

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

AN ORDINANCE TO AMEND ORDINANCE 02-O-1550, ENTITLED "AN ORDINANCE TO CREATE THE LEGACY SUPERBLOCK AT CASTLEBERRY HILL MIXED-USE RESIDENTIAL/COMMERCIAL ENTERPRISE ZONE", TO BE LOCATED AT CASTLEBERRY HILL (PROPERTY THAT IS BOUNDED GENERALLY BY NORTHSIDE DRIVE, LARKIN STREET, WALKER STREET, AND MCDANIEL STREET)", FOR THE PURPOSE OF ADDING A NEW SECTION THAT WOULD SPECIFY THAT FOR SALE UNITS SHALL BE AT 100% OF THE AVERAGE MEDIAN INCOME ("AMI") AND RENTAL UNITS SHALL BE CHARGED AT 60% OF THE AMI; AND FOR OTHER PURPOSES.

WHEREAS, the Legacy Superblock at Castleberry Hill, a Mixed-Use Residential/Commercial Enterprise Zone ("Legacy Superblock") was designated by Ordinance 02-O-1550 ("Ordinance"), adopted by the City Council on November 4, 2002 and approved by the Mayor on November 8, 2002; and

WHEREAS, the Department of Planning and Community Development ("Department") wishes to amend the Ordinance by changing the effective date of all exemptions contained in the Ordinance to reflect the date on the Certificate of Occupancy for the unit(s) issued.

WHEREAS, the Department also desires to amend the Ordinance by adding a new Section 5 that would specify that for sale units within the Legacy Superblock shall be at 100% of the Average Median Income ("AMI").

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

Section 1: That the second sentence of Section 2 of the Ordinance which reads:

Section 2: The effective date of all exemptions established therein shall be January 1, 2003.

Is hereby amended to read as follows:

Section 2: That the exemption date for each unit sold or rented shall be the date that the Certificate of occupancy for the unit is issued.

Section 2: That the Ordinance shall be amended by adding a new Section 5 to read as follows:

Section 5: That for sale units shall be at 100% of the Average Median Income ("AMI") and that rental units shall be charged at 60% of the AMI.

Section 3: That the Ordinance is hereby amended by adding a new Section 6 to read as follows:

Section 6: All abatements for this project will begin at the point that a Certificate of Occupancy is issued for each respective units.

Section 7: 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.