

12-0-1264
(Do Not Write Above This Line)

AN ORDINANCE BY
CITY UTILITIES COMMITTEE

AN ORDINANCE AUTHORIZING THE
RENAMING OF HENRY FORD II
AVENUE/SOUTH CENTRAL
AVENUE TO FERDINAND PORSCHE
AVENUE BY AND THROUGH
ACTIONS OF THE COMMISSIONER
OF THE DEPARTMENT OF PUBLIC
WORKS OR DESIGNEE; AND FOR
OTHER PURPOSES.

ADOPTED BY

OCT 15 2012

COUNCIL

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

Date Referred: 10/11/12
Referred To: City Utilities
Date Referred:
Referred To:
Date Referred:
Referred To:

Committee: City Utilities
Date: 10/25/12
Chair: [Signature]
Referred To: [Signature]

First Reading

City Committee
Date: 10/11/12

Chair: [Signature]

Members: [Signature]

Fav, Adv, Hold (see rev. side)

Action: [Signature]

Other: [Signature]

Refer To: [Signature]

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

CERTIFIED

FINAL COUNCIL ACTION

2nd

1st & 2nd

3rd

Readings

Consent

V Vote

RC Vote

CERTIFIED
OCT 15 2012

MAYOR PRESIDENT PRO TEM

OCT 15 2012

Ronald D. [Signature]
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

OCT 9 4 2012

WITHOUT SIGNATURE
BY OPERATION OF LAW



A SUBSTITUTE ORDINANCE

BY CITY UTILITIES COMMITTEE

AN ORDINANCE AUTHORIZING THE RENAMING OF HENRY FORD II AVENUE/SOUTH CENTRAL AVENUE TO PORSCHE AVENUE BY AND THROUGH ACTIONS OF THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC WORKS OR A DESIGNEE; AND FOR OTHER PURPOSES.

WHEREAS, an application was filed with the Commissioner of the Department of Public Works requesting that Henry Ford II Avenue/South Central Avenue be renamed to Ferdinand Porsche Avenue (the "original Application") in conjunction with the redevelopment of the former Ford Assembly Plant site by Porsche Cars North America, Inc. into its United States headquarters, which will include a state of the art test track that will attract visitors from all over the world; and

WHEREAS, at the request of the applicant, (letter attached) the application has been amended to request that Henry Ford II Avenue/South Central Avenue be renamed Porsche Avenue (the "amended Application") in conjunction with the redevelopment of the former Ford Assembly Plant site by Porsche Cars North America, Inc.; and

WHEREAS, Porsche Cars North America, Inc. is a organization that has made contributions to the City and the State of Georgia by relocating its North American headquarters to a 26 acre site that has been vacant for many years and redeveloping that site a with a significant investment in buildings and infrastructure (organizational history attached); and

WHEREAS, Sec. 138-8 of the City Code requires that the Application meet certain criteria before it can be voted upon by the City Council; and

WHEREAS, the original Application did confirm that diligent efforts had been made to determine the identity of any business which was located on Henry Ford II Avenue/South Central Avenue; and

WHEREAS, the Commissioner did determine that the original signatures of property owners and/or businesses approving the renaming as set forth in the original application exceeded the 75% minimum approvals required by Sec. 138-8 and did, in fact, include an analysis of the property facing Henry Ford II Avenue/South Central Avenue which matched the consent documents to addresses and parcel identification records from the Fulton County Tax Assessor; and

WHEREAS, the Commissioner of the Department of Public Works or his designee (the "Commissioner") did review the amended Application and determine that the amended



Application sought to rename Henry Ford II Avenue/South Central Avenue after an organization which owned all adjacent frontage and would be defined by Sec. 138-8 as an entity that must consent and that the check which covered the initial administrative fee would not require in that no new notifications would be required due to the similarity in the names contained in the original Application and in the amended Application; and

WHEREAS, it appears that this amended Application meets the requirements of Sec. 138-8(h) in that it proposes and records consents of property owners and affected businesses for the entire length of the street; and

WHEREAS, upon a determination that an application is complete, Sec. 138-8 requires that written notification be given to certain individuals or entities; and

WHEREAS, as required by Sec. 138-8(d)(1)(a)(1), the Commissioner did provide notification of the receipt of the original Application to the following City agencies by electronic transmission of the Application to the following agencies: *Atlanta Police Department* by and through its Deputy Chief, Shawn Jones; *Atlanta Fire Rescue* by and through its Chief, Kelvin Cochran; *Office of Planning* by and through its Director, Charletta Wilson Jacks; *Office of Transportation* was designated to review the Application and coordinate all other notices; *Office of Buildings* by and through its Director, Don Rosenthal; *Department of Watershed Management* by and through its Commissioner Joanne Macrina; and

WHEREAS, as required by Sec. 138-8(d)(1)(a)(1), the Commissioner did provide notification of the receipt of the original Application to the Metropolitan Atlanta Rapid Transit Authority by letters to Rich Krisak, its Assistant General Manager for Rail Operations and Mary Ann Jackson, its Assistant General Manager for Bus Operations; and

WHEREAS, as required by Sec. 138-8(d)(1)(a)(1), the Commissioner did provide notification of the receipt of the original Application to the State of Georgia Department of Transportation by a letter to Hon. Keith Golden, Commissioner; and

WHEREAS, as required by Sec. 138-8(d)(1)(a)(2), the Commissioner did provide notification of the receipt of the original Application to the Atlanta Public Schools by letter to the Deputy Superintendent of Operations, Larry L. Hoskins, for determination of and notice to the affected public schools to be made by the Operations Department; and

WHEREAS, as required by Sec. 138-8(d)(1)(a)(2), the Commissioner did give written notice of the receipt of the original Application to the affected Neighborhood Planning Units, NPU X and NPU Z, through letters to their Chairs; and

WHEREAS, Sec. 138-8(d)(1)(a)(3) gives the Commissioner discretion to determine if persons other than those specified by the terms of Sec. 138-8 should receive notice of any application and the Commissioner has reviewed the list of persons who receive electronic notice of the Agenda of the City of Atlanta Urban Design Commission and deemed that the receipt of notice of the original Application by these persons is sufficient for the purposes of Sec. 138-8(d)(1)(a)(3); and



WHEREAS, the Urban Design Commission did publish an Agenda which showed that the original Application was the subject of a Review and Comment action; and

WHEREAS, after the Review and Comment, the Commissioner did receive the written findings of the Urban Design Commission regarding the street renaming proposed in the original Application; and

WHEREAS, the Commissioner did determine that due to the close similarity between the name of the individual as set forth in the original Application and the name of the organization as set forth in the amended Application that it was not necessary to perform duplicate notifications since a public hearing will be held at the same meeting when this substitute ordinance is placed for consideration; and

WHEREAS, the Commissioner did or will cause signs to be posted on Henry Ford, II Avenue/South Central Avenue which will give notice of the original Application prior to the public hearing required by Sec. 138-8 which is to be held after the introduction of the amended Application; and

WHEREAS, the Commissioner has determined that the cost for producing the signage which will replace the existing Henry Ford II Avenue sign is \$150.00; and

WHEREAS, the Commissioner has determined that the future costs of maintaining signage is the same for any street name such that it is unnecessary to produce more than the existing number of street signs, that there are no known additional signage costs and the original and amended Applications make sufficient arrangements for the responsibility of the payment of unforeseen costs associated with the production of the signs necessary for the street renaming based on the agreement of the applicant to pay the costs within three days of being notified; and

WHEREAS, the Commissioner has determined that no site plan of improvements are necessary in that the location of Henry Ford II Avenue/South Central Avenue and the associated signage is capable of being easily ascertained without a site plan; and

WHEREAS, at the time that this legislation was drafted the Commissioner determined that no amenities associated with Application were necessary such that no specifications and details were required;

WHEREAS, the information contained in the amended Application did show that Porsche Cars America, N.A. is an organization that has made important contributions to the City, the State of Georgia; and

WHEREAS, the Commissioner has determined that there is no necessity for the inclusion of a proposed maintenance schedule for any improvements associated with the proposed street renaming in that the future costs of maintaining signage is on an as needed basis such that it is unnecessary to include a legal description of the proposed street renaming area in that the location of Henry Ford II Avenue/South Central Avenue



and the associated signage is capable of being easily ascertained without a legal description; and

WHEREAS, the previous "whereas clauses" have specifically indicated that the conditions set forth in Sec. 138-8 have been met; and

WHEREAS, the authority of the City and its governing authority to rename streets has been tested in *Goodman v. City of Atlanta*, 246 Ga. 79 (1980) with respect to the renaming of Forrest Avenue to Ralph McGill Boulevard and found to be within the authority granted to City under its Charter; and

WHEREAS, the Commissioner did make a finding that the street renaming proposed in the original Application was feasible and did so notify the Applicant who has since made a request to amend the Application such that a duplicate notification to the Applicant of the feasibility of the requested amendment is not necessary; and

WHEREAS, the instant substitute ordinance concerning the amended Application can now be considered and will be ripe for a final vote by the City Council after a properly advertized public hearing is held by the City Utilities Committee; and

WHEREAS, the written request to the municipal clerk by the staff of the City Utilities Committee for the placing of the advertisement for the public hearing indicated that the staff had considered the Application to be complete and that all conditions of Sec. 138-8 had been satisfied by the applicant where such actions were required to be taken by the applicant; and

WHEREAS, the Municipal Clerk did indicate that the advertisement for the public hearing did appear as required on the date of September 25, 2012;

NOW THEREFORE, the City Council of the City of Atlanta Georgia, hereby ordains as follows:

Section 1: That Henry Ford II Avenue/South Central Avenue be renamed Porsche Avenue.

Section 2: That the Office of Transportation and other agencies of the City be and are authorized to make such notifications of the passage of this ordinance as required by Sec. 138-8 or as otherwise are necessary to implement the renaming of Henry Ford II Avenue/South Central Avenue to Porsche Avenue.

Section 3: That the Office of Transportation and other agencies of the City be and are authorized take such steps as are required by Sec. 138-8 or as otherwise are necessary to implement the renaming of Henry Ford II Avenue/South Central Avenue to Porsche Avenue.

Section 4: That this ordinance becomes effective upon the Mayor's signature or as specified by City Charter Sec. 2-403.

A true copy,

Deputy Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED as per City Charter Section 2-403

October 15, 2012
October 24, 2012

RCS# 2353
10/15/12
2:27 PM

Atlanta City Council

12-O-1264

RENAMING OF HENRY FORD II AVENUE TO
PORSCHE AVENUE
ADOPT ON SUB

YEAS: 13
NAYS: 1
ABSTENTIONS: 0
NOT VOTING: 0
EXCUSED: 0
ABSENT 2

Y Smith	Y Archibong	Y Moore	Y Bond
Y Hall	N Wan	Y Martin	B Watson
Y Young	Y Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	B Mitchell

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