CITY COUNCIL
ATLANTA, GEORGIA

05-O-0667

UEZ-05-05

AN ORDINANCE
BY THE COMMUNITY DEVELOPMENT/
HUMAN RESOURCES COMMITTEE

AN ORDINANCE TO CREATE THE "COLUMBIA SENIOR RESIDENCES AT MECHNICSVILLE" HOUSING ENTERPRISE ZONE", TO BE LOCATED AT 555 McDaniel Street, Atlanta, Georgia AND FOR OTHER PURPOSES.

NPU "V" **COUNCIL DISTRICT 4**

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 "Columbia Senior Residences at Mechanicsville " 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 "Columbia Senior Residences @ Mechanicsville " 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 "Columbia Senior Residences @ Mechanicsville" 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 "Columbia Senior Residences @ Mechanicsville" Housing Enterprise Zone" is hereby created for the subject property at 555 McDaniel Street, Atlanta, Georgia. The property contains 2.956 acres of land and includes the following tax parcel code number(s) 14-0085-LL007. The effective date of all exemptions established therein shall be January 1, 2007. The "Columbia Senior Residences at Mechanicsville" Housing Enterprise Zone" shall be abolished on December 31, 2016. The "Columbia Senior Residences at Mechanicsville" Housing Enterprise Zone" shall otherwise not be abolished except as provided in State law. A legal description and map of the "Columbia Senior Residences at Mechanicsville " 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 "Columbia Senior Residences at Mechanicsville" Housing Enterprise Zone" shall be developed as a residential development project, which shall consist of 154 residential units. The project shall be developed in one phase*(s)* and shall contain 115,500 total square feet of building space. In accordance with the requirements for housing enterprise zones, 154 (100 percent) of the total 154 housing units would be designated as being "affordable" (for moderate-income residents), which would exceed the required minimum of 20 percent.

Section 4. The development of the "Columbia Senior Residential at Mechanicsville" 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.

> 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.

The "Columbia Senior Residences at Mechanicsville" Housing Enterprise Zone" shall consist of 154 total units, of which 154 units shall be one-bedroom units. The "Columbia Senior Residences at Mechanicsville" Housing Enterprise Zone" shall designate 154 of the proposed 154 total units (100%) as being "affordable", which exceeds the required minimum housing affordability provision of 20 percent of

the 154 total units. Compared to the minimum housing affordability requirement of 30 total units, to which the ratios of 100 percent for one-bedroom units (154 units), 0 percent for two-bedroom units (0 units), and 0 percent for three-bedroom units (0 units) are applied, the "Columbia Senior Residences at Mechanicsville" Housing Enterprise Zone" shall designate 154 one-bedroom units, 0 two-bedroom units, and 0 three-bedroom units as being "affordable", which exceeds the housing affordability requirements by bedroom composition.

> 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.

All of the proposed housing units within the "Columbia Senior Residences at Mechanicsville" Housing Enterprise Zone" shall be for rent and shall reflect the same ratio of bedroom composition that is proposed throughout the zone. Further, the proposed monthly rents shall not exceed 30 percent of 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 "Columbia Senior Residences at Mechanicsville" 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.

A true copy,
Pamela Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council June 6, 2005
APPROVED by the Mayor June 14, 2005

HOUSING AFFORDABILITY TABLE FOR 2004

MAXIMUM ALLOWABLE 2004 INCOME AND HOUSING PRICES FOR HOUSING AND MIXED-USE RESIDENTIAL/COMMERCIAL ENTERPRISE ZONES IN THE CITY OF ATLANTA

Family Size	Maximum Allowable Percentage Of Base Median Family Income*	Maximum Allowable Annual Income **	Maximum Allowable Annual Housing Expense***	Maximum Allowable Monthly Rent****	Maximum Sales Price *****
One Person	70	$28,980	$8,694	$725	$151,800
Two Persons	80	$33,120	$9,936	$828	$151,800
Three Persons	90	$37,260	$11,178	$932	$151,800
Four Persons	100	$41,400	$12,420	$1,035	$151,800
Five Persons	108	$44,712	$13,414	$1,118	$151,800
Six Persons	116	$48,024	$14,407	$1,201	$151,800
Seven Persons	124	$51,336	$15,401	$1,283	$151,800
Eight Persons	132	$54,648	$16,394	$1,366	$151,800

KEY

*Data were calculated using the HUD Median Family Income Base for the Atlanta Metropolitan Statistical Area (MSA) for Fiscal Year 2004 (as of January 28, 2004) for a Family Size of Four Persons, which was $69,000. Using this figure, data have been adjusted according to family size, such that family income cannot exceed 60 percent of the Median Family Income Base.

**Family Size times Maximum Allowed Base Income (Median Atlanta MSA Family Income of $69,000 times the Housing Affordability Maximum Allowed Percentage of 60 percent, which equals $41,400).

***Maximum Allowable Annual Income times 30 percent, which allows for the remaining 70 percent of the total annual income to be used for Living Expenses.

****Maximum Allowable Annual Housing Expense divided by 12.

*****The Maximum Sales Price shall not exceed 2.2 times the median family income.

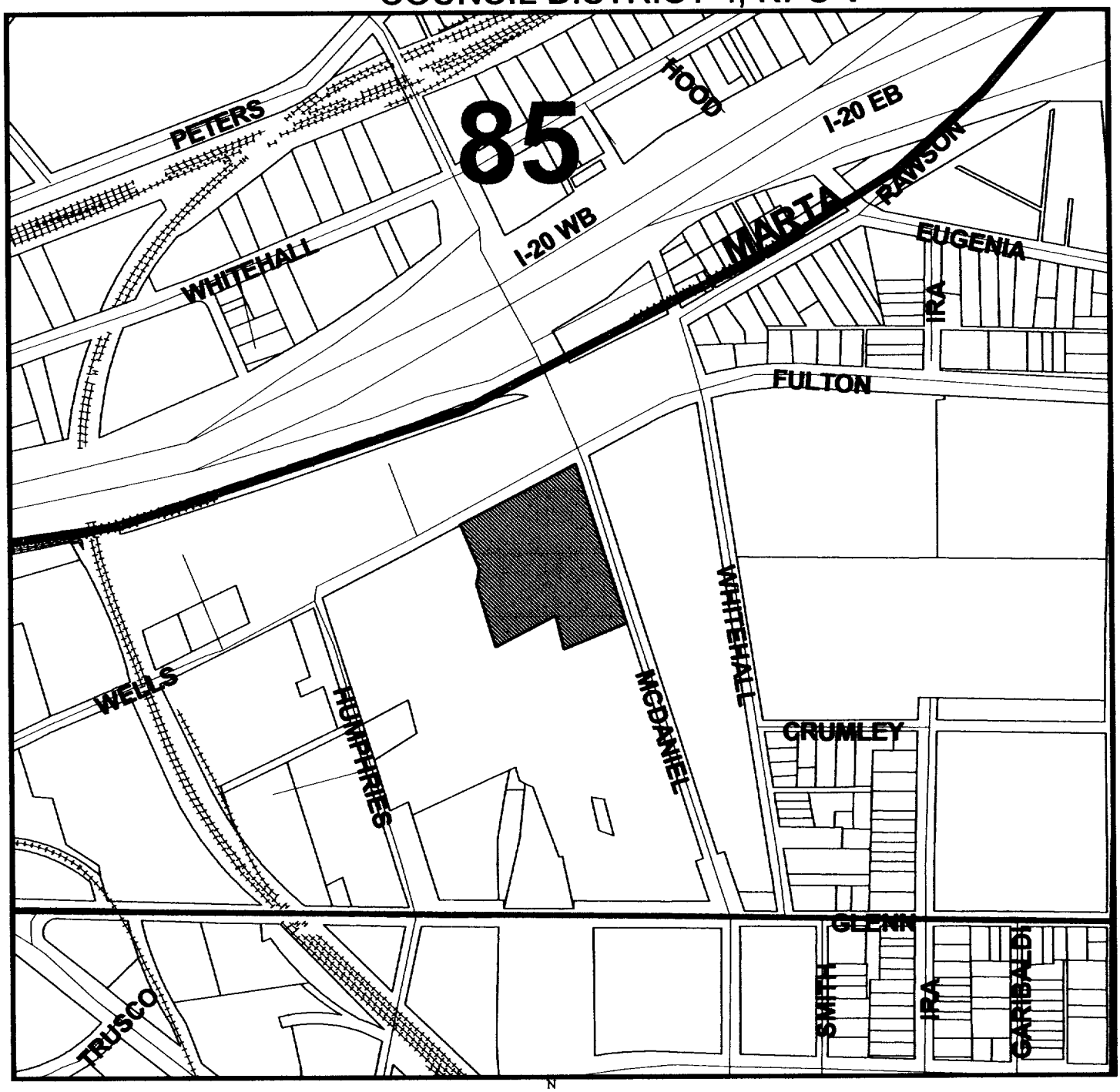
NOTES

1. The urban enterprise zone regulations determine the maximum allowable monthly rental range.
2. For rental properties, Georgia State Law allows a maximum of two persons sleeping in each bedroom.

Source: City of Atlanta Bureau of Planning calculations, based on U.S. HUD Fiscal Year 2004 Median Family Income figure of $69,000 for the Atlanta Metropolitan Statistical Area.

COLUMBIA SENIOR RESIDENCES AT MECHANICSVILLE HOUSING ENTERPRISE ZONE

TO BE LOCATED AT 555 MCDANIEL STREET, SW
DISTRICT 14, LAND LOT 85
COUNCIL DISTRICT 4, NPU V



UEZ-05-05

TAB 12: LEGAL DESCRIPTION OF THE PROPERTY

Legal Description
Block B
All that tract or parcel of land lying and being in Land Lot 85 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a point being the intersection of the westerly right of way of McDaniel Street (80' R/W) and the southerly right of way of Fulton Street (66' R/W); thence along said right of way of McDaniel Street South 17° 13' 23" East a distance of 443.65 feet to a point; thence leaving said right of way of McDaniel Street South 72° 53' 29" West a distance of 180.28 feet to a point, thence North 17° 11' 40" West a distance of 90.64 feet to a point; thence South 72° 47' 17" West a distance of 178.63 feet to a point; thence North 17° 13' 23" West a distance of 172.46 feet to a point; thence North 13° 13' 31" East a distance of 45.27 feet to a point; thence North 28° 28' 01" West a distance of 75.01 feet to a point on the southerly right of way of Fulton Street (66' R/W); thence along said right of way of Fulton Street North 61° 37' 44" East a distance of 358.33 feet to the POINT OF BEGINNING. Said tract containing 2.956 acres.

GEORGIA REGISTERED PROFESSIONAL NO. 2107 LAND SURVEYOR WALTER Y. PREVATTE

RECEIVED JAN 28 2005 BUREAU OF PLANNING

RCS# 6714
6/06/05
2:56 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG(S) 3-18 EXCEPT:05-O-0893
05-R-1006 05-R-1001
ADOPT

YEAS:	14
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	1
EXCUSED:	0
ABSENT	1

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

CONSENT I

05-O-0667
(Do Not Write Above This Line)

AN ORDINANCE BY: COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE

AN ORDINANCE BY THE COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE TO CREATE THE "COLUMBIA SENIOR RESIDENCES @ MECHANICSVILLE" HOUSING ENTERPRISE ZONE", TO BE LOCATED AT 555 MCDANIEL STREET, ATLANTA AND FOR OTHER PURPOSES.

ADOPTED BY
JUN 06 2005
COUNCIL

- ☑ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☐ PERSONAL PAPER REFER

Date Referred 5-2-2005
Referred To: CD/HR
Date Referred
Refferred To:
Date Referred
Referred To:

First Reading
Committee CD/HR
Date 4/26/05
Chair
Referred To CD/HR

Committee	Committee
CD/HR	
Date 5/10/05	Date
Chair	Chair
Action Fav, Adv, Hold (see rev. side) Other	Action Fav, Adv, Hold (see rev. side) Other
Members	Members
Refer To	Refer To

Committee CD/HR	Committee
Date 5/31/05	Date
Chair	Chair
Action Fav, Adv, Hold (see rev. side) Other	Action Fav, Adv, Hold (see rev. side) Other
Members	Members
Refer To	Refer To

FINAL COUNCIL ACTION
☑ 2nd ☐ 1st & 2nd ☐ 3rd Readings
☑ Consent ☐ V Vote ☑ RC Vote

CERTIFIED
JUN 06 2005

CERTIFIED
JUN 06 2005
Rhonda Dauphin Johnson
MUNICIPAL CLERK

MAYOR'S ACTION
Shirley Franklin