

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

**AN ORDINANCE TO CREATE THE KINGSTON TOWNHOMES 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

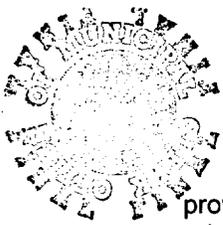
WHEREAS, the city of Atlanta Development Impact Fee Ordinance provides that, under certain conditions, the City may exempt development in urban enterprise zones from the requirement to pay development impact fees; and

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 Kingston Townhomes 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 the Kingston Townhomes area 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 Kingston Townhomes 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 Kingston Townhomes Housing Enterprise Zone is hereby created. The effective date of all exemptions established therein shall be January 1, 2002. The Kingston Townhomes Housing Enterprise Zone shall be abolished on December 31, 2011. The Kingston Townhomes Housing Enterprise Zone shall otherwise not be abolished except as provided in State law. A legal description of The Kingston Townhomes 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 Kingston Townhomes 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.

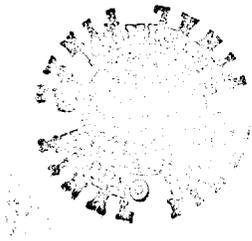
Section 5: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk, CMC

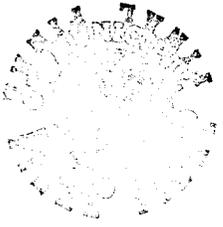
ADOPTED by the Council
APPROVED by the Mayor

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



**KINGSTON TOWNHOMES
HOUSING ENTERPRISE ZONES
LEGAL DESCRIPTION**

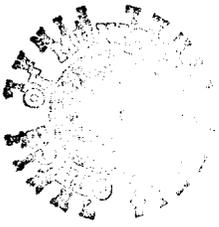
EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 61 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

BEGINNING at an iron pin found on the northerly right-of-way line of Mt. Zion Road (a 40 foot right-of-way) said iron pin being located 320.20 feet east of the intersection of the easterly right-of-way line of Macon Drive (a 40 foot-of-way) and the northerly right-of-way line of Mt. Zion Road, as measured along the northerly right-of-way line of Mt. Zion Road; thence leaving said right-of-way line and running north 02 degrees 18 minutes 03 seconds west a distance of 232.55 feet to an iron pin found; thence running north 00 degrees 15 minutes 25 seconds east a distance of 210.08 feet to an iron pin found; thence running north 01 degrees 35 minutes 07 seconds east a distance of 139.90 feet to an iron pin found; then running south 88 degrees 39 minutes 54 seconds east a distance of 272.00 feet to a point; thence running south 00 degrees 30 minutes 00 seconds east a distance of 560.14 feet to a point on the northerly right-of-way of Mt. Zion Road; then running west along the northerly edge of such right-of-way south 86 degrees 40 minutes 21 seconds west a distance of 272.75 feet to the POINT OF BEGINNING.

Such property being shown on that certain ALTA/ACSM Survey for Kingston-Mount Zion Associates, Quantum Bank and Chicago Title Insurance Company, dated December 4, 1998, prepared by East Metro Surveyors & Engineers, Inc., and bearing the certification of E.G. Davis, GRLS No. 2363.

K:\2888\1Vegaldescrip.doc



**KINGSTON TOWNHOMES
HOUSING ENTERPRISE ZONES
LOCATION MAP**

SPRING

MACON

SPRINGBOLT

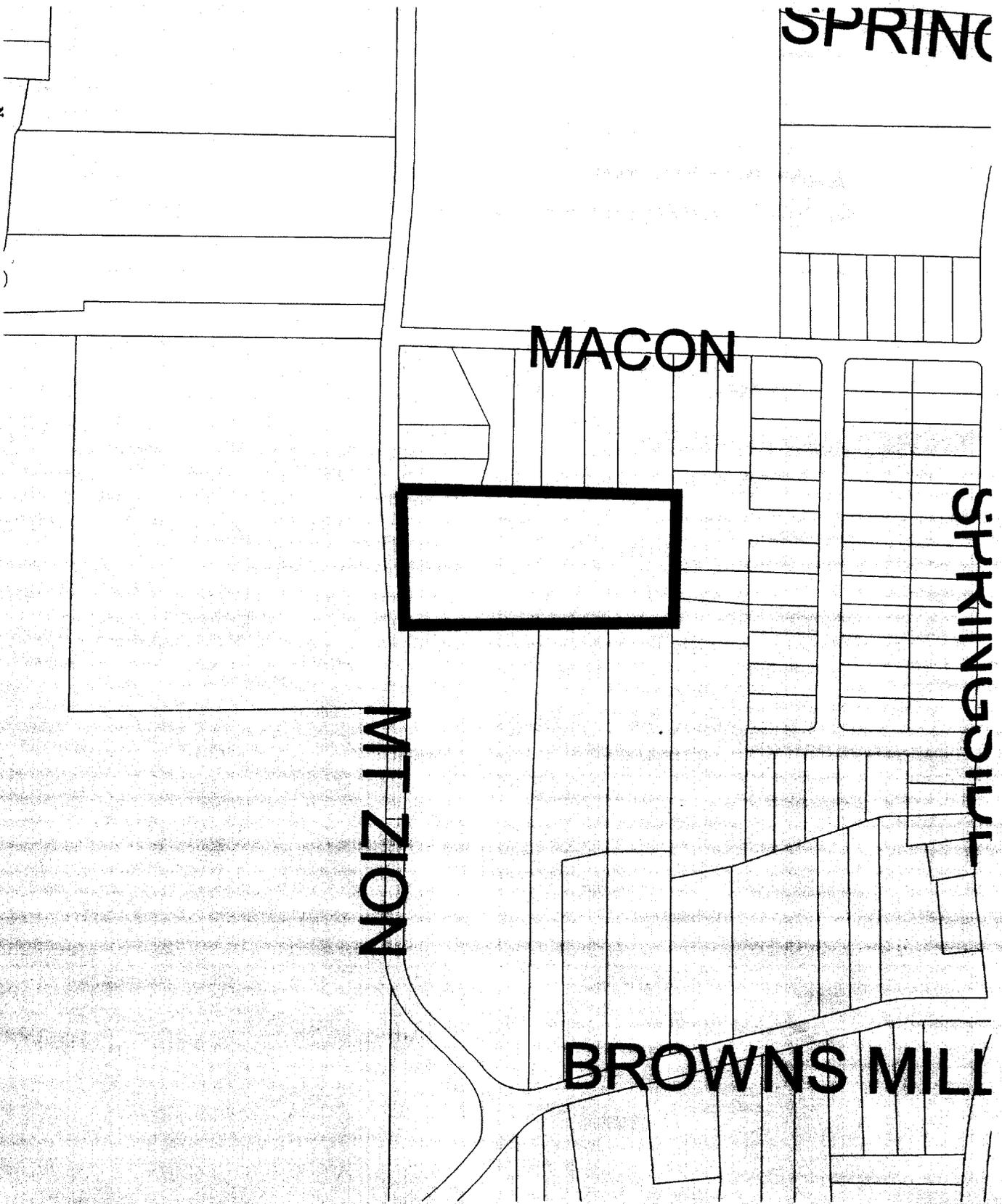
MT ZION

BROWNS MILL

Non-2-streets
Non-2-parcels



KINGSTON TOWNHOMES



President Pro Tem Bond Presided

RCS# 2865
5/21/01
1:48 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 thru 16

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 2

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

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

ITEM (S) REMOVED FROM
CONSENT AGENDA

01-O-0721
01-O-0752
01-O-0753
01-O-0494
01-O-0712
01-R-0763
01-R-0765

CONSENT

**ITEMS ADOPTED
ON CONSENT
AGENDA**

**ITEMS ADOPTED
ON CONSENT
AGENDA**

**ITEMS ADVERSED
ON CONSENT
AGENDA**

1. 01-O-0582
2. 01-O-0583
3. 01-O-0584
4. 01-O-0585
5. 01-O-0586
6. 01-O-0587
7. 01-O-0742
8. 01-O-0748
9. 01-O-0715
10. 01-O-0723
11. 01-O-0751
12. 01-O-0754
13. 01-O-0755
14. 01-O-0756
15. 01-O-0106
16. 01-O-0495
17. 01-O-0496
18. 01-O-0497
19. 01-O-0498
20. 01-O-0567
21. 01-O-0568
22. 01-O-0569
23. 01-O-0616
24. 01-O-0638
25. 01-O-0643
26. 01-O-0665
27. 01-O-0716
28. 01-O-0759
29. 01-R-0667
30. 01-R-0669
31. 01-R-0670
32. 01-R-0656
33. 01-R-0675
34. 01-R-0676
35. 01-R-0725
36. 01-R-0744
37. 01-R-0750
38. 01-R-0758
39. 01-R-0456
40. 01-R-0654

41. 01-R-0757
42. 01-R-0698
43. 01-R-0699
44. 01-R-0700
45. 01-R-0764
46. 01-R-0649
47. 01-R-0658
48. 01-R-0659
49. 01-R-0661
50. 01-R-0662
51. 01-R-0673
52. 01-R-0677
53. 01-R-0678
54. 01-R-0679
55. 01-R-0680
56. 01-R-0681
57. 01-R-0682
58. 01-R-0683
59. 01-R-0760
60. 01-R-0684

61. 01-R-0685
 62. 01-R-0686
 63. 01-R-0687
 64. 01-R-0688
 65. 01-R-0689
 66. 01-R-0690
 67. 01-R-0691
 68. 01-R-0692
 69. 01-R-0693
 70. 01-R-0694
 71. 01-R-0695
 72. 01-R-0697
 73. 01-R-0761
 74. 01-R-0762
-

01-0-0497

(Do Not Write Above This Line)

AN ORDINANCE BY COMMUNITY DEVELOPMENT AND HUMAN RESOURCES COMMITTEE

AN ORDINANCE TO CREATE THE KINGSTON TOWNHOMES 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

CD/HR
3/28/01
Charles H. Johnson

Committee
Date
Chair

Committee _____
Date _____
Chair _____
Actions _____
Fav, Adv, Held (see rev. side) _____
Others _____
Members _____
Refer To _____

Committee CD/HR
Date 4/11/01
Chair _____
Actions _____
Fav, Adv, Held (see rev. side) _____
Others 5/8/01
Members _____
Refer To _____

Committee _____
Date _____
Chair _____
Actions _____
Fav, Adv, Held (see rev. side) _____
Others _____
Members _____
Refer To _____

Committee CD/HR
Date 5/26/01
Chair Charles H. Johnson
Actions _____
Fav, Adv, Held (see rev. side) _____
Others _____
Members "Mike" Mike Johnson
Refer To _____

COUNCIL ACTION

2nd 1st & 2nd 3rd
Readings

Consent V Vote RC Vote

CERTIFIED

CERTIFIED
MAY 2 1 2001
Richard Johnson
COUNCIL PRESIDENT PROTEM

CERTIFIED
MAY 2 1 2001
Ronald Douglas Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

CERTIFIED
MAY 2 5 2001
[Signature]
MAYOR