



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

UEZ-03-03
03-0-0551

AN ORDINANCE TO CREATE THE "SHAWNEE APARTMENTS HOUSING ENTERPRISE ZONE", TO BE LOCATED AT 1220 GUN CLUB ROAD, N.W., AND FOR OTHER PURPOSES.

NPU "G"

COUNCIL DISTRICT 9

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 the authority to designate areas within the City as urban enterprise zones for housing purposes if certain conditions are met; and

WHEREAS the 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 that is exempted by the City; and

WHEREAS certain 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 proposed "Shawnee Apartments Housing Enterprise Zone";

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA,
HEREBY ORDAINS AS FOLLOWS:**

Section 1: It is found by the Council of the City of Atlanta that the area in and around the property that would be designated as the "Shawnee Apartments Housing Enterprise Zone" 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 property that would be designated as the "Shawnee Apartments Housing Enterprise Zone", are characterized by having 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 "Shawnee Apartments Housing Enterprise Zone" is hereby created for the subject property at 1220 Gun Club Road, N.W., which represents property parcel code number (PCN) 17-0248-LL-082-5. The effective date of all exemptions established therein shall be January 1, 2004. The "Shawnee Apartments Housing Enterprise Zone" shall be abolished on December 31, 2013. The "Shawnee Apartments Housing Enterprise Zone" shall otherwise not be abolished except as provided in State law. A legal description and map of the "Shawnee Apartments Housing Enterprise Zone" are attached hereto as Exhibit "A", are made a part hereof, and shall be on file in the Bureau of Planning and the Office of the Municipal Clerk.

Section 3. The "Shawnee Apartments Housing Enterprise Zone" shall be developed as a residential development project, which shall consist of the renovation of the existing Shawnee Apartments, which contains 32 apartment units.

Section 4. The development of the "Shawnee Apartments Housing Enterprise Zone" shall meet or exceed the "housing affordability requirements" for urban enterprise zone designation, which are defined as follows, per City Code Section 146-52(2)b1: 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. The "Shawnee Apartments Housing Enterprise Zone" shall consist of the following breakdown of affordable housing units: all (100 percent) of the proposed 32 total units, which are all two-bedroom units.

Section 5: The Municipal Clerk is hereby directed to transmit a copy of this Ordinance as well as the legal description of the "Shawnee 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 the approval by the Mayor of the City of Atlanta.

Section 6: That all ordinances and parts of ordinances that are in conflict herewith are hereby repealed.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

MAY 19, 2003
MAY 27, 2003

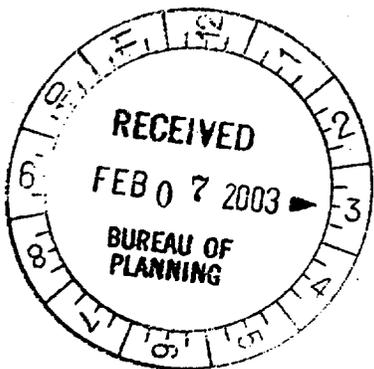
UEZ-03-03

EXHIBIT "A"

LAND DESCRIPTION - SHAWNEE APARTMENTS

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 248 OF THE 17TH DISTRICT OF FULTON COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

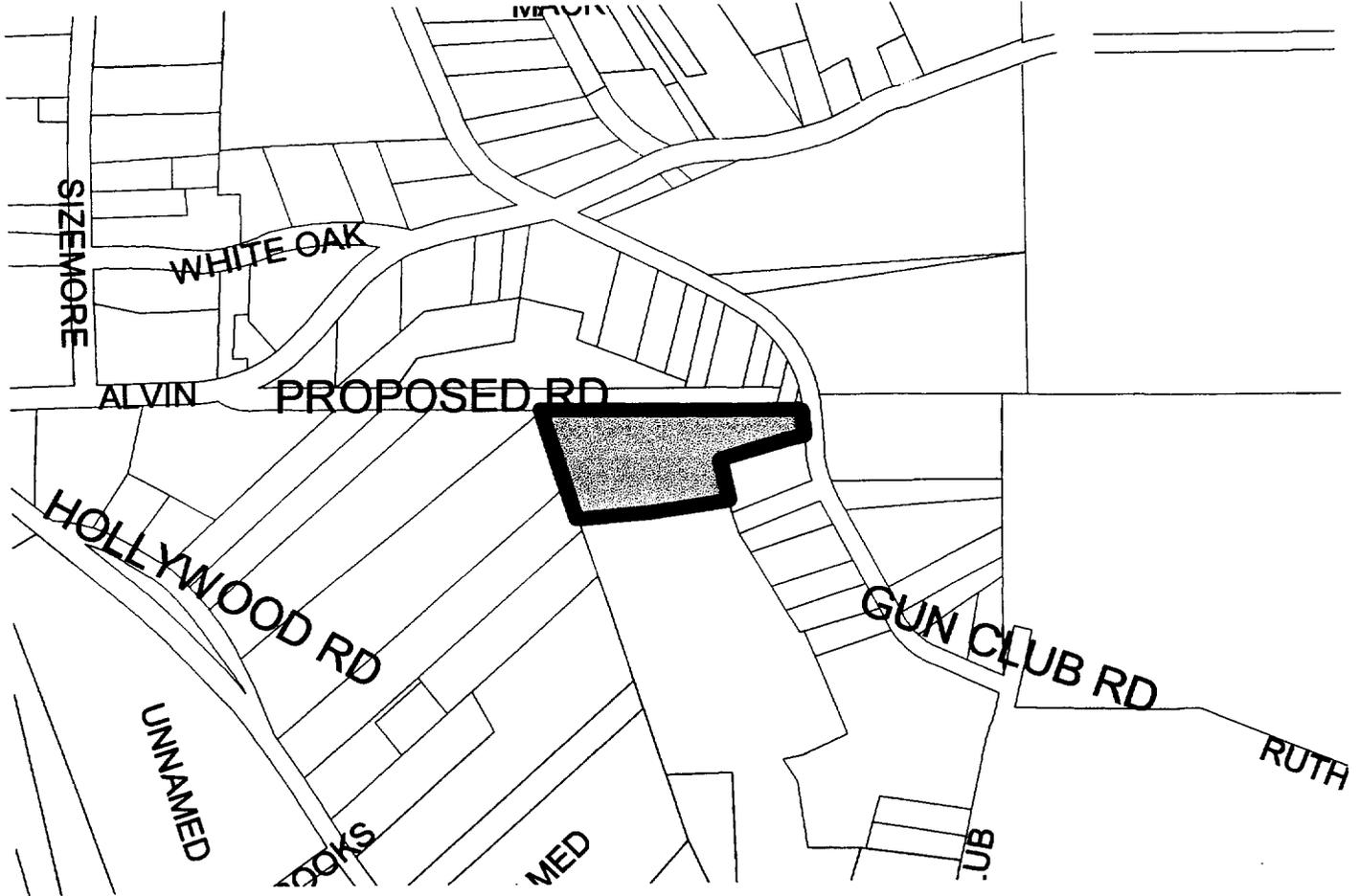
BEGIN AT A ONE-INCH OPEN TOP PIPE located at the intersection of the northerly line of Land Lot 248 and the westerly right-of-way line of Gun Club Road; PROCEED THENCE along said westerly right-of-way line of Gun Club Road along a curve to the right an arc distance of 60.60 feet, said curve having a radius of 300.00 feet and a chord of 60.49 feet bearing South 05 degrees 01 minutes 50 seconds East to a point; thence continuing along said Gun Club Road right-of-way line South 00 degrees 45 minutes 22 seconds West 29.95 feet to a one-inch open top pipe; thence leaving said Gun Club Road right-of-way line South 82 degrees 53 minutes 43 seconds West 172.15 feet to a 1/2-inch rebar; thence South 08 degrees 08 minutes 01 seconds East 117.80 feet to a 1/2-inch rebar; thence South 80 degrees 34 minutes 28 seconds West 193.90 feet to a point; thence North 87 degrees 12 minutes 15 seconds West 118.00 feet to a 1/2-inch rebar; thence North 14 degrees 22 minutes 50 seconds West 279.90 feet to a 3/4-inch open top pipe at the northerly line of said Land Lot 248; thence along said land lot line South 88 degrees 09 minutes 12 seconds East to a one-inch open top pipe on the westerly right-of-way line of Gun Club Road being the POINT OF BEGINNING, said tract containing 2.3881 acres, more or less.





SHAWNEE APARTMENTS HOUSING ENTERPRISE ZONE

1220 GUN CLUB RD.
DIST. 17, LAND LOT 248. COUNCIL DIST. 9, NPU - G



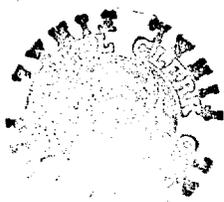
UEZ - 03 - 03



Npu-g-streets.shp
Npu-g-parcels.shp

CRITERION	REQUIRED	PROPOSED	COMPLIANCE
2. Acreage	None.	Contains 2.4 acres of land.	√
3. CDP Consistency	CDP Land Use Classification: Designated as "Medium-Density Residential." Allowed F.A.R.: 0.350 to 0.699.	Proposed FAR: 0.21. FAR is not applicable to this project since the existing buildings would remain after renovation, and no new buildings would be constructed.	√
4. Zoning Compliance	Zoned "RG-3" (Residential-General—Sector 3).	Proposed uses are allowed within "RG-3."	√
5. Project Specificity	Project-Specific Zone or Areawide Zone.	Project-Specific.	√
6. Project Readiness	≥ 30% of housing units to be initiated in Year 1 of the UEZ.	10 units/30% of total.	√
7. Non-Displacement	Minimum Displacement	Applicant has submitted a relocation plan.	√
8. Affordability	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.	Project would include the following breakdown of affordable housing units, which meets the requirements for urban enterprise zone designation: All 32 of the total 32 units (100%), of which all are two-bedroom units.	√
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.	Applicant certifies compliance.	√
10. Job Creation	First Source Jobs Policy	Would not create any fulltime, permanent new jobs.	√

CRITERION	REQUIRED	PROPOSED	COMPLIANCE
11. Financial Feasibility	<u>Chief Financial Officer's Statement of Fiscal Impact:</u> a. Negative cash flow; OR b. Debt coverage ratio <1.20; OR c. A variable-ratio debt coverage ratio that is equivalent to said fixed-rate ratio, based upon reasonable assumptions as certified.	To be determined by the Bureau of Financial Analysis.	To be determined.



SHIRLEY FRANKLIN
MAYOR



CITY OF ATLANTA

55 TRINITY AVENUE, SW, SUITE 3350
ATLANTA, GEORGIA 30335-0308
(404) 330-6145 - FAX (404) 658-7491
Internet Home Page:
www.ci.atlanta.ga.us

DEPARTMENT OF
PLANNING AND
COMMUNITY DEVELOPMENT

CHARLES C. GRAVES, III
COMMISSIONER

BEVERLEY DOCKERAY-OJO
INTERIM DIRECTOR
BUREAU OF PLANNING

February 21, 2003

Ms. Valerie Calloway, Senior Vice President
Russell New Urban Development, LLC
504 Fair Street
Atlanta, Georgia 30313

Dear Ms. Calloway:

This letter serves as notification of several matters pertaining to the urban enterprise zone application that you recently submitted to us as part of Cycle I, 2003.

Receipt of the UEZ Application. We received your Urban Enterprise Zone (UEZ) application for property that is located at 1220 Gun Club Road, NW. You have proposed the creation of the "Shawnee Apartments Housing Enterprise Zone" for the subject property. Your application was assigned the case number of UEZ-03-03. We are reviewing it for completeness and accuracy, and will be contacting you soon by telephone concerning any additional information or clarification that we need.

Completion of the UEZ Eligibility Analysis. Meanwhile, we have completed the UEZ eligibility analysis for the subject property, as attached. We are pleased to inform you that we have determined that the subject property IS ELIGIBLE for urban enterprise zone designation.

Required NPU Meeting. As part of the UEZ designation process, you are required to attend a Neighborhood Planning Unit (NPU) meeting. Your property is located in NPU "G", which holds meetings at the English Park Recreation Center. We are scheduling your UEZ case for the NPU "G" meeting to be held on Thursday, March 20, 2003, beginning at 7:00 p.m. Please attend this meeting (or send a designee) and make a presentation of your application. The NPU "G" members will vote on your application, with such vote serving as a recommendation to City Council. Please note that it is possible that NPU "G" members may request that you also attend one or more neighborhood association meetings before or after the NPU "G" meeting. Please contact the NPU "G" Zoning Contact, Ardell White, immediately at (404) 794-8627 concerning this.

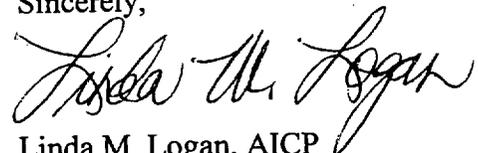
Required Public Hearing & Optional Committee Meeting. The second required meeting is the public hearing to be conducted by the City's Community Development/Human Resources (CD/HR) Committee on Monday, May 12, 2003. The public hearing will be held in the City Hall Council Chambers on the Second Floor of City Hall (at 55 Trinity Avenue), beginning at 6:00 p.m. Please be prepared make a presentation about your UEZ application and to answer any questions at the public hearing. We encourage you to also attend the CD/HR Committee meeting to be held the following day, on Tuesday, May 13, 2003, where the CD/ HR Committee will vote on your application and make a recommendation to the full City Council. That meeting will be held in Committee Room #2 on the Second Floor of City Hall (55 Trinity Avenue), beginning at 1:00 p.m.

Creation of the Urban Enterprise Zone. Provided that no deferrals have occurred, the full City Council will then vote on your case at its regular meeting on May 19, 2003. If the City Council votes to approve your case, the Mayor then is allowed up to eight days in which to sign the ordinance for the creation of your proposed urban enterprise zone. Thereafter, the ordinance becomes law, with or without the Mayor's signature. The new urban enterprise zone would exist for ten years. You are cautioned that no building construction or renovation activity may begin before the ordinance to create your proposed urban enterprise zone has been adopted. However, pre-construction activities, such as demolition, clearance, and infrastructure installation, are allowed.

UEZ Tax Abatements. Your urban enterprise zone tax abatement would begin on January 1, 2004, such that 2004 is the first year in which the property can receive tax abatements on new or renovated improvements. The condition for the receipt of this tax abatement, you may recall, is that the construction or renovation of at least 30 percent of all proposed housing units on the property must be underway by December 31, 2004. Tax abatements are made on the new improvements or new renovations only, at 100 percent for the first five years. Thereafter, the tax abatements are 80 percent for Years 6 & 7, 60 percent for Year 8, 40 percent for Year 9, and 20 percent for Year 10. Some restrictions apply.

Thank you for participating in the Urban Enterprise Zone Program. If you have questions regarding any of these matters, please contact me at (404) 330-6637. For further information concerning the NPU meeting, you may contact the NPU Coordinator, Valerie Bell-Smith, at (404) 330-6899.

Sincerely,



Linda M. Logan, AICP
Principal Planner
Bureau of Planning

/lml/Attachment

xc: Charles Graves, Commissioner
Beverley Dockeray-Ojo, Interim Director
Sara Wade Hicks, Assistant Director



CITY OF ATLANTA

**SHIRLEY FRANKLIN
MAYOR**

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**DEPARTMENT OF
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**CHARLES C. GRAVES, III
COMMISSIONER**

February 21, 2003

**BEVERLEY DOCKERAY-OJO
INTERIM DIRECTOR
BUREAU OF PLANNING**

Ms. Valerie Calloway, Senior Vice President
Russell New Urban Development, LLC
504 Fair Street
Atlanta, Georgia 30313

Dear Ms. Calloway:

Presented below is the Urban Enterprise Zone (UEZ) Eligibility Analysis for your UEZ application. This analysis is based on demographic data for 2002. Please contact me at (404) 330-6637 with any questions that you might have.

Linda M. Logan, AICP, Principal Planner

PROPERTY IDENTIFICATION DATA

Address: 1220 Gun Club Road, NW	PCN: 17-0248-LL082
Census Tract: 86.01	District/Land Lot: 17/248
Case Number: UEZ-03-03	Proposed UEZ Name: "Shawnee Apartments Housing Enterprise Zone"
	NPU: "G" Council District: 9

U.E.Z. ELIGIBILITY ANALYSIS

REQUIRED CRITERION	UNIT(S) OF MEASURE*	U.E.Z. FINDING(S) AND CONCLUSIONS**
1. Evidence of Pervasive Poverty: $\geq 20\%$.	Census Tract: 86.01. Census Block Group: 1.	Poverty Rate is 60.3% ($>20\%$). Meets this criterion.
2. Unemployment: a. At least 10% higher than the State Average; OR b. Significant Job Loss.	a. Percentage for the Census Tract: 7.7%. b. Documentation from the applicant.	a. Unemployment Rate is less than the State Average (4.0%). b. Significant Job Loss is undetermined. Could meet this criterion.
3. General Distress: a. High Crime (Police Beat crime rate of $\geq 20\%$ compared to the Police Zone); OR b. Existing abandoned and/or dilapidated structures within one block of the project area, or deteriorated infrastructure.	a. Police Beat/Zone: 108. Crime Rate: 24%. OR b. Documentation (such as photographs) from the applicant.	a. Police Beat/Zone meets the high crime requirement ($>20\%$). b. Presence of abandoned and/or dilapidated structures within one block of the project area, or deteriorated infrastructure, is undetermined. Meets this criterion.
4. Underdevelopment: $\leq 20\%$ of Development Activity Within the City.	NPU: "G." Percentage Within the NPU: -26% Res./+2% Non-Res.	The NPU has $\leq 20\%$ of development activity within the City. Meets this criterion.

RESULT OF THE ANALYSIS: THE PROPERTY IS X IS NOT COULD BE ELIGIBLE.

*Source of utilized eligibility data: 2002 Database.

**To be eligible for enterprise zone designation, a property shall be located within an area that meets three of the four listed criteria: poverty, unemployment, general distress, and underdevelopment.

RCS# 4717
5/19/03
2:39 PM

Atlanta City Council

Regular Session

CONSENT I

Pgs. 1-14 Except:03-O-0456; 03-R-0598
03-R-0703; 03-R-0773; 03-R-0788
Adopt

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

Y Smith	B Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
B Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

5/19/03 FULL COUNCIL MEETING

Items Adopted on the Consent Agenda

1. 03-O-0601
2. 03-O-0551
3. 03-O-0552
4. 03-O-0600
5. 03-O-0554
6. 03-O-0617
7. 03-O-0632
8. 03-O-0633
9. 03-O-0660
10. 03-O-0772
11. 03-O-0628
12. 03-O-0759
13. 03-R-0655
14. 03-R-0700
15. 03-R-0701
16. 03-R-0704
17. 03-R-0784
18. 03-R-0785
19. 03-R-0707
20. 03-R-0708
21. 03-R-0709
22. 03-R-0718
23. 03-R-0782
24. 03-R-0713
25. 03-R-0714
26. 03-R-0716
27. 03-R-0760
28. 03-R-0768
29. 03-R-0774
30. 03-R-0776
31. 03-R-0779
32. 03-R-0722
33. 03-R-0723
34. 03-R-0724
35. 03-R-0725

**Items Adversed on the
Consent Agenda**

36. 03-R-0726
37. 03-R-0727
38. 03-R-0728
39. 03-R-0729
40. 03-R-0730
41. 03-R-0731
42. 03-R-0732
43. 03-R-0733
44. 03-R-0734
45. 03-R-0735
46. 03-R-0736
47. 03-R-0737
48. 03-R-0738
49. 03-R-0739
50. 03-R-0740
51. 03-R-0741
52. 03-R-0742
53. 03-R-0743
54. 03-R-0744
55. 03-R-0745
56. 03-R-0746
57. 03-R-0747
58. 03-R-0748
59. 03-R-0749
60. 03-R-0750
61. 03-R-0783

Consent I Vote: 13Yeas; 0 Nays: (See RCS #4717)

Items Removed from the Consent Agenda: 03-O-0456; 03-R-0598; 03-R-0703; 03-R-0773; 03-R-0788

03-0-0551

(Do Not Write Above This Line)

AN ORDINANCE UEZ-02-03
BY: COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE
April 1, 2003

AN ORDINANCE TO CREATE THE "SHAWNEE APARTMENT'S HOUSING ENTERPRISE ZONE", TO BE LOCATED AT 1220 GUN CLUB ROAD, N.W., AND FOR OTHER PURPOSES.

NPU "G" COUNCIL DISTRICT 9

ADOPTED BY

MAY 19 2003

COUNCIL

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

Date Referred 4/21/03
Referred To: Community Development / Human Resources

First Reading

Committee CD/HR
Date 4/11/03
Chair Deborah Starnes

Committee CD/HR	Committee
Date 4/28/03	Date
Chair	Chair
Actions Fav, Adv, Held (see rev. side)	Actions Fav, Adv, Held (see rev. side)
Other 5/12/03 PA	Other
Members	Members
Refer To	Refer To

COUNCIL ACTION

- 2nd Reading
- 1st & 2nd Reading
- 3rd Reading
- Consent V Vote
- RC Vote

CERTIFIED

CERTIFIED
MAY 19 2003
ATLANTA CITY COUNCIL PRESIDENT
Catherine M. Bostard

CERTIFIED
MAY 19 2003
Ruth D. Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

MAY 26 2003
Dwight Davis