

**AN ORDINANCE**

**BY COUNCILMEMBERS DEBI STARNES, NATALYN ARCHIBONG, AND CARLA SMITH**

**AS SUBSTITUTED BY COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

**CREATING THE EASTSIDE REDEVELOPMENT AREA AND TAX ALLOCATION DISTRICT NUMBER FIVE -- EASTSIDE; DESIGNATING THE BOUNDARIES OF THE REDEVELOPMENT AREA AND TAX ALLOCATION DISTRICT; ESTABLISHING THE TAX ALLOCATION INCREMENT BASE FOR THE TAX ALLOCATION DISTRICT; ADOPTING A REDEVELOPMENT PLAN FOR THE AREA; ESTABLISHING THE INTENT TO ISSUE AND SELL TAX ALLOCATION BONDS NECESSARY TO EFFECTUATE THE REDEVELOPMENT OF THE AREA; AUTHORIZING ATLANTA DEVELOPMENT AUTHORITY TO ACT AS THE REDEVELOPMENT AGENT TO IMPLEMENT THE REDEVELOPMENT PLAN PURSUANT TO THE REDEVELOPMENT POWERS LAW AND THE URBAN REDEVELOPMENT LAW; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Redevelopment Powers Law (O.C.G.A. § 36-44-1 et seq.) provides for the establishment of redevelopment powers and the creation of redevelopment plans and tax allocation districts by counties and municipalities in the State of Georgia; and

**WHEREAS**, the purpose of the Redevelopment Powers Law is to improve economic and social conditions within substantially underutilized and economically and socially depressed urban areas that contribute to or cause unemployment, limit the tax resources of counties and municipalities while creating a greater demand for governmental services, have a deleterious effect upon the public health, safety, morals and welfare, and impair or arrest the sound growth of the community; and

**WHEREAS**, it is in the public interest of the City of Atlanta that the Redevelopment Powers Law be exercised to improve economic and social conditions of the Eastside Redevelopment Area in order to abate or eliminate deleterious effects of its current depressed and underutilized state; and

**WHEREAS**, the Council finds that the Eastside Redevelopment Area suffers from blighted and underdeveloped land characteristics that contribute to or cause unemployment, limit the tax resources of the City and County while creating a greater demand for government services, and in general have a deleterious effect on the public health, safety, and welfare; and

**WHEREAS**, the Council finds that the Eastside Redevelopment Area is substantially underutilized by containing a substantial number of open or vacant parcels and structures and buildings of relatively low value compared to the value of other structures and buildings in the vicinity and that the current condition of the area is less desirable than the redevelopment of the area for new commercial, residential, office, and other uses, including the provision of pedestrian and transportation improvements; and

**WHEREAS**, adoption of the Eastside Redevelopment Plan and creation of the Eastside Tax Allocation District (the "Eastside TAD") is necessary to assure that downtown Atlanta maintains its historical position as the commercial center of the region and provides an alternative to the continued sprawling patterns of development in the region; and

**WHEREAS**, the City recognizes that new streetscapes, sidewalks, plazas and pocket parks, street-level retail, parking facilities, and new housing are needed to create an attractive, walkable Downtown and a 24-hour community; and

**WHEREAS**, the Eastside TAD can provide incentives and initial funding to catalyze the redevelopment of the Auburn Avenue and Memorial Drive/Martin Luther King, Jr. Drive corridors and the former Capital Homes and Grady Homes developments, as well as other areas within the Eastside TAD redevelopment area; and

**WHEREAS**, the City of Atlanta has designated the Atlanta Development Authority (the "ADA") as its Redevelopment Agency pursuant to O.C.G.A. § 36-44-1 et seq.; and

**WHEREAS**, it is in the public interest of the City that the Redevelopment Powers Law be exercised to improve the economic and social conditions of the Eastside Redevelopment Area in order to remedy the detrimental effects of its current depressed and underutilized state; and

**WHEREAS**, the ADA has prepared a Redevelopment Plan for the Eastside Redevelopment Area pursuant to O.C.G.A. § 36-44-3(9); and

**WHEREAS**, the Council of the City of Atlanta desires to adopt the Eastside Redevelopment Plan and create Tax Allocation District Number Five -- Eastside.

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

**Section 1.** The City of Atlanta finds and declares that the Eastside Redevelopment Area has not been subject to growth and development through private enterprise and would not reasonably be anticipated to be developed without the approval of the Eastside Redevelopment Plan (hereinafter "Redevelopment Plan").

**Section 2.** The City of Atlanta finds and declares that improvement of the Eastside Redevelopment Area is likely to enhance the value of a substantial portion of other real property in the district.

**Section 3.** The City of Atlanta adopts the attached Redevelopment Plan prepared by the ADA as the Redevelopment Plan for the aforesaid area pursuant to the Redevelopment Powers Law.

**Section 4.** The City of Atlanta creates **Tax Allocation District Number Five -- Eastside** (the "Eastside TAD") pursuant to the Redevelopment Plan and the Redevelopment Powers Law.

**Section 5.** Tax Allocation District Number Five -- Eastside is hereby created as of December 31, 2003, and shall continue in existence until all redevelopment costs, including financing costs and debt service on tax allocation bonds, are paid in full.

**Section 6.** The City of Atlanta hereby establishes the estimated Tax Allocation Increment Base of \$256,228,450. The property taxes to be used for computing tax allocation increments are specified in the attached Redevelopment Plan and incorporated herein by reference.

**Section 7.** The City of Atlanta designates the ADA to serve as its redevelopment agent to implement the provisions of the Redevelopment Plan and to effectuate the redevelopment of the Eastside Redevelopment Area pursuant to the Redevelopment Plan and the Redevelopment Powers Law.

**Section 8.** The City of Atlanta intends to authorize the issuance of tax allocation bonds and such other redevelopment bonds as may be necessary to implement provisions of the Redevelopment Plan.

a) Prior to issuance of tax allocation bonds, ADA shall establish an Advisory Committee to make recommendations to ADA and the City on projects to be funded from tax allocation bond proceeds..

b) The advisory committee, which shall be convened by ADA, will be comprised of: two (2) designees from NPU-M, one (1) designee from NPU-N, one (1) designee from NPU-V, and one (1) designee from NPU-W.

c) The role of the advisory committee shall include, but not be limited to, making recommendations to ADA and the City on the allocation and distribution of tax allocation bond proceeds within and among the various neighborhoods, where "neighborhoods" shall be defined as the portion of the Redevelopment Area that is to the East of Interstate 75/85 and to the South of Freedom Parkway..

d) ADA shall ensure that at least 20% of the net proceeds of each tax allocation bond issued must be used to fund projects in the neighborhoods.

**Section 9.** The Council authorizes the use of the proceeds of such bonds by the ADA and the City of Atlanta for any and all eligible uses including, without limitation, costs of issuance of the tax allocation bonds; capital costs of public and private improvements, including but not limited to streets, bridges, utilities, storm and sanitary sewers, parks, parking facilities, sidewalks and streetscapes; professional services costs, including fees for architectural,



engineering and environmental services; and such other uses deemed necessary pursuant to provisions of the Redevelopment Plan and the Redevelopment Powers Law.

**Section 10.** The property proposed to be pledged for payment or as security for payment of tax allocation bonds will include the positive ad valorem tax allocation increments derived from Tax Allocation District Number Five -- Eastside.

**Section 11.** The City hereby establishes a goal for the Redevelopment Area that a minimum of twenty percent (20%) per bond issue of the new housing units be funded from the proceeds. However no more than 10% of the 20% shall be fulfilled by residential construction undertaken by AHA.

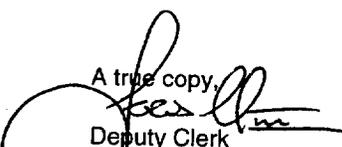
a) **Housing Assessment:** Within 180 days of the effective date of the Eastside TAD, ADA shall prepare or cause to be prepared an assessment of the existing housing stock within the Redevelopment Area that analyzes the number, age, and affordability of the housing units in each neighborhood within the Redevelopment Area.

b) **Compliance Assessment:** ADA shall measure and assess affordability within the Redevelopment Area every five years beginning after the effective date of the Eastside TAD and recommend any adjustments or revisions to the Redevelopment Plan and the City's use of tax allocation bond proceeds and other resources in order to maintain compliance with the affordability goal.

**Section 12.** Creation of the Eastside TAD by the City is contingent upon receiving consent from Fulton County and the Atlanta Board of Education for inclusion of their respective shares of ad valorem taxes in the computation of the tax allocation increment.

**Section 13.** Tax allocation bonds may be issued to finance redevelopment costs within the Eastside TAD for a five (5) year period beginning with the date of the issuance of the first bond. After the expiration of this five (5) year period, no additional projects shall be funded nor shall any additional tax allocation bonds be issued without the prior approval and ratification of the Atlanta City Council, where such approval and ratification shall specifically extend the active usage of the tax allocation district beyond this initial five (5) year period.

**Section 14.** All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

A true copy,  
  
 Deputy Clerk

ADOPTED as amended  
 APPROVED by the Mayor

December 1, 2003  
 December 9, 2003





## ESTAD Boundary Description

Beginning at the intersection of the northwest right-of-way of North Avenue and the western right-of-way of Interstate 75/85, proceed east along the north right-of-way of North Avenue to the northeast right-of-way intersection of West Peachtree Street, proceed south along the east right-of-way of West Peachtree Street to the southeast right-of-way intersection of Linden Way, proceed west along the south right-of-way of Linden Way to the southeast right-of-way intersection of Spring Street, proceed south along the east right-of-way of Spring Street to the northeast right-of-way intersection of Linden Avenue, proceed east along the north right-of-way of Linden Avenue to the northeast right-of-way intersection of West Peachtree Street, proceed south along the eastern right-of-way of West Peachtree Street to the northeast right-of-way intersection of Pine Street, proceed east along the north right-of-way of Pine Street to the northwest right-of-way intersection of Peachtree Street, proceed north along the west right-of-way of Peachtree Street to the northwest right-of-way intersection of North Avenue, proceed east along the north right-of-way of North Avenue to the northeast right-of-way intersection of Piedmont Avenue, proceed south along the eastern right-of-way of Piedmont Avenue to the southeast right-of-way intersection of Pine Street, proceed west along the south right-of-way of Pine Street to the southeast right-of-way intersection of Courtland Street, proceed south along the east right-of-way of Courtland Street to the northeast right-of-way intersection of Currier Street, proceed east along the north right-of-way of Currier Street to the northeast right-of-way intersection of Piedmont Avenue, proceed south along the east right-of-way of Piedmont Avenue to the northeast right-of-way intersection of Piedmont Avenue and Interstate 75/85, proceed southeast along the north right-of-way of Interstate 75/85 to the north right-of-way of the Freedom Parkway, proceed east and northeast along the northern right-of-way of Freedom Parkway to the east right-of-way of Southern CSX Rail Road, proceed southwest and south along the east right-of-way of the Southern CSX Rail Road to the northeast right-of-way intersection of DeKalb Avenue, proceed southeast across DeKalb Avenue and across the railroad tracts to the northeast right-of-way of Berean Avenue, proceed south along the east right-of-way of Berean Avenue to the north right-of-way of Interstate 20, proceed west along the north right-of-way of Interstate 20 to the southwest right-of-way of Cooper Street, proceed north along the west right-of-way of Cooper Street to the northwest right-of-way intersection of Forsyth Street, proceed northeast along the northwest right-of-way of Forsyth Street to the northeast right-of-way intersection of Marietta Street, proceed southeast along the north right-of-way of Marietta Street to the north right-of-way intersection of Edgewood Avenue, proceed east along the north right-of-way of Edgewood Avenue to the northwest right-of-way intersection of Peachtree Center Avenue, proceed north along the west right-of-way of Peachtree Center Avenue to the southwest right-of-way intersection of the east-west, public alley just north of Auburn Ave, proceed west along the south right-of-way of the public alley to the southwest right-of-way intersection of Park Place, proceed north along the west right-of-way of Park Place to the northwest right-of-way intersection of John Wesley Dobbs Avenue, proceed east along the north right-of-way of John Wesley Dobbs Avenue to the northwest right-of-way intersection of Peachtree Center Avenue, proceed north along the west right-of-way of Peachtree Center Avenue to the northwest right-of-way intersection of Harris Street, proceed east along the north right-of-way of Harris Street to the southwest right-of-way intersection of Interstate 75/85, proceed northwest along the southwest right-of-way of Interstate 75/85 to the southwest right-of-way intersection of Baker Street, proceed west along the south right-of-way of Courtland Avenue to the land lot line common to Land Lot 50 and Land Lot 51, proceed west along the land lot line common to Land Lot 50 and Land Lot 51 to the northwest right-of-way intersection of Peachtree Center Avenue, proceed north along the west right-of-way of Peachtree Center Avenue to the southeast right-of-way intersection of Peachtree Street, proceed southwest along the east right-of-way of Peachtree Street to the southeast right-of-way intersection of Baker Street, proceed west along the south right-of-way of Baker Street to the southwest intersection of Spring Street (northbound), proceed north along the west right-of-way of Spring Street to the southeast right-of-way of the Spring Street (southbound) entrance ramp to Interstate 75/85, proceed west along the south right-of-way of the Spring Street (southbound) entrance ramp to the southwest right-of-way of Williams Street and the Williams Street exit ramp from Interstate 75/85, proceed north along the west right-of-way of Williams Street and the Williams Street exit ramp to the west right-of-way of Interstate 75/85, proceed north along the west right-of-way of Interstate 75/85 to the northwest right-of-way intersection of North Avenue (The Beginning Point).

**Eastside Atlanta Redevelopment Plan  
&  
Tax Allocation District #5 - Eastside**  
*Extending Atlanta's Urban Redevelopment Potential*

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Prepared for  
**The City of Atlanta  
Fulton County**  
and  
**The Atlanta Board of Education**  
by  
**Eastside Atlanta Stakeholders**  
and  
**Huntley & Associates**

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November 2003

RCS# 5267  
12/02/03  
3:01 AM

Atlanta City Council

Regular Session

03-O-1840

CREATING EASTSIDE REDEVELOPMENT AREA AND  
TAX ALLOCATION DISTRICT  
ADOPT AS AMEND  
*substitute*

YEAS: 11  
NAYS: 3  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 0

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

03-O-1840

03-0-1840

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AN ORDINANCE  
BY COUNCILMEMBERS DEBI STARNES AND  
NATALYNN ARCHIBONG

CREATING THE EASTSIDE REDEVELOPMENT  
AREA AND TAX ALLOCATION DISTRICT  
NUMBER FIVE --EASTSIDE; DESIGNATING  
THE BOUNDARIES OF THE REDEVELOPMENT  
AREA AND TAX ALLOCATION DISTRICT;  
ESTABLISHING THE TAX ALLOCATION INCR-  
MENT BASE FOR THE TAX ALLOCATION  
DISTRICT; ADOPTING A REDEVELOPMENT  
PLAN FOR THE AREA; ESTABLISHING THE  
INTENT TO ISSUE AND SELL TAX ALLOCA-  
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THE REDEVELOPMENT OF THE AREA;  
AUTHORIZING ATLANTA DEVELOPMENT  
AUTHORITY TO ACT AS THE REDEVELOPMENT  
AGENT TO IMPLEMENT THE REDEVELOPMENT  
PLAN PURSUANT TO THE REDEVELOPMENT  
POWERS LAW AND THE URBAND REDEVELOP-  
MENT LAW; AND FOR OTHER PURPOSES.

BY: *Debi Starnes*  
ATTORNEY

- CONSENT REFER *Substitute*
- REGULAR REPORT REFER *As Amended*
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 10/20/03  
Referred To: *File CD/HK*  
Date Referred \_\_\_\_\_  
Referred To: **ADOPTED BY**  
Date Referred DEC 01 2003  
Referred To: \_\_\_\_\_

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred To \_\_\_\_\_

First Reading

Committee CD/HK  
Date 12/18/03  
Chair \_\_\_\_\_

Action  
Fav, Adv, Hold (see rev. side)  
Other 11/10/03 RM  
Members \_\_\_\_\_

Refer To \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Action  
Fav, Adv, Hold (see rev. side)  
Other \_\_\_\_\_  
Members \_\_\_\_\_

Refer To \_\_\_\_\_

Committee CD/HK  
Date 11/12/03  
Chair *Debi Starnes*

Action  
Fav, Adv, Hold (see rev. side)  
Other \_\_\_\_\_  
Members \_\_\_\_\_

Refer To \_\_\_\_\_

Members *Debi Starnes*  
*Natalynn Archibong*  
*Hand Shook - ABSTAIN*

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_

Action  
Fav, Adv, Hold (see rev. side)  
Other \_\_\_\_\_  
Members \_\_\_\_\_

Refer To \_\_\_\_\_

Refer To \_\_\_\_\_

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_

Action  
Fav, Adv, Hold (see rev. side)  
Other \_\_\_\_\_  
Members \_\_\_\_\_

Members \_\_\_\_\_

Refer To \_\_\_\_\_

- FINAL COUNCIL ACTION
- 2nd
  - 1st & 2nd
  - 3rd
  - Consent
  - V Vote
  - RC Vote

CERTIFIED

**CERTIFIED**  
DEC 01 2003

**CERTIFIED**  
DEC 01 2003

*Paula Anderson Johnson*  
MUNICIPAL CLERK

MAYOR'S ACTION

**APPROVED**  
DEC 09 2003  
MAYOR

COUNCIL