

**A SUBSTITUTE ORDINANCE BY
COMMUNITY DEVELOPMENT AND HUMAN RESOURCES COMMITTEE**

AN ORDINANCE TO AMEND SECTIONS 3 AND 4 OF ORDINANCE 04-O-0656, ENTITLED “THE VINEYARDS OF BROWN’S MILL HOUSING ENTERPRISE ZONE, TO BE LOACTED ON THREE PARCELS AT SOUTHWEST CORNER OF CLEVELAND AVENUE, S.E., AND JONESBORO ROAD, S.E.; AND FOR OTHER PURPOSES.

WHEREAS, the Vineyards of Brown’s Mill Housing Enterprise Zone (“Brown’s Mill”) was designated by the City of Atlanta by Ordinance 04-O-0656 (“Ordinance”), adopted by the City Council on May 17, 2004 and approved by the Mayor on May 25, 2005; and

WHEREAS, the Department of Planning and Community Development desires to amend Sections 3 and 4 of the Ordinance; and

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS as follows:

Section 1: That the Vineyards of Brown’s Mill Housing Enterprise Zone designated by the City of Atlanta by Ordinance 04-O-0656 (“Ordinance”), adopted by the City Council on May 17, 2004 and approved by the Mayor on May 25, 2005, which Section 3 of said Ordinance reads:

Section 3: “The Vineyards of Brown’s Mill Housing Enterprise Zone” shall be developed as a residential development project with 262 total units, which shall consist of 220 apartment units and 42 single-family for-sale units. The project shall be developed in on phase and shall contain 374,100 total square feet of building space. In accordance with the requirements for housing enterprise zones, 164 units (63 percent) of the total 262 housing units would be designated as being “affordable” (for moderate-income residents), which would exceed the required minimum of 20 percent.”

Is hereby amended to read as follows:

Section 3: “The Vineyards of Brown’s Mill Housing Enterprise Zone” shall be developed as a residential development project with 237 total units, which shall consist of 211 apartment units and 26 single-family for-sale units. The project shall be developed in on phase and shall contain 374,100 total square feet of building space. In accordance with the requirements for housing enterprise zones, 163 units (63 percent) of the total 237 housing units would be designated as being “affordable” (for moderate-income residents), which would exceed the required minimum of 20 percent.”

SECTION 2: That Section 4 of the Ordinance which reads:

Section 4. The development of the “Vineyards of Brown’s Mill 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 Vineyards of Brown’s Mill Housing Enterprise Zone” shall consist of 262 units, including 220 apartment units (84%) and 42 single-family (for sale) dwellings (16%). Of the 220 apartment units, 56 units shall be one-bedroom units (25.5%), 132 units shall be two-bedroom units (60.0%), and 32 units shall be three-bedroom units (14.5%). “The Vineyards of Brown’s Mill Housing Enterprise Zone” shall designate 164 of the proposed 262 total units (63%) as being “affordable”, which exceeds the required minimum housing affordability requirement of 52 total units, to which the ratios of 84% for apartment units (44 units) and 16% for single-family dwellings (8 units) are applied, “The Vineyards of Brown’s Mill Housing Enterprise Zone” shall designate 156 apartment units and 8 single-family dwellings as being “affordable”. Further, for the required 44 affordable apartment units, to which the ratios of 25.2 percent for one-bedroom units (11units), 60.0 percent for two-bedroom units (26 units), and 14.5 percent for three-bedroom units (7 units) are applied, and the remaining “The Vineyards of Brown’s Mill Housing Enterprise Zone” shall designate 39 one-bedroom units, 91 two-bedroom units, and 26 three-bedroom units as being “affordable”, which exceed the housing affordability requirements by bedroom composition. The remaining 8 of the required 52 total affordable units shall be affordable single-family dwellings, which meets the specified requirement. In addition, the single-family homes shall sell for \$140,000 each, which would be less than the allowable maximum of \$151,360 for affordable units, thereby exceeding the specified requirement for affordable sales prices.

Is hereby amended to read as follows:

Section 4. The development of the “Vineyards of Brown’s Mill 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 Vineyards of Brown’s Mill Housing Enterprise Zone” shall consist of 237 units, including 211 apartment units (89%) and 26 single-family (for sale) dwellings (11%). “The Vineyards of Brown’s Mill Housing Enterprise Zone” shall designate 163 of the proposed 237 total units (63%) as being “affordable”. “The Vineyards of Brown’s Mill Housing Enterprise Zone” shall designate 156 apartment units and 8 single-family dwellings as being “affordable”. Further, for the required 44 affordable apartment units, to which the ratios of 25.2 percent for one-bedroom units (11units), 60.0

percent for two-bedroom units (26 units), and 14.5 percent for three-bedroom units (7 units) are applied, and the remaining “The Vineyards of Brown’s Mill Housing Enterprise Zone” shall designate 39 one-bedroom units, 91 two-bedroom units, and 26 three-bedroom units as being “affordable”, which exceed the housing affordability requirements by bedroom composition. The remaining 8 of the required 52 total affordable units shall be affordable single-family dwellings, which meets the specified requirement.

Section 3: That Section 4 of the Ordinance which reads:

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.

Is hereby amended to read as follows:

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 as the type and composition of the market rate apartment units, and that the affordable single family homes should reflect the same general housing type and bedroom compositions as the market rate single family homes. That is proposed throughout the zone, and shall be within the ability to pay of those households whose annual income does not exceed 100 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.

Section 4: That Section 4 of the Ordinance which reads:

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 through 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 (HUD), and as adjusted for household size in accordance with HUD procedures.

Is hereby amended to read as follows:

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 through the zone.