



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

**AN ORDINANCE TO CREATE THE "COLUMBIA MECHNICSVILLE  
APARTMENTS" HOUSING ENTERPRISE ZONE", TO BE LOCATED AT 500  
McDaniel Street, Atlanta, Georgia AND FOR OTHER PURPOSES.**

**NPU "V"**

**COUNCIL DISTRICT 4**

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**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 Mechanicsville 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 “Columbia Mechanicsville 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 “Columbia Mechanicsville 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.

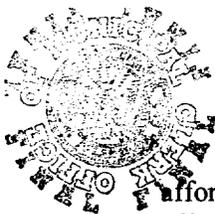
**Section 2:** The “Columbia Mechanicsville Apartments” Housing Enterprise Zone” is hereby created for the subject property at 500 McDaniel Street, Atlanta, Georgia. The property contains 5.155 acres of land and includes the following tax parcel code number(s) 14-0085-LL006. The effective date of all exemptions established therein shall be January 1, 2007. The “Columbia Mechanicsville Apartments” Housing Enterprise Zone” shall be abolished on December 31, 2016. The “Columbia Mechanicsville Apartments” Housing Enterprise Zone” shall otherwise not be abolished except as provided in State law. A legal description and map of the “Columbia Mechanicsville 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 “Columbia Mechanicsville Apartments” Housing Enterprise Zone” shall be developed as a residential development project, which shall consist of 174 residential units. The project shall be developed in one phase(s) and shall contain 180,420 total square feet of building space. In accordance with the requirements for housing enterprise zones, 87 (50 percent) of the total 174 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 Mechanicsville Apartments” 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 Mechanicsville Apartments” Housing Enterprise Zone” shall consist of 174 total units, of which 18 units shall be one-bedroom units, 104 shall be 2 bedroom units and 52 shall be 3 bedroom units. The “Columbia Mechanicsville Apartments ” Housing Enterprise Zone” shall designate 87 of the proposed 174 total units (50%) as being “affordable”, which exceeds the required minimum housing



affordability provision of 20 percent of the 174 total units. Compared to the minimum housing affordability requirement of 34 total units, to which the ratios of 10 percent for one-bedroom units (18 units), 60 percent for two-bedroom units (104 units), and 30 percent for three-bedroom units (52 units) are applied, the "Columbia Mechanicsville Apartments" Housing Enterprise Zone shall designate 4 one-bedroom units, 21 two-bedroom units, and 10 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.

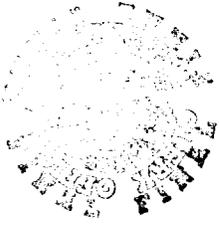
All of the proposed housing units within the "Columbia Mechanicsville Apartments" Housing Enterprise Zone shall be for rent and shall reflect the same ratio of bedroom composition that is proposed throughout the zone. Further, the proposed monthly rents shall not exceed 30 percent of the low-income level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

A true copy,  
*Phonka Daughlin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

June 6, 2005  
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**

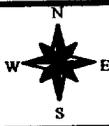
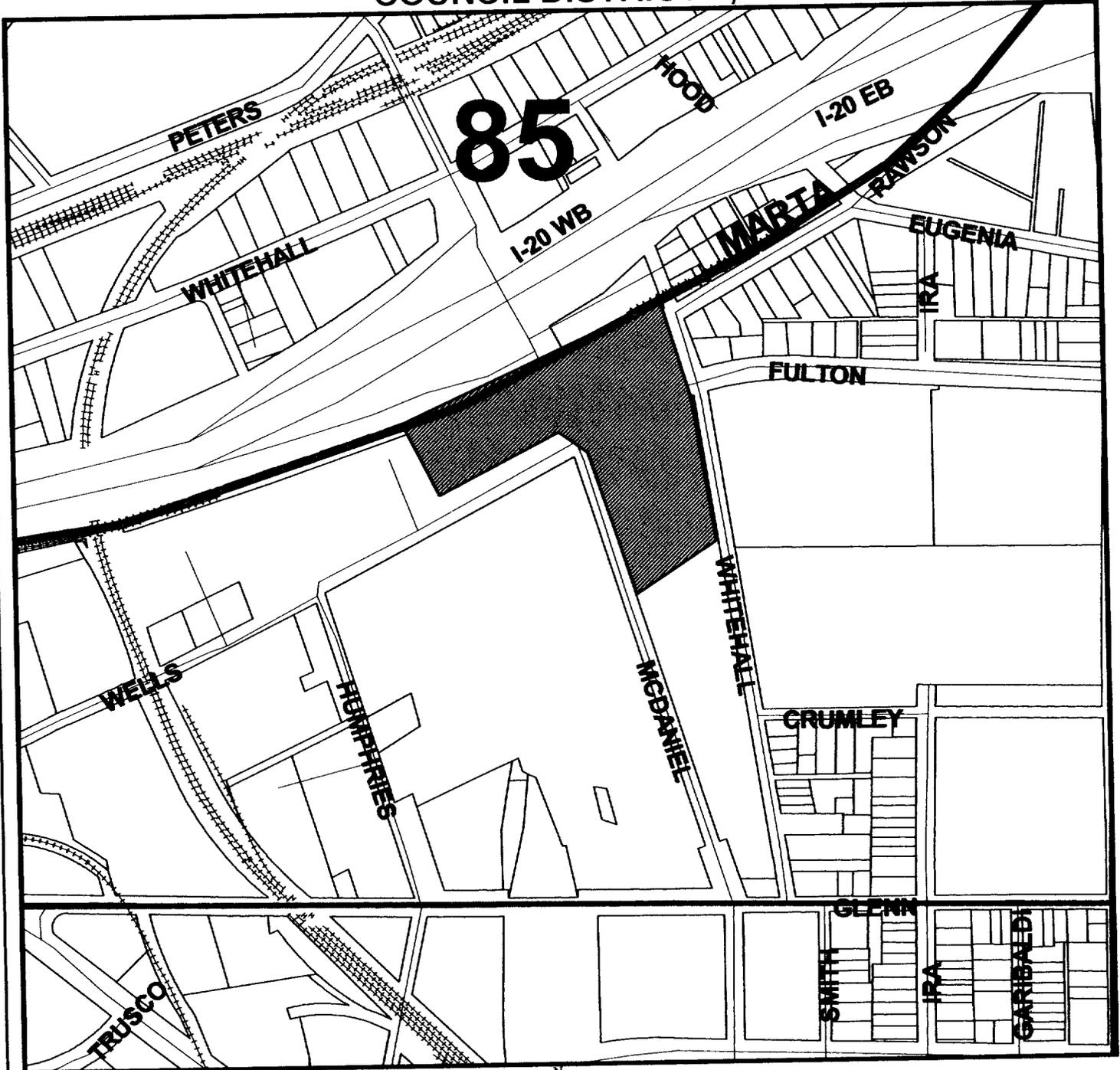
1. The urban enterprise zone regulations determine the maximum allowable monthly rental range.
2. For rental properties, Georgia State Law allows a maximum of two persons sleeping in each bedroom.

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**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 MECHANICSVILLE APARTMENTS (a/k/a MCDANIEL GLENN)

**HOUSING ENTERPRISE ZONE**  
TO BE LOCATED AT 500 MCDANIEL STREET, SW  
DISTRICT 14, LAND LOT 85  
COUNCIL DISTRICT 4, NPU V



UEZ-05-04

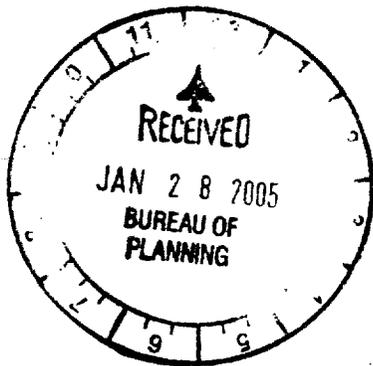
UEZ-05-04

COLUMBIA MECHANICSVILLE APARTMENTS HOUSING  
ENTERPRISE ZONE

**TAB 12: LEGAL DESCRIPTION OF THE PROPERTY**

All that tract or parcel of land lying and being in land lot 85 of the 14<sup>th</sup> District of Fulton County City of Atlanta and being more particularly described as follows:

Begin at the intersection of the eastern right-of-way of McDaniel Street (80' R/W) and the southern right-of-way of Fulton Street (66' R/W); thence N 74°12'32" W a distance of 95.35 feet to a point being the intersection of the northern right-of-way of Fulton Street (66' R/W) and the western right-of-way of McDaniel Street (80' R/W); thence along the right-of-way of Fulton Street S 61°37'44" W a distance of 360.88 feet to a point; thence leaving said right-of-way N 28°22'16" W a distance of 218.30 feet to a point; thence along a curve to the left an arc distance of 324.49 feet said curve having a radius of 10031.25 feet a chord distance of 324.48 feet and a chord bearing of N 66°51'45" E; thence N 65°29'57" E a distance of 152.86 feet to a point on the eastern right-of-way of McDaniel Street (80' R/W); thence along a curve to the left an arc distance of 296.10 feet said curve having a radius of 10031.25 feet a chord of 296.09 feet and a chord bearing of N 64°13'01" E to a point on the western right-of-way of Whitehall Terrace (40' R/W); thence along the right-of-way of Whitehall Terrace S 19°50'50" E a distance of 181.07 feet to a point being the intersection of the northern right-of-way of Fulton Street (66' R/W) and the western right-of-way of Whitehall Terrace (40' R/W); thence S 12°33'19" E a distance of 66.34 feet to a point being the intersection of the southern right-of-way of Fulton Street (66' R/W) and the western right-of-way of Whitehall Terrace (40' R/W); thence along the western right-of-way of Whitehall Terrace S 08°46'48" E a distance of 395.49 feet to a point; thence leaving said right-of-way of Whitehall Terrace and running S 72°46'37" W a distance of 235.77 feet to a point on the eastern right-of-way of McDaniel Street (80' R/W); thence along the right-of-way of McDaniel Street N 17°13'23" W a distance of 344.98 feet to a point and the point of beginning. Said tract containing a total of 6.046 Acres which includes 0.891 Acre within the rights-of-ways of Fulton Street and McDaniel Street. Net acreage is 5.155 Acres.



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

			06-06-05 Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 05-O-0891	31. 05-R-0963	49. 05-R-0794	80. 05-R-0947
2. 05-O-0890	32. 05-R-0964	50. 05-R-0796	81. 05-R-0948
3. 05-O-0894	33. 05-R-0966	51. 05-R-0797	82. 05-R-0949
4. 05-O-0668	34. 05-R-0967	52. 05-R-0798	83. 05-R-0950
5. 05-O-0667	35. 05-R-0918	53. 05-R-0802	84. 05-R-0951
6. 05-O-0899	36. 05-R-0919	54. 05-R-0803	85. 05-R-0952
7. 05-O-0816	37. 05-R-0920	55. 05-R-0804	86. 05-R-0953
8. 05-O-0817	38. 05-R-0921	56. 05-R-0808	87. 05-R-0958
9. 05-R-0983	39. 05-R-0922	57. 05-R-0809	
10. 05-R-0984	40. 05-R-0923	58. 05-R-0811	
11. 05-R-0985	41. 05-R-0924	59. 05-R-0813	
12. 05-R-0986	42. 05-R-0925	60. 05-R-0815	
13. 05-R-0987	43. 05-R-0926	61. 05-R-0928	
14. 05-R-0959	44. 05-R-0927	62. 05-R-0929	
15. 05-R-0994	45. 05-R-0954	63. 05-R-0930	
16. 05-R-0995	46. 05-R-0955	64. 05-R-0931	
17. 05-R-0996	47. 05-R-0956	65. 05-R-0932	
18. 05-R-0997	48. 05-R-0957	66. 05-R-0933	
19. 05-R-0998		67. 05-R-0934	
20. 05-R-0989		68. 05-R-0935	
21. 05-R-0974		69. 05-R-0936	
22. 05-R-0975		70. 05-R-0937	
23. 05-R-0973		71. 05-R-0938	
24. 05-R-0898		72. 05-R-0939	
25. 05-R-0977		73. 05-R-0940	
26. 05-R-0978		74. 05-R-0941	
27. 05-R-0979		75. 05-R-0942	
28. 05-R-0980		76. 05-R-0943	
29. 05-R-1000		77. 05-R-0944	
30. 05-R-0962		78. 05-R-0945	
		79. 05-R-0946	

**05-0-0668**  
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**AN ORDINANCE BY THE COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

**AN ORDINANCE BY THE COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE TO CREATE THE "COLUMBIA MECHANICSVILLE APARTMENTS" HOUSING ENTERPRISE ZONE", TO BE LOCATED AT AT 500 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: \_\_\_\_\_  
 Referred To: \_\_\_\_\_  
 Date Referred: \_\_\_\_\_  
 Referred To: \_\_\_\_\_

First Reading

Committee Date Chair Referred To  
C/HR 5/13/05 [Signature]

Committee Date Chair  
C/HR 5/13/05 [Signature]

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

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

Members

Members

Refer To

Refer To

Committee Date Chair

Committee Date 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
  - Consent
  - V Vote
  - RC Vote

**CERTIFIED**  
 JUN 06 2005  
 [Signature]

**CERTIFIED**  
 JUN 06 2005  
 [Signature]  
 MUNICIPAL CLERK

**MAYOR'S ACTION**  
 [Signature]