

16 O 1237

(Do Not Write Above This Line) 1237

AN ORDINANCE BY COUNCILMEMBER KEISHA LANCE BOTTOMS

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF THE COMMUNITY TO THE CORPORATE LIMITS OF THE CITY OF ATLANTA, GEORGIA PURSUANT TO THE 60% METHOD; TO EXTEND THE BOUNDARIES OF THE ATLANTA INDEPENDENT SCHOOL SYSTEM; TO NOTIFY THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS OF SUCH ANNEXATION; AND FOR PURPOSES

- CONSENT REFER JUN 28 2016
REGULAR REPORT REFER COUNCIL
ADVERTISE & REFER
1st ADOPT 2nd READ & REFER
PERSONAL PAPER REFER As Amended

Date Referred 5/2/16
Referred To: Finance/Exec
Date Referred 6-6-16
Referred To: Fin/Exec
Date Referred
Referred To:

Tabled 6-20-16

First Reading

Committee Date Chair Referred To
Finance/Exec 5-11-16

Committee Date Chair Action Fav, Adv, Hold (see rev. side) Other Members Refer To

Committee Date Chair Action Fav, Adv, Hold (see rev. side) Other Members Refer To

Committee Date Chair Action Fav, Adv, Hold (see rev. side) Other Members Refer To

FINAL COUNCIL ACTION
2nd 3rd
Consent V Vote RC Vote

CERTIFIED

CERTIFIED JUN 28 2016

COUNCIL PRESIDENT PROTEM

CERTIFIED JUN 28 2016

Rachel Davidson Johnson MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

JUN 28 2016 MAYOR



CITY COUNCIL
ATLANTA, GEORGIA

CORRECTED COPY

16-O-1237

AN ORDINANCE

BY COUNCILMEMBER KEISHA LANCE BOTTOMS

AS SUBSTITUTED BY THE ATLANTA CITY COUNCIL (06/06/2016)

AS AMENDED BY THE ATLANTA CITY COUNCIL (06/28/2016)

TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS COTTAGES AT CASCADE TO THE CORPORATE LIMITS OF THE CITY OF ATLANTA, GEORGIA PURSUANT TO THE 60% METHOD; TO EXTEND THE BOUNDARIES OF THE ATLANTA INDEPENDENT SCHOOL SYSTEM; TO NOTIFY THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS OF SUCH ANNEXATION; AND FOR OTHER PURPOSES.

WHEREAS, certain resident electors and the owners (the "Petitioners") of real property in the Cottages at Cascade neighborhood, as delineated in Exhibit "A" attached hereto (the "Property"), have petitioned the City of Atlanta for annexation ("the Petition") pursuant to the 60% method of annexation; and

WHEREAS, the City of Atlanta has lawfully provided notice to Fulton County, Georgia of all required information including notice of the City of Atlanta's receipt of the Petitions for annexation of the Property; and

WHEREAS, the City of Atlanta has determined that the Property is contiguous to the existing corporate limits of the City of Atlanta in excess of the minimum amount required for such annexations under O.C.G.A. §36-36-1 *et seq.*; and

WHEREAS, the City of Atlanta has determined that the Petitioners are the title holders of record of 60% of the privately owned land within the Property, as evidenced by the records of the Clerk of the Superior Court of Fulton County, Georgia; and

WHEREAS, the City of Atlanta has determined that the Petitioners represent at least 60% of the registered voters within the Property, as evidenced by the voter file provided by the Fulton County Board of Registrations and Elections; and

WHEREAS, the City of Atlanta has determined that the Application meets the requirements of law pursuant to O.C.G.A. §36-36-1 *et seq.*; and

WHEREAS, the requirements in O.C.G.A. § 36-66-4(d) governing procedures for the zoning of land to be annexed into a municipality have been satisfied; and



WHEREAS, the zoning classification approved by the City of Atlanta for the Property which is the subject of the proposed annexation shall become effective on the later of the date that the zoning is approved by the City of Atlanta or the date that the annexation becomes effective as required by O.C.G.A. §36-36-2, whichever is later; and

WHEREAS, the City of Atlanta has authority pursuant to O.C.G.A. §36-36-1 *et seq.* to annex certain property into the corporate limits of the City of Atlanta; and

WHEREAS, the Mayor and Council of the City of Atlanta have determined that the annexation of the Property and expansion of the boundaries of the Atlanta Independent School System to include the Property would be in the best interest of the residents and property owners of the Property to be annexed and of the citizens of the City of Atlanta.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS AS FOLLOWS:

Section 1. Certain property identified as the Cottages at Cascade neighborhood, as more fully delineated on Exhibit "A" and which is incorporated herein by reference, is hereby annexed into the existing corporate limits of the City of Atlanta, Georgia, and the boundaries of the Atlanta Independent School System are hereby extended so as to include the entire annexed area.

Section 2. The City of Atlanta Law Department is hereby authorized and directed to file a report identifying property annexed with the Department of Community Affairs of the State of Georgia and with the governing authority of Fulton County as required by O.C.G.A. §36-36-3, and to take all other actions required by law with regard to the adoption of this Ordinance and the annexation of the Property.

Section 3. The Ordinance shall become effective July 1, 2016 for school enrollment purposes and for all other purposes in accordance with applicable provisions of Georgia law.

Section 4. City staff reviews of the Petition identified as "Land Acreage Summary" and "Registered Voter Summary", each summarizing that the Petition was signed by property owners of not less than 60% of the land acreage and not less than 60% of the registered voters, respectively, is attached and identified as Exhibit B.

Section 5. All ordinances or parts of ordinances in conflict with the terms of this Ordinance are hereby waived to the extent of the conflict.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk

ADOPTED as amended by the Atlanta City Council
APPROVED by Mayor Kasim Reed

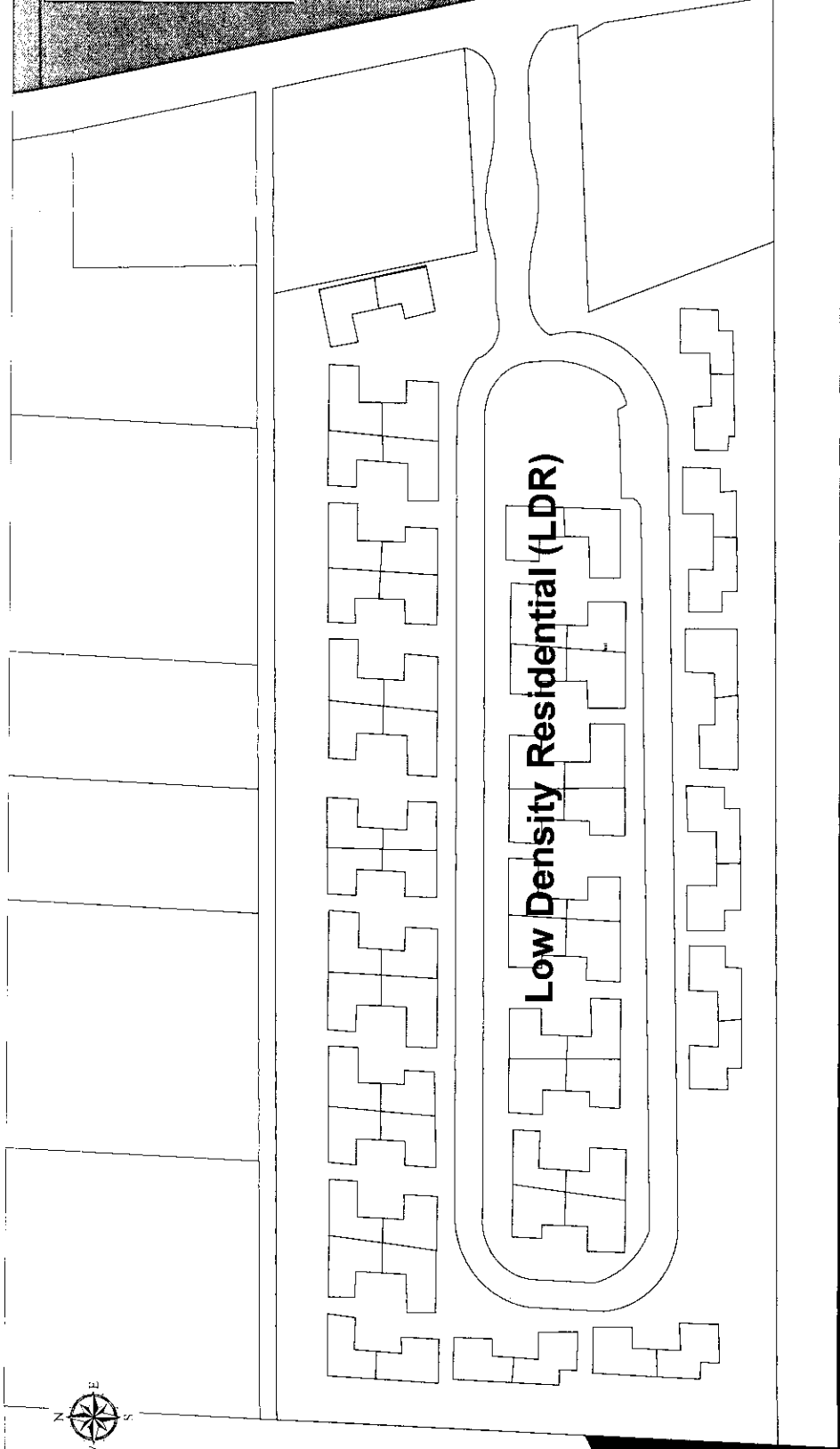
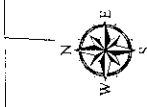
JUN 28, 2016
JUN 28, 2016

As Amended.

Exhibit A to

16-0-1237

Cottages at Cascade Land Use



Low Density Residential (LDR)



THIS MAP IS PROVIDED AS A PUBLIC SERVICE. The City of Atlanta does not warrant the accuracy or reliability of the data and/or map products being developed. The user of the data and/or map products assumes all risks and liabilities which may arise from any procedure by which the data is used.



City of Atlanta
Department of Planning
and Community Development

All Population Numbers are based on Estimates

CONTRACT NO.	16-0-1237	DATE	10/1/16
PROJECT NAME	U.S. SURVEY FEET		
DATE	DATE	AUTHOR	REVISION
10/1/16	10/1/16	10/1/16	10/1/16
SCALE	1" = 34'	SCALE	1" = 34'
COMMENT	COMMENT	COMMENT	COMMENT

16-0-1237

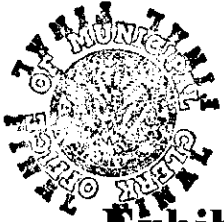


Exhibit B to Ordinance 16-O-1237 (06/28/2016)

See attached pages 1 of 2 and 2 of 2



Cottages at Cascade Petition for Annexation into the City of Atlanta

Land Acreage Summary

2016 JUN 31 AM 8:42
Tul
[Signature]

Total Acreage of property within the mapped area of the Cottages at Cascade Petition for Annexation is 15.69

Property Owners of ^{8 9.414 SA} 9.414 acres are needed for the 60% annexation threshold

Property Owners of 11.64 acres or 74.1% signed the petition for annexation

Submitted by:

Stewart Henderson

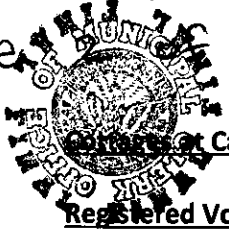
Stewart Henderson, GIS Analyst, PCD
Office of Planning

Reviewed and Reported by:

Charletta Wilson-Jacks

Charletta Wilson-Jacks, Director
Office of Planning

Date- June 29, 2016



Cottages at Cascade Petition for Annexation into the City of Atlanta
Registered Voter Summary

Voter list received from Fulton County Department of Registration and Elections showed 74 active registered voters within the Cottages at Cascade Petition for Annexation's mapped area

51 signers of the Cottages at Cascade Petition for Annexation indicated that they were voters

43 signers' names and addresses were identified as direct registered voter matches

The signer names that did not directly match the received voter list were communicated to the Fulton County Department of Registration and Elections, and **two (2) signers' names were verified** by that office as **registered voters** thus bringing the tally to 45

Two (2) additional petition signers were verified as registered voters by County and Clerk, thus raising the tally to 47

Two (2) registered voters who signed the petition requested to have their signatures removed, thus reducing the tally to 45

45 registered voters signed the Cottages at Cascade Petition for Annexation into the City of Atlanta.

62.5% of registered voters signed the Cottages at Cascade Petition for Annexation into the City of Atlanta

Submitted by:

Shawn Brown

Shawn Brown, Information Systems Manager
Office of Municipal Clerk

Reviewed and Reported by:

Rhonda Dauphin Johnson

Rhonda Dauphin Johnson, Municipal Clerk
Office of Municipal Clerk

Date- June 29, 2016

RCS# 2299
6/28/16
1:05 PM

Atlanta City Council

16-O-1237

ANNEX COTTAGES OF CASCADE TO THE
CORPORATE LIMITS OF THE CITY OF ATLANTA
ADOPT/SUB/AMEND

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

NV Smith	Y Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	NV Norwood
Y Young	Y Shook	Y Bottoms	Y Dickens
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

16-O-1237



16-O-1237

Adopted by the Atlanta City Council

June 28, 2016

