

04-0-0644

(Do Not Write Above This Line)

AN ORDINANCE UEZ-04-04
BY THE COMMUNITY DEVELOPMENT/
HUMAN RESOURCES COMMITTEE

AN ORDINANCE TO CREATE THE "CENTENNIAL
PARK NORTH, PHASE II HOUSING ENTERPRISE
ZONE", TO BE LOCATED ON A NEW PARCEL TO
BE SUBDIVIDED FROM 536 CENTENNIAL OLYM-
PIC PARK DRIVE, N.W. (f.k.a. TECHWOOD
DRIVE, N.W.); AND FOR OTHER PURPOSES.

NPU "M" COUNCIL DISTRICT 2

FILED BY
CITY COUNCIL

JUL 06 2004

- CONSENT REFER 5/3/04
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER

Date Referred 5/3/2004
Community Development / Human Resources
Referred To:

First Reading

Committee
Date
Chair

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Other

Members

H. 6/1/04

Refer To

Committee
Date
Chair

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Other

Members

Greg Carwood
Humbert Mally
Res: 11/1/04

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

6

CITY PRESIDENT NOTED

JUL 06 2004
Randa Redding Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

CITY COUNCIL
ATLANTA, GEORGIA

Municipal Clerk
Atlanta, Georgia

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

UEZ-04-04
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AN ORDINANCE TO CREATE THE "CENTENNIAL PARK NORTH, PHASE II HOUSING ENTERPRISE ZONE", TO BE LOCATED ON A NEW PARCEL TO BE SUBDIVIDED FROM 536 CENTENNIAL OLYMPIC PARK DRIVE, N.W. (f.k.a. TECHWOOD DRIVE, N.W.); AND FOR OTHER PURPOSES.

NPU "M"

COUNCIL DISTRICT 2

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 “Centennial Park North, Phase II 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 “Centennial Park North, Phase II 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 “Centennial Park North, Phase II 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 “Centennial Park North, Phase II Housing Enterprise Zone” is hereby created for the subject property on a new parcel to be subdivided from 536 Centennial Olympic Park Drive, N.W. (f.k.a. Techwood Drive, NW). The property contains 3.5 acres of land and includes a portion of Parcel Code Number (PCN): 14-0079-0002-009-6. The effective date of all exemptions established therein shall be January 1, 2005. The “Centennial Park North, Phase II Housing Enterprise Zone” shall be abolished on December 31, 2014. The “Centennial Park North, Phase II Housing Enterprise Zone” shall otherwise not be abolished except as provided in State law. A legal description and map of the “Centennial Park North, Phase II 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 “Centennial Park North, Phase II Housing Enterprise Zone” shall be developed as a residential development project, which shall consist of for-sale townhomes and for-sale residential units. The project shall be developed in one phase and shall contain 110,719 total square feet of building space. In accordance with the requirements for housing enterprise zones, 16 (20 percent) of the total 79 housing units would be designated as being “affordable” (for moderate-income residents), which would meet the required minimum of 20 percent.

Section 4. The development of the “Centennial Park North, Phase II Housing Enterprise Zone” shall meet or exceed the “housing affordability requirements” for urban enterprise zone designation that are defined in City Code Sections 146-52(2)a.1, 146-52(2)a.2, and 146-52(2)a.3 (per approved Ordinance #03-O-1695), which are provided below. The “Centennial Park North, Phase II Housing Enterprise Zone” shall consist of 79 total units, of which 44 units shall be one-bedroom units (56%), 25 units shall be two-bedroom units (32%), and 10 units shall be three-bedroom units (13%). The “Centennial Park North, Phase II Housing Enterprise Zone” shall designate 16 of the proposed 79 total units (20%) as being “affordable”, which meets the required minimum housing affordability provision of 20 percent of the 79 total units (16 units). Compared to the minimum housing affordability requirement of 16 total units, to which the ratios of 56 percent for one-bedroom units (9 units), 32 percent for two-bedroom units (5 units), and 13 percent for three-bedroom units (2 units) are applied, the “Centennial Park North, Phase II Housing Enterprise Zone” shall designate 9 one-bedroom units, 5 two-bedroom units, and 2 three-bedroom units as being “affordable”, which meets the housing affordability requirements by bedroom composition.

City Code Section 146-52(2)a.1. Twenty percent of the total units to be provided shall reflect the same ratio of housing type and bedroom composition that is proposed throughout the zone, and shall be within the ability to pay of those households whose annual income does not exceed 60 percent 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.

City Code Section 146-52(2)a.2. Twenty percent of the units for sale shall reflect the same ratio of housing type and bedroom composition that is proposed throughout the zone, and shall bear purchase prices which do not exceed two and one-fifth times the median family income for the Atlanta metropolitan statistical area as most recently published by the United States Department of Housing and Urban Development.

City Code Section 146-52(2)a.3. Twenty percent of the units for rent, if any, shall reflect the same ratio of housing type and bedroom composition that is proposed throughout the zone, and shall bear monthly rents which do not exceed 30 percent of the low-income level defined in section 146-52(2)a.1 or, in the case of rental housing units that are being financed through federal low-income housing tax credits, said units shall bear monthly rents which do not exceed the maximum rents prescribed in Section 42, internal Revenue Service Code, based upon the low-income level defined in section 146-52(2)a.1.

Section 5: The Municipal Clerk is hereby directed to transmit a copy of this Ordinance as well as the legal description of the “Centennial Park North, Phase II 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.

UEZ-04-04

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 79, OF THE 14TH DISTRICT OF FULTON COUNTY (CITY OF ATLANTA), STATE OF GEORGIA; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT LOCATED AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY OF CENTENNIAL OLYMPIC PARK DRIVE (TOTAL RIGHT-OF-WAY WIDTH VARIES; 35 FEET WEST OF CENTERLINE AT THIS POINT), AND THE NORTHERLY RIGHT-OF-WAY OF RELOCATED MERRITTS AVENUE (50 FOOT TOTAL RIGHT-OF-WAY WIDTH);

THENCE ALONG THE WESTERLY RIGHT-OF-WAY OF CENTENNIAL OLYMPIC PARK DRIVE, ON AN ARC OF A CURVE TO THE RIGHT 65.08 FEET (SAID ARC HAVING A RADIUS OF 410.00 FEET AND A CHORD OF NORTH 04 DEGREES 27 MINUTES 52 SECONDS WEST, 65.01 FEET) TO A POINT;

THENCE CONTINUING ALONG THE WESTERLY RIGHT-OF-WAY OF CENTENNIAL OLYMPIC PARK DRIVE, NORTH 00 DEGREES 04 MINUTES 58 SECONDS EAST, 285.29 FEET TO THE POINT OF BEGINNING.

THENCE LEAVING THE WESTERLY RIGHT-OF-WAY OF CENTENNIAL OLYMPIC PARK DRIVE, NORTH 89 DEGREES 55 MINUTES 02 SECONDS WEST, 23.18 FEET TO POINT;

THENCE SOUTH 57 DEGREES 41 MINUTES 23 SECONDS WEST, 27.07 FEET TO POINT;

THENCE NORTH 89 DEGREES 55 MINUTES 02 SECONDS WEST, 50.11 FEET TO A POINT;

THENCE ALONG AN ARC OF A CURVE TO THE RIGHT 38.07 FEET (SAID ARC HAVING A RADIUS OF 98.00 FEET AND A CHORD OF NORTH 78 DEGREES 47 MINUTES 13 SECONDS WEST, 37.84 FEET) TO A POINT;

THENCE NORTH 67 DEGREES 39 MINUTES 25 SECONDS WEST, 131.40 FEET TO A POINT;

THENCE SOUTH 72 DEGREES 53 MINUTES 13 SECONDS WEST, 31.94 FEET TO A POINT;

THENCE NORTH 89 DEGREES 55 MINUTES 02 SECONDS WEST, 176.80 FEET TO A POINT;

THENCE NORTH 27 DEGREES 57 MINUTES 31 SECONDS WEST, 22.63 FEET TO A POINT;

THENCE SOUTH 62 DEGREES 02 MINUTES 29 SECONDS WEST, 37.23 FEET TO A POINT;

THENCE NORTH 00 DEGREES 05 MINUTES 00 SECONDS EAST, 235.91 FEET TO A 1/2" REBAR AND SURVEYOR'S CAP SET;

THENCE NORTH 89 DEGREES 42 MINUTES 34 SECONDS EAST, 72.02 FEET TO A CONCRETE NAIL FOUND;

THENCE NORTH 00 DEGREES 35 MINUTES 04 SECONDS WEST, 50.00 FEET TO A CONCRETE NAIL FOUND;

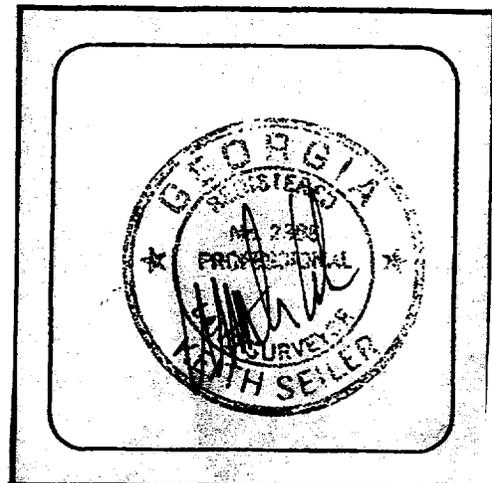
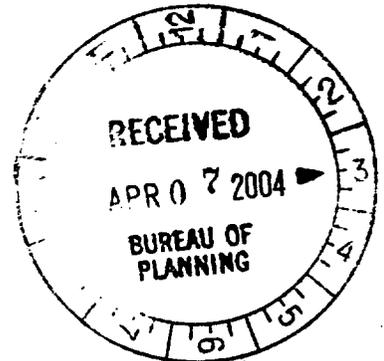
THENCE NORTH 89 DEGREES 49 MINUTES 11 SECONDS EAST, 222.42 FEET TO A 1/2" REBAR FOUND;

THENCE SOUTH 00 DEGREES 00 MINUTES 44 SECONDS EAST, 157.63 FEET TO A 1/2" REBAR AND SURVEYOR'S CAP SET;

THENCE SOUTH 89 DEGREES 52 MINUTES 34 SECONDS EAST, 211.56 FEET TO A "X" SCRIBED IN CONCRETE ON THE WESTERLY RIGHT-OF-WAY OF CENTENNIAL OLYMPIC PARK DRIVE (TOTAL RIGHT-OF-WAY WIDTH VARIES; 35 FEET WEST OF CENTERLINE AT THIS POINT);

THENCE ALONG THE WESTERLY RIGHT-OF-WAY OF CENTENNIAL OLYMPIC PARK DRIVE SOUTH 00 DEGREES 04 MINUTES 58 SECONDS WEST, 165.23 FEET TO THE POINT OF BEGINNING.

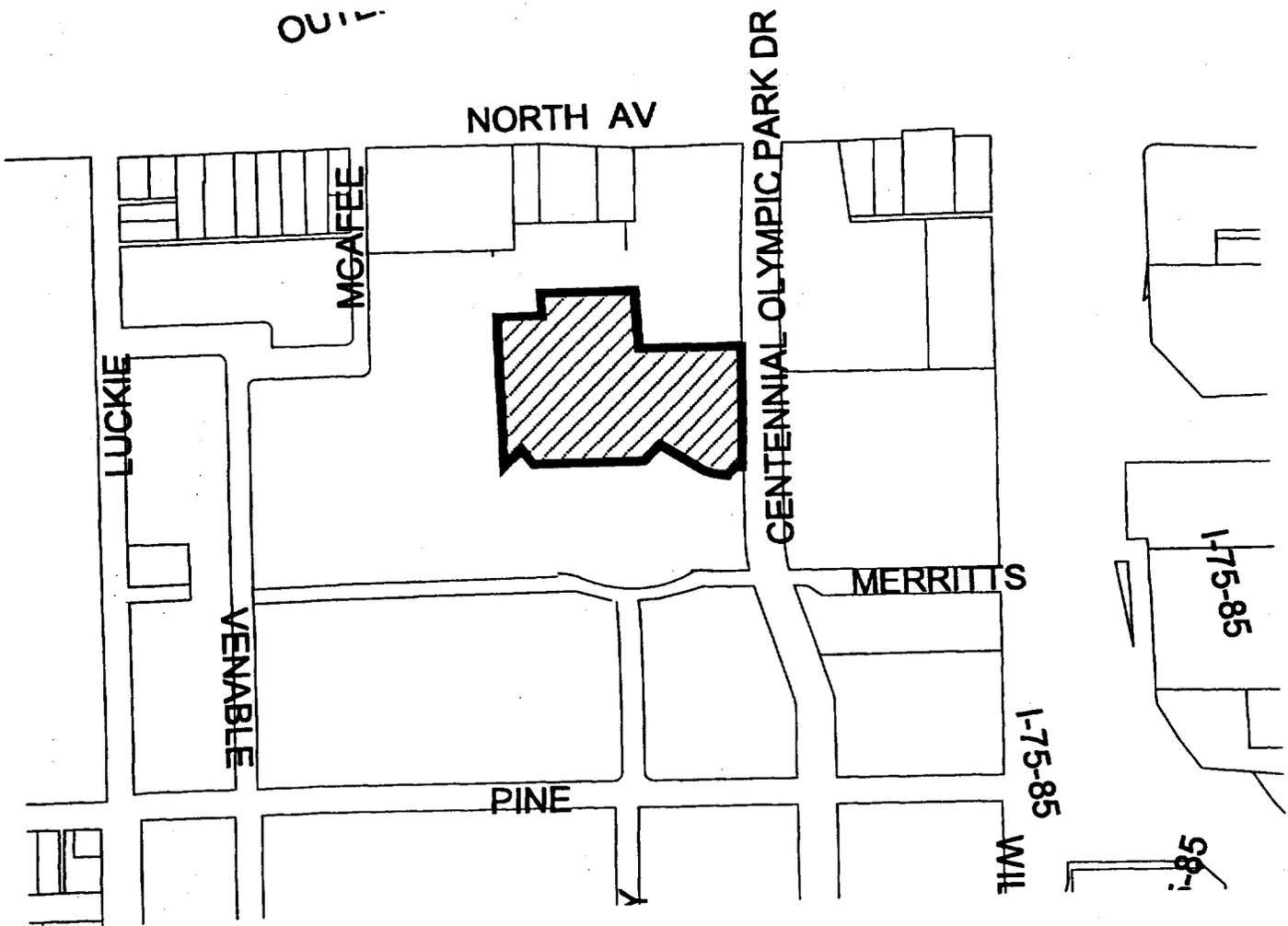
SAID TRACT OR PARCEL CONTAINING 2.6727 ACRES (116,422 SQUARE FEET) OF LAND.



St. zack, Feb 05, 2004 - 2:19:11pm

CENTENNIAL PARK NORTH, PHASE II HOUSING ENTERPRISE ZONE

TO BE LOCATED ON A NEW PARCEL TO BE
SUBDIVIDED
FROM 536 CENTENNIAL OLYMPIC PARK DRIVE, NW. (f. k. a. 536 TECHWOOD DRIVE, NW).
DISTRICT 14 LAND LOT 79.
COUNCIL DISTRICT 2, NPU "M".



UEZ - 04 - 04



□ Npu-m-parcels
▬▬▬ Npu-m-streets

RCS# 5891
7/06/04
4:36 PM

Atlanta City Council

Regular Session

04-O-0644 UEZ-04-04 CREATE CENTENNIAL PARK NORTH
 PHASE II HOUSING ENTERPRISE ZONE
 FILE

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 1
ABSENT 0

E Smith	Y Winslow	NV Shook	Y Martin	Y Mitchell
Y Starnes	Y Archibong	Y Muller	NV Maddox	Y Norwood
Y Young	Y Fauver	Y Moore	Y Mosley	Y Willis

04-O-0644

PROJECT CHECKLIST FOR UEZ-04-04:
Proposed "Centennial Park North, Phase II Housing Enterprise Zone"
To be Located on a New Parcel to be Subdivided From
536 Centennial Olympic Park Drive, NW (f.k.a. Techwood Drive, NW)

CRITERION	REQUIRED	PROPOSED	COMPLIANCE
1. Eligibility Criteria:	Must Meet 3 of the 4 Criteria:		
a. Evidence of Pervasive Poverty	a. Poverty rate of $\geq 20\%$ for the Census Block Group.	a. Poverty rate of 43.6% for Census Block Group 1 of Census Tract 21 (per the 2000 Census), which is more than the required minimum of 20%.	√
b. Unemployment	b. Unemployment: (1) Census Tract having at least 10% higher than the State Average; OR (2) Significant Job Loss, to be documented by the applicant.	b. Unemployment: (1) Census Tract 21 has an unemployment rate of 23.5%, which is more than 10% higher than the 2002 annual State Average of 5.1%. (2)	√
c. General Distress	c. General Distress: (1) Police Beat crime rate of $\geq 20\%$ compared to the Police Zone; OR (2) Vacant and/or Dilapidated Structures, or Deteriorated Infrastructure, based on documented proof of existing abandoned and/or dilapidated structures within one block of the project area, or deteriorated infrastructure.	c. General Distress: (1) Police beat 505 has a crime rate of -83% of the crime rate of police zone 5, thus the high crime requirement is not met. (2) Applicant has submitted acceptable documentation of the property containing deteriorated infrastructure (the Orme Street sewer line), which the City plans to move, per the Department of Watershed Management requirements.	√
d. Underdevelopment	d. Underdevelopment: The NPU has $\leq 20\%$ of the amount of Development Activity compared to the City as a whole for the proposed type of development.	d. Underdevelopment: NPU "M" had 22% of development activity within the City for non-residential development, which does not meet the requirement of $\leq 20\%$.	