

Decide DeKalb Development Authority Kensington Tax Allocation District (Kensington TAD) Application

The Kensington TAD is located in central DeKalb County along the Memorial Drive corridor with the City of Avondale to the southwest and the City of Clarkston to the north. This TAD is highly accessible, served by MARTA’s Kensington train station and bus routes, major highways, and an interstate. Just outside of the TAD area along the Memorial Drive corridor, the area is also served by MARTA’s Indian Creek train station. Though this area has suffered from weak and slow economic growth, little investment, increasing vacancies, and aging buildings and structures along the corridor, there lies opportunities for the redevelopment of underutilized vacant or obsolete buildings and surface parking lots. The TAD area features a mix of low-density commercial and multi-family residential uses; two educational institutions; the county’s most diverse residential population; limited retail competition to its south; and housing that is affordable relative to the region.

1. APPLICANT INFORMATION

This information is necessary to process a tax allocation district (TAD) grant or loan award from the Decide DeKalb Development Authority (“Decide DeKalb”). A TAD is established for the purpose of catalyzing investment by financing certain redevelopment activities in underdeveloped or blighted areas using public dollars. Completion and submission of this TAD application to Decide DeKalb indicates the framework in which it is willing to further consider the request of the applicant and does not constitute final action.

All applicable Federal and State of Georgia laws and DeKalb County ordinances, licenses, and regulations of all agencies having jurisdiction shall apply to the respondents throughout and incorporated herein.

Professionals requiring special licenses must be licensed in the State of Georgia and shall be responsible for those portions of the work as may be required by law.

No application shall be accepted from, and no contract will be awarded to, any person, firm, or corporation that (i) is in arrears to DeKalb County with respect to any debt, (ii) is in default with respect to any obligation to DeKalb County or Decide DeKalb, or (iii) is deemed irresponsible or unreliable by DeKalb County and/or Decide DeKalb. If requested, the respondents shall be required to submit satisfactory evidence that they have the necessary financial resources to provide the proposed services.

All final grant or loan awards are subject to approval at the discretion of the Decide DeKalb Board of Directors. Decide DeKalb reserves the right to reject any and all applications, to request additional information from some or all applicants, to waive or modify stated application requirements specific to the circumstances of a project, amend/modify the application and the process itself, or to discontinue the process at any time.

Fill in all blanks, using “none” or “not applicable” where necessary.

A. General Information

Name of applicant company	EIN	Date of application	
Address	City	State	ZIP Code
Name and title of contact person	Email	Telephone / Mobile number	

Project name
Grant or loan application for <input type="checkbox"/> Corridor Streetscape Improvements and Façade Improvement grant (CSFIG) <input type="checkbox"/> Safety, Security, and Quality of Life Improvement grant (SSQLIG)
Type of organization (e.g., nonprofit corporation organized in Georgia)
Is any applicant company owner or manager a minority or female?
Demonstrate experience in developing similar projects of a similar scale. List up to five similar projects with development name; location of the project; property type; year built; total investment; debt percentage; name of the bank; and equity percentage. 1,000 character limit.

B. General Partnership or Joint Venture

Name of general partner or joint venture	EIN	Type of organization (e.g., for-profit LLC organized in Delaware)	
Address	City	State	ZIP Code
Name and title of contact person	Email	Contact number	Percentage of ownership
Is any general partner or joint venture team member a minority or female?			

Name of general partner or joint venture	EIN	Type of organization (e.g., for-profit LLC organized in Delaware)	
Address	City	State	ZIP Code
Name and title of contact person	Email	Contact number	Percentage of ownership
Is any general partner or joint venture team member a minority or female?			

Has any member of the development team (including architect, contractor, management company) or the principals thereof been associated with a defaulted development or one that has been determined to have a troubled status within the last five (5) years? If so, please explain below. 1,000 character limit.

<p>Has any member of the development team (including owner, architect, contractor, management company) or the principals thereof been associated with a development that has been found in non-compliance with any federal, state, or local grant or loan program requirements in the last five (5) years? If so, please explain below. 1,000 character limit.</p>
<p>Has any member of the development team (including owner, architect, contractor, management company) or the principals thereof been involved in any legal proceedings in the last three (3) years to include bankruptcy, judgements, tax liens, etc.? If so, please explain below. 1,000 character limit.</p>

C. Additional Contact Information (person responsible for on-going relationship with Decide DeKalb regarding the grant or loan funding)

Name and title of contact person	Email	Telephone / Mobile number	
Address	City	State	ZIP Code

2. PROJECT INFORMATION

A. Property Information

Ownership <input type="checkbox"/> Tenant / Business owner <input type="checkbox"/> Property owner		Site control <input type="checkbox"/> Deed (Purchased) <input type="checkbox"/> Under contract / Purchase and sale agreement <input type="checkbox"/> Ground lease	
Parcel Identification Number(s)	Property / Assemblage land size (acres)	Year built	
Is the property currently occupied?	What is the current occupancy percentage?	Will occupants need to be relocated?	

B. Project Information

Project type

- Renovation
- Conversion / Adaptive reuse
- Other

Project description / Proposed scope. 1,000 character limit.

C. Project Impact

Reduction of vacancy and obsolescence: Describe how this project directly activates and/or reuses vacant or obsolete buildings and parking lots or indirectly contributes to the repositioning of the TAD area and the surrounding neighborhoods to compete more effectively, regionally and nationally; thus, attracting and retaining new or existing tenants. 1,000 character limit.

Transit orientation: Describe how this project leverages proximity to current/future MARTA transit stations and bus stops, as well as support the use of existing and planned bike lane(s) paths or promote alternative transportation modes and reduce transportation costs for local households and businesses. 1,000 character limit.

Architecture and urban design: Describe how this project contributes to significant safety, security, and visual improvement of the exterior of the existing or future buildings and surrounding neighborhood by applying best practices in urban design and placemaking. This includes exemplary or contextual architectural features, beautification of public realm (landscaping/streetscaping, lighting, water features, public art, etc.), and activated ground floor uses. 1,000 character limit.

Established businesses: Describe how this project supports improvement or expansion of an existing business/organization/institution that has been operating in the TAD for a minimum of three (3) years. 1,000 character limit.

Priority areas and project types: Prioritize the Gateway West and Global City areas with projects that reflect the best potential for each area. For Gateway West, it includes various development including public squares, green spaces, and mixed-use buildings that attract regional interest. For Global City, recognize the opportunity to enhance and express the cultural diversity already present in the area while embracing a more urban environment and leveraging the business of students from Georgia State University's Clarkston Campus and Georgia Piedmont Technical College who visit the area. 1,000 character limit.

Community benefit: Project specifically addresses one or more of the following (1,000 character limit):

- o Gateway features at the ends of the corridors on Memorial Drive
- o Trails and an active mode network for pedestrians and bicyclists
- o Tree cover along the corridor with park features and trails
- o Connections to the Kensington and Indian Creek MARTA stations
- o Connectivity within the corridor
- o Walkable block sizes with smaller setbacks
- o Arts, cultural resources, public events, and tactical urbanism
- o Green space and food tours
- o Environmental mitigation

3. PROJECT FINANCIALS

- A. Development budget including detailed construction budget (two bids from two separate general contractors), soft costs (clearly identifying any development fees and project contingencies), and projected development timeline.
- B. If available, evidence of donated capital or debt commitment i.e., bank's commitment letter, term sheet, or LOI for non-TAD portion of project. Evidence of inability to raise requested TAD grant or loan amount from banks (declination letters).
- C. A summary of financial statements for past two years, including balance sheet and income statement (audited financial statements may be requested).

4. FEE STRUCTURE

- A. Applicant acknowledges that it is responsible for the payment of all fees and costs associated with this application. All fees are one-time and non-refundable.
- B. Application fee: \$500.00 USD payable to Decide DeKalb Development Authority due upon application submission.
- C. Commitment fee: \$1,000.00 USD payable to Decide DeKalb Development Authority due upon Decide DeKalb's Board of Directors' approval of the project.

5. ATTACHMENTS REQUIRED

The following items must be submitted with your completed TAD grant or loan application.

- A. A signed cover letter stating
 - 1. Project understanding
 - 2. Description of team members
 - 3. Qualifications for project selection
 - 4. Qualifications for project execution
 - 5. Documented evidence of ownership (tenant/business owner)
 - 6. Documented evidence of site control (contract/deed/ground lease)

- B. Financial information, including
 - 1. Development budget including detailed construction budget (two bids from two separate general contractors), soft costs (clearly identifying any development fees and project contingencies), and projected development timeline.
 - 2. If available, evidence of donated capital or debt commitment i.e., bank's commitment letter, term sheet, or LOI for non-TAD portion of project. Evidence of inability to raise the requested TAD grant or loan amount from banks (declination letters).
 - 3. A summary of financial statements for past two years, including balance sheet and income statement (audited financial statements may be requested).

- C. Supporting documents
 - 1. Completed and notarized
 - a. O.C.G.A. §13-10-91(b)(1) Contractor Affidavit - E-Verify (form attached hereto)
 - b. O.C.G.A. §13-10-91(b)(3) Subcontractor Affidavit - E-Verify (form attached hereto)
 - c. O.C.G.A. §50-36-1(e)(2) Public Benefits Affidavit - SAVE (form attached hereto)
 - 2. Copy of the principal's driver's license or alternate verifiable identification

- D. Application fee of \$500.00 USD payable to Decide DeKalb Development Authority

Send an electronic file copy in PDF and Word formats and one (1) printed complete copy of this application including all identified components (signed cover letter, application, all required supporting documentation), and the application fee to:

Jen Hagler
Decide DeKalb Development Authority
One West Court
Suite 460
Decatur, Georgia 30030
jhagler@decidedekalb.com
404 687 2735

NOTICE: Any information provided to the Authority or its staff is subject to mandatory disclosure upon request under the provisions of the Georgia Open Records Act or other applicable laws. The proceedings of the Authority are also open to the public under the Georgia Open Meetings Law. DO NOT PROVIDE TRADE SECRETS OR OTHER CONFIDENTIAL INFORMATION TO THE AUTHORITY OR ITS STAFF, LEST THEY BE DISCLOSED. If the answer to a question or requested material for the application involves confidential information, discuss the matter with the Authority's counsel. If it is necessary to provide information that constitutes a trade secret (the "Confidential Information") to the Authority, pursuant to O.C.G.A. §50-18-72(a)(34), you may include with such Confidential Information an affidavit affirmatively declaring that trade secret in accordance with O.C.G.A. §10-1-27 (the "Trade Secret Affidavit"). Please be advised that the Authority must follow the provisions of O.C.G.A. §50-18-72(a)(34) when responding to an Open Records request with respect to the

Confidential Information. The Authority and its staff may treat any information provided to it and not specified as Confidential Information in the Trade Secret Affidavit or information that it determines does not constitute a trade secret as non-confidential and not constituting a trade secret.

6. APPLICATION ACKNOWLEDGEMENT

The Applicant acknowledges having read all applicable authority rules and guidelines governing the program and acknowledges having read the instructions for completing this TAD application. The person executing this application represents that he/she has the authority to bind the Applicant and all individuals and entities named herein to this warranty of truthfulness and completeness of this application.

The Applicant is providing all the information requested and listed on the Authority's application check list (see below). Also enclosed with this Application is the required one-time fee of \$500.00 USD, which is payable to Decide DeKalb Development Authority, and this fee is non-refundable in any and all events. The Applicant acknowledges that this fee serves to offset the costs of the Authority in reviewing and processing this Application. The Applicant further acknowledges that it is the responsibility of the Applicant to review with Applicant's counsel and Bond Counsel all requirements, deadline dates, IRS information, returns and payments, filing dates, and any and all related matters pertinent to this Application and the TAD grant or loan funds that may be issued, and that Applicant hereby undertakes such responsibility and fully releases the Authority from any and all responsibility and liability related to such information and actions.

The Applicant understands and agrees to abide by the provisions of the applicable Georgia statutes and authority program policies, rules, and guidelines.

The Applicant acknowledges that Decide DeKalb's invitation to submit an application does not constitute a commitment to finance the proposed redevelopment.

Applicant company name (print)

Applicant company's contact person's name (print)

Date

Applicant company's contact person's signature

Date

Witness's name (print)

Date

Witness's signature

Date

All inquiries may be directed to the following persons:

Jen Hagler, Manager, Redevelopment and Strategic Initiatives
James P Monacell, Counsel to the Authority

404 678 2735
404 815 3555

Contractor Affidavit and Agreement Under O.C.G.A §13-10-91(b)(1)
(Complete, sign, notarize, and submit with Application to Decide DeKalb)

By executing this affidavit, the contractor indicated below verifies its compliance with O.C.G.A. §13-10-91, stating affirmatively that the individual, firm, or corporation which is engaged in the physical performance of work or services on behalf of Development Authority of DeKalb County has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. §13-10-91. This Affidavit and Agreement shall become a part of the Contract referred to below. Furthermore, the contractor indicated below will continue to use the federal work authorization program throughout the contract period and the contractor indicated below will contract for the physical performance of work or services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. §13-10-91(b), which affidavit the contractor will maintain for inspection at any time. Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

Federal Work Authorization User
Identification Number

Date of Federal Work Authorization
Registration

Name (Contractor) and Date of Contract

Name of Project

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, in _____ (City), _____ (State).

Subscribed and sworn before me on this the
_____ day of _____, 20_____.

Signature of Authorized Officer or Agent

Notary Public

Printed name and title of Authorized
Officer or Agent

My commission expires:
[NOTARY SEAL]

Subcontractor Affidavit Under O.C.G.A §13-10-91(b)(3)
(Complete, sign, notarize, and submit with Application to Decide DeKalb)

By executing this affidavit, the subcontractor referred to below verifies its compliance with O.C.G.A. §13-10-91, stating affirmatively that the individual, firm, or corporation which is engaged in the physical performance of services under a contract with _____ on behalf of Development Authority of DeKalb County has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. §13-10-91. Furthermore, the subcontractor referred to below will continue to use the federal work authorization program throughout the contract period and the subcontractor referred to below will contract for the physical performance of services in satisfaction of such contract only with sub-subcontractors who present an affidavit to the subcontractor with the information required by O.C.G.A. §13-10-91(b). Additionally, the subcontractor referred to below will forward notice of the receipt of an affidavit from a sub-subcontractor to the contractor within five (5) business days of receipt. If the subcontractor referred to below receives notice that a sub-subcontractor has received an affidavit from any other contracted sub-subcontractor, the subcontractor referred to below must forward, within five (5) business days of receipt, a copy of the notice to the contractor. Subcontractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

Federal Work Authorization User
Identification Number

Date of Federal Work Authorization
Registration

Name (Contractor) and Date of Contract

Name of Project

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, in _____ (City), _____ (State).

Subscribed and sworn before me on this the
_____ day of _____, 20_____.

Signature of Authorized Officer or Agent

Notary Public

Printed name and title of Authorized
Officer or Agent

My commission expires:
[NOTARY SEAL]

SAVE Affidavit in Accordance With O.C.G.A §50-36-1(e)(2)
(Complete, sign, notarize, and submit with Application to Decide DeKalb)

By executing this affidavit under oath, as an officer as indicated below for an applicant for a benefit from Decide DeKalb, the undersigned verifies one of the following with respect to the application:

- 1) _____ I am a United States citizen **OR**
- 2) _____ I am a legal permanent resident of the United States **OR**
- 3) _____ I am a qualified alien or non-immigrant under the Federal Immigration and Nationality Act with an alien number issued by the Department of Homeland Security or other federal immigration agency. My alien number issued by the Department of Homeland Security or other federal immigration agency is: _____.

The undersigned also hereby verifies that he or she is 18 years of age or older and has provided a copy of at least one secure and verifiable document, as required by O.C.G.A. §50-36-1(e)(1), with this affidavit.

The secure and verifiable document provided with this affidavit can best be classified as:

- Driver's license
- Other (describe): _____

The undersigned further verifies that the applicant company has no more than 15 percent of its assets in a sanctioned country and it derives no more than 15 percent of its operating income from sanctioned persons or sanctioned countries, as such terms are used under programs operated by the US Treasury's Office of Foreign Assets Control or successor.

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. §16-10-20, and face criminal penalties as allowed by such criminal statute.

Executed on _____, 20__ in _____(City), _____ (State).

Subscribed and sworn before me on this the

_____ day of _____, 20__.

Signature of Officer of Applicant

Notary Public

Printed name of Officer of Applicant

My commission expires:
[NOTARY SEAL]

Name of Applicant Company

State of Organization of Applicant Company