

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

**AN ORDINANCE TO AMEND SECTIONS 2, 3, AND 4 OF ORDINANCE 04-O-0653, ENTITLED “THE ST. JOHN’S PLACE HOUSING ENTERPRISE ZONE”, TO BE LOCATED AT 545 ST. JOHNS AVENUE, S.W. (CONSOLIDATED FROM NUMEROUS PARCELS ON ST. JOHNS AVENUE, S.W. AND ADAMS STREET, S.W.); AND FOR OTHER PURPOSES.**

**WHEREAS**, the St. John’s Place Housing Enterprise Zone (“St. John’s”) was designated by the City of Atlanta by Ordinance 04-O-0635 (“Ordinance”), adopted by the City Council on May 17m, 2004 and approved by the Mayor on May 25, 2005; and

**WHEREAS**, the Department of Planning and Community Development desires to amend Sections 2, 3, and 4 of the Ordinance.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GORGIA HEREBY ORDAINS as follows:**

**Section 1:** That the St. John’s Place Housing Enterprise Zone (“St. John’s”) was designated by the City of Atlanta by Ordinance 04-O-0653 (“Ordinance”) adopted by the City Council on May 17, 2004 and approved by the mayor on May 25, 2005, and that Section 3 of said Ordinance is hereby deleted in its entirety.

**Section 2:** That Sections 4, 5, and 6 of the Ordinance shall be redesignated as Sections 3, 4, and 5.

**Section 3:** That Section 4 of the Ordinance which was previously redesignated as Section 3, by the aforesaid Section 2, which reads:

**Section 4.** The development of the “St. John’s Place 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 “St. John’s Place Housing Enterprise Zone” shall consist of 19 total units, of which all 19 units shall be three-bedroom units (100%). The “St. John’s Place Housing Enterprise Zone” shall designated 4 of the proposed 19 total units (21%) as being “affordable”, which exceeds the required minimum housing affordability provision of 20 percent of the 19 total units (1 unit). Compared to the minimum housing affordability requirement of 4 total units, to which the ratio of 100 percent of the three bedroom (4 units) is applied, the “St. John’s Place Housing Enterprise Zone” shall designated 4 three-bedroom units as being “affordable”, which meets the housing affordability requirements by bedroom

compositions. Further, the sales price of \$151,360 for each affordable unit would meet the requirements.

Is hereby amended to read as follows:

**Section 3.** The development of the “St. John’s Place 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 “St. John’s Place Housing Enterprise Zone” shall consist of 23 total units, of which all 23 units shall be three-bedroom units (100%). The “St. John’s Place Housing Enterprise Zone” shall designated 5 of the proposed 23 total units (21%) as being “affordable”, which exceeds the required minimum housing affordability provision of 20 percent of the 23 total units (5 units). Compared to the minimum housing affordability requirement of 5 total units, to which the ratio of 100 percent of the three bedroom (4 units) is applied, the “St. John’s Place Housing Enterprise Zone” shall designated 5 three-bedroom units as being “affordable”, which meets the housing affordability requirements by bedroom compositions. Further, the sales price of \$151,360 for each affordable unit would meet the requirements.

**Section 3:** That Section 3 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:

**Section 5:** The Municipal Clerk is hereby directed to transmit a copy of this Ordinance as well as the legal description of the “St. John’s Place Housing Enterprise Zone” to the Tax Commissioner of Fulton County, to the Commissioner of the Department of Community Affairs or 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.

Is hereby amended to read as follows:

**Section 4:** The Municipal Clerk is hereby directed to transmit a copy of this Amended Ordinance as well as the legal description of the “St. John’s Place Housing Enterprise Zone” to the Tax Commissioner of Fulton County, to the Commissioner of the Department of Community Affairs or 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 5:** That the Ordinance is hereby amended by adding a new **Section 7** which shall read as follows:

**Section 7:** All abatements for this project will begin at the point that a Certificate of occupancy is issued for each respective unit.

**Section 6:** All ordinance and parts of ordinances in conflict herewith are hereby waived for the purposes of this Ordinance only, and only to the extent of the conflict.