CITY COUNCIL
ATLANTA, GEORGIA

01- O -0498

AN ORDINANCE
BY COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

AN ORDINANCE TO CREATE THE MILLTOWN LOFTS HOUSING ENTERPRISE ZONE AND FOR OTHER PURPOSES

WHEREAS, an amendment to the Constitution of the Sate of Georgia was adopted by referendum in November 1982 giving the Council of the City of Atlanta power to create urban enterprise zones in the City of Atlanta; and

WHEREAS, enabling legislation known as the Atlanta/Fulton County Urban Enterprise Zone Act was enacted by the Georgia General Assembly and signed by the Governor in March 1983 and subsequently amended; and

WHEREAS, the Atlanta/Fulton County Urban Enterprise Zone Act gives the Council of the City of Atlanta authority to designate areas within the City as urban enterprise zones for commercial purposes if certain conditions are met; and

WHEREAS, designation of a Housing Enterprise Zone exempts the taxable value of property within the zone only from ad valorem taxes for City purposes, but the Board of Commissioners of Fulton County, by appropriate resolution, may exempt from ad valorem taxation for County purposes the taxable value of the same property exempted by the City; and

WHEREAS, types of property may be exempted, conditions must be met by owners of private property to qualify for an exemption, period and rate of exemptions, and elections may be made by the Atlanta City Council among various types of exemptions which are specified by State law; and

WHEREAS, State law provides that an exemption from ad valorem taxation for City purposes also includes, but is not limited to, school and educational purposes; and

WHEREAS, the city of Atlanta Development Impact Fee Ordinance provides that, under certain conditions, the City may exempt development in urban enterprise zones from the requirement to pay development impact fees; and

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

WHEREAS, the conditions and qualifications of the Atlanta/Fulton County Urban Enterprise Zone Act, as amended, have been met relative to the creation of the Milltown Lofts Housing Enterprise Zone;

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

Section 1: It is found by the Council of the City of Atlanta that the area in and around Wylie Street, the location of the Milltown Lofts Housing Enterprise Zone is economically and socially depressed. It is further found that areas such as this contribute to or cause unemployment, create an inordinate demand for public services and, in general, have a deleterious effect on the public health, safety, welfare, and morals. It is further found that these areas, as is the case with the Wylie Street area, are characterized by 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. This lack of private investment and activity contributes to social and economic depression in such areas. Therefore, it is in the public interest that incentives be provided to private enterprise to invest in such areas, and that

such private enterprise place priority upon the employment of those residents in those economically and socially depressed areas designated herein as urban enterprise zones.

Section 2: The Milltown Lofts Housing Enterprise Zone is hereby created. The effective date of all exemptions established therein shall be January 1, 2002. The Milltown Lofts Housing Enterprise Zone shall be abolished on December 31, 2011. The Milltown Lofts Housing Enterprise Zone shall otherwise not be abolished except as provided in State law. A legal description of The Milltown Lofts Housing Enterprise Zone is attached hereto as Exhibit "A", and made a part hereof, and shall be on file in the Bureau of Planning and the Office of the Municipal Clerk.

Section 3: Twenty percent (20%) of the total units to be provided, and ten percent (10%) of the units in each housing type and bedroom composition, shall be within the ability to pay of those households whose annual income does not exceed sixty percent (60%) of the median family income for the Atlanta metropolitan statistical area as most recently published by the United States Department of Housing and Urban Development (HUD), and as adjusted for household size in accordance with HUD procedures. For said units, the property owner shall verify each tenant's household income at the time that said tenant initially executes a lease agreement. Furthermore, the property owner, by January 31 of each year, shall submit a report to the Commissioner of Planning, Development, and Neighborhood Conservation, indicating the household income of each tenant who executed a lease agreement during the previous calendar year.

Section 4: The Municipal Clerk is hereby directed to transmit a copy of this Ordinance as well as the legal description of the Milltown Lofts Housing Enterprise Zone to the Tax Commissioner of Fulton County, to the Commissioner of the Department of Community Affairs of the State of Georgia, and to the Superintendent of the Atlanta Board of Education immediately upon approval by the Mayor of the City of Atlanta.

Section 5: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

A true copy,
Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council MAY 21, 2001
APPROVED by the Mayor MAY 25, 2001

2000 HUD AFFORDABILITY TABLE
STANDARD RENT RANGES/MAXIMUM SALE PRICE
(FAMILY SIZE ADJUSTMENT)

FAMILY SIZE (% OF BASE)	INCOME ADJUSTMENT	LIVING ACOMODATIONS EXPENSE (<30%)	MAXIMUM RENTS	FOR SALE 3x's RULE
1 PERSON (70%)	$26,502	$7,951	$662	$79,506
2 PERSONS (80%)	$30,288	$9,086	$757	$90,864
3 PERSONS (90%)	$34,704	$10,411	$867	$104,112
4 PERSONS – BASE	$37,860	$11,358	$946	$113,580
5 PERSONS (108%)	$40,888	$12,266	$1,022	$122,664
6 PERSONS (116%)	$43,917	$13,175	$1,097	$131,751
7 PERSONS (124%)	$46,946	$14,083.	$1,173	$140,838
8 PERSONS (132%)	$49,975	$14,992	$1,249	$149,925
ASSUMPTIONS: • Median Income $63,100 - SMSA • Rent Range Is Determined By The Number Of Rooms Per Unit And The Atlanta Housing Code Maximum Allowable Persons Per Room -2; i.e. A Two-Bedroom Apartment Unit Could Not House More Than A Four Person Household.				Maximum Sale Price: (2.2 Rule) $138,820

PROPOSED MILLTOWN LOFTS - REYNOLDSTOWN
HOUSING ENTERPRISE ZONE
ZONING ORDINANCE

00-O-0866

City Council
Atlanta, Georgia

SUBSTITUTE ORDINANCE Z-00-50
BY: ZONING COMMITTEE 9-14-00

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended and the maps established in connection therewith be changed so that the following property located at **797-805-815 Wylie Street, S.E. and 788-806 Field Street, S.E.** be changed from the **I-1 (Light Industrial)** District, to the **C-1-C (Community Business-Conditional)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot **20** of the **14th** District, **Fulton** County, Georgia, being more particularly described by the attached legal description.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development," as identified by the use of the suffix "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

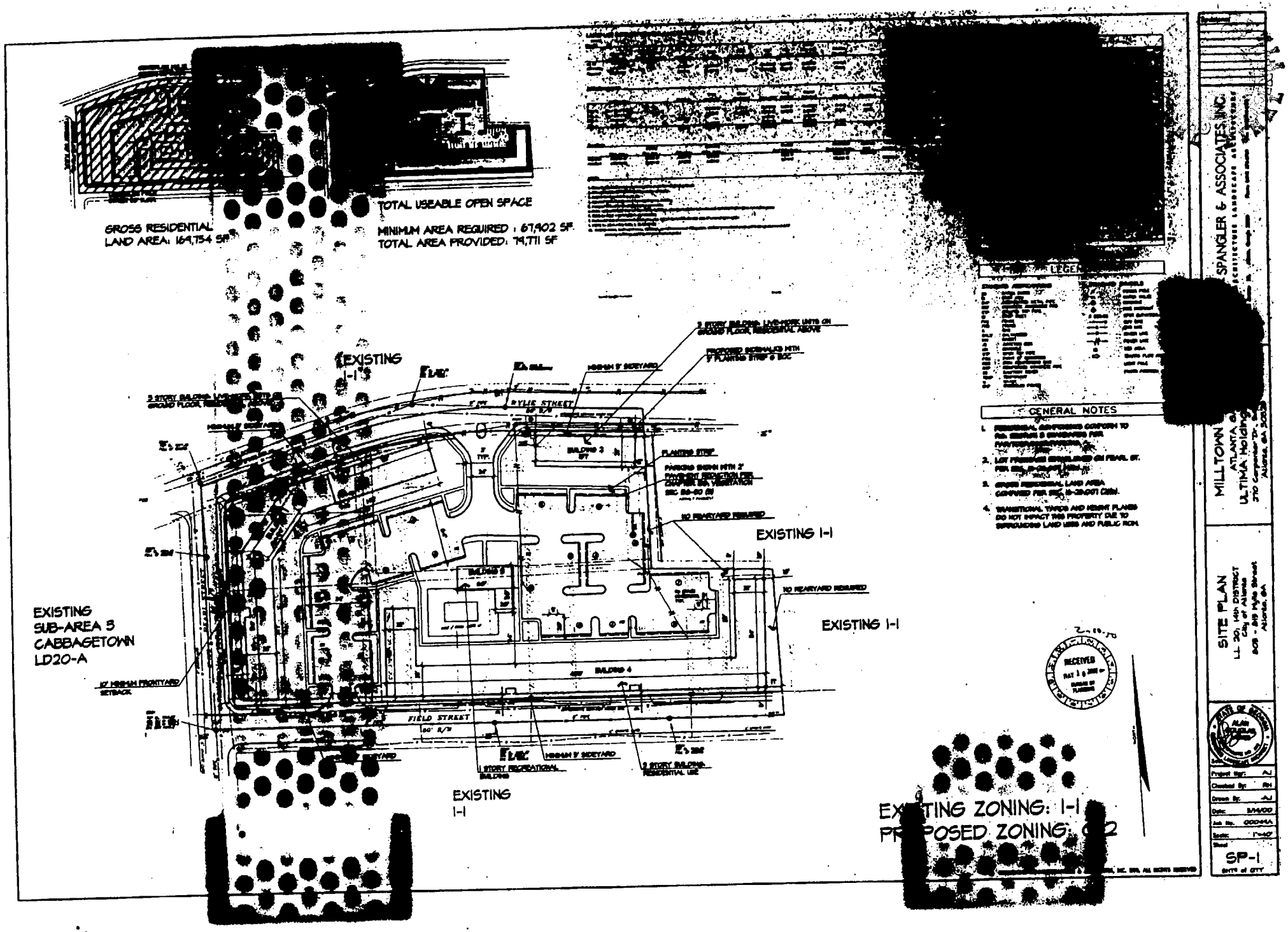
A true copy,
Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council JAN 02, 2001
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403 JAN 10, 2001

Conditions for Z-00-50

1. Site plan entitled "Site Plan, Milltown Lofts, Atlanta, Georgia, Ultima Holdings, LLC" prepared by Tunnell-Spangler and Associates, Inc., dated May 14, 2000 and marked received by the Bureau of Planning May 16, 2000.

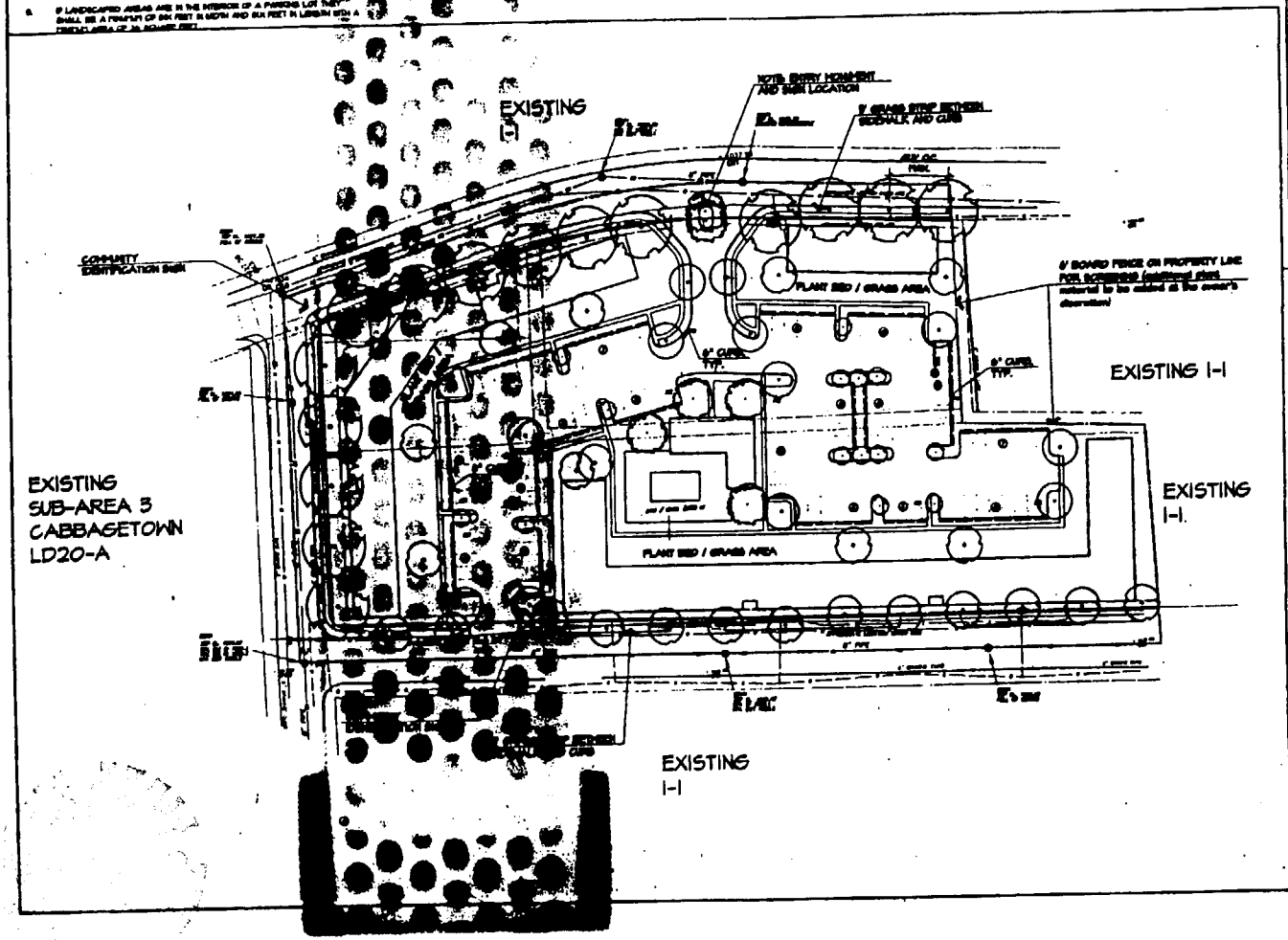
2. Tree Replacement Plan entitled "Tree Replacement Plan, Milltown Lofts, Atlanta, Georgia, Ultima Holdings, LLC" prepared by Tunnell-Spangler and Associates, Inc., dated May 14, 2000 and marked received by the Bureau of Planning May 16, 2000.


TOTAL USEABLE OPEN SPACE
MINIMUM AREA REQUIRED : 67,902 SF.
TOTAL AREA PROVIDED: 74,711 SF
GROSS RESIDENTIAL LAND AREA: 164,754 SF
LEGEND
GENERAL NOTES
EXISTING I-1
EXISTING I-1
EXISTING I-1
EXISTING I-1
EXISTING SUB-AREA 3 CABBAGETOWN LD20-A
HYLIE STREET
FIELD STREET
BUILDING 2
BUILDING 3
BUILDING 4
PLANTING STRIP
NO REARYARD REQUIRED
NO REARYARD REQUIRED
HIGHWAY 9 SIDEYARD
HIGHWAY 9 SIDEYARD
1 STORY RECREATIONAL BUILDING
3 STORY BUILDING RESIDENTIAL USE
17' MINIMUM FRONTYARD SETBACK
EXISTING ZONING: I-1
PROPOSED ZONING: C-2
RECEIVED
SPANGLER & ASSOCIATES, INC.
MILLTOWN
ATLANTA
ULTIMA Holding
270 Carpenter Dr.
Atlanta, GA 30328
SITE PLAN
L.L. 301, 14th DISTRICT
City of Atlanta
808 - 818 Hylie Street
Atlanta, GA
Project By: AJ
Checked By: RH
Drawn By: AJ
Date: 3/14/00
Job No. 000444
Scale: 1"=40'
Sheet
SP-1
SHTS of CTY

NOTES:

1. [redacted]
2. [redacted]
3. [redacted]
4. [redacted]
5. [redacted]
6. [redacted]
7. [redacted]
8. [redacted]

[redacted] (.9AC)
[redacted] AREA ADJACENT TO PAVING: 3,976 SF (.09AC)
[redacted] AREA ADJACENT TO PAVING: 1,208 SF (.26AC)



[redacted]

QTY	50'dia. - 5" cal.
15	

25'dia. - 3" cal.		
15	rm	red maple
6	gr	golden raintree
23	sm	sugar maple

12'dia. - 15" cal.		
14	cm	crape myrtle

[redacted]

SPANGLER & ASSOCIATES, INC.
ARCHITECTURE LANDSCAPE ARCHITECTURE

MILLTOWN LD
ATLANTA, GA
ULTIMA Holdings
270 Carpenter Dr. - Suite
Atlanta, GA 30328

TREE REPLACEMENT PLAN
L.L. 20, 14th DISTRICT
City of Atlanta
805 - 845 Hyde Street
Atlanta, GA

Project Mgr:	AJ
Checked By:	RH
Drawn By:	AJ
Date:	5/14/00
Job No.	0004NA
Scale:	1"=40'
Sheet	TR-1
SHTS of QTY	

00- O -0866

(Do Not Write Above This Line)

AN ORDINANCE Z-00-50
BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE FROM THE I-1 (LIGHT INDUSTRIAL) DISTRICT TO THE C-2 (COMMERCIAL SERVICE) DISTRICT, PROPERTY LOCATED AT 797-805-815 WYLIE STREET, S.E. AND 788-806 FIELD STREET, S.E., FRONTING 200.34 FEET ON THE EAST SIDE OF PEARL STREET BEGINNING AT THE SOUTHEAST CORNER OF WYLIE STREET DEPTH: VARIES; AREA: 3.145 ACRES; LAND LOT 20, 14TH DISTRICT, FULTON COUNTY, GEORGIA
OWNER: DONALD H. LOYD
APPLICANT: ULTIMA HOLDINGS LLC
NPU-N COUNCIL DISTRICT 5

ADOPTED BY
JAN 0 2 2001
COUNCIL

SUBSTITUTE

CONSENT REFER
REGULAR REPORT REFER
ADVERTISE & REFER
1st ADOPT 2nd READ & REFER

Date Referred 7/5/00
Referred To: ZRB + Zoning

First Reading
Committee Zoning
Date 6-27-00
Chair Derrin McTaggart
Refer to ZRB and Zoning

Committee Zoning
Date 9-26-00
Chair
Actions: Fav, Adv, Hold (see rev. side)
Other: w/ substitute
Members
Refer To

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

Committee Zoning
Date 12-12-00
Chair Derrin McTaggart
Actions: Fav, Adv, Hold (see rev. side)
Other: O.N. Substitute
Members
Refer To

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

COUNCIL ACTION
☐ 2nd ☐ 1st & 2nd Readings ☐ 3rd
☐ Consent ☐ V Vote ☐ RC Vote

CERTIFIED
CERTIFIED
JAN 2 2001
ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED
JAN 0 3 2001
MUNICIPAL CLERK

MAYOR'S ACTION
APPROVED
JAN 1 0 2001
WITHOUT SIGNATURE
BY OPERATION OF LAW

Property Legal Description
Wylie Street Property
Atlanta, Fulton County, GA

All that tract or parcel of land lying and being in Land Lot 20 of the 14th District, Fulton County, Georgia, and being more particularly described as follows:

Commencing at a 5/8 inch rebar set at the intersection of the southerly right of way line of Wylie Street, having a 50' right of way, and the easterly right of way line of Pearl Street, having a 50' right of way, said point being the TRUE POINT OF BEGINNING; thence, along the southerly right of way line of said Wylie Street, North 74 degrees 29 minutes 56 seconds East, 154.31 feet to 1/2 inch rebar found; thence, along a curve to the right, an arc distance of 168.71 feet, said curve having a radius of 527.54 feet and being subtended by a chord of 167.99 feet, at North 85 degrees 50 minutes 59 seconds East, to a 5/8 inch rebar set; Thence South 85 degrees 22 minutes 27 seconds East, 137.40 feet to a 5/8 inch rebar set; Thence leaving said right of way South 00 degrees 22 minutes 50 seconds West, 142.84 feet to a 1/2 inch rebar set; Thence South 85 degrees 50 minutes 12 seconds East, 130.00 feet to a 5/8 inch rebar set; Thence South 00 degrees 54 minutes 48 seconds East, 128.70 feet to a 5/8 inch rebar set; Thence North 87 degrees 37 minutes 41 seconds West, 588.00 feet to a 5/8 inch rebar set; Thence North 00 degrees 57 minutes 31 seconds East, 121.75 feet to a 5/8 inch rebar set; Thence North 00 degrees 55 minutes 10 seconds East, 78.59 feet to a 5/8 inch rebar set; said point being the TRUE POINT OF BEGINNING.

Said tract of land contains 3.145 Acres and is more accurately depicted as combined Parcels One, Two and Three on a Boundary and Topographic Survey prepared for Ultima Holdings, said survey prepared by GeoSurvey, Ltd., certified by Roger L. Owenby, PLS 2763, dated May 5, 2000.

PROPOSED MILLTOWN LOFTS - REYNOLDSTOWN
HOUSING ENTERPRISE ZONE
LEGAL DESCRIPTION

Property Legal Description
Wylie Street Property
Atlanta, Fulton County, GA

All that tract or parcel of land lying and being in Land Lot 20 of the 14th District, Fulton County, Georgia, and being more particularly described as follows:

Commencing at a 5/8 inch rebar set at the intersection of the southerly right of way line of Wylie Street, having a 50' right of way, and the easterly right of way line of Pearl Street, having a 50' right of way, said point being the TRUE POINT OF BEGINNING; thence, along the southerly right of way line of said Wylie Street, North 74 degrees 29 minutes 58 seconds East, 154.31 feet to 1/2 inch rebar found; thence, along a curve to the right, an arc distance of 168.71 feet, said curve having a radius of 527.54 feet and being subtended by a chord of 167.99 feet, at North 85 degrees 50 minutes 59 seconds East, to a 5/8 inch rebar set; Thence South 85 degrees 22 minutes 27 seconds East, 137.40 feet to a 5/8 inch rebar set; Thence leaving said right of way South 00 degrees 22 minutes 50 seconds West, 142.84 feet to a 1/2 inch rebar set; Thence South 85 degrees 50 minutes 12 seconds East, 130.00 feet to a 5/8 inch rebar set; Thence South 00 degrees 54 minutes 48 seconds East, 128.70 feet to a 5/8 inch rebar set; Thence North 87 degrees 37 minutes 41 seconds West, 588.00 feet to a 5/8 inch rebar set; Thence North 00 degrees 57 minutes 31 seconds East, 121.75 feet to a 5/8 inch rebar set; Thence North 00 degrees 55 minutes 10 seconds East, 78.59 feet to a 5/8 inch rebar set; said point being the TRUE POINT OF BEGINNING.

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PROPOSED MILLTOWN LOFTS - REYNOLDSTOWN
HOUSING ENTERPRISE ZONE
LOCATION MAP

President Pro Tem Bond Presided

RCS# 2865
5/21/01
1:48 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 thru 16

ADOPT

YEAS:	12
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	2
EXCUSED:	0
ABSENT	2

SEE ATTACHED LISTING OF ITEMS ADOPTED/ADVERSED ON CONSENT AGENDA

NV McCarty	Y Dorsey	Y Moore	Y Thomas
B Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	B Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM CONSENT AGENDA

01-O-0721
01-O-0752
01-O-0753
01-O-0494
01-O-0712
01-R-0763
01-R-0765

CONSENT

ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
1. 01-O-0582	41. 01-R-0757	61. 01-R-0685
2. 01-O-0583	42. 01-R-0698	62. 01-R-0686
3. 01-O-0584	43. 01-R-0699	63. 01-R-0687
4. 01-O-0585	44. 01-R-0700	64. 01-R-0688
5. 01-O-0586	45. 01-R-0764	65. 01-R-0689
6. 01-O-0587	46. 01-R-0649	66. 01-R-0690
7. 01-O-0742	47. 01-R-0658	67. 01-R-0691
8. 01-O-0748	48. 01-R-0659	68. 01-R-0692
9. 01-O-0715	49. 01-R-0661	69. 01-R-0693
10. 01-O-0723	50. 01-R-0662	70. 01-R-0694
11. 01-O-0751	51. 01-R-0673	71. 01-R-0695
12. 01-O-0754	52. 01-R-0677	72. 01-R-0697
13. 01-O-0755	53. 01-R-0678	73. 01-R-0761
14. 01-O-0756	54. 01-R-0679	74. 01-R-0762
15. 01-O-0106	55. 01-R-0680	
16. 01-O-0495	56. 01-R-0681	
17. 01-O-0496	57. 01-R-0682	
18. 01-O-0497	58. 01-R-0683	
19. 01-O-0498	59. 01-R-0760	
20. 01-O-0567	60. 01-R-0684	
21. 01-O-0568		
22. 01-O-0569		
23. 01-O-0616		
24. 01-O-0638		
25. 01-O-0643		
26. 01-O-0665		
27. 01-O-0716		
28. 01-O-0759		
29. 01-R-0667		
30. 01-R-0669		
31. 01-R-0670		
32. 01-R-0656		
33. 01-R-0675		
34. 01-R-0676		
35. 01-R-0725		
36. 01-R-0744		
37. 01-R-0750		
38. 01-R-0758		
39. 01-R-0456		
40. 01-R-0654		


DEKALB
WYLIE
FIELD
SELMAN
KENYON
ESTORIA
MARCUS
KIRKWOOD
KIRKWOOD
N
W
E
S
MILLTOWN

01- 0 -0498

(Do Not Write Above This Line)

AN ORDINANCE
BY COMMUNITY DEVELOPMENT AND
HUMAN RESOURCES COMMITTEE

AN ORDINANCE TO CREATE THE
MILLTOWN LOFTS HOUSING ENTERPRISE
ZONE AND FOR OTHER PURPOSES

ADOPTED BY

MAY 21 2001

COUNCIL

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

Date Referred 4/2/01

Referred To: Community Development / Human Resources

First Reading

Committee CD/HR
Date 3/28/01
Chair Felicia A. Moore

Committee	Committee
CD/HR	
Date 4/11/01	Date
Chair	Chair
Action: Fav, Adv, Held (see rev. side) Other: 5/8/01 P.H.	Action: Fav, Adv, Held (see rev. side) Other:
Members	Members
Refer To	Refer To

Committee	Committee
CD/HR	
Date 5/16/01	Date
Chair Felicia A. Moore	Chair
Action: Fav, Adv, Held (see rev. side) Other:	Action: Fav, Adv, Held (see rev. side) Other:
Members	Members
Refer To	Refer To

COUNCIL ACTION

☑ 2nd ☐ 1st & 2nd Readings ☐ 3rd

☑ Consent ☐ V Vote ☑ RC Vote

CERTIFIED

CERTIFIED
MAY 21 2001
COUNCIL PRESIDENT PROTEM

CERTIFIED
MAY 21 2001
Rhonda Dauphin Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
MAY 25 2001
MAYOR