**11-O-0362**

(Do Not Write Above This Line)

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

**AN ORDINANCE TO CREATE THE "ORIDAN AT WILLIS MILL HOUSING URBAN ENTERPRISE ZONE" LOCATED AT 64 WILLIS MILL ROAD SW ATLANTA, GA 30311; TO PROVIDE EXEMPTION FROM CITY AD VALOREM REAL PROPERTY TAXES FOR A PERIOD OF TEN YEARS AT THE RATE PRESCRIBED BY AND IN ACCORDANCE WITH STATE LAW; TO PROVIDE NOTIFICATION TO AFFECTED GOVENMENTAL ENTITIES; AND FOR OTHER PURPOSES.**

ADOPTED BY

JUN 20 2011

COUNCIL

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

Date Referred 03/21/11

Referred To: CD/HR

Date Referred

Refferred To:

Date Referred

Referred To:

First Reading

Committee CD/HR
Date 3/15/11
Chair
Referred To CD/HR

| Committee CD/HR | Committee |
|---|---|
| Date 3/29/11 | Date |
| Chair | Chair |
| Action Fav, Adv, Hold (see rev. side) | Action Fav, Adv, Hold (see rev. side) |
| Other 6/13/11 @ 4 PM | Other |
| Members | Members |
| Refer To | Refer To |

| Committee CD/HR | Committee |
|---|---|
| Date 6/14/11 | Date |
| Chair Joyce M. Sheperd | Chair |
| Action Fav, Adv, Hold (see rev. side) | Action Fav, Adv, Hold (see rev. side) |
| Other On condition | Other |
| Members | Members |
| Refer To | Refer To |

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd Readings ☐ 3rd

☐ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

CERTIFIED

JUN 20 2011

ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED

JUN 20 2011

Rhonda Dauphin Johnson

MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

JUN 29 2011

WITHOUT SIGNATURE BY OPERATION OF LAW

CITY COUNCIL
ATLANTA, GEORGIA

11-O-0362

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

**AN ORDINANCE TO CREATE THE "ORIDAN AT WILLIS MILL HOUSING URBAN ENTERPRISE ZONE" LOCATED AT 64 WILLIS MILL ROAD SW ATLANTA, GA 30311; TO PROVIDE EXEMPTION FROM CITY AD VALOREM REAL PROPERTY TAXES FOR A PERIOD OF TEN YEARS AT THE RATE PRESCRIBED BY AND IN ACCORDANCE WITH STATE LAW; TO PROVIDE NOTIFICATION TO AFFECTED GOVERNMENTAL ENTITIES; AND FOR OTHER PURPOSES.**

**WHEREAS,** pursuant to state law, the City of Atlanta has authority to designate property or properties meeting certain thresholds as Urban Enterprise Zones (UEZ); and

**WHEREAS,** it is the expressed intent of the Atlanta City Council to use the creation of urban enterprise zones as an incentive to generate private investment in areas of the City which otherwise might not attract such investments for construction and job creation purposes; and

**WHEREAS,** the designation of a residential urban enterprise zone exempts, in whole or in part for a period of ten (10) years, the taxable value of property within the zone only from City ad valorem taxes; and

**WHEREAS**, any exemption as a result of rehabilitation after the creation of the residential urban enterprise zone is limited to the value of improvements added to the existing structure after the creation of the zone, and potentially the value of the land, but only at such time as the value of the improvements added exceed the value of the land, as of the date of the creation of the zone, by a factor of eight or more; and

**WHEREAS**, in the case of rehabilitation of existing structure(s), the designation of a residential urban enterprise zone exempts the real property from city ad valorem taxes for one-hundred percent (100 %) of its taxable value for the first five years after creation; eighty percent (80%) for the next two years; sixty percent (60 %) for the next year; forty percent (40 %) for the next year; and twenty percent (20%) for the last year; and

**WHEREAS,** Elephant Properties GA-LLC ("applicant") has applied for the creation of a residential urban enterprise zone encompassing 0.4687 acres at 64 Willis Mill Road SW, Atlanta, GA 30311 ("subject property") and to be known as "Oridan at Willis Mill Housing UEZ" ("the project"); and

**WHEREAS**, as more fully described at Exhibit "B" hereto, the project proposes the rehabilitation of sixteen (16) rental apartment units at the subject property with 100 % of the units to be for residents who earn less than sixty (60%) of the area median income (AMI); and

**WHEREAS**, creation of the Oridan at Willis Mill Housing UEZ for the purpose of facilitating the rehabilitation of 100% affordable housing units is consistent with the Housing Element of the City's Comprehensive Development Plan; and

**WHEREAS**, the subject property is zoned C-1 which permits multi-family residential uses; and

**WHEREAS**, the Commissioner of the Department of Planning and Community Development has certified, as shown on Exhibit "C" to this Ordinance, that he has received a complete application from the applicant for the creation of the enterprise zone in accordance with City Code; and

**WHEREAS,** the Office of Planning has reviewed the application and determined that 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 Oridan at Willis Mill Housing UEZ; and

**WHEREAS**, the City held a public hearing on the question of creating the Oridan at Willis Mill Housing UEZ at the November 29, 2010 Community Development/Human Resource Committee's quarterly public hearing; and

**WHEREAS**, upon review of the application and based upon the public hearing, it is found that the area in and around the subject property that would be designated as the Oridan at Willis Mill Housing UEZ is economically and socially depressed; contributes to or causes unemployment, creates an inordinate demand for public services and, in general, has a deleterious effect on the public health, safety, welfare, and morals; that the area is 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; and that this lack of private investment and activity contributes to social and economic depression in the area.

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

**SECTION 1:** The "Oridan at Willis Mill Housing Urban Enterprise Zone" is hereby created at 64 Willis Mill Road SW, Atlanta, Georgia 30311, said zone and real property being more fully described at Exhibit "A", attached hereto, and made a part hereof.

**SECTION 2**: The real property described in Exhibit "A" is hereby exempted from city ad valorem taxes to the extent authorized and in accordance with state law and Sec. 9-68 of the Code of Ordinances.

**SECTION 3**: The term of the Oridan at Willis Mill Housing UEZ shall be for ten years (10) beginning on January 1, 2012 and ending on December 31, 2021. The Oridan at Willis Mill Housing UEZ shall otherwise not be abolished except as provided in state law.

**SECTION 4**: The Municipal Clerk is hereby directed to transmit a certified copy of this Ordinance within 30 days of passage to the Fulton County Tax Commissioner, the Fulton County Board of Assessors, the Georgia Department of Community Affairs and the Superintendent of the Atlanta Board of Education.

**SECTION 5**: The Office of Planning and the Office of the Municipal Clerk are hereby directed to maintain on file a copy of this Ordinance, including all related maps, legal descriptions, and application information.

**A true copy,**
Rhonda Dauphin Johnson
**Municipal Clerk**

**ADOPTED by the Atlanta City Council** **June 20, 2011**
**RETURNED WITHOUT SIGNATURE OF THE MAYOR**
**APPROVED as per City Charter Section 2-403** **June 29, 2011**

RCS# 1152
6/20/11
8:15 PM

Atlanta City Council

REGULAR SESSION

11-O-0362 TO CREATE ORIDAN AT WILLIS MILL HOUSING UEZ AT 64 WILLIS MILL RD SW
ADOPT

| | |
|---|---|
| YEAS: | 13 |
| NAYS: | 0 |
| ABSTENTIONS: | 0 |
| NOT VOTING: | 1 |
| EXCUSED: | 1 |
| ABSENT | 1 |

| | | | |
|---|---|---|---|
| E Smith | Y Archibong | Y Moore | Y Bond |
| Y Hall | Y Wan | Y Martin | Y Watson |
| Y Young | B Shook | Y Bottoms | Y Willis |
| Y Winslow | Y Adrean | Y Sheperd | NV Mitchell |