

**RESOLUTION  
RES 2026-08**

**A RESOLUTION APPROVING A PURCHASER FOR DISPOSITION OF THE PROPERTY KNOWN AS 200 LESTER DRIVE BY THE DOWNTOWN DEVELOPMENT AUTHORITY OF THE CITY OF DALLAS, GEORGIA; AUTHORIZING THE MAYOR TO NEGOTIATE AND EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH THE DOWNTOWN DEVELOPMENT AUTHORITY IMPLEMENTING THE INTENT OF THE CITY COUNCIL REGARDING FUTURE DEVELOPMENT OF THE PROPERTY, SUBJECT TO REVIEW AND APPROVAL BY THE CITY ATTORNEY AS TO FORM AND LEGAL SUFFICIENCY; REQUIRING PRESENTATION OF THE EXECUTED AGREEMENT TO THE CITY COUNCIL FOR RATIFICATION AT A SUBSEQUENT MEETING; PROVIDING A CURE PROCESS IF THE CITY COUNCIL DECLINES TO RATIFY; AND FOR OTHER PURPOSES.**

**WHEREAS** The Downtown Development Authority of the City of Dallas, Georgia (the “DDA”) owns certain real property located at 200 Lester Drive, Dallas, Georgia 30132, Paulding County Tax Parcel 137.2.2.062.0000 (the “Property”);

**WHEREAS** The DDA desires to sell the Property to facilitate redevelopment with quality townhome residential development consistent with the City’s plans and policies;

**WHEREAS** The Property presents unusual topographical and site-constraint conditions that may require administrative adjustments and/or variances under the City’s Unified Development Code (the “UDC”);

**WHEREAS** The City and the DDA desire to memorialize a development coordination framework that (i) provides a structured and transparent pre-application and staff technical input process, (ii) preserves all quasi-judicial discretion of the Zoning Board of Appeals and the administrative discretion of the Community Development Director under the UDC, and (iii) supports timely, high-quality development of the Property;

**WHEREAS** The City Council desires to avoid unnecessary delay due to the City’s once-per-month regular meeting schedule, while ensuring the City Council retains final authority to ratify the final intergovernmental agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS, GEORGIA, AS FOLLOWS:**

**I. APPROVAL OF PURCHASER; APPROVED ASSIGNEE FRAMEWORK.**

- a. The City Council hereby approves **PENN HODGE, LLC** (the “Purchaser”) as the initial purchaser of the Property from the DDA.
- b. Future transfers prior to vertical construction require City Council approval. Any transfer by the Purchaser (or any successor/assignee) prior to commencement of vertical construction shall be only to a purchaser/replacement developer approved by the City Council by resolution (each an “Approved Assignee”).

**II. CITY COUNCIL INTENT FOR INTERGOVERNMENTAL AGREEMENT.**

The City Council declares its intent that the City and DDA enter into an intergovernmental agreement (the “IGA”) that, at a minimum:

- a. establishes a coordinated, transparent process for pre-application and development review for the Property;
- b. preserves all City police powers and all discretion required by the UDC and applicable law, including the independence of the Zoning Board of Appeals;
- c. confirms that nothing in the IGA constitutes pre-approval of any variance, administrative adjustment, development plan, permit, certificate of zoning compliance, land disturbance permit, certificate of occupancy, or any other entitlement;
- d. provides that the Purchaser (and any Approved Assignee) remains responsible for all costs of studies, plans, applications, and development; and
- e. requires City Council approval for any pre-vertical-construction transfer of the Property to an Approved Assignee.

**III. AUTHORIZATION TO NEGOTIATE AND EXECUTE IGA; CITY ATTORNEY REVIEW; LIMITS OF AUTHORITY.**

- a. The Mayor is authorized to negotiate and execute an IGA with the DDA that implements the City Council’s intent as set forth in this Resolution, subject to review and written approval by the City Attorney as to form and legal sufficiency prior to execution.
- b. The Mayor’s authority under this Section is expressly limited to an IGA that is substantially consistent with the intent and minimum terms set forth in Section 2 of this Resolution.
- c. Nothing in this Resolution authorizes the Mayor, City Manager, staff, or any City official to bind the City to approve any entitlement or to

impair the discretion of any City decision-maker under the UDC or other applicable law.

**IV. RATIFICATION REQUIREMENT; PRESENTATION TO COUNCIL; CURE PROCESS.**

- a. The executed IGA shall be placed on the agenda and presented to the City Council for ratification at the next regular City Council meeting occurring after execution (or as soon thereafter as practicable, taking into account agenda posting requirements).
- b. The IGA is subject to City Council ratification. If the City Council declines to ratify the IGA, the City Council may, at the same meeting or by written direction thereafter, identify modifications necessary for ratification (the “Requested Modifications”). The Mayor is authorized to work with the DDA to negotiate the Requested Modifications and present a revised IGA for ratification.
- c. Cure window. The City and the DDA shall have sixty (60) days from the date the City Council declines ratification (the “Cure Period”) to negotiate and finalize a revised IGA incorporating the Requested Modifications and to present the revised IGA to the City Council for ratification at a regular or specially-called meeting. The Cure Period may be extended by City Council action.
- d. Termination if not cured. If (i) the City Council declines to ratify the IGA and (ii) ratification of a revised IGA does not occur within the Cure Period (as it may be extended), then the Mayor is authorized, after consultation with the City Attorney, to provide written notice of termination to the DDA, and the City shall have no further obligations under the IGA after the effective date of termination, except as to provisions that by their nature are intended to survive termination.

**V. INTERIM ADMINISTRATIVE COORDINATION PENDING RATIFICATION; NO PRE-APPROVAL.**

- a. Pending ratification, the City Manager and City staff may proceed with administrative coordination actions contemplated by the IGA, including scheduling meetings, providing checklists, and coordinating review timelines, provided that no City decision-maker is authorized by this Resolution to pre-approve any variance, administrative adjustment, development plan, permit, certificate, or other entitlement.
- b. All decisions shall be made under the UDC by the appropriate decision-maker based on the application, record, and applicable standards.

**VI. EFFECTIVE DATE.**

This Resolution shall become effective immediately upon adoption.

**SO RESOLVED** this \_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
L. James Kelly, Mayor

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James Henson, Councilmember

\_\_\_\_\_  
Christopher B. Carter, Councilmember

\_\_\_\_\_  
Nancy R. Arnold, Councilmember

\_\_\_\_\_  
Leah Alls, Councilmember

\_\_\_\_\_  
Cooper Cochran, Councilmember

\_\_\_\_\_  
Candace Callaway, Councilmember

Attest: \_\_\_\_\_  
Tina Clark, City Clerk