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## **MEMORANDUM**

**To:** Mayor and City Council

**From:** Warren Hutmacher, City Manager

**Date:** April 9, 2012

**Subject:** **Declaring a Legislative Finding for the Need for Redevelopment**

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### **ITEM DESCRIPTION**

As a next step in the Project Renaissance – A New Georgetown initiative, and in order to activate the Urban Redevelopment Law, the Council must consider declaring a legislative finding of the need for redevelopment.

### **BACKGROUND**

Chapter 61 of Title 36 of the Official Code of Georgia Annotated (O.C.G.A), the Urban Redevelopment Law, is a legislative tool governing the use of public/private revitalization partnerships. The Project Renaissance initiative envisions a public/private partnership for the redevelopment of 35 acres of land off North Shallowford Road (a 16 acre parcel owned by the City and a 19 acre property the City has under contract).

By utilizing a public/private partnership, the City will be able to build desired parkland, multi-use trails, and civic uses across the 35 acres and incorporate them seamlessly with a private sector development of other desired land uses such as low-density residential and neighborhood commercial.

Rather than sell the portion of land to the private sector by highest sealed bid, the Urban Redevelopment Law allows the City to select the private sector partner whose plans for redevelopment best align with our community's vision for the future. Although the City expects to receive fair market value for any land it sells, our higher priority is ensuring that redevelopment in this critical gateway area is appropriate for our community.

In order to utilize the Urban Redevelopment Law and be able to select the best private sector partner instead of the highest price, the City is required to make a legislative finding declaring the targeted area is in need of redevelopment.

Since the passage of the Urban Redevelopment Law in the 1950's, many communities have successfully utilized its powers to provide for redevelopment in targeted areas. Local examples include the cities of Suwanee, Smyrna, Roswell, and Duluth. Although none of these examples is identical to the City's vision for the targeted redevelopment area, successful elements from each city will assist us in our redevelopment efforts and demonstrate the usefulness of making this legislative finding.

### **RECOMMENDATION**

Staff recommends adopting the necessary prerequisite Resolution to exercise the powers under the Urban Redevelopment Law. By adopting such resolution, the City will be empowered to select the private sector partner for this redevelopment initiative whose plans best align with our community's vision for the future rather than the highest bidder.

**STATE OF GEORGIA  
CITY OF DUNWOODY**

**RESOLUTION 2012-04-09**

**A RESOLUTION OF NECESSITY PREREQUISITE TO EXERCISE  
OF POWERS UNDER THE URBAN REDEVELOPMENT LAW**

**WHEREAS,** the City of Dunwoody (the "City") is a municipality created by the 2008 Georgia General Assembly pursuant to Ga. L. 2008, p. 3526 and the Mayor and City Council of Dunwoody is the duly elected governing authority for the City; and

**WHEREAS,** Chapter 61 of Title 36 of the Official Code of Georgia Annotated, entitled the "Urban Redevelopment Law," as amended (the "Urban Redevelopment Law"), requires the City, as a condition to the exercise of any of the powers conferred upon the City by the Urban Redevelopment Law, to adopt a resolution finding that one or more slum areas exist in the City and that the rehabilitation, conservation, or redevelopment, or a combination thereof, of such area or areas is necessary in the interest of the public health, safety, morals, or welfare of the residents of the City; and

**WHEREAS,** after careful study and investigation, the City desires to exercise the powers conferred upon the City by the Urban Redevelopment Law; now

**THEREFORE, BE IT RESOLVED** by the Mayor and City Council that there is hereby found, determined, and declared that one or more slum areas exist in the City and that the rehabilitation, conservation, or redevelopment, or a combination thereof, of such area or areas is necessary in the interest of the public health, safety, morals, or welfare of the residents of the City.

**BE IT FURTHER RESOLVED** that any and all resolutions in conflict with this resolution be and the same are hereby repealed.

**BE IT FURTHER RESOLVED** that this resolution shall be effective immediately upon its adoption by the Mayor and City Council, and from and after such adoption the City may exercise any of the powers conferred upon it by the Urban Redevelopment Law.

**SO RESOLVED AND EFFECTIVE** this 9<sup>th</sup> day of April, 2012.

Approved:

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Michael G. Davis, Mayor

Attest:

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Sharon Lowery, City Clerk

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