

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

AN ORDINANCE TO CREATE THE "NORTHWEST VILLAGE SENIOR HOUSING ENTERPRISE ZONE", LOCATED IN DISTRICT 17, CITY OF ATLANTA, LAND LOT 258, PARCEL NUMBER 17-0258-LL-112-7; TO PROVIDE NOTIFICATION TO THE TAX COMMISSIONER, SCHOOL SUPERINTENDENT AND THE DEPARTMENT OF COMMUNITY AFFAIRS; AND FOR OTHER PURPOSES.

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 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 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 Enterprises Zone Act, as amended, have been met relative to the creation of the proposed “Northwest Village Senior Housing Enterprises Zone.”

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 “Northwest Village Senior 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 “Northwest Village Senior 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 “Northwest Village Housing Enterprise Zone” is hereby created for the subject property, to be located in District 17, City of Atlanta, land lot 258, parcel number 17-0258-LL-112-7. The effective date of all exemptions established therein shall be January 1, 2008. The “Northwest Village Senior Housing Enterprise Zone” shall be abolished on December 31, 2019. The “Northwest Village Senior Housing Enterprise Zone” shall otherwise not be abolished except as provided in State law. A legal description and map of the “Northwest Village Senior Housing Enterprise Zone” are attached hereto as Exhibits “A” and “B”, 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 Municipal Clerk is hereby directed to transmit a copy of this Ordinance as well as the legal description of the “Northwest Village Senior 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.

SECTION 4: That all Ordinances and parts of Ordinances that are in conflict herewith are hereby repealed to the extent of the conflict.

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: Community Development/ Human Resources Committee

Caption: AN ORDINANCE TO CREATE THE "NORTHWEST VILLAGE SENIOR HOUSING ENTERPRISE ZONE", LOCATED IN DISTRICT 17, CITY OF ATLANTA, LAND LOT 258, PARCEL NUMBER 17-0258-LL-112-7; TO PROVIDE NOTIFICATION TO THE TAX COMMISSIONER, SCHOOL SUPERINTENDENT AND THE DEPARTMENT OF COMMUNITY AFFAIRS; AND FOR OTHER PURPOSES.

Council Meeting Date: December 3, 2007

Requesting Dept.: Department of Planning

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

The purpose of this legislation to create a senior housing enterprise zone NPU G, District 9. 220 units to be constructed for persons 55-plus age.

2. Please provide background information regarding this legislation.

The HEZ is consistent with the city's goal of providing affordable housing.

3. If Applicable/Known:

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** NA

(b) **Source Selection:**

(c) **Bids/Proposals Due:**

(d) **Invitations Issued:**

(e) **Number of Bids:**

(f) Proposals Received:

(g) Bidders/Proponents:

(h) Term of Contract:

4. Fund Account Center:

Fund: _____ Account: _____ Center: _____

5. Source of Funds:

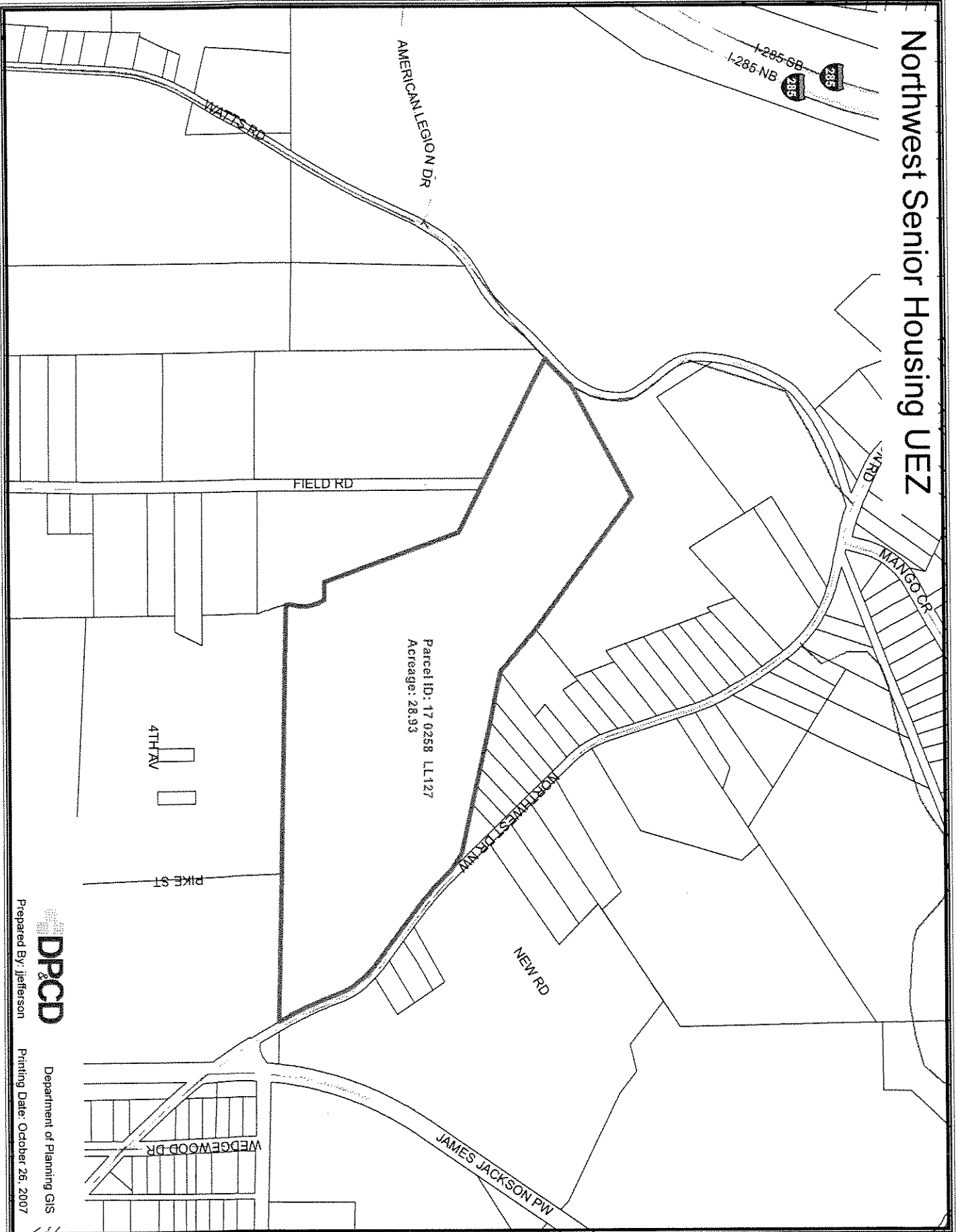
6. Fiscal Impact: The HEZ is an abatement program, therefore city property taxes for the units built as a result of this project would be abated for the time period specified by the HEZ policy and the city would begin to receive taxes on a prorated share in the 6th year of project..

7. Method of Cost Recovery: City property taxes will be generated after the abatement period.

This Legislative Request Form Was Prepared By: garnett brown



Northwest Senior Housing UEZ



ATTACHMENT "B"--NORTHWEST SENIOR UEZ PROJECT

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 258 of the 17th District, Fulton County, Georgia and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, Commence at the intersection of the South Line of Land Lot 258 and the Easterly right of way line of Northwest Drive (Apparent 40' right of way), thence along said right of way line 1127.00 to an iron pin found, said point being the TRUE POINT OF BEGINNING, thence continuing along said right of way line the following courses and distances: North 44 degrees 31 minutes 48 seconds West a distance of 120.00 feet to a point; thence North 44 degrees 28 minutes 31 seconds West a distance of 126.56 feet to a point; thence North 42 degrees 26 minutes 17 seconds West a distance of 91.72 feet to a point; thence 111.36 feet along an arc of a curve to the right, said curve having a radius of 324.20 feet and a chord bearing and distance of North 32 degrees 17 minutes 34 seconds West 110.82 feet to a point; thence continuing along said right of way line 26.47 feet along an arc of a curve to the right, said curve having a radius of 324.20 feet and a chord bearing and distance of North 20 degrees 06 minutes 48 seconds West 26.46 feet to a point; thence North 17 degrees 35 minutes 16 seconds West a distance of 312.14 feet to a point; thence leaving said right of way line North 58 degrees 35 minutes 30 seconds East a distance of 280.31 feet to an iron pin found (1" Open Top Pipe); thence North 70 degrees 21 minutes 32 seconds West a distance of 84.96 feet to an iron pin found (1" Open Top Pipe); thence North 18 degrees 15 minutes 50 seconds East a distance of 148.08 feet to an iron pin found; thence North 61 degrees 05 minutes 29 seconds West a distance of 214.84 feet to a point; thence North 25 degrees 55 minutes 56 seconds East a distance of 420.06 feet to a point; thence North 70 degrees 22 minutes 11 seconds East a distance of 434.90 feet to an iron pin found (1" Open Top Pipe); thence South 83 degrees 59 minutes 30 seconds East a distance of 470.80 feet to an iron pin set; thence South 00 degrees 15 minutes 05 seconds East a distance of 247.30 feet to an iron pin found; thence South 00 degrees 46 minutes 54 seconds West a distance of 656.79 feet to a 2" open top pipe found; thence South 45 degrees 50 minutes 43 seconds West a distance of 115.86 feet to a 1" open top pipe found; thence South 45 degrees 44 minutes 06 seconds West a distance of 380.56 feet to a 2" crimp top pipe found; thence South 46 degrees 24 minutes 24 seconds West a distance of 439.38 feet to a iron pin found and the TRUE POINT OF BEGINNING.

Said tract containing 28.364 acres.



TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Garnett Brown

Contact Number: 404-330-6724

Originating Department: Department of Planning/ Bureau of Housing

Committee(s) of Purview: Finance/ Executive Committee

Chief of Staff Deadline: November 9, 2007

Anticipated Committee Meeting Date(s): November 27-28, 2007

Anticipated Full Council Date: December 3, 2007

Legislative Counsel's Signature: [Signature]

Commissioner Signature: [Signature]

Chief Procurement Officer Signature: _____

CAPTION

AN ORDINANCE TO CREATE THE "NORTHWEST VILLAGE SENIOR HOUSING ENTERPRISE ZONE", LOCATED IN DISTRICT 17, CITY OF ATLANTA, LAND LOT 258, PARCEL NUMBER 17-0258-LL-112-7; TO PROVIDE NOTIFICATION TO THE TAX COMMISSIONER, SCHOOL SUPERINTENDENT AND THE DEPARTMENT OF COMMUNITY AFFAIRS; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any):

Mayor's Staff Only

Received by CPO: _____ Received by LC from CPO: _____
(date) (date)

Received by Mayor's Office: 11.9.07 [Signature] Reviewed by: [Signature]
(date) (date)

Submitted to Council: _____
(date)