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(Do Not Write Above This Line)  
**12-5-0896**

**AN ORDINANCE**  
BY: COUNCILMEMBERS KWANZA HALL  
AND MICHAEL JULIAN BOND

AN ORDINANCE AUTHORIZING THE DIRECTOR OF THE OFFICE OF BUILDINGS TO GRANT PARK AND RECREATION IMPACT FEE CREDITS IN AN AMOUNT NOT TO EXCEED ONE HUNDRED NINETY FIVE THOUSAND DOLLARS AND NO CENTS (\$195,000.00), AS SHALL BE MORE PARTICULARLY DETERMINED PURSUANT TO THE CITY OF ATLANTA DEVELOPMENT IMPACT FEE ORDINANCE, IN CONNECTION WITH THE OFFER OF DEDICATION TO AND ACCEPTANCE BY THE CITY OF ATLANTA OF 1.58 ACRES OF LAND ADJACENT TO THE HISTORIC FOURTH WARD PARK FOR PARK LAND PURPOSES AUTHORIZED UNDER ORDINANCE 11-O-0945; AND FOR OTHER PURPOSES.

**ADOPTED BY**  
JUL 0 2 2012

- CONSENT REFER
- REGULAR REPORT REF
- ADVERTISE & REFER
- 1<sup>ST</sup> ADOPT 2<sup>ND</sup> READ & REFER
- PERSONAL PAPER REFER

Date Referred: 6/18/12

Referred To: CD/HK

Date Referred: \_\_\_\_\_

Referred To: \_\_\_\_\_

Date Referred: \_\_\_\_\_

Referred To: \_\_\_\_\_

470187-1

First Reading

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Referred To \_\_\_\_\_

Committee CD/HK

Date 6/18/12

Chair Michael Julian Bond

Action Fav, Adv, Hold (See rev. side)

Members \_\_\_\_\_

Refer To \_\_\_\_\_

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action Fav, Adv, Hold (See rev. side)

Members \_\_\_\_\_

Refer To \_\_\_\_\_

- 2<sup>ND</sup> FINAL COUNCIL ACTION
- 1<sup>ST</sup> & 2<sup>ND</sup> Readings
- 3<sup>RD</sup>
- Consent
- V Vote
- RC Vote

**CERTIFIED**

JUL 02 2012

ATLANTA CITY COUNCIL PRESIDENT

*[Signature]*

**CERTIFIED**

JUL 02 2012

*Rod Douglas Johnson*  
MUNICIPAL CLERK

MAYOR'S ACTION

**APPROVED**

JUL 11 2012

WITHOUT SIGNATURE  
BY OPERATION OF LAW



CITY COUNCIL  
ATLANTA, GEORGIA

12-0 -0896

AN ORDINANCE

BY: COUNCILMEMBERS KWANZA HALL AND MICHAEL JULIAN BOND

**AN ORDINANCE AUTHORIZING THE DIRECTOR OF THE OFFICE OF BUILDINGS TO GRANT PARK AND RECREATION IMPACT FEE CREDITS IN AN AMOUNT NOT TO EXCEED ONE HUNDRED NINETY FIVE THOUSAND DOLLARS AND NO CENTS (\$195,000.00), AS SHALL BE MORE PARTICULARLY DETERMINED PURSUANT TO THE CITY OF ATLANTA DEVELOPMENT IMPACT FEE ORDINANCE, IN CONNECTION WITH THE OFFER OF DEDICATION TO AND ACCEPTANCE BY THE CITY OF ATLANTA OF 1.58 ACRES OF LAND ADJACENT TO THE HISTORIC FOURTH WARD PARK FOR PARK LAND PURPOSES AUTHORIZED UNDER ORDINANCE 11-O-0945; AND FOR OTHER PURPOSES.**

**WHEREAS**, Ordinance 05-O-0897, as amended by Ordinance 10-O-0776 conditioned the rezoning of 641 North Avenue to “include a park, for public use, which shall remain open and accessible to the general public during normal City of Atlanta park hours; and

**WHEREAS**, pursuant to Ordinance 11-O-0945, Redus Atlanta Housing, LLC, (“Redus”) as the owner of approximately 1.58 acres of land (“Park Land”), has offered to dedicate the Park Land to the City of Atlanta for park purposes to become part of the Historic Fourth Ward Park, as more particularly described in exhibit “a” to Ordinance 11-O-0945; and

**WHEREAS**, the City of Atlanta, if it accepts the dedication of the Park Land as more particularly described in Ordinance 11-O-0945, may be required to issue park and recreation impact fee credits (“Park Credits”) to Redus for said dedication and acceptance pursuant to the City of Atlanta Development Impact Fee Ordinance; and

**WHEREAS**, Redus has made known its desire to obtain the Park Credits to which it may be entitled under the City of Atlanta Development Impact Fee Ordinance arising from the dedication to and acceptance by the City of the Park Land; and

**WHEREAS**, the City of Atlanta and Redus have agreed that, to the extent Park Credits should be given for the dedication and acceptance of the Park Land from Redus to the City, the valuation of such Park Credits shall not exceed \$195,000.00; and

**WHEREAS**, the not-to-exceed amount of such Park Credits is supported by a certified appraisal of the value of the Park Land that Redus has offered for dedication.



**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA  
HEREBY ORDAINS:**

**SECTION 1:** In the event Ordinance 11-O-0945 becomes law and the City accepts the dedication of the Park Land, as evidenced by acceptance and recording of the vesting instrument described in Ordinance 11-O-0945, the director of the Office of Buildings shall be authorized to grant Park Credits to Redus, or its successor-in-interest or assignee, arising from the dedication of Park Land described herein. Such Park Credits shall be evaluated and calculated in accordance with the terms of the City of Atlanta Development Impact Fee Ordinance but in no event shall such Park Credits exceed \$195,000.00.

**SECTION 2:** Redus, or any successor-in-interest or assignee, may use any Parks Credits granted by the director of the Office of Buildings pursuant to this Ordinance against any park impact fees assessed on the development of 641 North Avenue or against any park impact fees assessed on any other development within the same service area as the Park Land to the extent authorized by the City of Atlanta Development Impact Fee Ordinance.

**SECTION 3:** Redus, or any successor-in-interest or assignee, shall not be entitled to any other impact fee credit arising out of its offer of dedication and acceptance by the City of the Park Land, other than those Park Credits authorized herein.

A true copy,

*Rhonda Daughin Johnson*  
Municipal Clerk

ADOPTED by the Atlanta City Council  
APPROVED as per City Charter Section 2-403

JUL 02, 2012  
JUL 11, 2012



		07-02-12
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 12-O-0899	38. 12-R-0859	46. 12-R-0868
2. 12-O-0672	39. 12-R-0860	47. 12-R-0869
3. 12-O-0454	40. 12-R-0861	48. 12-R-0870
4. 12-O-0819	41. 12-R-0862	49. 12-R-0871
5. 12-O-0820	42. 12-R-0863	50. 12-R-0872
6. 12-O-0833	43. 12-R-0864	51. 12-R-0873
7. 12-O-0391	44. 12-R-0865	52. 12-R-0874
8. 12-O-0813	45. 12-R-0866	
9. 12-O-0814		
10. 11-O-0945		
11. 12-O-0810		
12. 12-O-0811		
13. 12-O-0812		
14. 12-O-0896		
15. 12-O-0455		
16. 12-O-0558		
17. 12-R-0887		
19. 12-R-0880		
20. 12-R-0881		
21. 12-R-0882		
22. 12-R-0883		
23. 12-R-0884		
24. 12-R-0875		
25. 12-R-0876		
26. 12-R-0897		
27. 12-R-0898		
28. 12-R-0901		
29. 12-R-0696		
30. 12-R-0818		
31. 12-R-0852		
32. 12-R-0853		
33. 12-R-0854		
34. 12-R-0855		
35. 12-R-0856		
36. 12-R-0857		
37. 12-R-0858		