

**AN ORDINANCE  
BY COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

**AN ORDINANCE TO CREATE THE “AMB INDUSTRIAL URBAN ENTERPRISE ZONE”, LOCATED IN DISTRICT 14, CITY OF ATLANTA, LAND LOTS 33, 34, 63, 64, 65, AND THOSE PARCELS IDENTIFIED IN EXHIBIT “A” ATTACHED HERETO; TO PROVIDE NOTIFICATION TO THE TAX COMMISSIONER, SCHOOL SUPERINTENDENT AND THE DEPARTMENT OF COMMUNITY AFFAIRS; AND FOR OTHER PURPOSES.**

**WHEREAS**, an amendment to the Constitution of the State 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 Zone Act gives the Council of the City of Atlanta the authority to designate areas within the City as urban enterprise zones for industrial purposes if certain conditions are met; and

**WHEREAS**, the designation of an industrial 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 that is exempted by the City; and

**WHEREAS**, certain 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 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 City of Atlanta Code of Ordinances requires that any jobs created in certain industrial enterprise zones shall be subject to the first source jobs policy; and

**WHEREAS**, the conditions and qualifications of the Atlanta/Fulton County Urban Enterprises Zone Act, as amended, have been met relative to the creation of the proposed “AMB Industrial Urban Enterprises Zone.”

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:**

**SECTION 1:** It is found by the Council of the City of Atlanta that the area in and around the property that would be designated as the “AMB Industrial Urban Enterprises 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 property that would be designated as the “AMB Industrial Urban Enterprises Zone”, are characterized by having 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 a 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 “AMB Industrial Urban Enterprises Zone” is hereby created for the subject property, to be located in District 14, City of Atlanta, land lots 33, 34, 63, 64, and 65, and those parcels identified in Exhibit “A” attached hereto. The effective date of all exemptions established therein shall be January 1, 2008. The “AMB Industrial Urban Enterprises Zone” shall be abolished on December 31, 2033. The “AMB Industrial Urban Enterprises Zone” shall otherwise not be abolished except as provided in State law. A legal description and map of the “AMB Industrial Urban Enterprises Zone” are attached hereto as Exhibits “A” and “B”, are made a part hereof, and shall be on file in the Bureau of Planning and the Office of the Municipal Clerk.

**SECTION 3:** The Municipal Clerk is hereby directed to transmit a copy of this Ordinance as well as the legal description of the “AMB Industrial Urban Enterprises 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 the approval by the Mayor of the City of Atlanta.

**SECTION 4:** That all Ordinances and parts of Ordinances that are in conflict herewith are hereby repealed to the extent of the conflict.

**Part II: Legislative White Paper:** (This portion of the Legislative Request Form will be shared with City Council members and staff)

**A. To be completed by Legislative Counsel:**

**Committee of Purview:** Community Development/ Human Resources Committee

**Caption:** AN ORDINANCE TO CREATE THE "AMB INDUSTRIAL URBAN ENTERPRISE ZONE", LOCATED IN DISTRICT 14, CITY OF ATLANTA, LAND LOTS 33, 34, 63, 64, 65, AND THOSE PARCELS IDENTIFIED IN EXHIBIT "A" ATTACHED HERETO; TO PROVIDE NOTIFICATION TO THE TAX COMMISSIONER, SCHOOL SUPERINTENDENT AND THE DEPARTMENT OF COMMUNITY AFFAIRS; AND FOR OTHER PURPOSES.

**Council Meeting Date:** December 3, 2007

**Requesting Dept.:** Department of Planning

**B. To be completed by the department:**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

The purpose of this legislation to create the a \$17 million industrial enterprise zone as an extension of the Southside Industrial Park to be located in NPU Z, District 12.

**2. Please provide background information regarding this legislation.**

The Industrial UEZ is consistent with the city's goal of providing a range of entry level jobs for low-moderate city residents.

**3. If Applicable/Known:**

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** NA

(b) **Source Selection:**

(c) **Bids/Proposals Due:**

(d) **Invitations Issued:**

(e) **Number of Bids:**

(f) Proposals Received:

(g) Bidders/Proponents:

(h) Term of Contract:

4. Fund Account Center:

5. Source of Funds:

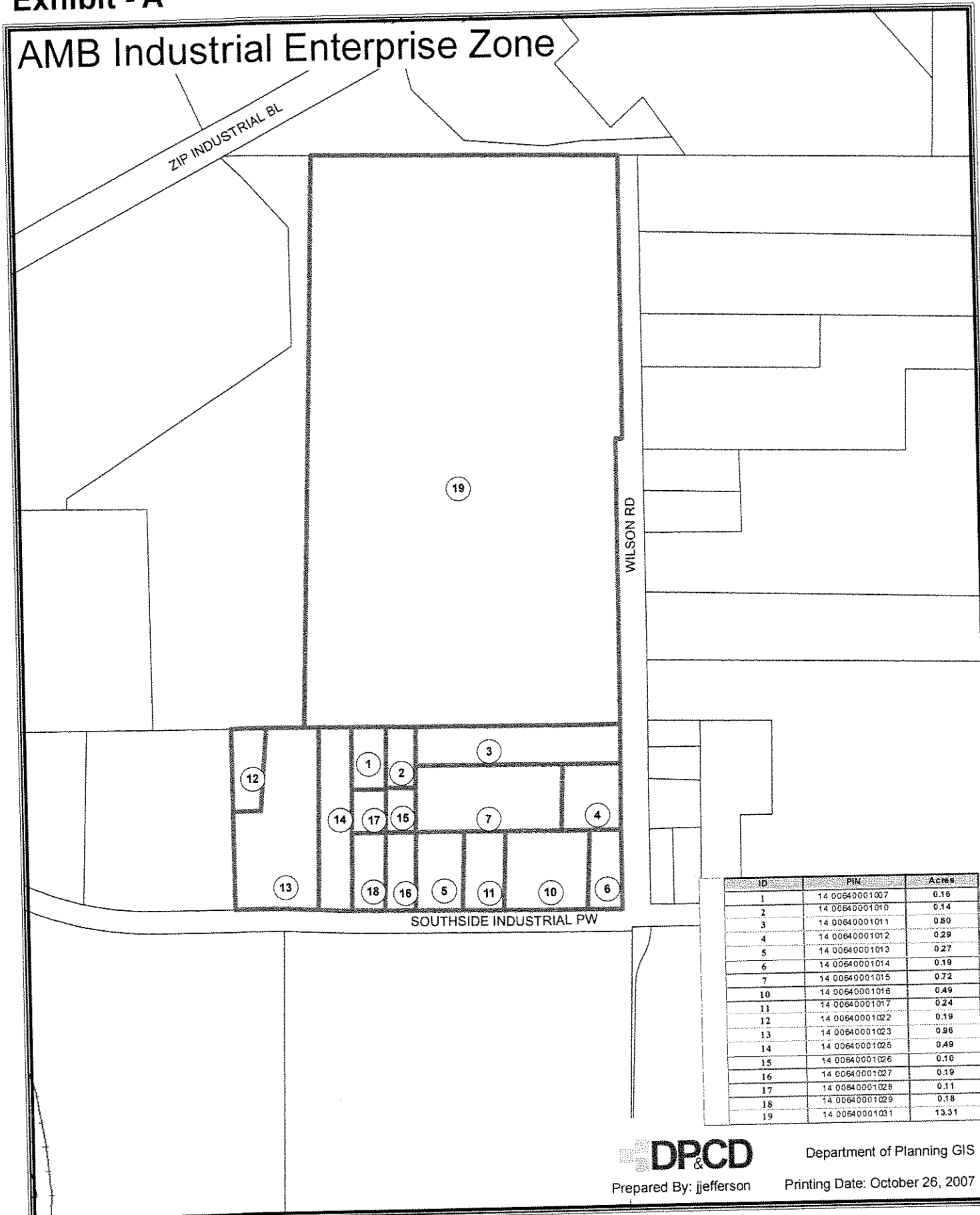
6. **Fiscal Impact:** This industrial urban enterprise zone would be a \$17 million investment in capital costs and would provide a range of 200-400 jobs for city residents.

7. **Method of Cost Recovery:** City property taxes will be generated after the abatement period.

**This Legislative Request Form Was Prepared By:** garnett brown

# Exhibit - A

## AMB Industrial Enterprise Zone



ID	PIN	Acres
1	14 00640001007	0.16
2	14 00640001010	0.14
3	14 00640001011	0.60
4	14 00640001012	0.29
5	14 00640001013	0.27
6	14 00640001014	0.19
7	14 00640001015	0.72
10	14 00640001016	0.49
11	14 00640001017	0.24
12	14 00640001022	0.19
13	14 00640001023	0.96
14	14 00640001025	0.49
15	14 00640001026	0.10
16	14 00640001027	0.19
17	14 00640001028	0.11
18	14 00640001029	0.18
19	14 00640001031	13.31

EXHIBIT "B"--AMB INDUSTRIAL UEZ

**LEGAL DESCRIPTION; TRACTS 1, 3, 4, 5, 6, & 7**

All that tract or parcel of land lying and being in Land Lot 64 of the 14th Land District, City of Atlanta, Fulton County, Georgia, said tract or parcel of land being more fully shown and designated as Tracts 1, 3, 4, 5, 6, & 7 on a plat of survey entitled "ALTA/ACSM LAND TITLE SURVEY FOR: CHICAGO TITLE INSURANCE COMPANY, LAWYERS TITLE INSURANCE CORPORATION AND HARTSFIELD EAST DISTRIBUTION CENTER, LLC", prepared by Valentino and Associates, Inc., dated 7/12/06, bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described as follows:

BEGINNING at a PK nail set at the intersection of the westerly right-of-way line of Wilson Road (AKA Thomas Road; apparent 21' r/w) and the northerly right-of-way line of Southside Industrial Boulevard (FKA Poole Road; r/w varies).

THENCE proceeding along said northerly right-of-way line of Southside Industrial Boulevard North 89 degrees 30 minutes 06 seconds West for a distance of 659.82 feet to a 1/2" iron pin set;

THENCE departing said northerly right-of-way line of Southside Industrial Boulevard North 00 degrees 07 minutes 40 seconds East for a distance of 318.73 feet to a 1/2" iron pin set;

THENCE South 88 degrees 33 minutes 51 seconds West for a distance of 11.24 feet to a 1" crimp-top pipe found;

THENCE North 88 degrees 12 minutes 45 seconds West for a distance of 13.29 feet to a 1/2" iron pin found;

THENCE North 01 degrees 46 minutes 04 seconds East for a distance of 1004.90 feet to a 1/2" iron pin found on the northerly line of Land Lot 64;

THENCE proceeding along said northerly line of Land Lot 64 South 89 degrees 48 minutes 40 seconds East for a distance of 662.36 feet to a 1.5" open-top pipe found in the approximate center of the road bed known as Wilson Road (not open at this point);

THENCE departing said northerly line of Land Lot 64, and proceeding along said approximate center of the roadbed known as Wilson Road the following courses and distances:

South 00 degrees 03 minutes 25 seconds West for a distance of 283.33 feet to a 1/2" rebar found;

THENCE South 00 degrees 03 minutes 25 seconds West for a distance of 214.74 feet to a 1/2" iron pin set near the end of the paved portion of Wilson Road (1.8 feet west of the centerline of pavement);

THENCE departing said approximate center of Wilson Road North 89 degrees 56 minutes 35 seconds West for a distance of 8.73 feet to a 1/2" iron pin set (10.5 feet west of the centerline of pavement; at the northwesterly terminus of the apparent 21' wide r/w of Wilson Road);

THENCE proceeding along the westerly r/w line of Wilson Road the following courses and distances:

South 00 degrees 34 minutes 32 seconds East for a distance of 177.73 feet to a 1/2" rebar set;

THENCE South 00 degrees 12 minutes 16 seconds West for a distance of 333.33 feet to a 1/2" iron pin set;

THENCE South 00 degrees 12 minutes 16 seconds West for a distance of 317.73 feet to a PK nail set, said PK nail set being the POINT OF BEGINNING.

Said tract or parcel of land contains a gross area of 20.392 acres or 888,262 square feet, and a net area (gross area minus the 2.7556 acres within stream buffers) of 17.636 acres.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Garnett Brown

Contact Number: 404-330-6724

Originating Department: Department of Planning/ Bureau of Housing

Committee(s) of Purview: Community Development/ Human Resources

Chief of Staff Deadline: November 9, 2007

Anticipated Committee Meeting Date(s): November 27-28, 2007

Anticipated Full Council Date: December 3, 2007

Legislative Counsel's Signature: ST Ball

Commissioner Signature: [Signature]

Chief Procurement Officer Signature: \_\_\_\_\_

**CAPTION**

AN ORDINANCE TO CREATE THE "AMB INDUSTRIAL URBAN ENTERPRISE ZONE", LOCATED IN DISTRICT 14, CITY OF ATLANTA, LAND LOTS 33, 34, 63, 64, 65, AND THOSE PARCELS IDENTIFIED IN EXHIBIT "A" ATTACHED HERETO; TO PROVIDE NOTIFICATION TO THE TAX COMMISSIONER, SCHOOL SUPERINTENDENT AND THE DEPARTMENT OF COMMUNITY AFFAIRS; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any):

Mayor's Staff Only

Received by CPO: \_\_\_\_\_ Received by LC from CPO: \_\_\_\_\_  
(date) (date)

Received by Mayor's Office: 11.9.07 Reviewed by: [Signature]  
(date) (date)

Submitted to Council: \_\_\_\_\_  
(date)