

00-0-0398

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AN ORDINANCE BY THE COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE TO CREATE THE SAVANNAH AT WASHINGTON PARK HOUSING ENTERPRISE ZONE AND FOR OTHER PURPOSES

ADOPTED BY

MAY 15 2000

COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER

Date Referred 4/3/00

Referred To: Community Development / Human Resources

First Reading

CD/HR
3/29/00
[Signature]

Committee
Date
Chair

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Other

Members

Refer To

COUNCIL ACTION

2nd 1st & 2nd 3rd Readings

Consent V Vote RC Vote

CERTIFIED

CERTIFIED
MAY 15 2000
[Signature]
COUNCIL PRESIDENT PROTEM

CERTIFIED
MAY 15 2000
[Signature]
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

MAY 28 2000

MAYOR

CITY COUNCIL
ATLANTA, GEORGIA

AN ORDINANCE
BY COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

00-0-0398

AN ORDINANCE TO CREATE THE SAVANNAH AT WASHINGTON PARK HOUSING ENTERPRISE ZONE AND FOR OTHER PURPOSES.

WHEREAS an amendment to the Constitution of the State of Georgia was adopted by referendum in November 1982 giving the Council of the City of Atlanta power to create urban enterprise zones in the City of Atlanta; and

WHEREAS enabling legislation known as the Atlanta/Fulton County Urban Enterprise Zone Act was enacted by the Georgia General Assembly and signed by the Governor in March 1983 and subsequently amended; and

WHEREAS the Atlanta/Fulton County Urban Enterprise Zone Act gives the Council of the City of Atlanta authority to designate areas within the City as urban enterprise zones for housing purposes if certain conditions are met; and

WHEREAS designation of a housing enterprise zone exempts the taxable value of property within the zone only from ad valorem taxes for City purposes, but the Board of Commissioners of Fulton County, by appropriate resolution, may exempt from ad valorem taxation for County purposes the taxable value of the same property exempted by the City; and

WHEREAS types of property may be exempted, conditions must be met by owners of private property to qualify for an exemption, period and rate of exemptions, and elections may be made by the Atlanta City Council among various types of exemptions which are specified by State law; and

WHEREAS State law provides that an exemption from ad valorem taxation for City purposes also includes, but is not limited to, school and educational purposes; and

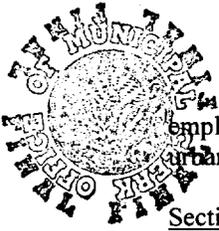
WHEREAS the city of Atlanta Development Impact Fee Ordinance provides that, under certain conditions, the City may exempt development in urban enterprise zones from the requirement to pay development impact fees; and

WHEREAS it is the expressed intent of the Atlanta City Council to use urban enterprise zone legislation as an incentive to generate private investment in areas of the City which otherwise might not attract such investments for housing construction and job creation purposes; and

WHEREAS the conditions and qualifications of the Atlanta Urban Enterprise Zone Act, as amended, have been met relative to the creation of The Savannah at Washington Park Housing Enterprise Zone;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS

Section 1: It is found by the Council of the City of Atlanta that the area in and around Lena Street, NW is economically and socially depressed. It is further found that areas such as this contribute to or cause unemployment, create an inordinate demand for public services and, in general, have a deleterious effect on the public health, safety, welfare and morals. It is further found that these areas, as is the case with the Lena Street area are characterized by no investment or under-investment by private enterprise in ventures which produce jobs, trade, provision of services, and economic activities which individually and together contribute to a healthy society. This lack of private investment and activity contributes to social and economic depression in such areas. Therefore, it is in the public interest that incentives be provided to private enterprise to invest in such areas, and that such private enterprise place priority upon the



employment of those residents in those economically and socially depressed areas designated herein as urban enterprise zones.

Section 2: The Savannah at Washington Park Housing Enterprise Zone is hereby created. The effective date of all exemptions established therein shall be January 1, 2001. The Savannah at Washington Park Housing Enterprise Zone shall be abolished on December 31, 2010. The Savannah at Washington Park Housing Enterprise Zone shall otherwise not be abolished except as provided in State law. A legal description of The Savannah at Washington Park Housing Enterprise Zone is attached hereto as Exhibit "A", and made a part hereof, and shall be on file in the Bureau of Planning and the Office of the Municipal Clerk.

Section 3: The Mayor is hereby authorized to enter into an agreement with Mid City Development Corporation, (Savannah at Washington Park), whereby Savannah at Washington Park, as part of its proposed housing development project shall develop 14 housing units, which is 30% of the total units, by June, 2001. In the event that Savannah at Washington Park fails to secure certificates of occupancy for 45 housing units (of which 20% are "affordable") by December 31, 2004, Savannah at Washington Park shall pay to the City of Atlanta and Fulton County, during years 1 through 10 of the ten-year abatement period, an annual sum in lieu of taxes equal to the amount of property taxes that would have been payable during said years had the property not been subject to tax abatement. For the purposes of this agreement, "affordable" housing units shall mean housing units that are within the ability to pay of those households whose annual income does not exceed 60% of the median income for the Atlanta metropolitan statistical area or, at Savannah at Washington Park's discretion, that bear purchase prices which do not exceed 2.2 times the median income of the Atlanta metropolitan statistical area in 2000 or \$131,780.

Section 3: The Municipal Clerk is hereby directed to transmit a copy of this Ordinance as well as the legal description of The Savannah at Washington Park Housing Enterprise Zone to the Tax Commissioner of Fulton County, to the Commissioner of the Department of Community Affairs of the State of Georgia, and to the Superintendent of the Atlanta Board of Education immediately upon approval by the Mayor of the City of Atlanta.

Section 4: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

May 15, 2000
May 23, 2000



EXHIBIT A

Legal Description

TRACT 1

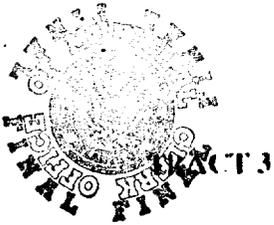
ALL THAT TRACT or parcel of land lying and being in Land Lot 115 of the 14th District of Fulton County, Georgia and being more fully described as follows:

COMMENCING at a point at the intersection of the Easterly right of way of Booker Street (40 foot r*w) if extended and the Southerly right of way of Lena Street (variable r*w) if extended; thence South 0 degrees 31 minutes 14 seconds West, 15.61 feet to the point of BEGINNING; thence North 31 degrees 26 minutes 24 seconds East, 18.50 feet; thence, 183.80 feet along the arc of a curve deflecting to the left and having a radius of 6,140.24 feet and a chord bearing and distance of South 89 degrees 42 minutes 14 seconds East 183.79 feet; thence, South 0 degrees 10 minutes 33 seconds East 135.98 feet; thence, North 89 degrees 25 minutes 40 seconds West, 74.94 feet; thence, North 0 degrees 31 minutes 14 seconds East, 30.79 feet; thence, North 89 degrees 28 minutes 46 seconds West, 120.01 feet; thence, North 0 degrees 31 minutes 14 seconds East, 88.52 feet to the point of beginning, containing 22456 square feet or 0.516 acres of land, more or less.

TRACT 2

ALL THAT TRACT or parcel of land lying and being in Land Lot 115 of the 14th District of Fulton County, Georgia, and being more particularly described as follows:

COMMENCING at a point at the intersection of the Easterly right of way of Ollie Street (40 foot r*w) if extended and the Southerly right of way of Lena Street (variable r*w) if extended; thence South 0 degrees 33 minutes 16 seconds West, 15.84 feet to the point of BEGINNING; thence North 30 degrees 48 minutes 40 seconds East, 18.14 feet; thence, South 88 degrees 22 minutes 48 seconds East 222.47 feet; thence, South 4 degrees 5 minutes 48 seconds East, 106.29 feet; thence, North 89 degrees 19 minutes 38 seconds West, 240.19 feet; thence, North 0 degrees 33 minutes 16 seconds East, 93.91 feet to the point of beginning, containing 25,357 square feet or 0.582 acres of land, more or less.



ALL THAT TRACT or parcel of land lying and being in Land Lot 115 of the 14th District of Fulton County, Georgia, and being more particularly described as follows:

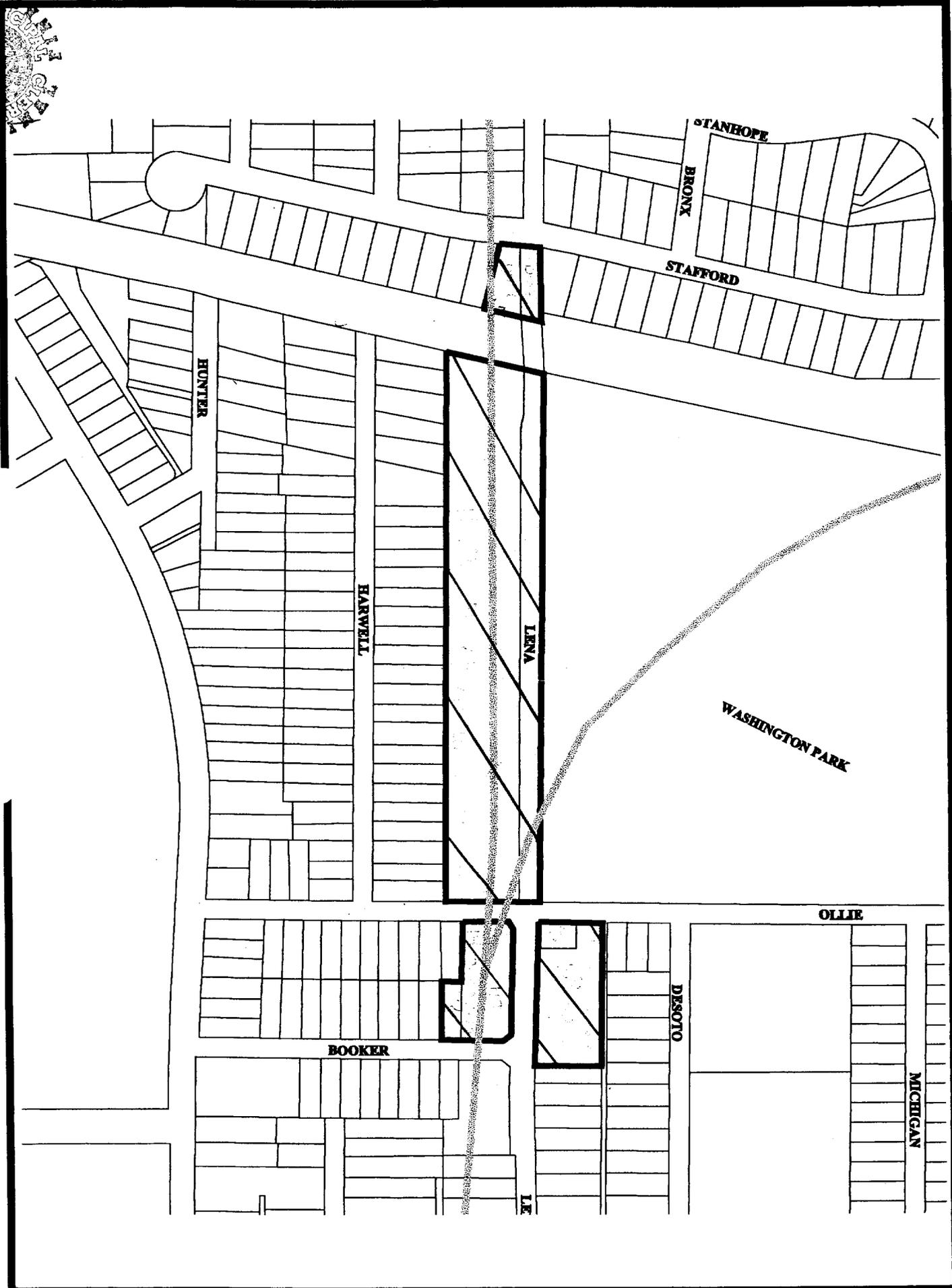
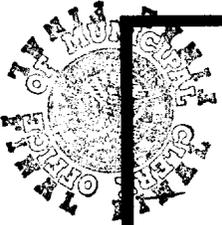
COMMENCING at a point at the intersection of the Easterly right of way of Ollie Street (40 foot r*w) if extended and the Northerly right of way of Lena Street (variable r*w) if extended; thence North 0 degrees 33 minutes 35 seconds East, 75.01 feet to the point of BEGINNING; thence North 0 degrees 33 minutes 35 seconds East, 45.02 feet; thence, South 89 degrees 48 minutes 40 seconds East, 289.44 feet; thence, South 0 degrees 33 minutes 35 seconds West, 122.47 feet; thence, North 89 degrees 19 minutes 38 seconds West, 239.43 feet; thence, North 0 degrees 33 minutes 35 seconds East, 75.01 feet; thence, North 89 degrees 19 minutes 38 seconds West, 50.01 feet to the point of beginning, containing 31,342 square feet or 0.720 acres of land, more or less.

TRACT 4

ALL THAT TRACT or parcel of land lying and being in Land Lot 115 of the 14th District of Fulton County, Georgia, and being more particularly described as follows:

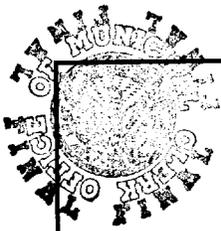
COMMENCING at a point at the intersection of the Westerly right of way of Ollie Street (40 foot r*w) if extended and the Southerly right of way of Lena Street (variable r*w) if extended; thence South 0 degrees 33 minutes 38 seconds West, 15.48 feet to the point of BEGINNING; thence South 0 degrees 33 minutes 38 seconds West, 124.48 feet; thence, North 89 degrees 19 minutes 34 seconds West, 520.16 feet; thence North 88 degrees 48 minutes 28 seconds West, 599.12 feet; thence, North 12 degrees 24 minutes 46 seconds East, 117.11 feet; thence, North 88 degrees 30 minutes 10 seconds East, 63.32 feet; thence, North 82 degrees 29 minutes 2 seconds East, 116.61 feet; thence South 89 degrees 22 minutes 41 seconds East, 221.11 feet; thence South 0 degrees 13 minutes 1 second East, 20.99 feet; thence, North 89 degrees 58 minutes 28 seconds East, 69.37 feet; thence, North 0 degrees 35 minutes 35 seconds East, 20.21 feet; thence South 89 degrees 22 minutes 41 seconds East, 255.51 feet; thence, South 89 degrees 23 minutes 2 seconds East, 361.35 feet; thence, South 29 degrees 7 minutes 52 seconds East, 17.83 feet to the point of beginning, containing 149,019 square feet or 3.421 acres of land, more or less.





Savannah at Washington Park

North Arrow
Map & Landmarks
Map & Landmarks
Project Area



**EVALUATION OF PROPOSED
SAVANNAH AT WASHINGTON PARK
HOUSING ENTERPRISE ZONE**

Criteria	Required	Proposed	Compliance
1. Eligibility Criteria a. Evidence of Pervasive Poverty b. Unemployment c. General Distress (High Crime or Vacant/Abandoned Buildings) d. Underdevelopment	Must meet 3 out of 4 Criteria a. Poverty rate of $\geq 20\%$ or more b. Census tract job loss $\geq 10\%$ c. High Crime or Vacant/Abandoned Buildings d. Lack of development activity $\leq 20\%$ for NPU	a. $\geq 20\%$ for BG 3, CT 24 b. -29% c. Presence of Vacant/Abandoned Buildings d. -3% for NPU K	3 out of 4 Criteria ✓
2. Acreage	None	5.5	✓
3. CDP Consistency	CDP Land Use Classification Single-Family Residential F.A.R. N/A	Single-Family Residential 3.1 Units per acre F.A.R. N/A	✓
4. Zoning Compliance	SPI-11, Sub area 6	SPI-11, Sub area 6	✓
5. Project Readiness	$\geq 30\%$ of Units to be Initiated in Year 1	37 of 45 units or 82% in Year 1	✓
5. Project Specificity	Project Specific Zone or $\geq 50\%$ of Area-wide Zone	Project Specific	✓
6. Non-Displacement	Minimum Displacement	No Displacement	✓
8. Affordability (Housing and Mixed-Use Residential/ Commercial Enterprise Zones)	20% of total units and 10% of each housing type is affordable to households whose income does not exceed 60% of the median income for the Atlanta MSA (low income). 20% must bear monthly rents $\leq 30\%$ of low-income level, adjusted by family size. 20% must bear purchase prices $\leq \$131,780$ or 2.2 median income for the Atlanta MSA.	80% of median income for the Atlanta MSA or \$150,000 sale price	No
9. Provision for Atlanta officers and their families (Housing and Mixed-Use Residential/Commercial Enterprise Zones)	5% of available units to be offered to Atlanta Police officers and their families at purchase prices or monthly rents, which do not exceed the low-income level of affordability. <u>sales</u> – affordable units $>20\%$ of total without exemption, or <u>rental</u> (cumulative basis over the 1 st five years	Proposes to comply	✓
10. Financial Feasibility	Chief Financial Officer's Statement of Fiscal Impact a. negative cash flow, or b. debt coverage ratio <1.20 , or c. a variable-ratio DCR equivalent to said fixed-rate ratio, based upon reasonable assumptions as certified	TBA	TBA

COUNCIL PRESIDENT PROTEM DEBI STARNES PRESIDED

RCS# 1952
5/15/00
4:01 PM

Atlanta City Council

Regular Session

CONSENT AGENDA PAGES (1 - 11)

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

NV McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	NV Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
00-O-0654
00-O-0396
00-R-0329

COUNCIL PRESIDENT PITTS
ABSTAINED ON 00-O-0523

COUNCILMEMBER MARTIN
ABSTAINED ON 00-R-0660

05/15/00 Council Meeting	
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
1. 00-O-0204	34. 00-R-0598
2. 00-O-0523	35. 00-R-0599
3. 00-O-0649	36. 00-R-0600
4. 00-O-0650	37. 00-R-0601
5. 00-O-0255	38. 00-R-0602
6. 00-O-0397	39. 00-R-0603
7. 00-O-0398	40. 00-R-0604
8. 00-O-0568	41. 00-R-0605
9. 00-O-0050	42. 00-R-0606
10. 00-O-0530	43. 00-R-0607
11. 00-O-0531	44. 00-R-0608
12. 00-O-0656	45. 00-R-0609
13. 00-O-0378	46. 00-R-0610
14. 00-O-0651	47. 00-R-0611
15. 00-O-0652	48. 00-R-0612
16. 00-O-0657	49. 00-R-0613
17. 00-O-0664	50. 00-R-0614
18. 00-O-0665	51. 00-R-0615
19. 00-R-0623	52. 00-R-0616
20. 00-R-0633	53. 00-R-0617
21. 00-R-0678	54. 00-R-0618
22. 00-R-0399	55. 00-R-0619
23. 00-R-0400	56. 00-R-0620
24. 00-R-0587	57. 00-R-0627
25. 00-R-0624	58. 00-R-0628
26. 00-R-0660	59. 00-R-0631
27. 00-R-0591	60. 00-R-0632
28. 00-R-0692	
29. 00-R-0597	
30. 00-R-0621	
31. 00-R-0622	
32. 00-R-0629	
33. 00-R-0630	