



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

**AN ORDINANCE TO CREATE 810 MARCUS STREET 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 commercial 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

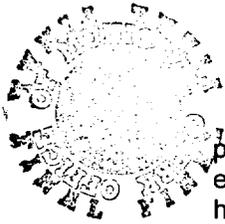
WHEREAS, the city of Atlanta Development Impact Fee Ordinance provides that, under certain conditions, the City may exempt development in urban enterprise zones from the requirement to pay development impact fees; and

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 commercial 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 the 810 Marcus Street 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 810 Marcus Street 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 810 Marcus 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 810 Marcus Street Housing Enterprise Zone is hereby created. The effective date of all exemptions established therein shall be January 1, 2002. The 810 Marcus Street Housing Enterprise Zone shall be abolished on December 31, 2011. The 810 Marcus Street Housing Enterprise Zone shall otherwise not be abolished except as provided in State law. A legal description of The 810 Marcus Street 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: Twenty percent (20%) of the total units to be provided, and ten percent (10%) of the units in each housing type and bedroom composition, shall be within the ability to pay of those households whose annual income does not exceed sixty percent (60%) of the median family income for the Atlanta metropolitan statistical area as most recently published by the United States Department of Housing and Urban Development (HUD), and as adjusted for household size in accordance with HUD procedures. For said units, the property owner shall verify each tenant's household income at the time that said tenant initially executes a lease agreement. Furthermore, the property owner, by January 31 of each year, shall submit a report to the Commissioner of Planning, Development, and Neighborhood Conservation, indicating the household income of each tenant who executed a lease agreement during the previous calendar year.

Section 4: The Municipal Clerk is hereby directed to transmit a copy of this Ordinance as well as the legal description of the 810 Marcus Street 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.

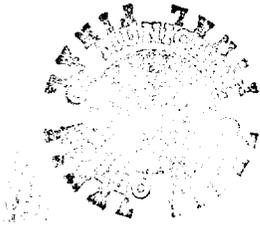
Section 5: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk, CMC

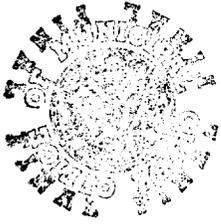
ADOPTED by the Council
APPROVED by the Mayor

MAY 21, 2001
MAY 25, 2001



**2000 HUD AFFORDABILITY TABLE
STANDARD RENT RANGES/MAXIMUM SALE PRICE
(FAMILY SIZE ADJUSTMENT)**

FAMILY SIZE (% OF BASE)	INCOME ADJUSTMENT	LIVING ACOMODATIONS EXPENSE (<30%)	MAXIMUM RENTS	FOR SALE 3x's RULE
1 PERSON (70%)	\$26,502	\$7,951	\$662	\$79,506
2 PERSONS (80%)	\$30,288	\$9,086	\$757	\$90,864
3 PERSONS (90%)	\$34,704	\$10,411	\$867	\$104,112
4 PERSONS - BASE	\$37,860	\$11,358	\$946	\$113,580
5 PERSONS (108%)	\$40,888	\$12,266	\$1,022	\$122,664
6 PERSONS (116%)	\$43,917	\$13,175	\$1,097	\$131,751
7 PERSONS (124%)	\$46,946	\$14,083.	\$1,173	\$140,838
8 PERSONS (132%)	\$49,975	\$14,992	\$1,249	\$149,925
ASSUMPTIONS: <ul style="list-style-type: none"> • Median Income \$63,100 - SMSA • Rent Range Is Determined By The Number Of Rooms Per Unit And The Atlanta Housing Code Maximum Allowable Persons Per Room -2; i.e. A Two-Bedroom Apartment Unit Could Not House More Than A Four Person Household. 				Maximum Sale Price: (2.2 Rule) \$138,820



**PROPOSED 810 MARCUS STREET
HOUSING ENTERPRISE ZONE
ZONING LEGISLATION**



EXHIBIT B

00-O-1443

City Council
Atlanta, Georgia

SUBSTITUTE ORDINANCE
BY: ZONING COMMITTEE

Z-00-71
10-12-00

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended and the maps established in connection therewith be changed so that the following property located at 810 Marcus Street, S.E., be changed from the I-1 (Light Industrial) District, to the C-1-C (Community Business-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 20 of the 14th District, Fulton County, Georgia, being more particularly described by the attached legal description.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development," as identified by the use of the suffix "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy,

Rhonda Rayshin Johnson
Municipal Clerk, CMC

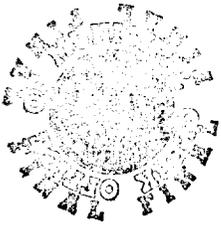
ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

JAN 02, 2001

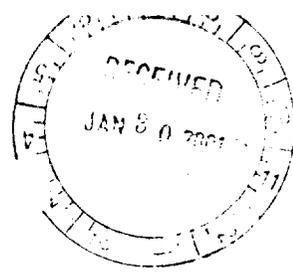
JAN 10, 2001

Conditions for Z-00-71

Site plan entitled "Reynoldstown Village, A Reynoldstown Revitalization Corporation Project" prepared by Rice/Myers Architects, dated 11 October 2000 and marked received by the Bureau of Planning October 12, 2000. Said plan consisting of two (2) sheets individually identified as "Site Plan" and "Marcus Street Elevations".



**PROPOSED 810 MARCUS STREET
HOUSING ENTERPRISE ZONE
LEGAL DESCRIPTION**



LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING IN THE CITY OF ATLANTA, LAND LOT 20 OF THE 14TH DISTRICT, FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY OF PEARL STREET (50 FOOT RIGHT-OF-WAY) AND THE NORTHERLY RIGHT-OF-WAY OF MARCUS STREET (40 FOOT RIGHT-OF-WAY), ALONG SAID NORTHERLY RIGHT-OF-WAY OF MARCUS STREET (40 FOOT RIGHT-OF-WAY) RUN SOUTH 87 DEGREES 38 MINUTES 08 SECONDS EAST A DISTANCE OF 140.04 FEET TO AN IRON PIN ON THE EASTERLY SIDE OF AN 8 FOOT ALLEY AND THE POINT OF BEGINNING

148.04'

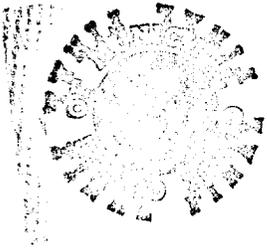
THE POINT OF BEGINNING THUS ESTABLISHED, LEAVING SAID NORTHERLY RIGHT-OF-WAY OF MARCUS STREET (40 FOOT RIGHT-OF-WAY), RUN ALONG SAID EASTERLY SIDE OF 8 FOOT ALLEY NORTH 00 DEGREES 55 MINUTES 42 SECONDS EAST FOR A DISTANCE OF 275.02 FEET TO AN IRON PIN ON THE SOUTHERLY RIGHT-OF-WAY OF FIELD STREET (50 FOOT RIGHT-OF-WAY);

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY OF FIELD STREET (50 FOOT RIGHT-OF-WAY) RUN SOUTH 87 DEGREES 38 MINUTES 58 SECONDS EAST FOR A DISTANCE OF 593.34 FEET TO AN IRON PIN ON THE WESTERLY SIDE OF AN 8 FOOT ALLEY;

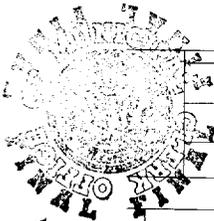
THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY OF FIELD STREET (50 FOOT RIGHT-OF-WAY) RUN ALONG SAID WESTERLY SIDE OF 8 FOOT ALLEY SOUTH 01 DEGREES 33 MINUTES 44 SECONDS WEST FOR A DISTANCE OF 274.75 FEET TO AN IRON PIN ON SAID NORTHERLY RIGHT-OF-WAY OF MARCUS STREET (40 FOOT RIGHT-OF-WAY);

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY OF MARCUS STREET (40 FOOT RIGHT-OF-WAY) RUN NORTH 87 DEGREES 38 MINUTES 08 SECONDS WEST FOR A DISTANCE OF 590.29 FEET TO THE POINT OF BEGINNING;

SAID TRACT OR PARCEL OF LAND CONTAINS 3.7338 ACRES OR 162,844 SQUARE FEET.



**PROPOSED 810 MARCUS STREET
HOUSING ENTERPRISE ZONE
LOCATION MAP**



- Non-occupied
- Non-occupied
- Non-occupied
- Non-occupied
- Non-occupied

ESTORIA

DEKALB

WYLIE

FIELD

MARCUS

KIRKWOOD

SELMAN

KENYON

KIRKWOOD

810 MARCUS



01- 0-0495

(Do Not Write Above This Line)

AN ORDINANCE
BY COMMUNITY DEVELOPMENT AND
HUMAN RESOURCES COMMITTEE

AN ORDINANCE TO CREATE THE
810 MARCUS STREET HOUSING
ENTERPRISE ZONE AND FOR OTHER
PURPOSES

ADOPTED BY

MAY 2 1 2001

COUNCIL

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

Date Referred 4/2/01

Referred To Community Development / Human Resources

First Reading

Committee CD/HR
 Date 5/8/01
 Chair Sharon A. Moore

Committee

Date CD/HR

Chair

Actions

Fav, Adv, Held (see rev. side)

Other: 5/8/01

Members

Refer To

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Other:

Members

Refer To

Committee

Date CD/HR

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 2 1 2001
Richard B. Johnson
 COUNCIL PRESIDENT PROTEM

CERTIFIED
 MAY 2 1 2001
Richard B. Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION

CERTIFIED
 MAY 2 5 2001
[Signature]
 MAYOR