_\_\_\_

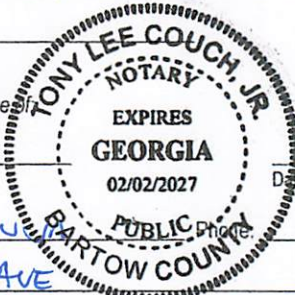
Item 4.

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: PLG, LLC Business phone: 678-776-9446 Cell: 504-256-2160  
Address: 20 Mansell Court E. Suite 100 Home phone: \_\_\_\_\_  
City: Roswell State: GA Zip: 30076 Fax phone: \_\_\_\_\_  
E-mail address: wporter@georgia-capital.com

Whit Porter  
Applicant's Signature Printed Name of Signatory

Signed, sealed and delivered in the presence of \_\_\_\_\_  
[Signature]  
Notary Public Date Notary Commission Expires 2/2/27



Representative: BOYD L. AUSTIN Cell: (404) 402-3539  
Address: 255 CONFEDERATE AVE City: DALLAS State: GA Zip: 75201  
E-mail address: boyaustin@comcast.net Fax phone: \_\_\_\_\_

[Signature]  
Representative's Signature Printed Name of Signatory Boyd L. Austin

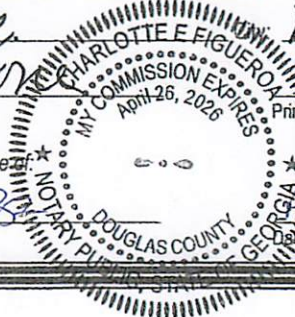
Signed, sealed and delivered in the presence of \_\_\_\_\_  
[Signature]  
Notary Public Date Notary Commission Expires 2/2/27



Titleholder: Mary Sue P. Whitte - Tammy J. Kone <sup>executors</sup> Business phone: \_\_\_\_\_ Cell: 404 216 5810  
(Each Titleholder must have a separate, complete form with notarized signatures) Home phone: \_\_\_\_\_

Address: 2928 Stanway Ave. City: Douglasville State: GA Zip: 30135  
[Signature] Signature Printed Name of Signatory Tammy J. Kone

Signed, sealed and delivered in the presence of \_\_\_\_\_  
[Signature]  
Notary Public Date Notary Commission Expires April 26, 2026



**Property Information**

Present Zoning Classification: B-2 (Parking) Requested Zoning Classification: R-2C (Dallas)  
Total Acreage of Zoning/Rezoning Application: 34.447 Acreage of Titleholder: 34.614  
Land Lot(s): 458 & 459 District(s): 2nd Section(s): 3rd Tax Parcel I.D. Number(s): 147.1.2.002.000  
Location of Property: 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): 103 single-family lot subdivision.

Filed with City: 2/9/24 (Date) Whit Porter (Signature)

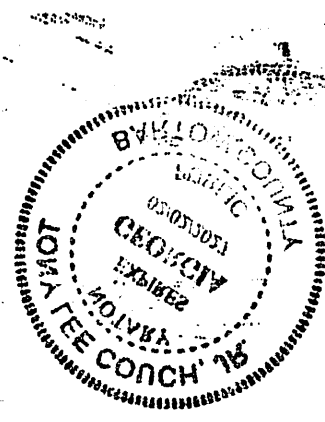
City of Dallas Planning Commission Recommendation:  Approve  Disapprove  No recommendation

Conditions, reasons, stipulations: \_\_\_\_\_

City Council Decision:  Approve  Approve as different classification  Disapprove

Conditions, reasons, stipulations: \_\_\_\_\_

[Faint, illegible text, possibly bleed-through from the reverse side of the page]







**ZONING / REZONING APPLICATION**  
City of Dallas, Georgia

Application # \_\_\_\_\_ - \_\_\_\_\_  
Hearing Dates: PC: \_\_\_\_\_ CC: \_\_\_\_\_

Item 4.

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: PLG, LLC Business phone: 678-726-9646 Cell: 504-256-2160  
Address: 20 Mansell Court E. Suite 100 Home phone: \_\_\_\_\_  
City: Roswell State: GA Zip: 30076 Fax phone: \_\_\_\_\_  
E-mail address: wporter@georgia.capitol

Whit Porter  
Applicant's Signature

Whit Porter  
Printed Name of Signatory

Signed, sealed and delivered in the presence of

[Signature]  
Notary Public



2/2/27  
Date Notary Commission Expires

Representative: \_\_\_\_\_ Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

E-mail address: \_\_\_\_\_ Fax phone: \_\_\_\_\_

Representative's Signature

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Public

Date Notary Commission Expires

Titleholder: Mary Sue Tibbitts - Tammy J. Kone Business phone: \_\_\_\_\_ Cell: 404 216-5810  
(Each Titleholder must have a separate, complete form with notarized signatures)

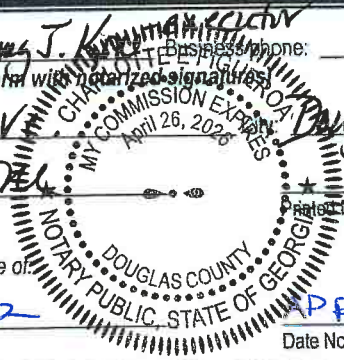
Address: 2928 Stanway Ave. Douglasville State: GA Zip: 30135

Tammy J. Kone  
Signature

Tammy J. Kone  
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Charolita E. Figg  
Notary Public



APRIL 26, 2020  
Date Notary Commission Expires

**Property Information**

Present Zoning Classification: R-2 Requested Zoning Classification: R-2C

Total Acreage of Zoning/Rezoning Application: 34.447 Acreage of Titleholder: 34.614

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

Location of Property: 469 Summerhill Road, Dallas, GA 30132  
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): A residential subdivision consisting of 103 single-family lots.

Filed with City: 2/16/24 (Date) Whit Porter (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: \_\_\_\_\_

OFFICIALS  
Type Date  
Item 4.

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: PLG, LLC Business phone: 678-726-9446 Cell: 504-256-2160

Address: 20 Mansell Court E. Suite 100 Home phone: \_\_\_\_\_

City: Roswell State: GA Zip: 30076 Fax phone: \_\_\_\_\_

E-mail address: wporter@georgia.capital.com

Whit Porter  
Applicant's Signature

Whit Porter  
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]  
Notary Public



2/2/27  
Date Notary Commission Expires

Representative: \_\_\_\_\_ Cell: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

E-mail address: \_\_\_\_\_ Fax phone: \_\_\_\_\_

Representative's Signature

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Public

Date Notary Commission Expires

Titleholder: Mary Sue Tibbitts - Tammy J. Kone <sup>executor</sup> Business phone: \_\_\_\_\_ Cell Home phone: 404 216 5810  
(Each Titleholder must have a separate, complete form with notarized signatures)

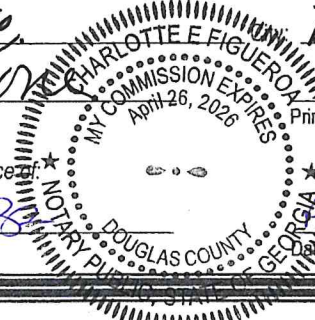
Address: 2928 Stanway Ave. Douglasville State: GA Zip: 30135

Tammy J. Kone  
Signature

Tammy J. Kone  
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Charlotte E. Figueroa  
Notary Public



April 26, 2026  
Date Notary Commission Expires

**Property Information**

Present Zoning Classification: \_\_\_\_\_ Requested Zoning Classification: \_\_\_\_\_

Total Acreage of Zoning/Rezoning Application: \_\_\_\_\_ Acreage of Titleholder: \_\_\_\_\_

Land Lot(s): \_\_\_\_\_ District(s): \_\_\_\_\_ Section(s): \_\_\_\_\_ Tax Parcel I.D. Number(s): \_\_\_\_\_

Location of Property: \_\_\_\_\_

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): \_\_\_\_\_

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: \_\_\_\_\_





### 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.**

1/ We (Cross Out One) have investigated the site as to the existence of archeological and/or architectural landmarks. 1/ 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.

1/ We (Cross Out One) have investigated the site as to the existence of any cemetery located on the property. 1/ 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.

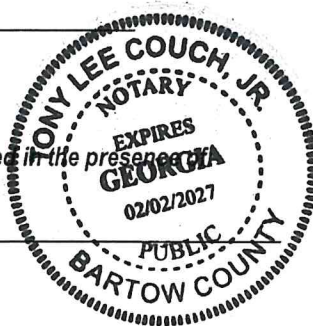
Whit Porter  
Signature of Applicant/Representative

2/9/24  
Date

Whit Porter  
Printed Name of Applicant/Representative

Signed, sealed and delivered in the presence of:

[Signature]  
Notary Public Signature



2/2/27  
Commission Expiration

\_\_\_\_\_  
Signature of Applicant/Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name of Applicant/Representative

Signed, sealed and delivered in the presence of:

\_\_\_\_\_  
Notary Public Signature

\_\_\_\_\_  
Commission Expiration

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



I (we), Whit Porter, 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:

N/A.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I (we), Whit Porter, 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):

N/A.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2/9/24  
Date

Whit Porter  
Applicant

CITY OF DALLAS  
LEGAL NOTICE  
ZONING / REZONING



I / WE(Choose one), PLG, LLC  
HAVE APPLIED TO ZONE/REZONE A PORTION OF LAND LOT(S) 458 + 459  
IN THE 2<sup>nd</sup> DISTRICT AND 3<sup>rd</sup> SECTION OF PAULDING COUNTY, LOCATED  
AT 469 Summerhill Road WITHIN THE CITY OF DALLAS, GEORGIA,  
FROM A ZONING DISTRICT OF R-2 (County) TO A ZONING DISTRICT OF  
R-2C (Dallas) SUBJECT TO PUBLIC HEARING TO BE HELD AT  
7:00 PM AT THE DALLAS CITY COUNCIL ROOM, 129 EAST MEMORIAL DRIVE, DALLAS, GEORGIA.

SAID PUBLIC HEARING WILL BE HELD ON \_\_\_\_\_ BEFORE THE  
CITY OF DALLAS PLANNING COMMISSION AND ON \_\_\_\_\_ BEFORE THE  
MAYOR AND COUNCIL OF THE CITY OF DALLAS.

THIS, THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.

PLG, LLC  
APPLICANT(S) NAME

For City Use

NOTICE WILL RUN WEEKS OF: \_\_\_\_\_  
AND THE WEEK OF: \_\_\_\_\_  
AND THE WEEK OF: \_\_\_\_\_





allow for large community gatherings. Paran Homes, LLC (“Paran”) is an affiliate of PLG and will be constructing the homes for this neighborhood. Paran intends to build a range of for-sale homes with a minimum of 1,800 square feet, giving families who want to grow their roots in a lively, safe, and expanding city a variety of housing options. Paran has previous experience building these plans with positive feedback in projects across the State of Georgia. Architectural elevations of the proposed product offerings can be found attached to this Letter of Intent (Exhibit A). Lastly, the design of the neighborhood allows for walkability and social interaction that inspires a sense of community among its residents.

Sincerely,

PLG, LLC

Signature: *Whit Porter*

Name: Whit Porter

Title: Land Acquisition Manager

Date: 2/9/24



February 9, 2024

**Letter of Intent for Annexation & Rezoning Application:**  
**34.447 acres on 469 Summerhill Road**  
**Paulding County Parcel Identification Number: 147.1.2.002.000**  
**City of Dallas, Georgia**

The applicant and contract holder, PLG, LLC (“PLG”), requests the annexation and rezoning of approximately 34.447 acres (“the Property”) of a larger 34.614-acre tract at 469 Summerhill Road, Dallas, Georgia, Land Lots 458 & 459, District 2, 3<sup>rd</sup> section from Suburban Residential District (R-2) in Paulding County to Single-Family Residential District – Conservation (R-2C) in the City of Dallas, Georgia.

PLG requests a rezoning from R2 in Paulding County to R-2C in the City of Dallas, Georgia to accommodate for a development of one hundred three (103) single-family lots, as shown on the site plan provided by LJA Engineering attached hereto and incorporated herein (“the Site Plan”). PLG is proposing to rezone the Property to R-2C to permit the development of the Property for use as a single-family residential community at a size, quality, and price adequate to or exceeding existing homes in the surrounding area. The proposed rezoning would positively impact the property values in the vicinity while providing the growing community with a quality and convenient housing option.

PLG 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 LJA Engineering adheres to the fundamental characteristics of the R-2C zoning classification with a minimum lot size of seven thousand five hundred (7,500) square feet and a total density below 3 dwelling units per acre.

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

1. The installation of a Flock Security Camera at the entrance of the community.
2. The establishment of a Homeowners’ Association with accompanied Covenants, Restrictions, and 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. PLG firmly contends that the proposed community will check all the characteristics previously mentioned and become the example of residential 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.

Development in the R-2C district can be described as a “vibrant and livable community with a variety of services.” PLG believes the proposed development on Summerhill Road would encompass this description with its open space, product offerings, and design layout. The provided open space will





**EXHIBIT A**

**Brighton – 2,455 Square Feet**



**Oakmont – 2,118 Square Feet**





# PLG

**Reno – 2,006 Square Feet**



**Richmond – 1,897 Square Feet**

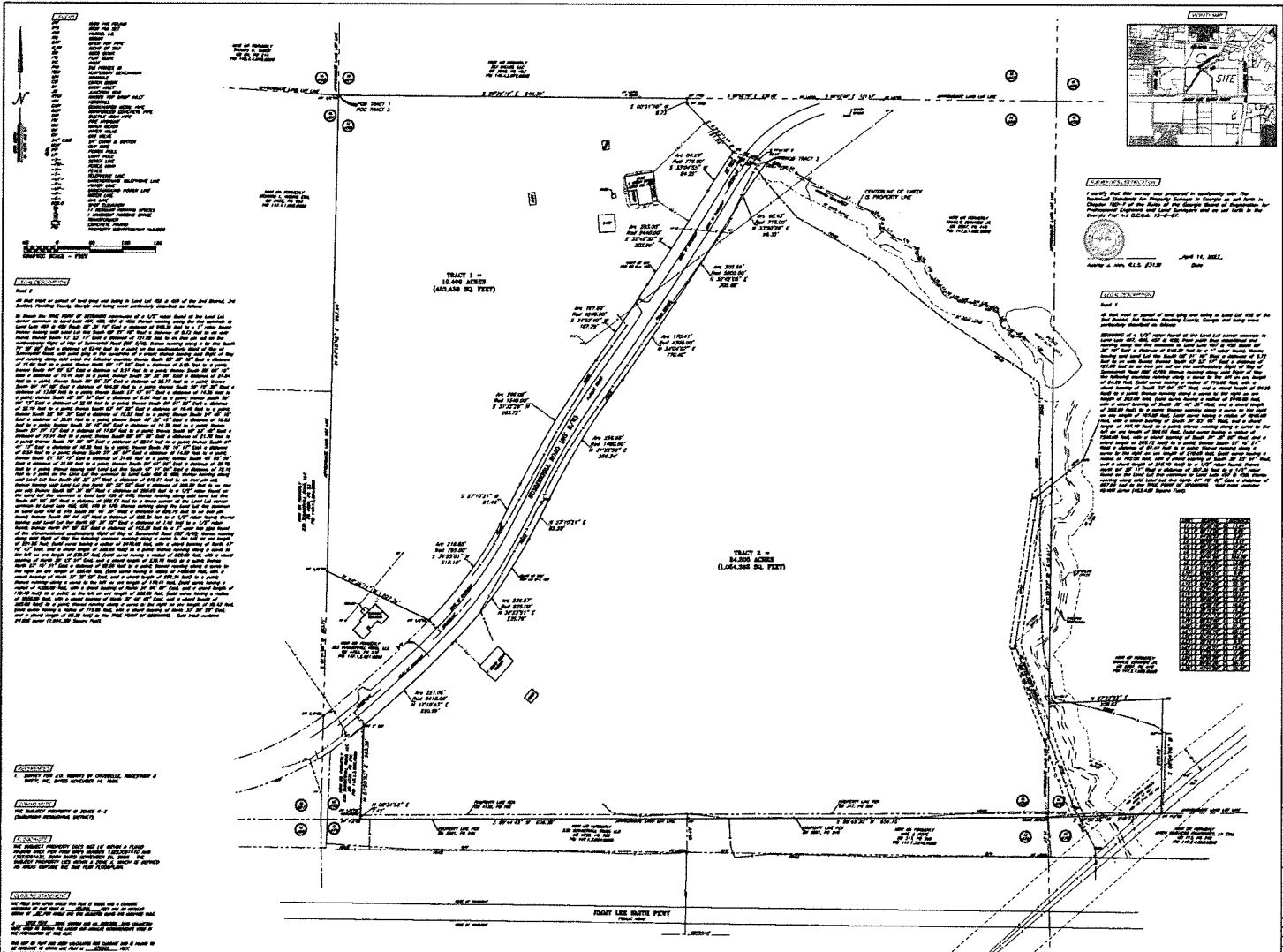




**Rosewood – 1,860 Square Feet**







**TSS**  
TERRACE SURVEYING SYSTEMS, INC.  
1000 W. BIRCHWOOD DRIVE  
ALBUQUERQUE, NM 87106  
TEL: 505-263-1111

**Field Delegation**  
By: [Signature]  
Title: [Title]

**1**  
SHEET 1 OF 1

**Boundary Survey Legal Description**

## Tract 1

All that tract or parcel of land lying and being in Land Lot 458 of the 2nd District, 3rd Section, Paulding County, Georgia and being more particularly described as follows:

BEGINNING at a 1/2" rebar found at the Land Lot corner common to Land Lots 407, 408, 457 & 458; from point thus established and running along the line common to Land Lots 407 & 458 South 89° 39' 19" East a distance of 640.39 feet to a 1" rebar found; thence leaving said Land Lot line South 00° 21' 10" West a distance of 9.73 feet to an axle found; thence South 43° 53' 17" East a distance of 121.92 feet to an iron pin set on the northwesterly Right of Way of Summerhill Road (60' R/W); thence running along said Right of Way the following courses: running along a curve to the left an arc length of 84.29 feet, (said curve having a radius of 775.00 feet, with a chord bearing of South 33° 04' 55" West, and a chord length of 84.25 feet) to a point; thence running along a curve to the right an arc length of 203.00 feet, (said curve having a radius of 5440.00 feet, with a chord bearing of South 32° 42' 30" West, and a chord length of 202.99 feet) to a point; thence running along a curve to the right an arc length of 167.80 feet, (said curve having a radius of 4240.00 feet, with a chord bearing of South 34° 03' 40" West, and a chord length of 167.79 feet) to a point; thence running along a curve to the left an arc length of 266.06 feet, (said curve having a radius of 1540.00 feet, with a chord bearing of South 31° 32' 26" West, and a chord length of 265.72 feet) to a point; thence South 27° 10' 21" West a distance of 81.44 feet to a point; thence running along a curve to the right an arc length of 218.85 feet, (said curve having a radius of 765.00 feet, with a chord bearing of South 36° 25' 01" West, and a chord length of 218.10 feet) to a 1/2" rebar found; thence North 64° 38' 11" West a distance of 207.36 feet to a 1/2" rebar found on the Land Lot line common to Land Lots 457 & 458; thence running along said Land Lot line North 01° 10' 42" East a distance of 867.64 feet to the TRUE POINT OF BEGINNING. Said tract contains 10.409 Acres (453,438 Square Feet).

## Tract 2

All that tract or parcel of land lying and being in Land Lot 458 & 459 of the 2nd District, 3rd Section, Paulding County, Georgia and being more particularly described as follows:

To Reach the TRUE POINT OF BEGINNING commence at a 1/2" rebar found at the Land Lot corner common to Land Lots 407, 408, 457 & 458; thence running along the line common to Land Lots 407 & 458 South 89° 39' 19" East a distance of 640.39 feet to a 1" rebar found; thence leaving said Land Lot line South 00° 21' 10" West a distance of 9.73 feet to an axle found; thence South 43° 53' 17" East a distance of 121.92 feet to an iron pin set on the northwesterly Right of Way of Summerhill Road (60' R/W); thence running along a tie line South 71° 59' 28" East a distance of 63.44 feet to a point on the southeasterly Right of Way of Summerhill Road, said point lying in the centerline of a creek; thence leaving said Right of Way and running along said creek the following courses: thence South 65° 38' 18" East a distance of 11.94 feet to a point; thence North 69° 17' 02" East a distance of 8.65 feet to a point; thence South 44° 29' 53" East a distance of 5.91 feet to a point; thence South 88° 00' 18" East a distance of 13.41 feet to a point; thence South 56° 32' 26" East a distance of 21.84 feet to a point; thence South 60° 28' 33" East a distance of 52.77 feet to a point; thence South 64° 41' 00" East a distance of 104.59 feet to a point; thence South 56° 15' 30" East a distance of 13.88 feet to a point; thence South 27° 47' 01" East a distance of 14.55 feet to a point; thence South 08° 05' 54" East a distance of 8.64 feet to a point; thence South 50° 09' 13" East a distance of 22.40 feet to a point; thence South 64° 01' 26" East a distance of 52.19 feet to a point; thence South 03° 44' 22" East a distance of 16.49 feet to a point; thence South 52° 54' 39" East a distance of 12.53 feet to a point; thence South 24° 40' 18" East a distance of 32.81 feet to a point; thence South 46° 58' 19" East a distance of 18.83 feet to a point; thence South 30° 16' 04" East a distance of 14.35 feet to a point; thence South 57° 31' 13" East a distance of 17.57 feet to a point; thence South 69° 23' 40" East a distance of 15.91 feet to a point; thence South 80° 06' 20" East a distance of 21.70 feet to a point; thence South 76° 26' 10" East a distance of 20.14 feet to a point; thence South 81° 41' 17" East a distance of 10.36 feet to a point; thence South 78° 16' 17" East a distance of 8.54 feet to a point; thence South 51° 36' 07" East a distance of 14.62 feet to a point; thence South 21° 55' 19" East a distance of 31.86 feet to a point; thence South 48° 05' 59" East a distance of 21.90 feet to a point; thence South 84° 07' 26" East a distance of 20.70 feet to a point; thence leaving said Land Lot line South 47° 41' 09" East a distance of 72.19 feet to a point on the Land Lot line common to Land Lots 458 & 459; thence running along said Land Lot line South 00° 32' 27" West a distance of 618.61 feet to an iron pin set; thence leaving said Land Lot line North 87° 52' 52" East a distance of 208.82 feet to an iron pin set; thence South 00° 34' 06" West a distance of 208.69 feet to a 1/2" rebar found on the Land Lot line common to Land Lots 459 & 478; thence running along said Land Lot line South 87° 50' 38" West a distance of 208.73 feet to a fence corner at the Land Lot corner common to Land Lots 458, 459, 478 & 479; thence running along the Land Lot line common to Land Lots 478 & 479 South 89° 45' 30" West a distance of 659.75 feet to an iron pin found; thence South 89° 44' 42" West a distance of 600.36 feet to a 1/2" rebar found; thence leaving said Land Lot line North 00° 34' 52" East a distance of 7.42 feet to a 1/2" rebar found; thence North 01° 50' 53" East a distance of 163.39 feet to a 3" open top pipe found at the aforementioned southeasterly Right of Way of Summerhill Road (60' R/W); thence running along said Right of Way the following courses: running along a curve to the left an arc length of 221.06 feet,

(said curve having a radius of 2410.00 feet, with a chord bearing of North 47° 10' 43" East, and a chord length of 220.99 feet) to a point; thence running along a curve to the left an arc length of 236.57 feet, (said curve having a radius of 825.00 feet, with a chord bearing of North 36° 23' 51" East, and a chord length of 235.76 feet) to a point; thence North 27° 10' 21" East a distance of 82.28 feet to a point; thence running along a curve to the right an arc length of 256.66 feet, (said curve having a radius of 1480.00 feet, with a chord bearing of North 31° 32' 52" East, and a chord length of 256.34 feet) to a point; thence running along a curve to the left an arc length of 170.41 feet, (said curve having a radius of 4300.00 feet, with a chord bearing of North 34° 04' 07" East, and a chord length of 170.40 feet) to a point; to the left an arc length of 205.69 feet, (said curve having a radius of 5500.00 feet, with a chord bearing of North 32° 42' 05" East, and a chord length of 205.68 feet) to a point; thence running along a curve to the right an arc length of 98.43 feet, (said curve having a radius of 715.00 feet, with a chord bearing of North 33° 50' 29" East, and a chord length of 98.35 feet) to the TRUE POINT OF BEGINNING. Said tract contains 24.205 Acres (1,054,382 Square Feet).





CONT'D NEXT PAGE

126/427

(12)

WARRANTY DEED

NEW ERA PRINT, DALLAS, GA.

STATE OF GEORGIA, PAULDING County.

THIS INDENTURE, made this... day of... November... in the year of our Lord One Thousand Nine Hundred and... Eighty Three... between RETHA TIBBITTS

of the State of... Georgia... and County of... Paulding... of the first part and... J. U. TIBBITTS and MARY SUE TIBBITTS

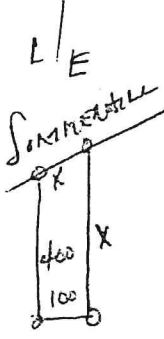
of the State of... Georgia... and County of... Paulding... of the second part.

WITNESSETH: That the said part... of the first part, for and in consideration of the sum of \$10.00 plus other good and valuable considerations... DOLLARS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has... granted, bargained, sold and conveyed and by these presents do... grant, bargain, sell and convey unto the said parties... of the second part, their heirs and assigns, all that tract or parcel of land lying and being in Land Lot No. 458 of the 2nd District and 3rd Section of Paulding County, Georgia, and being more particularly described as follows:

BEGINNING at a point on the Southerly right-of-way of Summerhill Road (sometimes known as Croker Road), said point being located 430 feet Northeasterly (as measured along the Southerly right-of-way of Summerhill Road) from the intersection of the West land lot line of Land Lot No. 458 with the Southerly right-of-way of Summerhill Road; thence running South 00 degrees, 00 minutes, 55 seconds East for a distance of 475 feet; thence running East parallel with the South land lot line of Land Lot No. 458 for a distance of 325 feet to a point; thence running North 00 degrees, 00 minutes, 55 seconds West for a distance of 823 feet to a point on the Southerly right-of-way of Summerhill Road; thence running in a Southwesterly direction along the Southerly right-of-way of Summerhill Road a distance of 390 feet to the Point of Beginning.

LESS AND EXCEPTED and not conveyed hereby, that property described as follows:

BEGINNING at a point on the Southerly right-of-way of Summerhill Road (sometimes known as Croker Road), said point being located 430 feet Northeasterly (as measured along the Southerly right-of-way of Summerhill Road) from the intersection of the Southerly right-of-way of Summerhill Road with the West land lot line of Land Lot No. 458; thence running South 00 degrees, 00 minutes, 55 seconds East for a distance of 400 feet to a point; thence running in an Easterly direction parallel with the South land lot line of Land Lot No. 458 for a distance of 100 feet; thence running North 00 degrees, 00 minutes, 55 seconds West to a point on the Southerly right-of-way of Summerhill Road; thence running in a Southwesterly direction along the Southerly right-of-way of Summerhill Road to the Point of Beginning.



X

BACK IN RTV C 253/760

Paulding County, Ga. Real Estate Transfer Tax Paid \$ None Date 12-29-87 (City/County Clerk) Superior Court

PAULDING COUNTY, GEORGIA FILED IN THE PUBLIC CLERK'S OFFICE 29 DEC 29 PM 2:08 STEVEN C. STREIBER, CLERK

BOOK - 126 PAGE 427

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of them the said part 1st of the second part, their heirs and assigns forever, IN FEE SIMPLE.

And the said part 2nd of the first part, for her heirs, executors and administrators will warrant and forever defend the right and title to the above described property unto the said part 1st of the second part, their heirs and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, The said party of the first part has hereunto set her hand and affixed her seal, this day and year above written.

Signed, sealed and delivered in the presence of

*William A. ...*  
Witness  
*T. S. Beavers, N.P.*

*Retha Tibbitts* (Seal)  
Retha Tibbitts (Seal)  
(Seal)  
(Seal)  
(Seal)

Tonny S. Beavers  
N.P. Notary Public



RECORDED 12-30-19 87  
STELLA R. SIMMONS, CLERK  
SUPERIOR COURT, PAULDING CO.

BOOK - 126 PAGE 428

WARRANTY DEED  
FROM  
RETHA TIBBITTS  
TO  
J. U. TIBBITTS and  
MARY SUE TIBBITTS  
November 19 83  
Georgia Paulding County  
Notary Public  
Filed for Record at 10 o'clock  
Recorded in Book 126 Page 428  
Clerk

253/760

13

WARRANTY DEED

NEW ERA PRINT, DALLAS, GA.

STATE OF GEORGIA, Paulding County.

THIS INDENTURE, made this 27th day of December in the year of our Lord One Thousand Nine Hundred and Ninety-one between RETHA TIBBITTS

of the State of Georgia and County of Paulding of the first part and J. U. TIBBITTS and MARY SUE TIBBITTS

of the State of Georgia and County of Paulding of the second part.

WITNESSETH: That the said part y. of the first part, for and in consideration of the sum of \$10.00 plus other good and valuable considerations DOLLARS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, ha. granted, bargained, sold and conveyed and by these presents do. grant, bargain, sell and convey unto the said part. i.e.s. of the second part, their heirs and assigns, all that tract or parcel of land lying and being in Land Lot No. 458 of the 2nd District and 3rd Section of Paulding County, Georgia, and being more particularly described as follows:

BEGINNING at a point on the Southerly right-of-way of Summerhill Road (sometimes known as Croker Road), said point being located 430 feet Northeasterly (as measured along the Southerly right-of-way of Summerhill Road) from the intersection of the Southerly right-of-way of Summerhill Road with the West land lot line of Land Lot No. 458; thence running South 00 degrees, 00 minutes, 55 seconds East for a distance of 400 feet to a point; thence running in an Easterly direction parallel with the South land lot line of Land Lot No. 458 for a distance of 100 feet; thence running North 00 degrees, 00 minutes, 55 seconds West to a point on the Southerly right-of-way of Summerhill Road; thence running in a Southwesterly direction along the Southerly right-of-way of Summerhill Road to the Point of Beginning.

Paulding County, Ga. Real Estate Transfer Tax Paid Date 1-6-92 (Click on Signature) Superior Court

RECORDED 1-6-92 SILVIA G. SHERIDAN SUPERIOR COURT, PAULDING CO.

52 JAN -6 4:10 PM '92

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of them the said part. i.e.s. of the second part, their heirs and assigns forever, IN FEE SIMPLE.

And the said part y. of the first part, for her heirs, executors and administrators will warrant and forever defend the right and title to the above described property unto the said part. i.e.s. of the second part, their heirs and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, The said part y. of the first part has hereunto set her hand and affixed her seal the day and year above written.

Signed, sealed and delivered in the presence of

WITNESS

Notary Public

Term No. 25

Retha Tibbitts (Seal) Retha Tibbitts (Seal) (Seal) (Seal)



TONNY S. BEAVERS SUSAN K. BEAVERS N.P.



Handwritten mark resembling a stylized 'N' or '4'.

Deed Doc: BSTD  
Filed 06/07/2018 10:42AM  
Georgia Transfer Tax Paid : \$0.00  
BANK OF AMERICA NOT CERTIFY TITLE  
Clerk Superior Court, Paulding County, Ga.  
Bk 03881 Pg 0249-0251  
1102018003953

DOCUMENT PREPARATION ONLY - DRAFTING ATTORNEY HAS NOT EXAMINED BANK OF AMERICA NOT CERTIFY TITLE

Please return to:  
Mason Law Group (Georgia) LLC  
201 W Memorial Dr.  
Dallas, GA 30132

Executors Deed

Handwritten notes: 3881/249 (10)

STATE OF GEORGIA

COUNTY OF PAULDING

THIS INDENTURE, made this 7<sup>th</sup> day of June, 2018 between CONNIE SUE TIBBITTS, as Executrix of the Estate of Jerrell Umbrey Tibbitts a/k/a J.U. Tibbitts, Deceased of the First Part (hereinafter called "grantor") and MARY SUE TIBBITTS of the Second Part, (hereinafter called "grantee"); the words "grantor" and "grantee" to include their respective heirs, successors and assigns where the context requires or permits:

WITNESSETH: That the said grantor (acting under and by virtue of the power and authority contained in the Letters Testamentary by the Paulding County, Georgia Probate Court on March 29, 2017, in Estate No. 2017-096), for and in consideration of the sum of TEN DOLLARS (\$10.00) Dollars in hand paid, at and before the sealing and delivery of these presents (the receipt of which is hereby acknowledged), has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said grantee,

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

This deed is given subject to all easements and restrictions of record.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said grantee forever, in fee simple: in as full and ample a manner as the same was held, possessed and enjoyed, or might have been held, possessed and enjoyed, by the said deceased.

IN WITNESS WHEREOF, the grantor herein has hereunto set hand and seal, the day and year above written.

Signed, sealed and delivered in the presence of:

*[Signature]*  
WITNESS: *Meredith Hamilton*

GRANTOR:

*Connie Sue Tibbitts* (SEAL)  
CONNIE SUE TIBBITTS, AS EXECUTRIX OF  
THE ESTATE OF JERRELL UMBREY  
TIBBITTS, DECEASED

*[Signature]*

Notary Public  
(Affix Notary Seal)



# Exhibit "A"

... a one-half undivided interest in all that tract or parcel of land lying and being in the Second District and Third Second of Paulding County, Georgia, and being more particularly described as follows:

One acre off the Southwest corner of Land Lot 459 plus all of Original Land Lot No. 458 EXCEPT one acre off the East end of the North half of said Land Lot EXCEPT One one-fourth (1/4) acre described as follows:

BEGINNING at the Northwest corner of the above described 1 acre tract in the Northeast corner of Land Lot No. 458 and thence running West along the North original line of said Land Lot No. 458 to the line of the property formerly owned by Ben F. Groker, now owned by J. U. Tibbitts; thence South along the East boundary line of property now owned by J. U. Tibbitts a distance of 10 feet to a stake; thence running East on a line which runs through a spring and a culvert and continuing down through the center of said stream to the East original line of said Land Lot No. 458; thence North along the East original line of said Land Lot No. 458 to the Southeast corner of the above described 1 acre tract in the Northeast corner of said Land Lot No. 458; thence running in a Westerly direction along the South boundary line of said above described 1 acre tract to the Southwest corner of same; thence North along the West boundary line of said above described 1 acre tract to the North original line of said Land Lot No. 458 and the point of beginning.

Rec'd 1/14/50  
Paid \$ 115.00  
Date 12-28-50  
P. M. ...

TV/638

①

Filed February 24, 1976 9:33 A. M.

538

Recorded February 24, 1976 C. M. Turner, Clerk

WARRANTY DEED

NEW ERA PRINT, DALLAS, GA.

STATE OF GEORGIA, PAULDING County.

THIS INDENTURE, made this \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord One Thousand Nine Hundred and \_\_\_\_\_ Seventy-Six between J. U. TIBBITTS

of the State of Georgia and County of Paulding of the first part and MARY SUE TIBBITTS

of the State of Georgia and County of Paulding of the second part

WITNESSETH: That the said part... of the first part, for and in consideration of the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION

in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, he... granted, bargained, sold and conveyed and by these presents do... grant, bargain, sell and convey unto the said part... of the second part, her heirs and assigns, a one-half undivided interest in all that tract or parcel of land lying and being in the Second District and Third Second of Paulding County, Georgia, and being more particularly described as follows:

One acre off the Southwest corner of Land Lot 459 plus all of Original Land Lot No. 458 EXCEPT one acre off the East end of the North half of said Land Lot EXCEPT One one-fourth (1/4) acre described as follows:

BEGINNING at the Northwest corner of the above described 1 acre tract in the Northeast corner of Land Lot No. 458 and thence running West along the North original line of said Land Lot No. 458 to the line of the property formerly owned by Ben F. Croker, now owned by J. U. Tibbitts; thence South along the East boundary line of property now owned by J. U. Tibbitts a distance of 10 feet to a stake; thence running East on a line which runs through a spring and a culvert and continuing down through the center of said stream to the East original line of said Land Lot No. 458; thence North along the East original line of said Land Lot No. 458 to the Southeast corner of the above described 1 acre tract in the Northeast corner of said Land Lot No. 458; thence running in a Westerly direction along the South boundary line of said above described 1 acre tract to the Southwest corner of same; thence North along the West boundary line of said above described 1 acre tract to the North original line of said Land Lot No. 458 and the point of beginning.

Paulding, Georgia  
Paid \$ 12.00  
Date 2-24-76  
C. M. Turner  
Clerk of Superior Court

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of herself the said part... of the second part, her heirs and assigns forever, IN FEE SIMPLE.

And the said part... of the first part, for himself, his heirs, executors and administrators will warrant and forever defend the right and title to the above described property unto the said part... of the second part, her heirs and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, The said part... of the first part hereunto set his hand and seized his seal, the day and year above written:

Stated, sealed and delivered in the presence of  
Jeffrey E. Talley  
D. L. Lester

J. U. Tibbitts (Seal)  
J. U. Tibbitts (Seal)  
(Seal)  
(Seal)

Jeffrey E. Talley  
D. L. Lester, N. P.  
Equal Notaries

1.0 AC  
LL 458  
ALL  
458 AC  
ONE AC  
1/4

4 LL 459  
ALL 458  
4 1/4 AC  
1/4 AC



Adjacent Property Owner Info - 469 Summerhill Road			
Owner	Property Address	Mailing Address	Tax Parcel ID
Pope, Mike	UNASSIGNED ADDRESS	95 Avery Way, Dallas, GA, 30157	147.1.3.010.0000
230 Summerhill Road, LLC	UNASSIGNED ADDRESS	783 Holland Rd, Powder Springs, GA, 30127	147.1.3.008.0000
230 Summerhill Road, LLC	105 Beckward Path, Dallas GA	783 Holland Rd, Powder Springs, GA, 30127	147.1.2.004.0000
303 Summerhill Road, LLC	303 Summerhill Road, Dallas, GA	783 Holland Rd, Powder Springs, GA, 30127	147.1.2.001.0000
ZEI Dallas, LLC	3366 Allanta Hwy, Dallas, GA	10933 Crabapple Rd, Roswell, GA, 30075	140.4.3.072.0000
2011 Edwards Family Revocable Trust	598 Summerhill Road, Dallas, GA	598 Summerhill Road, C/O Charlie Edwards Jr, Dallas, GA, 30132	147.2.1.002.0000
Tabor, Thomas C	UNASSIGNED ADDRESS	404 Redwood Dr NE, Marietta, GA, 30060	140.4.4.046.0000
Aiken Business Properties LP / Ollis Production Inc	UNASSIGNED ADDRESS	PO Box 827 C/O Aiken Magement Trust, Dallas, GA, 30132	147.2.4.006.0000
Harris, Richard L & Harris, Dolores C	UNASSIGNED ADDRESS	783 Holland Rd, Powder Springs, GA, 30127	147.1.1.006.0000
Paulding Medical Center, Inc	146 Bill Carruth Pkwy, Hiram, 30141	PO Box 92129 C/O Altus Group, Southlake, TX, 76092	147.2.4.002.0000
McNeel Covey 278, LLC	UNASSIGNED ADDRESS	990 Cobb Pwky N Suite 201, Marietta, GA, 30062	147.1.2.002.0000
90 International, LLC	90 International Pkwy, Dallas, GA, 30157	1303 Hightower Trail Suite 205, C/O Brown Realty Advisors, Inc, Atlanta, GA, 30350	147.1.3.006.0000

Printed: 10/25/2023 13:06:39 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
2022-065499	R0138 76	469 SUMMERHILL RD	\$2,541.22	\$26.46 Fees: \$0.00	\$0.00	\$2,567.68	\$0.00
<b>Totals:</b>			<b>\$2,541.22</b>	<b>\$26.46</b>	<b>\$0.00</b>	<b>\$2,567.68</b>	<b>\$0.00</b>

Paid Date: 02/01/2023

Charge Amount: \$2,567.68

TIBBITTS MARY SUE  
4809 SHAE CT  
POWDER SPRINGS, GA 30127



Scan this code with your mobile phone to view this bill



469 Summerhill Road  
A-2024-01  
Z-2024-01  
February 19<sup>th</sup>, 2024

Item 4.

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

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

Dear Miss Elgaydi:

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

Background:

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

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



469 Summerhill Road  
 A-2024-01  
 Z-2024-01  
 February 19<sup>th</sup>, 2024

Item 4.

Annexation and Rezoning Request:

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

Description of Rezoning Request:

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

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

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

Site Analysis:

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

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

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

Review of Criteria for Granting a Rezoning:

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





469 Summerhill Road  
A-2024-01  
Z-2024-01  
February 19<sup>th</sup>, 2024

Item 4.

**1. The Comprehensive Plan;**

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

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

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

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

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

Highway 278 within this vicinity is considered an Employment Corridor:

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

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

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



**2. Permitted Use impact on adjacent properties;**

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

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

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

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

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

**5. Supported by current conditions:**

Water and Sewer are available.

Recommendation:

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

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

Conditions of Approval (if applicable):

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

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



469 Summerhill Road  
A-2024-01  
Z-2024-01  
February 19<sup>th</sup>, 2024

Item 4.

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

Public Comments:

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

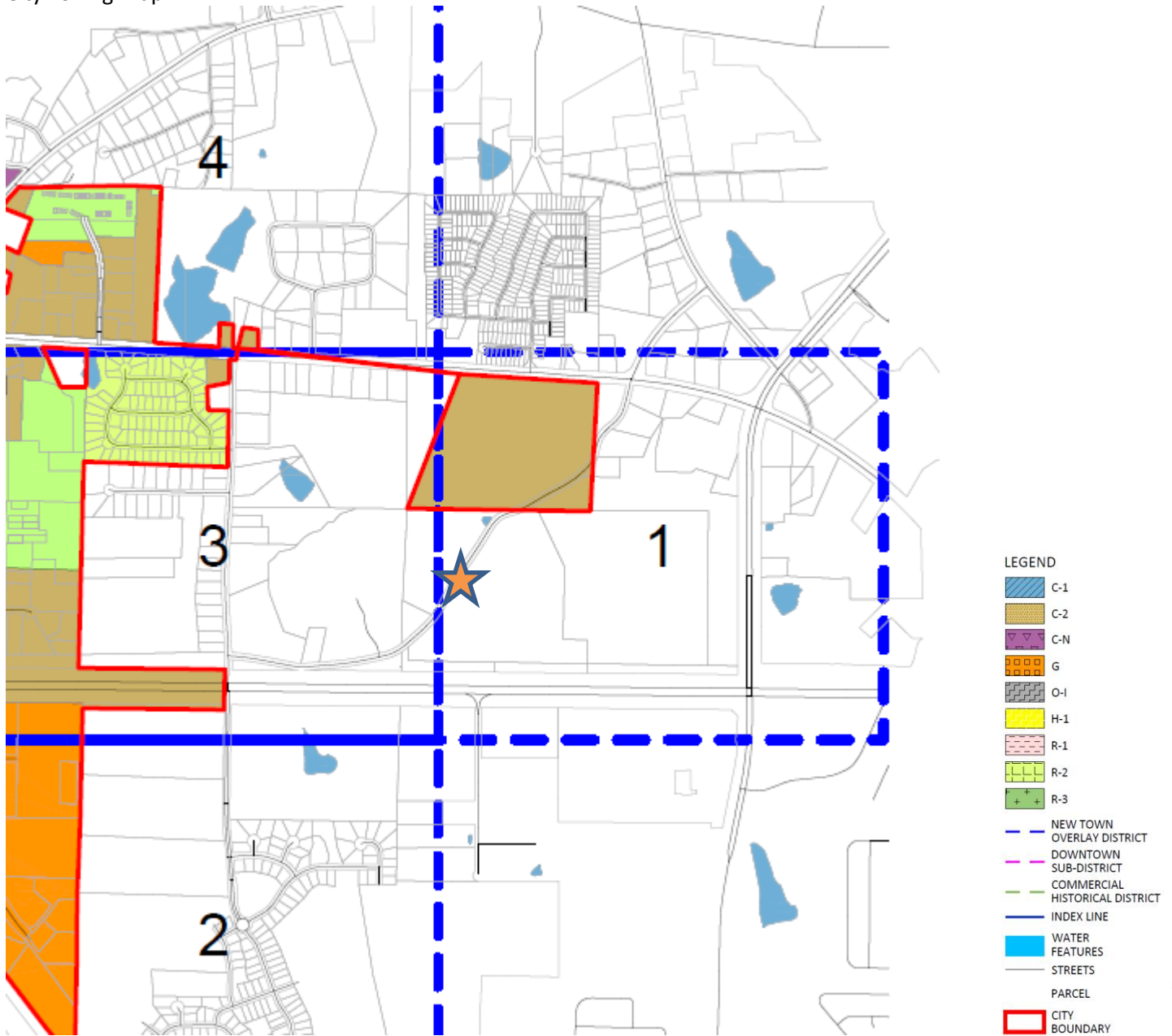
Conclusion:

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

Attachments:

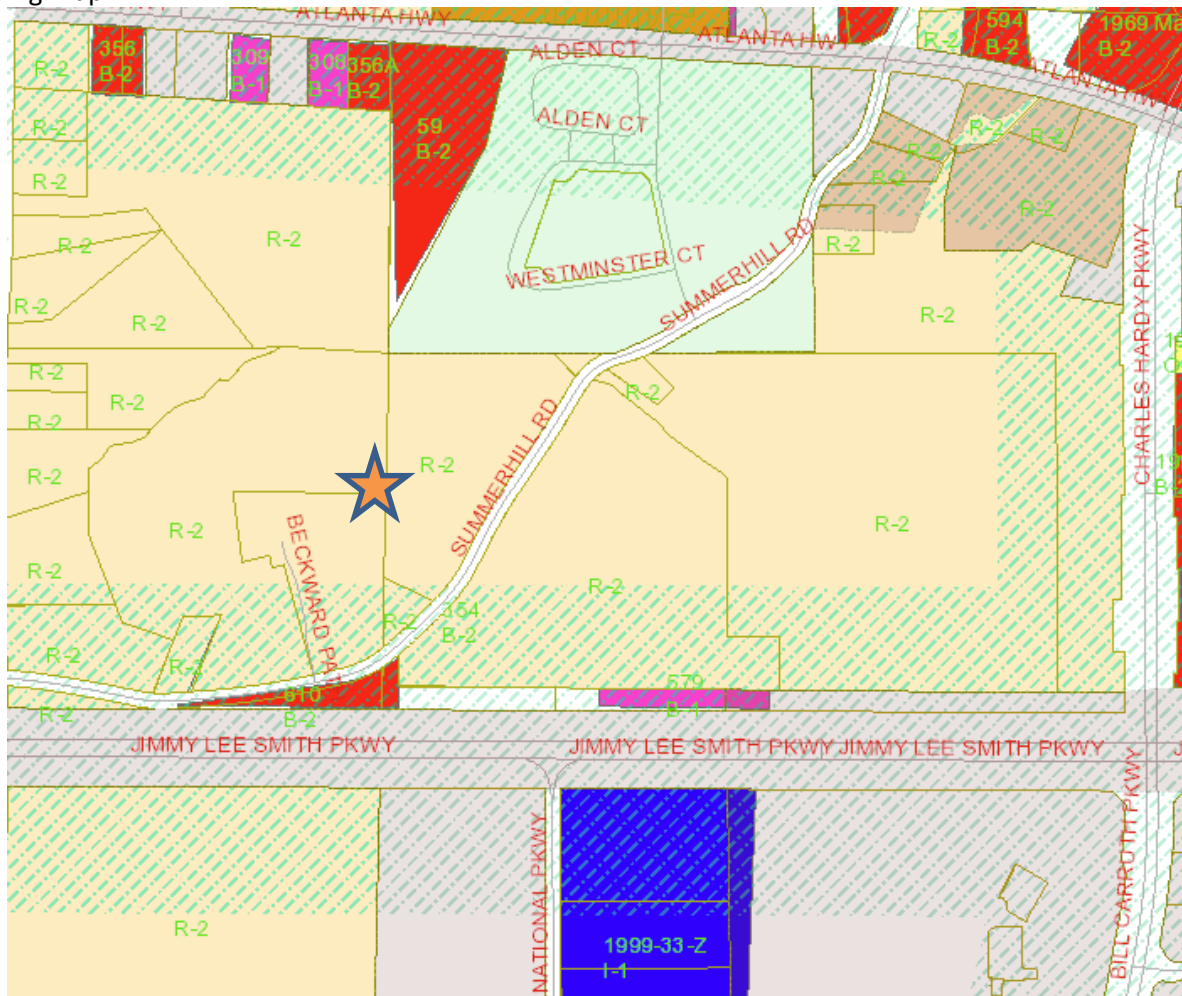
- City Zoning Map
- County Zoning Map
- City Future Land Use Map
- County Future Land Use Map

City Zoning Map:



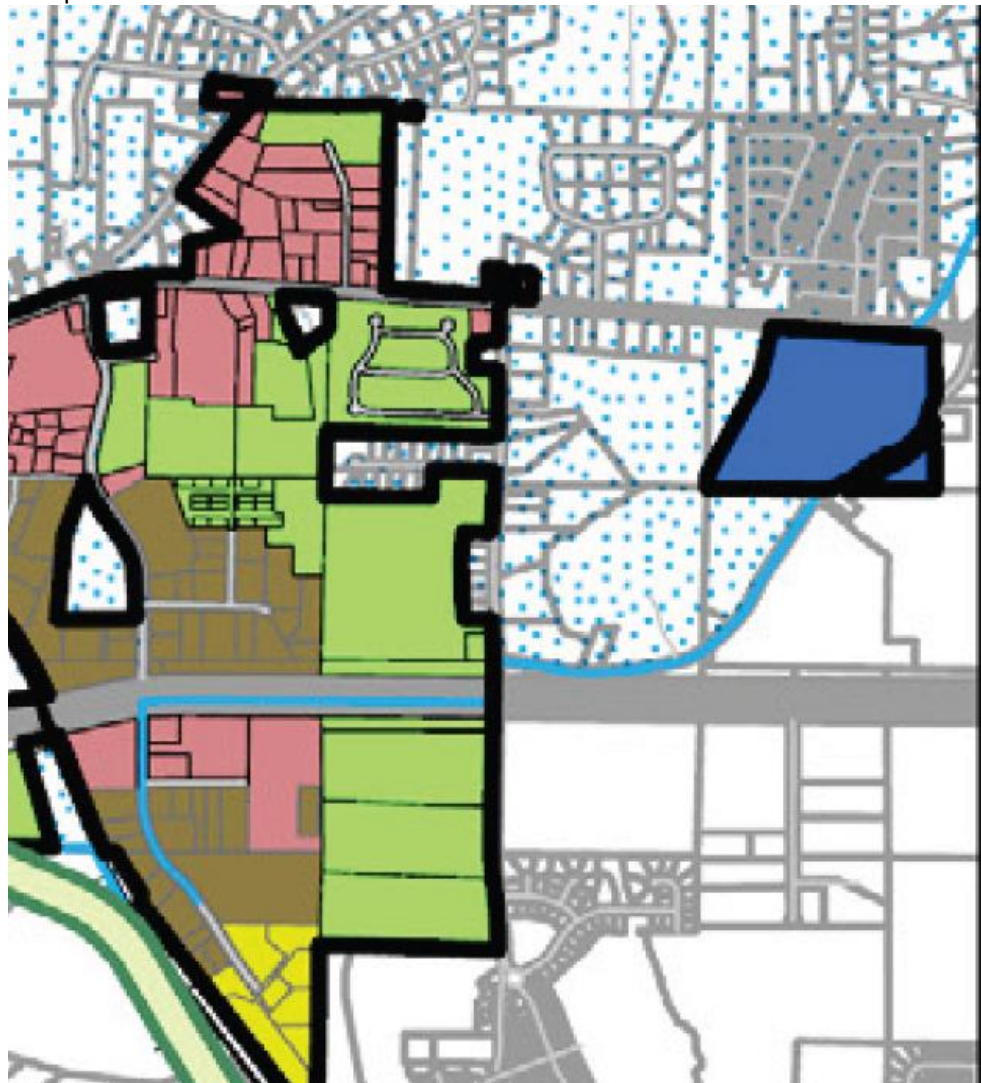


County Zoning Map:



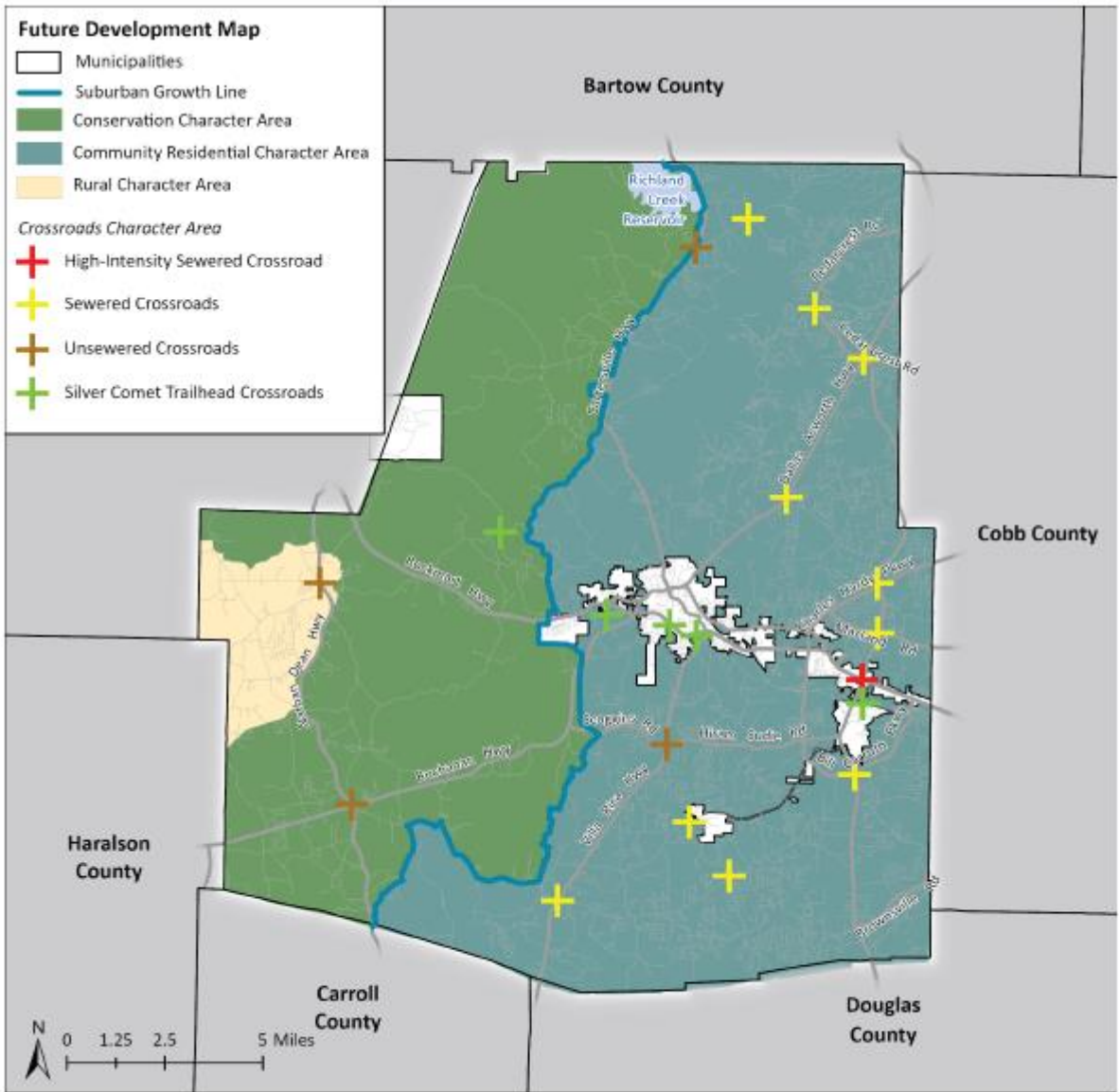
- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Zoning  | PSC (Planned Shopping Center)                |
| R-6   | B-2 (Highway Business)                       |
| A-1 (Agricultural)                          | ECR (e-Commerce Retail)                      |
| ER (Estate Residential)        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

City Future Land Use Map:

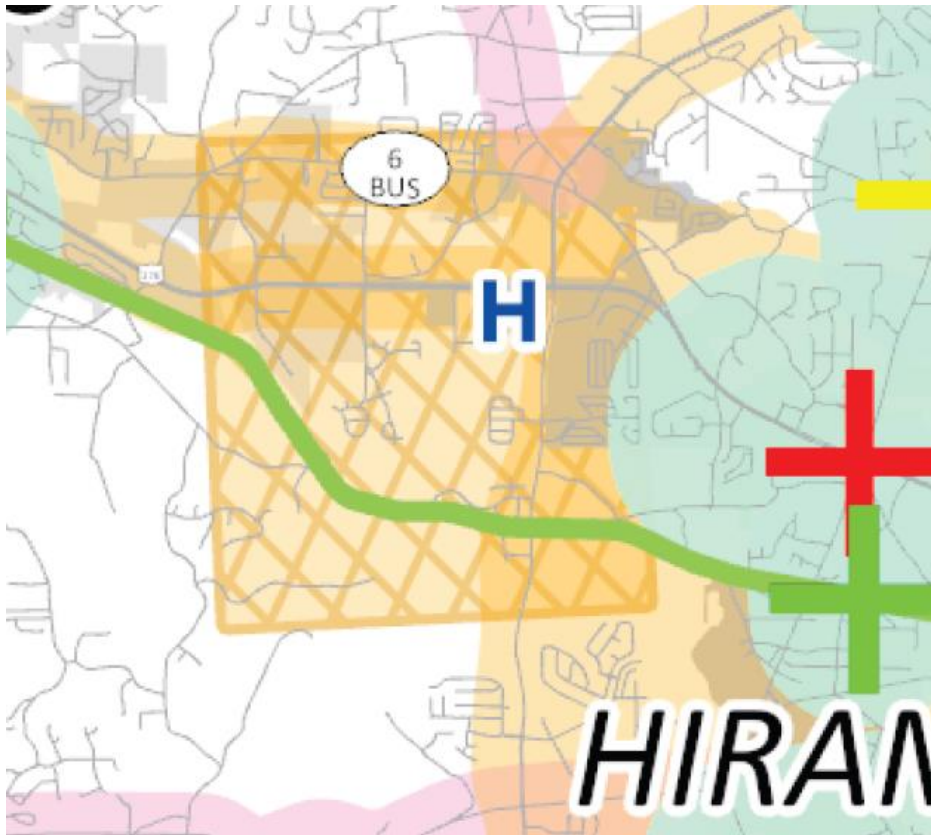


- Commercial
- Industrial
- Industrial-Heavy
- Health/Wellness/Longevity
- Downtown Special Interest
- Parks/Recreation/Conservation
- Public Institutional
- Residential
- Transportation/Communication/Utilities
- City of Dallas Sewer Service Area
- Silver Comet Trailhead Crossroad

County Future Land Use Map:



MAP 2.11



### Supporting Policy Map

-  Silver Comet Trailhead Crossroads
-  High-Intensity Sewered Crossroad
-  Sewered Crossroads
-  Unsewered Crossroads
-  Hospital
-  Municipalities
-  Wellness District
-  Airport Employment Hub
-  Employment Corridor
-  Richland Creek Recreation Area
-  Crossroad Areas of Influence
-  Community Character Corridors
-  Silver Comet Trail
-  Suburban Growth Line







### Annexation and Zoning Plat Legal Description

#### Tract 1

All that tract or parcel of land lying and being in Land Lot 458 of the 2nd District, 3rd Section, Paulding County, Georgia and being more particularly described as follows:

BEGINNING at a 1/2" rebar found at the Land Lot corner common to Land Lots 407, 408, 457 & 458; from point thus established and running along the line common to Land Lots 407 & 458 South 89° 39' 19" East a distance of 640.39 feet to a 1" rebar found; thence leaving said Land Lot line South 00° 21' 10" West a distance of 9.73 feet to an axle found; thence South 43° 53' 17" East a distance of 121.92 feet to an iron pin set on the northwesterly Right of Way of Summerhill Road (60' R/W); thence running along said Right of Way the following courses: running along a curve to the left an arc length of 84.29 feet, (said curve having a radius of 775.00 feet, with a chord bearing of South 33° 04' 55" West, and a chord length of 84.25 feet) to a point; thence running along a curve to the right an arc length of 203.00 feet, (said curve having a radius of 5440.00 feet, with a chord bearing of South 32° 42' 30" West, and a chord length of 202.99 feet) to a point; thence running along a curve to the right an arc length of 167.80 feet, (said curve having a radius of 4240.00 feet, with a chord bearing of South 34° 03' 40" West, and a chord length of 167.79 feet) to a point; thence running along a curve to the left an arc length of 266.06 feet, (said curve having a radius of 1540.00 feet, with a chord bearing of South 31° 32' 26" West, and a chord length of 265.72 feet) to a point; thence South 27° 10' 21" West a distance of 81.44 feet to a point; thence running along a curve to the right an arc length of 218.85 feet, (said curve having a radius of 765.00 feet, with a chord bearing of South 36° 25' 01" West, and a chord length of 218.10 feet) to a 1/2" rebar found; thence North 64° 38' 11" West a distance of 207.36 feet to a 1/2" rebar found on the Land Lot line common to Land Lots 457 & 458; thence running along said Land Lot line North 01° 10' 42" East a distance of 867.64 feet to the TRUE POINT OF BEGINNING. Said tract contains 10.409 Acres (453,438 Square Feet).

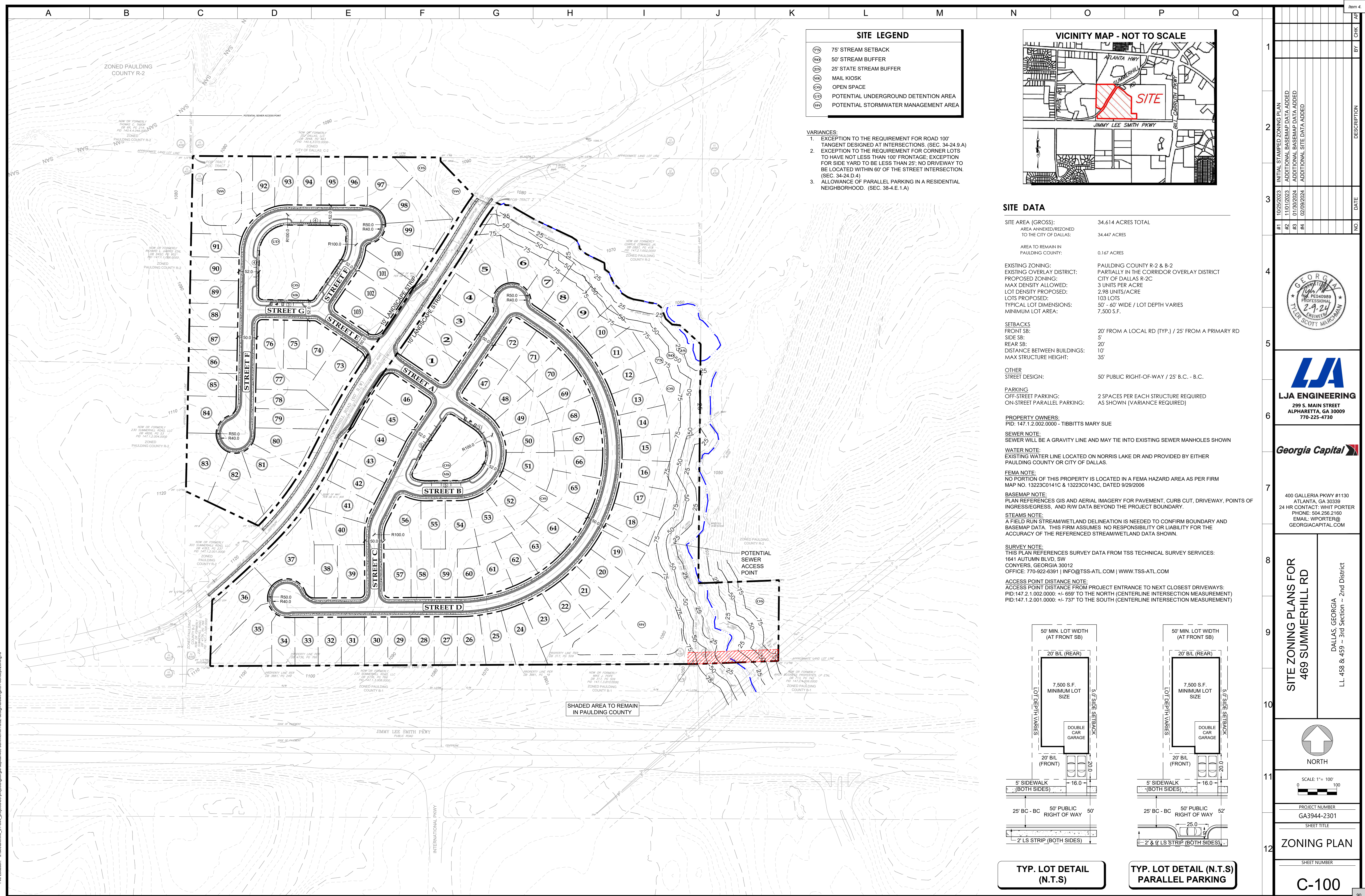
## Tract 2

All that tract or parcel of land lying and being in Land Lot 458 & 459 of the 2nd District, 3rd Section, Paulding County, Georgia and being more particularly described as follows:

To Reach the TRUE POINT OF BEGINNING commence at a 1/2" rebar found at the Land Lot corner common to Land Lots 407, 408, 457 & 458; thence running along the line common to Land Lots 407 & 458 South 89° 39' 19" East a distance of 640.39 feet to a 1" rebar found; thence leaving said Land Lot line South 00° 21' 10" West a distance of 9.73 feet to an axle found; thence South 43° 53' 17" East a distance of 121.92 feet to an iron pin set on the northwesterly Right of Way of Summerhill Road (60' R/W); thence running along a tie line South 71° 59' 28" East a distance of 63.44 feet to a point on the southeasterly Right of Way of Summerhill Road, said point lying in the centerline of a creek and being the TRUE POINT OF BEGINNING; thence from the point thus established and leaving said Right of Way and running along said creek the following courses: South 65° 38' 18" East a distance of 11.94 feet to a point; thence North 69° 17' 02" East a distance of 8.65 feet to a point; thence South 44° 29' 53" East a distance of 5.91 feet to a point; thence South 88° 00' 18" East a distance of 13.41 feet to a point; thence South 56° 32' 26" East a distance of 21.84 feet to a point; thence South 60° 28' 33" East a distance of 52.77 feet to a point; thence South 64° 41' 00" East a distance of 104.59 feet to a point; thence South 56° 15' 30" East a distance of 13.88 feet to a point; thence South 27° 47' 01" East a distance of 14.55 feet to a point; thence South 08° 05' 54" East a distance of 8.64 feet to a point; thence South 50° 09' 13" East a distance of 22.40 feet to a point; thence South 64° 01' 26" East a distance of 52.19 feet to a point; thence South 03° 44' 22" East a distance of 16.49 feet to a point; thence South 52° 54' 39" East a distance of 12.53 feet to a point; thence South 24° 40' 18" East a distance of 32.81 feet to a point; thence South 46° 58' 19" East a distance of 18.83 feet to a point; thence South 30° 16' 04" East a distance of 14.35 feet to a point; thence South 57° 31' 13" East a distance of 17.57 feet to a point; thence South 69° 23' 40" East a distance of 15.91 feet to a point; thence South 80° 06' 20" East a distance of 21.70 feet to a point; thence South 76° 26' 10" East a distance of 20.14 feet to a point; thence South 81° 41' 17" East a distance of 10.36 feet to a point; thence South 78° 16' 17" East a distance of 8.54 feet to a point; thence South 51° 36' 07" East a distance of 14.62 feet to a point; thence South 21° 55' 19" East a distance of 31.86 feet to a point; thence South 48° 05' 59" East a distance of 21.90 feet to a point; thence South 84° 07' 26" East a distance of 20.70 feet to a point; thence leaving said Land Lot line South 47° 41' 09" East a distance of 72.19 feet to a point on the Land Lot line common to Land Lots 458 & 459; thence running along said Land Lot line South 00° 32' 27" West a distance of 618.61 feet to an iron pin set; thence leaving said Land Lot line North 87° 52' 52" East a distance of 208.82 feet to an iron pin set; thence South 00° 34' 06" West a distance of 178.69 feet to an iron pin set; thence South 88° 05' 17" West a distance of 239.14 feet to an iron pin set; thence South 00° 14' 30" East a distance of 30.00 feet to an iron pin set on the Land Lot line common to Land Lots 458 & 479; thence running along said Land Lot line South 89° 45' 30" West a distance of 629.75 feet to an iron pin found; thence South 89° 44' 42" West a distance of 600.36 feet to a 1/2" rebar found; thence leaving said Land Lot line North 00° 34' 52" East a distance of 7.42 feet to a 1/2" rebar found; thence North 01° 50' 53" East a distance of 163.39 feet to a 3" open top pipe found at the aforementioned southeasterly Right of Way of Summerhill Road (60' R/W); thence running along said Right of Way the following courses: running along a curve to the left an arc length of

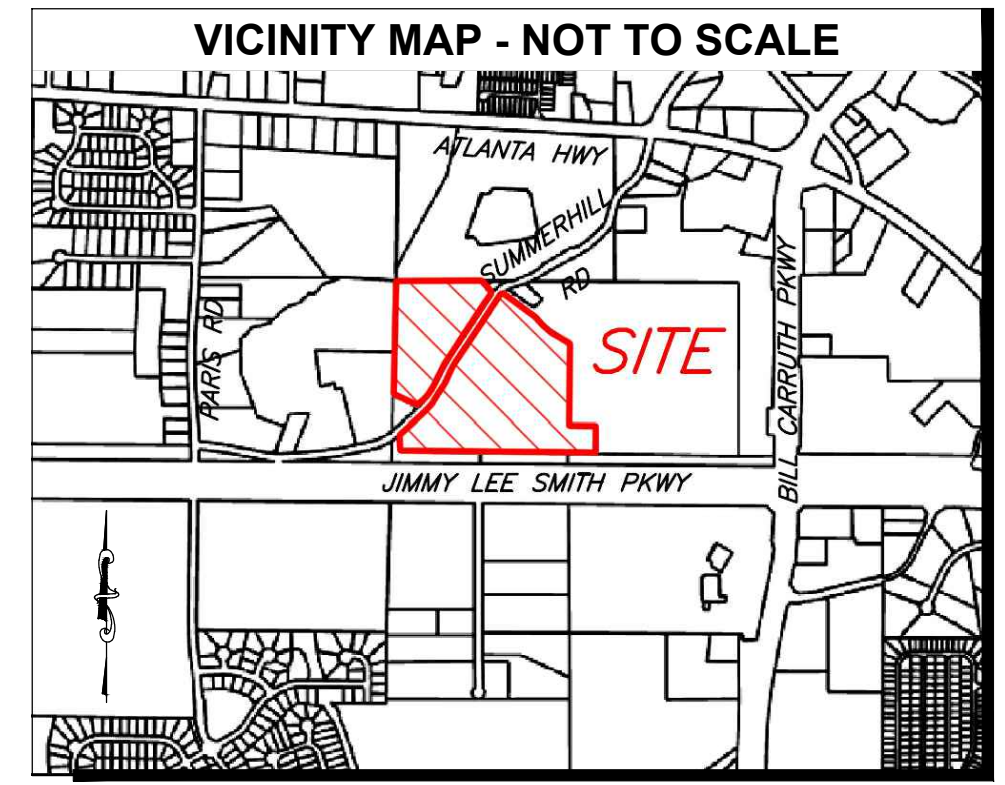
221.06 feet, (said curve having a radius of 2410.00 feet, with a chord bearing of North 47° 10' 43" East, and a chord length of 220.99 feet) to a point; thence running along a curve to the left an arc length of 236.57 feet, (said curve having a radius of 825.00 feet, with a chord bearing of North 36° 23' 51" East, and a chord length of 235.76 feet) to a point; thence North 27° 10' 21" East a distance of 82.28 feet to a point; thence running along a curve to the right an arc length of 256.66 feet, (said curve having a radius of 1480.00 feet, with a chord bearing of North 31° 32' 52" East, and a chord length of 256.34 feet) to a point; thence running along a curve to the left an arc length of 170.41 feet, (said curve having a radius of 4300.00 feet, with a chord bearing of North 34° 04' 07" East, and a chord length of 170.40 feet) to a point; to the left an arc length of 205.69 feet, (said curve having a radius of 5500.00 feet, with a chord bearing of North 32° 42' 05" East, and a chord length of 205.68 feet) to a point; thence running along a curve to the right an arc length of 98.43 feet, (said curve having a radius of 715.00 feet, with a chord bearing of North 33° 50' 29" East, and a chord length of 98.35 feet) to the TRUE POINT OF BEGINNING. Said tract contains 24.038 Acres (1,047,115 Square Feet).





SITE LEGEND	
(75)	75' STREAM SETBACK
(50)	50' STREAM BUFFER
(25)	25' STATE STREAM BUFFER
(MK)	MAIL KIOSK
(OS)	OPEN SPACE
(UD)	POTENTIAL UNDERGROUND DETENTION AREA
(SM)	POTENTIAL STORMWATER MANAGEMENT AREA

- VARIANCES:
- EXCEPTION TO THE REQUIREMENT FOR ROAD 100' TANGENT DESIGNED AT INTERSECTIONS. (SEC. 34-24.9.A)
  - EXCEPTION TO THE REQUIREMENT FOR CORNER LOTS TO HAVE NOT LESS THAN 100' FRONTAGE, EXCEPTION FOR SIDE YARD TO BE LESS THAN 25'; NO DRIVEWAY TO BE LOCATED WITHIN 60' OF THE STREET INTERSECTION. (SEC. 34-24.D.4)
  - ALLOWANCE OF PARALLEL PARKING IN A RESIDENTIAL NEIGHBORHOOD. (SEC. 38-4.E.1.A)



**SITE DATA**

**SITE AREA (GROSS):** 34.614 ACRES TOTAL  
**AREA ANNEXED/REZONED TO THE CITY OF DALLAS:** 34.447 ACRES  
**AREA TO REMAIN IN PAULDING COUNTY:** 0.167 ACRES

**EXISTING ZONING:** PAULDING COUNTY R-2 & B-2  
**EXISTING OVERLAY DISTRICT:** PARTIALLY IN THE CORRIDOR OVERLAY DISTRICT  
**PROPOSED ZONING:** CITY OF DALLAS R-2C  
**MAX DENSITY ALLOWED:** 3 UNITS PER ACRE  
**LOT DENSITY PROPOSED:** 2.98 UNITS/ACRE  
**LOTS PROPOSED:** 103 LOTS  
**TYPICAL LOT DIMENSIONS:** 50' - 60' WIDE / LOT DEPTH VARIES  
**MINIMUM LOT AREA:** 7,500 S.F.

**SETBACKS**  
**FRONT SB:** 20' FROM A LOCAL RD (TYP.) / 25' FROM A PRIMARY RD  
**SIDE SB:** 5'  
**REAR SB:** 20'  
**DISTANCE BETWEEN BUILDINGS:** 10'  
**MAX STRUCTURE HEIGHT:** 35'

**OTHER**  
**STREET DESIGN:** 50' PUBLIC RIGHT-OF-WAY / 25' B.C. - B.C.

**PARKING**  
**OFF-STREET PARKING:** 2 SPACES PER EACH STRUCTURE REQUIRED  
**ON-STREET PARALLEL PARKING:** AS SHOWN (VARIANCE REQUIRED)

**PROPERTY OWNERS:**  
 PID: 147.1.2.002.0000 - TIBBITTS MARY SUE

**SEWER NOTE:**  
 SEWER WILL BE A GRAVITY LINE AND MAY TIE INTO EXISTING SEWER MANHOLES SHOWN

**WATER NOTE:**  
 EXISTING WATER LINE LOCATED ON NORRIS LAKE DR AND PROVIDED BY EITHER PAULDING COUNTY OR CITY OF DALLAS.

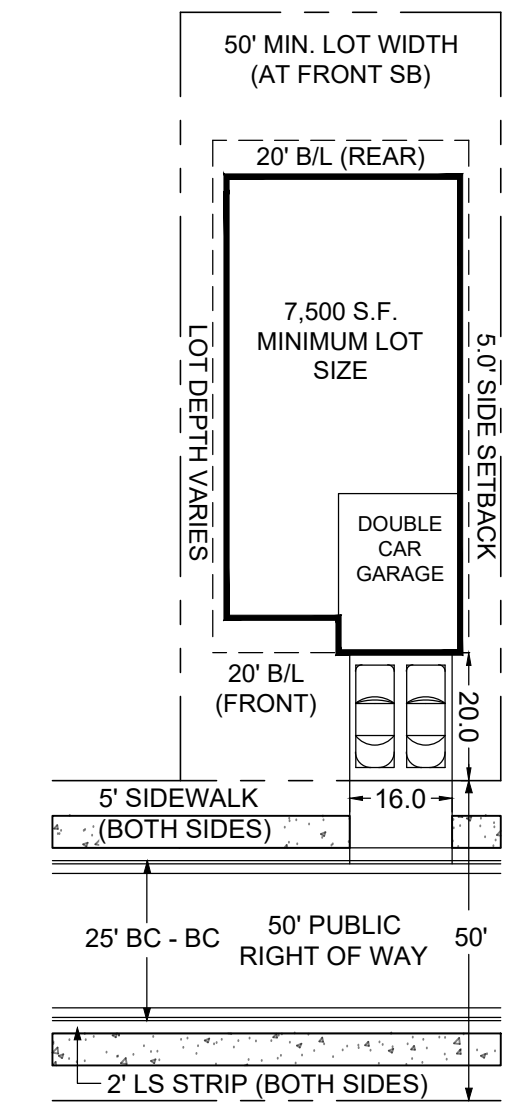
**FEMA NOTE:**  
 NO PORTION OF THIS PROPERTY IS LOCATED IN A FEMA HAZARD AREA AS PER FIRM MAP NO. 13223C0141C & 13223C0143C, DATED 9/29/2006

**BASEMAP NOTE:**  
 PLAN REFERENCES GIS AND AERIAL IMAGERY FOR PAVEMENT, CURB CUT, DRIVEWAY, POINTS OF INGRESS/EGRESS, AND R/W DATA BEYOND THE PROJECT BOUNDARY.

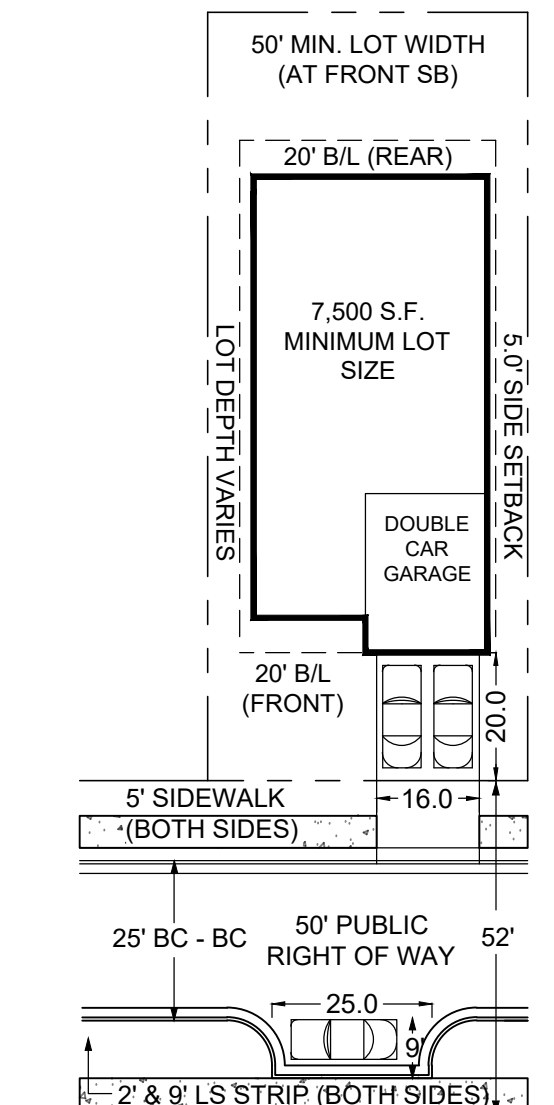
**STREAMS NOTE:**  
 A FIELD RUN STREAM/WETLAND DELINEATION IS NEEDED TO CONFIRM BOUNDARY AND BASEMAP DATA. THIS FIRM ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE ACCURACY OF THE REFERENCED STREAM/WETLAND DATA SHOWN.

**SURVEY NOTE:**  
 THIS PLAN REFERENCES SURVEY DATA FROM TSS TECHNICAL SURVEY SERVICES: 1641 AUTUMN BLVD, SW CONYERS, GEORGIA 30012 OFFICE: 770-922-6391 | INFO@TSS-ATL.COM | WWW.TSS-ATL.COM

**ACCESS POINT DISTANCE NOTE:**  
 ACCESS POINT DISTANCE FROM PROJECT ENTRANCE TO NEXT CLOSEST DRIVEWAYS:  
 PID:147.2.1.002.0000: +/- 659' TO THE NORTH (CENTERLINE INTERSECTION MEASUREMENT)  
 PID:147.1.2.001.0000: +/- 737' TO THE SOUTH (CENTERLINE INTERSECTION MEASUREMENT)



**TYP. LOT DETAIL (N.T.S)**



**TYP. LOT DETAIL (N.T.S) PARALLEL PARKING**

1	INITIAL STAMPED ZONING PLAN	NO	DATE	DESCRIPTION	BY	CHK	AT
2	ADDITIONAL BASEMAP DATA ADDED						
3	ADDITIONAL BASEMAP DATA ADDED						
4	ADDITIONAL SITE DATA ADDED						
5							
6							
7							
8							
9							
10							
11							
12							

**GEORGIA**  
 PROFESSIONAL ENGINEER  
 No. PE040989  
 Tyler Scott Marchman

**LJA ENGINEERING**  
 299 S. MAIN STREET  
 ALPHARETTA, GA 30009  
 770-225-4730

**Georgia Capital**

400 GALLERIA PKWY #1130  
 ATLANTA, GA 30339  
 24 HR CONTACT: WHIT PORTER  
 PHONE: 504.256.2160  
 EMAIL: WPORTER@GEORGIACAPITAL.COM

**SITE ZONING PLANS FOR 469 SUMMERHILL RD**  
 DALLAS, GEORGIA  
 LL 458 & 459 ~ 3rd Section ~ 2nd District

**NORTH**

SCALE: 1" = 100'

PROJECT NUMBER: GA3944-2301  
 SHEET TITLE: ZONING PLAN  
 SHEET NUMBER: C-100

File Location: s:\edg\arch\01-civil\projects\02-projects\georgia\capitol\469 summerhill\02-design\dwg\01-comp\zoning.dwg