CITY COUNCIL
ATLANTA, GEORGIA

06-O-2291

AN ORDINANCE

BY COUNCILMEMBERS CEASAR C. MITCHELL, JIM MADDOX, H. LAMAR WILLIS, CARLA SMITH, CLAIR MULLER, JOYCE M. SHEPERD, CLETA WINSLOW, IVORY LEE YOUNG, Jr., KWANZA HALL AND MARY NORWOOD

AS SUBSTITUTED AND AMENDED BY
COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE
AND AMENDED BY COUNCIL (11/20/06)

CREATING THE CITY OF ATLANTA TAX ALLOCATION DISTRICT NUMBER TEN – STADIUM NEIGHBORHOODS; DESIGNATING THE BOUNDARIES OF THE STADIUM NEIGHBORHOODS TAX ALLOCATION DISTRICT; ESTABLISHING THE TAX ALLOCATION INCREMENT BASE FOR THE STADIUM NEIGHBORHOODS TAX ALLOCATION DISTRICT; ADOPTING A REDEVELOPMENT PLAN FOR THE STADIUM NEIGHBORHOODS TAX ALLOCATION DISTRICT; ESTABLISHING THE INTENT TO ISSUE AND SELL TAX ALLOCATION BONDS, NOTES OR OTHER OBLIGATIONS AND/OR TO OTHERWISE USE TAX ALLOCATION INCREMENTS TO FUND REDEVELOPMENT COSTS NECESSARY TO EFFECTUATE THE REDEVELOPMENT OF THE STADIUM NEIGHBORHOODS TAX ALLOCATION DISTRICT; 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 as a whole; 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 Stadium Neighborhoods Tax Allocation District (sometimes referred to as the "Stadium Neighborhoods TAD"), as such area is described in Appendix 5 to the document entitled "Tax Allocation District Redevelopment Plan for the Stadium Neighborhoods Tax Allocation District" (sometimes referred to as the "Redevelopment Plan"), which is attached hereto and incorporated herein by this reference, in order to abate or eliminate deleterious effects of its current depressed and underutilized state; and

WHEREAS, the Council finds that the Stadium Neighborhoods Tax Allocation District as a whole has not been subject to development or redevelopment, particularly when compared to the redevelopment activity taking place in other areas of the City, and in fact has suffered from conditions which will continue to have a negative impact on or otherwise arrest development within such area without the economic incentives available under the Redevelopment Powers Law; and

WHEREAS, the Council finds that the Stadium Neighborhoods Tax Allocation District on the whole suffers from 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 Stadium Neighborhoods Tax Allocation District on the whole 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 on the whole is less desirable than the redevelopment of the area for new commercial, residential, office, and other uses, including the provision of additional parkland as well as pedestrian and transportation improvements; and

WHEREAS, adoption of the Redevelopment Plan for the Stadium Neighborhoods Tax Allocation District (sometimes referred to as the "Redevelopment Plan") and creation of the Stadium Neighborhoods Tax Allocation District is necessary to assure that the City of Atlanta maintains its historical position as the commercial center of the region and provides balanced quality of life and access to economic development opportunities throughout the City; and

WHEREAS, the City recognizes that new parking facilities, streetscapes, sidewalks, parks, retail, other public infrastructure, commercial and employment centers, improved connectivity to alternative transportation facilities, and new housing are needed to create an attractive and prosperous community and restore balance to economic opportunities visited upon by other areas of the City; and

WHEREAS, the creation and implementation of the Stadium Neighborhoods TAD can provide incentives and initial funding to catalyze the rehabilitation and redevelopment of areas within the Stadium Neighborhoods TAD; 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 Stadium Neighborhoods TAD on the whole 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 Stadium Neighborhoods TAD pursuant to O.C.G.A. § 36-44-3(9) to be used as the framework for the implementation of the redevelopment activities contemplated within the Stadium Neighborhoods TAD; and

WHEREAS, the City recognizes that the Redevelopment Plan is a tool by which to realize the redevelopment potential yet to be obtained in the Stadium Neighborhoods TAD and the adoption of the Redevelopment Plan does not supersede or modify the current zoning regulations on those properties referenced in the Redevelopment Plan or otherwise contained in the Stadium Neighborhoods TAD; and

WHEREAS, the City recognizes the importance of community involvement in the Stadium Neighborhoods TAD implementation process, as well as the importance of balanced and equitable development throughout the Stadium Neighborhoods TAD; and

WHEREAS, the Council of the City of Atlanta desires to adopt the Redevelopment Plan for the Stadium Neighborhoods Tax Allocation District and create Tax Allocation District Number Ten – Stadium Neighborhoods.

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

Section 1. The City of Atlanta finds and declares that the Stadium Neighborhoods Tax Allocation District on the whole 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 Redevelopment Plan.

Section 2. The City of Atlanta finds and declares that improvement of the Stadium Neighborhoods Tax Allocation District is likely to enhance the value of a substantial portion of other real property located within the district.

Section 3. The City of Atlanta approves the attached Redevelopment Plan prepared by the ADA as the Redevelopment Plan for the aforesaid area pursuant to the Redevelopment Powers Law, and incorporates such Redevelopment Plan, including all Appendices and Exhibits thereto, by reference as if fully set forth hereinafter.

Section 4. The City of Atlanta hereby creates its **Tax Allocation District Number Ten – Stadium Neighborhoods** (the "Stadium Neighborhoods TAD") pursuant to the

Redevelopment Plan and the Redevelopment Powers Law. The boundaries of the Stadium Neighborhoods TAD shall be as indicated on the map and boundary description included as Appendix 5 to the Redevelopment Plan and shall consist of those tax parcels identified on the list attached as Appendix 3 to the Redevelopment Plan, such Appendices being incorporated herein by reference.

Section 5. Tax Allocation District Number Ten – Stadium Neighborhoods is hereby created as of December 31, 2006, and shall continue in existence for twenty-five (25) years. All redevelopment costs, including financing costs and debt service on tax allocation bonds, notes and other obligations, shall be paid in full by December 31, 2031.

Section 6. The City of Atlanta hereby establishes the **estimated tax allocation increment base of $21,688,240** for the Stadium Neighborhoods Tax Allocation District, subject to certification by the state revenue commissioner as provided in O.C.G.A. § 36-44-10. The ad valorem property taxes to be used for computing tax allocation increments are specified in the attached Redevelopment Plan and are incorporated herein by reference; provided, however, that the term "ad valorem property taxes" shall for all purposes exclude ad valorem property taxes levied on personal property and motor vehicles, and those ad valorem property taxes levied on the assessed value of property owned by public utilities and railroad companies (consistent with the amendments to the Redevelopment Powers Law contained in the provisions of House Bill 1361). Inclusion of ad valorem taxes levied by Fulton County and the Atlanta Board of Education in the computation of the tax allocation increment is contingent upon the consent of such bodies for the inclusion of their respective shares of ad valorem taxes in such computation.

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 Stadium Neighborhoods Tax Allocation District pursuant to the framework set forth in Redevelopment Plan and under the Redevelopment Powers Law.

Section 8. The City of Atlanta intends to authorize the issuance of tax allocation bonds, notes or other obligations and such other redevelopment bonds as may be necessary to implement provisions of the Redevelopment Plan. Prior to the issuance of tax allocation bonds, notes or other obligations or the use of tax allocation increments to fund the payment of redevelopment costs (as defined under the Redevelopment Powers Law), ADA shall establish an Advisory Committee to make recommendations to ADA and the City on projects to be funded from tax allocation bond proceeds, tax allocation increment or other funds generated by the Stadium Neighborhoods Tax Allocation District. The Advisory Committee, shall include, among others, one (1) representative from each of the Mechanicsville, Peoplestown and Summerhill neighborhoods as nominated by NPU-V or other applicable neighborhood planning unit. **Prior to development, a post-development traffic impact study has been completed and shared with the affected neighborhoods and that the Redevelopment agent, in concert with the residents of the affected neighborhoods, has developed a detailed transportation plan to improve public transportation access to the stadium neighborhoods areas.**

Section 9. ADA, in consultation with the Advisory Committee, shall identify project specific Community Benefits, as applicable, which will be embodied in the ADA

development agreement relating to all projects receiving tax allocation district funding. Such Community Benefits, as applicable, may include, but shall not be limited to, the following project attributes: (i.) an employment opportunity notification, recruitment and training plan; (ii.) an inclusionary marketing and promotion of commercial and retail leasing opportunities to local businesses; (iii.) workforce affordable housing; (iv.) a housing opportunity marketing plan for City employees, Public Safety personnel, Educators and other public sector employees; (v.) greenspace and open space provisions; and (vi.) green building principles and practices. Notwithstanding the foregoing, before the issuance of the initial series of tax allocation bonds, ADA, in consultation with the City and the Advisory Committee, shall adopt an affordable housing policy, as may be amended from time to time.

Section 10. The Council authorizes the use of the tax allocation increments and the proceeds of such bonds, notes or other obligations relating to the Stadium Neighborhoods Tax Allocation District by the ADA and the City of Atlanta for any and all eligible uses including, without limitation, costs of issuance of such tax allocation bonds, notes or other obligations, capital costs of public and private improvements, including but not limited to streets, bridges, utilities, storm and sanitary sewers; capital improvements related to transit; parks, trails, recreational facilities, parking facilities, sidewalks and streetscapes, and arts and cultural facilities and installations; professional services costs, including fees for architectural, engineering, legal and environmental services, and peer review, and such other uses deemed necessary or appropriate pursuant to provisions of the Redevelopment Plan and the Redevelopment Powers Law.

Section 11. 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 Ten – Stadium Neighborhoods; provided, however, that the term "ad valorem property taxes" shall for all purposes exclude ad valorem property taxes levied on personal property and motor vehicles, and those ad valorem property taxes levied on the assessed value of property owned by public utilities and railroad companies (consistent with the amendments to the Redevelopment Powers Law contained in the provisions of House Bill 1361).

Section 12. 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 by the Council **NOV 20, 2006**
APPROVED by the Mayor **NOV 28, 2006**

tad ordinance(stadium nhds)v5

STADIUM NEIGHBORHOODS REDEVELOPMENT PLAN

RCS# 706
11/20/06
2:43 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE 06-O-2292,06-O-2290,06-O-2291 SUB

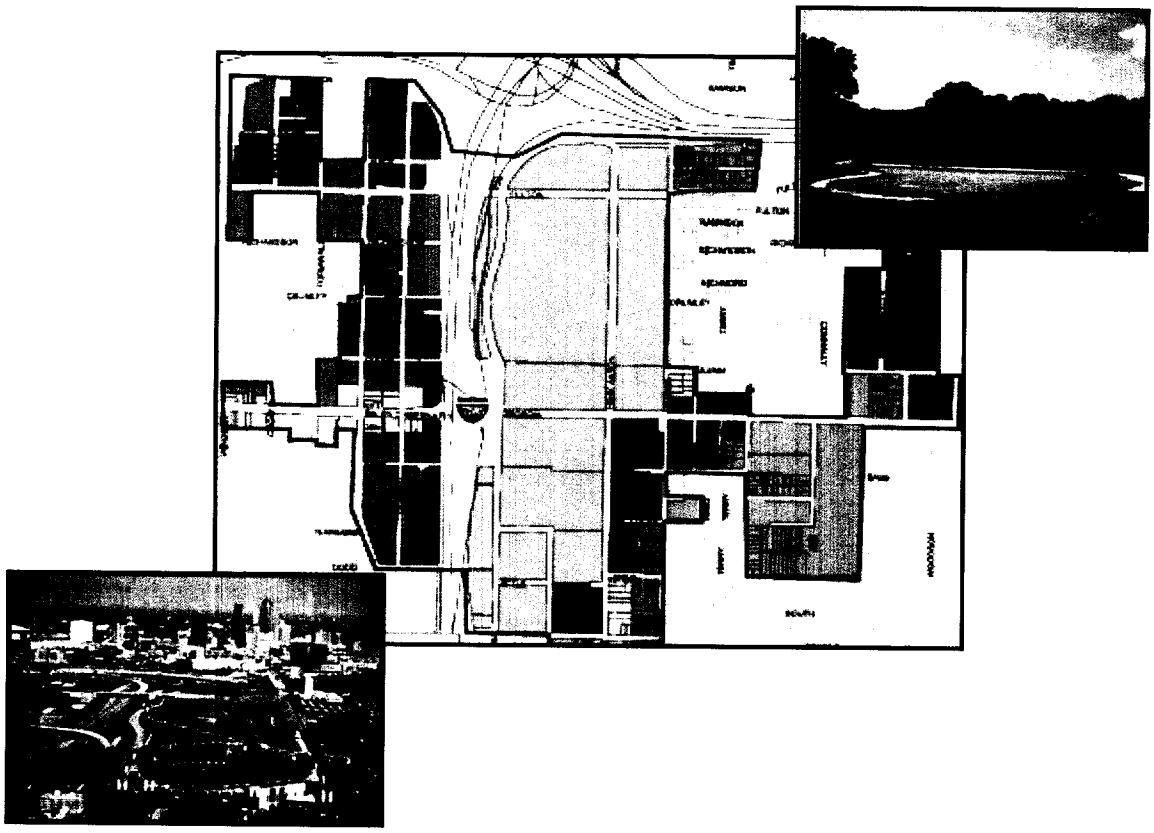
ADOPT AS AMEND

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

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

MULTIPLE

Tax Allocation District Redevelopment Plan
for the
Stadium Neighborhoods Tax Allocation District
Atlanta, Georgia



Prepared for:
The City of Atlanta
The Atlanta Public Schools Board of Education
The Fulton County Commission

October 12, 2006

Atlanta

ADA
Atlanta Development Authority

#21

06-O-2291

(Do Not Write Above This Line)

AN ORDINANCE CREATING THE CITY OF ATLANTA TAX ALLOCATION DISTRICT NUMBER TEN - STADIUM NEIGHBORHOODS; DESIGNATING THE BOUNDARIES OF THE STADIUM NEIGHBORHOODS TAX ALLOCATION DISTRICT; ESTABLISHING THE TAX ALLOCATION INCREMENT BASE FOR THE STADIUM NEIGHBORHOODS TAX ALLOCATION DISTRICT; ADOPTING A REDEVELOPMENT PLAN FOR THE STADIUM NEIGHBORHOODS TAX ALLOCATION DISTRICT; ESTABLISHING THE INTENT TO ISSUE AND SELL TAX ALLOCATION BONDS, NOTES OR OTHER OBLIGATIONS AND/OR TO OTHERWISE USE TAX ALLOCATION INCREMENTS TO FUND REDEVELOPMENT COSTS NECESSARY TO EFFECTUATE THE REDEVELOPMENT OF THE STADUIUM NEIGHBORHOODS TAX ALLOCATION DISTRICT; AUTHORIZING ATLANTA DEVELOPMENT AGENT TO IMPLEMENT THE REDEVELOPMENT PLAN PURSUANT TO THE REDEVELOPMENT POWERS LAW AND THE URBAN REDEVELOPMENT LAW; AND FOR OTHER PURPOSES.

Substitute as Amended

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

Date Referred 10/16/06

Referred To: CD/HR

Date Referred

Refferred To:

Date Referred

Referred To:

First Reading

Committee

Date

Chair

Referred To

Committee CD/HR	Committee
Date 10/31/06	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 11/14/06	Date
Chair	Chair
Action Fav, Adv, Hold (see rev. side) Other Subst. as Amended	Action Fav, Adv, Hold (see rev. side) Other
Members Approved on Condition	Members
	ADOPTED BY NOV 20 2006 COUNCIL
Refer To	Refer To

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd Readings

☐ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

CERTIFIED NOV 20 2006 PRESIDENT

CERTIFIED NOV 20 2006 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED NOV 28 2006 MAYOR