

00-0-1328

(Do Not Write Above This Line)

AN ORDINANCE BY THE COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE TO CREATE THE ALLEN TEMPLE APARTMENTS HOUSING ENTERPRISE ZONE AND FOR OTHER PURPOSES.

ADOPTED BY

OCT 02 2000

COUNCIL

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

Date Referred 9/18/00

Referred to: Community Development / Human Resources

First Reading

Committee CD/HR  
 Date 9/13/00  
 Chair [Signature]

Committee <u>CD/HR</u> Date <u>9/27/00</u> Chair <u>[Signature]</u> Actions: <u>[Signature]</u> Fav, Adv, Held (see rev. side) Other: <u>[Signature]</u> Members: <u>[Signature]</u> Refer To: _____	Committee _____ Date _____ Chair _____ Actions: _____ Fav, Adv, Held (see rev. side) Other: _____ Members: _____ Refer To: _____
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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: _____
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COUNCIL ACTION

2nd Reading  
 1st & 2nd Reading  
 3rd Reading

Consent  V Vote  RC Vote

CERTIFIED

**CERTIFIED**  
 OCT 2 2000  
 ALLEN TEMPLE HOUSING ENTERPRISE ZONE  
 Dana M. Starns  
 MUNICIPAL CLERK

**CERTIFIED**  
 OCT 02 2000  
 Ronald D. Johnson  
 MUNICIPAL CLERK

MAYOR'S ACTION

OCT 10 2000

[Signature]

**CITY COUNCIL  
ATLANTA, GEORGIA**



**AN ORDINANCE  
BY COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

**00- 0-1328**

**AN ORDINANCE TO CREATE ALLEN TEMPLE APARTMENTS 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/Fulton County Urban Enterprise Zone Act, as amended, have been met relative to the creation of Allen Temple Apartments 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 Allen Temple Apartments 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 Allen Temple Apartments 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 Allen Temple Apartments Housing Enterprise Zone is hereby created. The effective date of all exemptions established therein shall be January 1, 2001. Allen Temple Apartments Housing Enterprise Zone shall be abolished on December 31, 2010. Allen Temple Apartments Housing Enterprise Zone shall otherwise not be abolished except as provided in State law. A legal description of Allen Temple Apartments 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 Municipal Clerk is hereby directed to transmit a copy of this Ordinance as well as the legal description of Allen Temple Apartments 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.

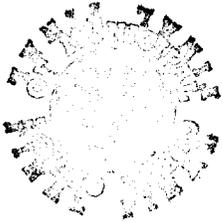
Section 4: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

A true copy,

*Ronda Daughin Johnson*  
Municipal Clerk, CMC

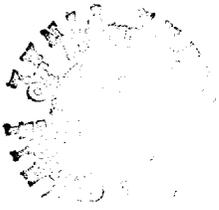
**ADOPTED** by the Council  
**APPROVED** by the Mayor

OCT 02, 2000  
OCT 10, 2000



**PROPOSED ALLEN TEMPLE APARTMENTS  
HOUSING ENTERPRISE ZONE**

**LEGAL DESCRIPTION**



# ALLEN TEMPLE HOUSING ENTERPRISE ZONE LEGAL DESCRIPTION

1920619

The above described parcel of land is more particularly shown and delineated as Parcel II on plat entitled "Allen Temple Apartments" by Watts & Browning, Engineers, dated December 21, 1964, which plat is made a part of this description, by reference thereto.

The above conveyance is subject to an easement granted to Bush Housing Corporation of Georgia, dated November 9, 1964, and an easement in favor of the American Telephone & Telegraph Company.

PHASE I, CONT.

Subdiv. A BOOK 1347 PAGE 79

STATE OF GEORGIA  
COUNTY OF FULTON

1920619

I HEREBY CERTIFY that on this day, before me, an officer duly

authorized in this State and County aforesaid to take acknowledgements,  
personally appeared before me John L. Brown  
to be known to be the duly appointed Notary Public  
State and the person who executed the foregoing instrument  
by virtue of the authority vested in him by 24 C. F. R. 200.96 and acknowledged  
before me that he executed the same as such  
for and on behalf of the FEDERAL HOUSING COMMISSIONERS for the purposes  
herein expressed.

Witness my hand and official seal this 21 day of December, 1964.



(Seal)

My commission expires June 30, 1965

RECORDED  
FULTON CO., GA.  
Dec 21 2 54 PM '64

1920619 and 74

1920619

ALLEN TEMPLE APARTMENTS  
F. R. A. Project No. 061-55001- NP  
Atlanta, Georgia

LAND DESCRIPTION

PARCEL 1: All that part or parcel of land lying and being in Land Lot 231 of  
the 11th District, Fulton County, Georgia, and being more particularly described  
as follows:

TO FIND THE POINT OF BEGINNING start at an iron pin located on the south-  
westerly side of Delmar Lane 1, 112.3 feet northwesterly as measured along the  
southwesterly side of Delmar Lane from the intersection of the southwesterly side  
of Delmar Lane and the east line of Land Lot 231 (which point is the northeast  
corner of Lot 15, Block One, Delmar Park Subdivision, according to plat recorded  
in Plat Book 61, Page 102, Fulton County Records); thence southwesterly along  
the southwesterly side of Lot 15 a distance of 125 feet to an iron pin which is the  
point of beginning of the land herein described, and from said point of beginning  
thence established run north 93 degrees 57 minutes west a distance of 126.5 feet to  
an iron pin; thence south 0 degrees 07 minutes west a distance of 126.5 feet to  
an iron pin; thence north 89 degrees 00 minutes west 177 feet to a point; thence  
north 41 degrees 54 minutes west 100 feet to an iron pin; thence north 83  
degrees 33 minutes west 55.7 feet to an iron pin located at the southeast corner  
of Lot 13, Block One, Delmar Park Subdivision; thence easterly, southwesterly,  
southerly, southwesterly, westerly, northwesterly and southerly along the curvature  
of a circle having a radius of 50 feet a distance of 282.7 feet to a point; thence  
north 6 degrees 14 minutes east 60.13 feet to the point of beginning.

The above described parcel of land is more particularly shown and delineated as  
Parcel 1 on plat entitled "Allen Temple Apartments" by Watts & Browning,  
Engineers, dated December 21, 1964, which plat is made a part of this description  
by reference thereto.

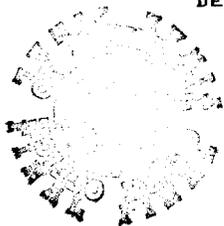
PARCEL 2: All that part or parcel of land lying and being in Land Lot 231 of  
the 11th District, Fulton County, Georgia, and being more particularly described  
as follows:

TO FIND THE POINT OF BEGINNING start at an iron pin on the northwesterly  
side of Delmar Lane 1, 112.3 feet northwesterly as measured along the south-  
westerly side of Delmar Lane from the intersection of the southwesterly side of  
Delmar Lane and the east line of Land Lot 231 (which point is the northeast corner  
of Lot 13, Block One, Delmar Park Subdivision, as per plat recorded in Plat Book  
61, Page 102, Fulton County Records); thence southwesterly along the southern easterly  
side of said Lot 13, 125 feet to an iron pin; thence north 83 degrees 33 minutes west  
120.5 feet to an iron pin; thence south 0 degrees 07 minutes west 126.5 feet to  
an iron pin which is the point of beginning of the land herein described, and  
from said point of beginning thence established, run thence south 0 degrees 07  
minutes west 344 feet to an iron pin; thence south 0 degrees 07 minutes 20  
seconds west a distance of 189.7 feet to an iron pin; thence north 90 degrees  
00 minutes west 344 feet to an iron pin; thence north 0 degrees 07 minutes 30  
seconds east 189.7 feet to the point of beginning.

Scholar A

1920619 and 75

PHASE I



*Infr: 4869-564*

(9)

PHASE II

PLA Form No. 113-A  
INCORPORATED  
(Revised November 1965)

### 2000176 SECURITY DEED

This instrument, made and entered into this 20th day of June, 1966,

by and between Allen Temple Developments, Inc.,  
a corporation organized and existing under the laws of Georgia, hereinafter, with its successors and assigns,  
called the Grantor, and Trust Company of Georgia

a corporation organized and existing under the laws of Georgia, hereinafter, with its  
successors and assigns, called the Grantee;

WITNESSETH, that in and for the good and valuable consideration hereinafter mentioned, receipt whereof is hereby acknowledged,  
the Grantor does hereby bargain, sell, grant, and convey unto the Grantee, all that real estate situated and being in the  
City of Atlanta

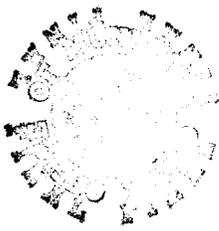
in the County of Fulton  
State of Georgia, to wit:

All that tract or parcel of land lying and being in Land Lot 237 of the 14th District,  
Fulton County, Georgia, being more particularly described as follows:

BEGINNING at a point marked by an iron pin on the northeasterly  
side of Gordon Road (allowing for a right-of-way 50 feet in width)  
one hundred thirty one and four-tenths (131.4) feet northwesterly  
as measured along the northeasterly side of Gordon Road from  
the intersection of the northeasterly side of Gordon Road and the  
center line of the Atlantic Coastline Railroad; thence northwesterly  
along the northeasterly side of Gordon Road, one hundred thirty  
five and eight tenths (135.8) feet to an iron pin; thence north  
09° 07' 30" east, a distance of seven hundred eighty and nine  
tenths (780.9) feet to an iron pin; thence north 90° 00' east, seven  
hundred forty six and five tenths (746.5) feet to an iron pin;  
thence north 40° 33' east two hundred twenty six and fifteen  
hundredths (226.15) feet to an iron pin; thence south 40° 37' east  
six (6) feet to an iron pin; thence south 40° 33' west two hundred  
twenty eight and ninety one hundredths (228.01) feet to an iron  
pin; thence north 90° 00' west sixty four and twenty six hundredths  
(64.26) feet to an iron pin; thence south 00° 00' east three hundred  
eighty nine (389) feet to an iron pin; thence north 90° 00' east  
forty seven and six-tenths (47.6) feet to an iron pin; thence south  
00° 00' east three hundred ninety and two tenths (390.2) feet to  
an iron pin on the northwesterly side of the right-of-way of  
Atlantic Coastline Railroad; thence southwesterly along the  
northwesterly right-of-way of Atlantic Coastline Railroad and  
along a line parallel with and fifty (50) feet northerly of the  
center line of the Atlantic Coastline Railroad, a distance of five  
hundred thirty nine and seven tenths (539.7) feet to an iron pin;  
thence north 01° 22' east twenty four and nine tenths (24.9) feet to  
an iron pin; thence south 84° 01' 30" west eighty one and nine  
tenths (81.9) feet to the point of beginning.

The above described property is more particularly shown and  
delineated on plat of survey entitled "Section Two, Allen Temple  
Apartments" by Watts & Browning, Engineers, dated May 19,  
1966, which plat is made a part of this description by reference  
thereto, as further revised on May 30, 1966.

*Rec 7606a 102*



PHASE III

SCHEDULE A

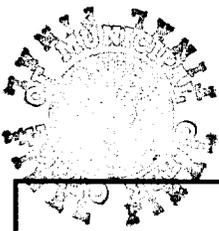
All that tract or parcel of land lying and being in Land Lot 237 of the 14th District, Fulton County, Georgia, being more particularly described as follows:

TO ARRIVE AT THE POINT OF BEGINNING of the property herein described, begin at a point where the northeasterly side of Gordon Road (allowing for a 50 foot right of way for Gordon Road) intersects the center line of the Atlantic Coastline Railroad; thence north 61 degrees 34 minutes west along the northeasterly side of Gordon Road one hundred thirty one and four tenths (131.4) feet; thence north 84 degrees 01 minutes 30 seconds east eighty one and nine tenths (81.9) feet; thence south 01 degrees 22 minutes west twenty four and nine tenths (24.9) feet to a point on the northwesterly side of Atlantic Coastline Railroad right of way; thence northeasterly along the northwesterly side of Atlantic Coastline Railroad right of way five hundred thirty nine and seven tenths (539.7) feet to a concrete marker and the point of beginning; THENCE FROM SAID POINT OF BEGINNING THUS ESTABLISHED north 00 degrees 00 minutes west along the east line of Parcel Three, Allen Temple Apartments, a distance of three hundred ninety and two tenths (390.2) feet; thence north 90 degrees 00 minutes west forty seven and six tenths (47.6) feet; thence north 00 degrees 00 minutes west along the east line of Parcel Three, Allen Temple Apartments, three hundred eighty nine (389) feet; thence north 90 degrees 00 minutes east sixty four and twenty six hundredths (64.26) feet; thence north 40 degrees 33 minutes east along the southeasterly side of a six (6) foot sanitary sewer easement, two hundred twenty eight and ninety one hundredths (228.91) feet; thence north 49 degrees 27 minutes west six (6) feet; thence north 40 degrees 33 minutes east along the southeasterly side of Parcel One, Allen Temple Apartments, one hundred forty one and forty five hundredths (141.45) feet; thence south 54 degrees 39 minutes east seven hundred forty four and three tenths (744.3) feet to a point located on the northwesterly side of the Atlantic Coastline Railroad right of way; thence south 48 degrees 51 minutes west along the northwesterly side of the Atlantic Coastline Railroad right of way three hundred seventy five and six tenths (375.6) feet; thence south 40 degrees 25 minutes east fifty (50) feet to a concrete marker located on the northwesterly side of the Atlantic Coastline Railroad right of way; thence southwesterly along the northwesterly side of Atlantic Coastline Railroad right of way and following the curvature thereof seven hundred eight and three tenths (708.3) feet to the point of beginning.

The above described property is more particularly shown and delineated on plat of survey entitled "Section Three, Allen Temple Apartments" by Watts & Browning, Engineers, dated April 1, 1968, which is made a part of this description by reference thereto.

BOOK 13941 PAGE 244





**EVALUATION OF PROPOSED  
ALLEN TEMPLE APARTMENTS  
HOUSING ENTERPRISE ZONE**

<b>Criteria</b>	<b>Required</b>	<b>Proposed</b>	<b>Compliance</b>
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 as compared to the city as a whole	a. Poverty rate for CT 78.04 BG 1 b. 8.7% job loss c. Presence of vacant/abandoned building d. -4% for NPU I	3 out of 4 criteria  √
2. Acreage	None	35 acres	√
3. CDP Consistency	CDP Land Use Classification Low Density Residential F.A.R. .350 - .699	Low Density Residential  F.A.R. .22	√
4. Zoning Compliance	RG-3	RG-3	√
5. Project Readiness	$\geq 30\%$ of Units to be Initiated in Year 1	174 of 581 units	√
6. Project Specificity	Project Specific Zone or $\geq 50\%$ of Area-wide Zone	Project Specific	√
7. Non-Displacement	Minimum Displacement	None	√
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.	20% AMI or below 55% AMI 25% Market Rate	√
9. Provision for Atlanta Police 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 exemption, or <u>Rental</u> - (cumulative basis over the 1 <sup>st</sup> five years	Proposed 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	TBD	TBD

RCS# 2255  
10/02/00  
1:44 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1-17

RECONSIDER

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 2

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

Y McCarty	B Dorsey	Y Moore	Y Thomas	ITEM (S) REMOVED FROM <u>CONSENT AGENDA</u> 00-O-1390 00-O-1567 00-R-1480 00-R-1571 00-R-1574
Y Starnes	Y Woolard	B Martin	Y Emmons	
Y Bond	Y Morris	Y Maddox	Y Alexander	
Y Winslow	Y Muller	Y Boazman	NV Pitts	

CONSENT

RCS# 2286  
10/02/00  
4:58 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1-17

RECONSIDERATION

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 2

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
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Y McCarty	B Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	B Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
00-O-1390  
00-O-1567  
00-R-1480  
00-R-1571  
00-R-1574

		10/02/00 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
1. 00-O-1393	37. 00-R-1470	50. 00-R-1504
2. 00-O-0758	38. 00-R-1471	51. 00-R-1505
3. 00-O-1341	39. 00-R-1472	52. 00-R-1506
4. 00-O-1453	40. 00-R-1476	53. 00-R-1507
5. 00-O-1326	41. 00-R-1477	54. 00-R-1508
6. 00-O-1327	42. 00-R-1481	55. 00-R-1509
7. 00-O-1328	43. 00-R-1497	56. 00-R-1510
8. 00-O-1329	44. 00-R-1498	57. 00-R-1511
9. 00-O-1301	45. 00-R-1499	58. 00-R-1512
10. 00-O-0263	46. 00-R-1500	59. 00-R-1513
11. 00-O-0979	47. 00-R-1501	60. 00-R-1514
12. 00-O-1311	48. 00-R-1502	61. 00-R-1515
13. 00-O-1418	49. 00-R-1503	62. 00-R-1516
14. 00-O-1566		63. 00-R-1517
15. 00-O-1417		64. 00-R-1518
16. 00-O-1114		65. 00-R-1519
17. 00-O-1561		66. 00-R-1520
18. 00-R-1486		67. 00-R-1521
19. 00-R-1490		68. 00-R-1522
20. 00-R-1524		69. 00-R-1523
21. 00-R-1525		
22. 00-R-1572		
23. 00-R-1483		
24. 00-R-1484		
25. 00-R-1552		
26. 00-R-1310		
27. 00-R-1466		
28. 00-R-1467		
29. 00-R-1469		
30. 00-R-1563		
31. 00-R-1549		
32. 00-R-0977		
33. 00-R-1297		
34. 00-R-1495		
35. 00-R-1461		
36. 00-R-1464		