

CITY COUNCIL  
ATLANTA, GEORGIA

AN ORDINANCE

BY COUNCIL MEMBER DERRICK BOAZMAN

00-0-2007

**AN ORDINANCE SUSPENDING THE SINGLE FAMILY HOUSING COMPONENT OF THE HIGH POINT ESTATES HOUSING ENTERPRISE ZONE DESIGNATION GRANTED TO BANK OF AMERICA, AS PROVIDED IN ORDINANCE #99-O-0474; AND FOR OTHER PURPOSES.**

**WHEREAS**, on May 3, 1999, the Atlanta City Council adopted legislation #99-O-0474, which was subsequently approved by the Mayor, to create the High Point Estates Housing Enterprise Zone; and

**WHEREAS**, by granting the developer the Housing Enterprise Zone designation, it is estimated that the City of Atlanta will waive a cumulative total amount of \$175,600.00 in property taxes during the first 10 years; and

**WHEREAS**, the Fulton County/City of Atlanta Land Bank Authority also extinguished \$118,000.00 in outstanding property taxes including all penalties and interest accrued on the property; and

**WHEREAS**, the proposed zone is located at 1417 Pryor Road in the High Point neighborhood of NPU-Y, City Council District 12, and is also within the Atlanta Empowerment Zone; and

**WHEREAS**, Bank of America, in partnership with Urban Residential Development Corporation (URDC), originally proposed to build 110 new, single family homes at a targeted, average sale price of \$95,000.00 and a 90 to 130 unit senior citizens apartment; and

**WHEREAS**, the applicant plans to reserve 20% of the total single family homes and 100% of the senior apartment units for low income households; and

**WHEREAS**, the developer has since revised the sale prices to \$130,000.00 - \$200,000.00; and

**WHEREAS**, the proposed site is in census tract 67, block group 7, which had a median income of \$15,026.00 in 1990; and

**WHEREAS**, negotiations between area community leaders and the developer have failed to reduce the low end price units of the single family homes to a more affordable level for low income residents; and

**WHEREAS**, there is a feeling that that Bank of America has not been responsive or sensitive to the community.

**NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the single family housing component of the High Point Estates Housing Enterprise Zone designation granted to Bank of America, as provided in Ordinance #99-O-0474, is hereby suspended.**

CITY COUNCIL  
ATLANTA, GEORGIA

99-0-0474

AN ORDINANCE  
BY COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

AN ORDINANCE TO CREATE THE HIGH POINT ESTATES 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 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 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 High Point Estates 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 High Point Estates 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 High Point Estates 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 High Point Estates Housing Enterprise Zone is hereby created. The effective date of all exemptions established therein shall be January 1<sup>st</sup> of the year that construction starts. The High Point Estates Housing Enterprise Zone shall be abolished exactly ten years from the date of construction commencement. The High Point Estates Housing Enterprise zone shall otherwise not be abolished except as provided in State law. A legal description of the High Point Estates 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 the High Point Estates 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 Dauphin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

May 03, 1999  
May 05, 1999

EXHIBIT A

## HIGHPOINT ESTATES SINGLE FAMILY & SENIOR CITIZEN APARTMENTS HOUSING ENTERPRISE ZONE

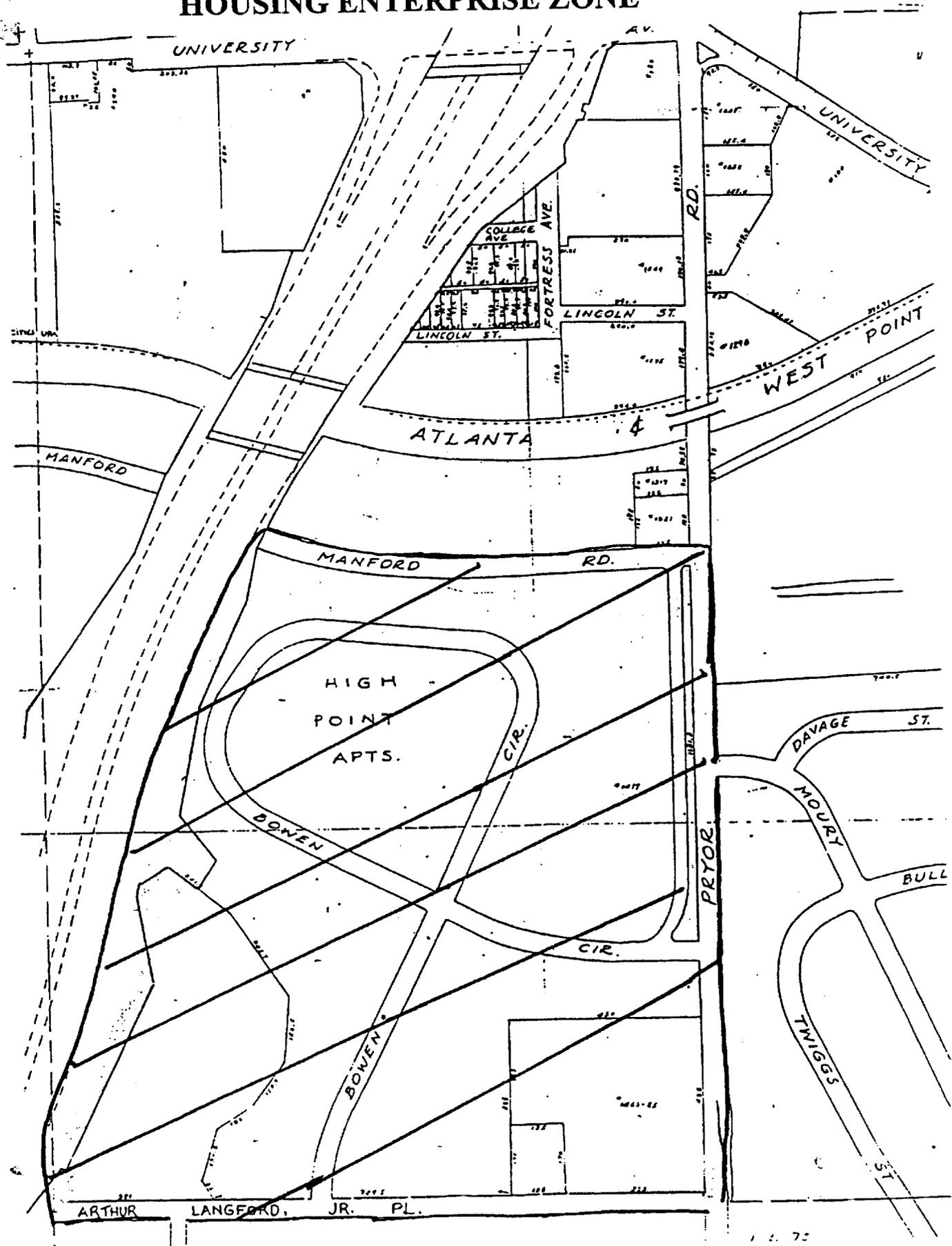
ALL THAT TRACT OR PARCELS OF LAND lying and being in Land Lot 73 of the 14th District of Fulton County, Georgia, being more particularly described as follows:

BEGINNING at a point marked by an iron pin set at the intersection of the southeasterly right-of-way line of Manford Road (Manford Road having a right-of-way of 40 feet in width) with the westerly right-of-way line of South Pryor Road (South Pryor Road having a right-of-way of 50 feet in width); running thence S 02° 30' 00" E and along said westerly right-of-way line of South Pryor Road a distance of 1131.50 feet to an iron pin set; running thence S 88° 14' 12" W a distance of 480.0 feet to an iron pin set; running thence S 02° 30' 00" E a distance of 425.00 feet to an iron pin set on the northerly right-of-way line of Joyland Place; running thence S 88° 39' 37" W and along said northerly right-of-way line of Joyland Place a distance of 739.51 feet to an iron pin set; running thence N 25° 00' 00" W a distance of 56.0 feet to an iron pin set; running thence N 15° 08' 00" E a distance of 130.50 feet to an iron pin set; running thence N 60° 56' 00" E a distance of 102.0 feet to an iron pin set; running thence N 28° 23' 00" E a distance of 124.70 feet to an iron pin set; running thence N 04° 46' 00" E a distance of 168.60 feet to an iron pin set; running thence N 34° 31' 00" W a distance of 248.70 feet to an iron pin set; running thence N 50° 13' 00" W a distance of 124.88 feet to a point; running thence N 44° 03' 00" E a distance of 36.27 feet to a point located on the easterly right-of-way line of Interstate 75; running thence N 36° 14' 56" W and along said easterly right-of-way line of Interstate 75 a distance of 152.22 feet to a point; running thence N 11° 17' 27" W and along said easterly right-of-way line of Interstate 75 a distance of 388.29 feet to a point; running thence N 67° 33' 28" W and along said easterly right-of-way line of Interstate 75 a distance of 6.00 feet to a point; running thence northeasterly along said easterly right-of-way line of Interstate 75 and following the curvature thereof an arc distance of 336.73 feet (which arc is subtended by a chord of N 25° 02' 43" E a distance of 336.62 feet) to an iron pin found on the southwesterly right-of-way line of Manford Road; running thence S 75° 21' 14" E and along said southwesterly right-of-way line of Manford Road a distance of 150.93 feet to a point; running thence southeasterly, easterly and northeasterly along the southwesterly, southerly and southeasterly right-of-way line of Manford Road and following the curvature thereof an arc distance of 900.70 feet (which arc is subtended by a chord of S 89° 54' 40" E a distance of 891.03 feet) to the POINT OF BEGINNING.

THE ABOVE-DESCRIBED PROPERTY is more particularly shown and delineated on that certain As Built Survey of High Point Estates prepared by Perimeter Surveying Co., Inc., bearing the seal of James A. Evans, Jr., G.R.L.S. No. 2167, dated February 17, 1983, revised February 25, 1983, revised March 28, 1986, last revised June 23, 1986, which is incorporated herein by reference as a part of this description.



# HIGHPOINT ESTATES SINGLE FAMILY & SENIOR CITIZEN APARTMENTS HOUSING ENTERPRISE ZONE





ALSO TOGETHER WITH EASEMENT being 2-1/2 feet wide on each side  
centerline crossing property of Highpoint Realty Company  
conveyed to Highpoint Properties, a Georgia Joint Venture composed  
of David D. Anderson, Michael L. Kirkpatrick and Daniel R. Vaughan,  
dated February 28, 1983, filed for record March 15, 1983, recorded  
at Deed Book 8408, page 107, Fulton County, Georgia Records, for  
the purpose of operating, using and maintaining pipelines for  
transportation of water and natural gas.

(GXA\9662.8)

00-0-2007

(Do Not Write Above This Line)

**AN ORDINANCE BY COUNCIL**

**MEMBER DERRICK BOAZMAN**

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TABLED BY  
CITY COUNCIL JAN 02 2001

1/16/04 - Filed By Roll Call Vote

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

Date Referred 11/20/00

Referred To: CD/HR

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred to \_\_\_\_\_

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

2nd  1st & 2nd  3rd

Readings

Consent  V Vote  RC Vote

CERTIFIED

MAYOR'S ACTION

7

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To