

RESOLUTION 2026 - 071

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE DOCUMENTS NECESSARY TO APPROVE DESIGN CHANGES TO A COMMERCIAL STRUCTURE PROPOSED TO BE LOCATED ADJACENT TO THE PUBLIC PARKING LOT AT LEWIS ROAD AND MARIETTA STREET AND TO APPROVE A CERTAIN ASSIGNMENT FROM THE PURCHASER OF PROPERTY CONVEYED BY THE CITY TO THE DOWNTOWN DEVELOPMENT AUTHORITY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS pursuant to the Official Code of Georgia Annotated (O.C.G.A.) § 36-37-6 (e)(2)(D) and § 36-61-10, as authorized under Resolution 2024-118, the City of Powder Springs previously approved the transfer of certain real property to the Downtown Development Authority and executed an intergovernmental agreement with the DDA to sell or transfer said property for the purpose of redevelopment for commercial use; and

WHEREAS the Mayor did execute quitclaim deeds and other documentation needed to complete the conveyance of said property to the DDA, and the DDA entered into a purchase and sales agreement to a private developer for the purpose of redeveloping the property for commercial use; and

WHEREAS the purchaser desires to assign the deed to a different company owned by the purchaser, which requires the approval of the DDA and the City; and

WHEREAS the purchaser desires to modify the proposed elevation to limit public entry to the entrance from Marietta Street only, to remove the originally proposed second public entry from the parking lot, to screen the rear service entrance as shown in the rendering attached as Exhibit A and to remove the awning over the exterior patio as required by the Fire Marshal;

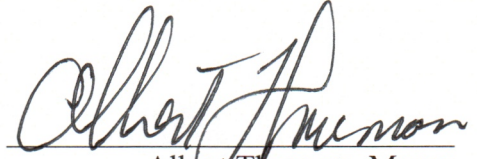
WHEREAS the DDA has advised the City that it approved the design modification and the assignment of the purchaser's interest to another company owned by the purchaser, and the City finds it in the public interest to also approve the changes requested by the developer.

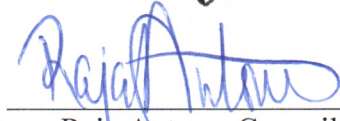
NOW THEREFORE BE IT HEREBY RESOLVED by the Mayor and Council of the City of Powder Springs that the design modification to the proposed structure is approved and the assignment by the purchaser to a different company owned by purchaser is approve and the Mayor is authorized to execute amendment to the Intergovernmental Agreement between the City of Powder Springs and the DDA and other documentation necessary to complete the conveyance and development of said property, subject to review and approval by the City Attorney.

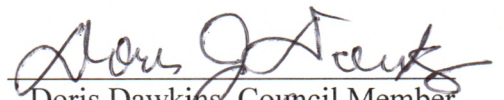
SO RESOLVED AND EFFECTIVE this 20th day of April 2026.

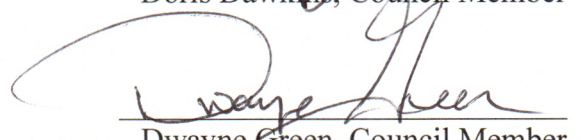
[signatures on following page]

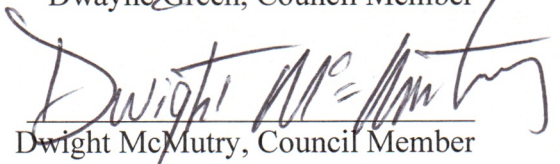
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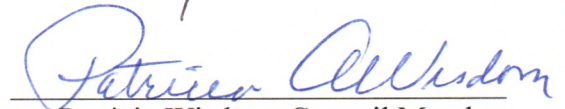

Albert Thurman, Mayor

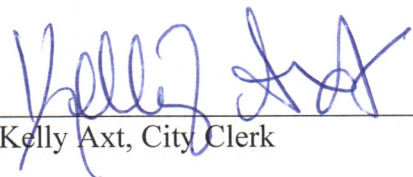

Raja Antone, Council Member


Doris Dawkins, Council Member


Dwayne Green, Council Member


Dwight McMurtry, Council Member


Patricia Wisdom, Council Member

Attest: 
Kelly Axt, City Clerk