

13-0-1082
(Do Not Write Above This Line)

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

AN ORDINANCE TO CREATE THE
"PORSCHE CARS NORTH AMERICA
INDUSTRIAL URBAN ENTERPRISE ZONE",
LOCATED AT ONE PORSCHE DRIVE
(FORMERLY 320 SOUTH CENTRAL
AVENUE); TO EXEMPT THE TAXABLE
VALUE OF REAL PROPERTY WITHIN
SAID ZONE FROM ALL OR PARTIAL AD
VALOREM TAXATION FOR CITY
PURPOSES FOR TEN YEARS, EFFECTIVE
JANUARY 1, 2015; TO PROVIDE
NOTIFICATION TO AFFECTED
GOVERNMENTAL ENTITIES; TO EXEMPT
THE CONSTRUCTION OF PORSCHE CARS
NORTH AMERICA HEADQUARTERS
FROM PAYMENT OF DEVELOPMENT
IMPACT FEES; AND FOR OTHER
PURPOSES.

substitute

ADOPTED BY

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1ST ADOPT 2ND READ & REFER
- PERSONAL PAPER REFER

SEP 16 2013
COUNCIL

Date Referred

6/14/13

Referred To:

CD/HR

Date Referred

Referred To:

Date Referred

Referred To:

First Reading *CD/HR*

Committee _____
Date *6/10/13*
Chair *Joyce M. Shepard*
Referred to *CD/HR*

FINAL COUNCIL ACTION
 2ND 1ST & 2ND 3RD
Readings
 Consent V Vote RC Vote

222

Committee *CD/HR*
Date *6/26/13*
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 _____

Committee *CD/HR*
Date *9/10/13*
Chair *Joyce M. Shepard*
Action _____
Fav, Adv, Hold (See rev.side) _____
Other *on substitute*
Members _____
Refer To _____

Committee _____
Date _____
Chair _____
Action _____
Fav, Adv, Hold (See rev.side) _____
Other _____
Members _____
Refer To _____

CERTIFIED
SEP 16 2013
ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
SEP 16 2013
Ronda Daughin Johnson
MUNICIPAL CLERK

MAYOR'S ACTION
APPROVED
SEP 25 2013
WITHOUT SIGNATURE
BY OPERATION OF LAW



A SUBSTITUTE ORDINANCE

13-O-1082

BY COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

AN ORDINANCE TO CREATE THE “PORSCHE CARS NORTH AMERICA INDUSTRIAL URBAN ENTERPRISE ZONE”, LOCATED AT ONE PORSCHE DRIVE (FORMERLY 320 SOUTH CENTRAL AVENUE); TO EXEMPT THE TAXABLE VALUE OF REAL AND PERSONAL PROPERTY WITHIN SAID ZONE FROM ALL OR PARTIAL AD VALOREM TAXATION FOR TEN YEARS, EFFECTIVE JANUARY 1, 2015; TO CONDITIONALLY EXEMPT THE CONSTRUCTION OF PORSCHE CARS NORTH AMERICA HEADQUARTERS FROM PAYMENT OF DEVELOPMENT IMPACT FEES; TO PROVIDE NOTIFICATION TO AFFECTED GOVERNMENTAL ENTITIES; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to the Atlanta Urban Enterprise Zone Act (“Local Act”), the City Council by ordinance may designate property or properties meeting certain criteria set forth in the Local Act as Urban Enterprise Zones (UEZ); and

WHEREAS, pursuant to the Enterprise Zone Employment Act of 1997 (“General Act”), the City Council by ordinance may designated property or properties meeting certain criteria set forth in the General Act as UEZ’s; and

WHEREAS, the designation of an industrial urban enterprise zone exempts, in whole or in part for a period of ten (10) years, 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, it is the expressed intent of the Atlanta City Council to use UEZ 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, in order to designate an area as an UEZ, 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, Porsche Cars North America, Inc. has applied for the designation of its under-construction North America corporate headquarters (set for completion by late 2014), known as One Porsche Drive, for industrial urban enterprise zone status; and

WHEREAS, ultimately, One Porsche Drive, a one hundred million dollar investment, will house 400 employees, including 100 jobs that will be new to Georgia. In addition to corporate offices, it will also be comprised of a Technical Service and Training Center, a Conference Center and a Museum. As an industry first, One Porsche Drive campus will feature a Customer Experience



Center including a 1.6-mile test track and handling road course to showcase the capabilities of Porsche's industry-leading vehicles

WHEREAS, the application has been referred to NPU Z for the opportunity to comment on whether or not the proposed zone should be created; and

WHEREAS, the creation of the UEZ is consistent with the 2011 City of Atlanta Comprehensive Development Plan; and

WHEREAS, the Commissioner of the Department of Planning and Community Development has certified, as shown on Exhibit "B" to this ordinance, that the conditions and qualifications of the General Act, the Local Act, as amended, as well as local eligibility requirements of City Code have been met relative to the creation of the proposed "Porsche Cars North America Industrial Urban Enterprise Zone"; and

WHEREAS, notice and public hearing requirements of the Local Act regarding the creation of this UEZ have been met; and

WHEREAS, the General Act also authorizes the local governing body creating an enterprise zone to exempt the payment of development impact fees that would otherwise be imposed on a qualifying business, defined as an employer that increases employment by five or more new full-time jobs; and

WHEREAS, the relocation of the Porsche North America headquarters within the aforementioned enterprise zone will increase employment well in excess of such threshold, such that it is in the best interest of the City to exempt the construction of Porsche North America headquarters facility from the payment of development impact fees.

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

SECTION 1: Upon review of the Porsche Cars North America, Inc. application for designation of its property as an urban enterprise zone, it is found that the area in and around the property to be designated as the "Porsche Cars North America Industrial Urban Enterprise Zone" is economically and socially depressed; contributes to or causes unemployment, creates an inordinate demand for public services and, in general, has a deleterious effect on the public health, safety, welfare, and morals; that the area is 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; that this lack of private investment and activity contributes to social and economic depression in the area.

SECTION 2: The area in and around the property designated as the "Porsche Cars North America Industrial Urban Enterprise Zone" meets both the General Act's criterion and the Local Act's "site-specific eligibility" criterion of pervasive poverty, unemployment, general distress, and underdevelopment based on the prescribed data sources set forth therein.



SECTION 3: The “Porsche Cars North America Industrial Urban Enterprise Zone” is hereby created, to consist of Parcel number 14-0065-LL-081-4 located in the 14th District, Land Lot 65, said property being more fully described at Exhibit “A-1”, attached hereto, and made a part hereof.

SECTION 4: That in accordance with law, the term of the “Porsche Cars North America Industrial Urban Enterprise Zone” shall be for ten years (10) beginning on January 1, 2015 and ending on December 31, 2024. The “Porsche Cars North America Industrial Urban Enterprise Zone” shall otherwise not be abolished except as provided in State law and shall comply with all applicable state and local UEZ regulations.

SECTION 5: That the real property at One Porsche Drive, formerly 320 South Central Avenue, tax parcel number 14-0065-LL-081-4, said property being more fully described at Exhibit “A-1”, attached hereto, and made a part hereof, is hereby exempted, commencing on January 1, 2015, from ad valorem taxation for city purposes, as defined in the Local Act, according to the following schedule:

Exemption Percentage	Years of exemption	Dates
100%	Years 1-5	(1/1/2015 – 12/31/2019)
80%	Years 6-7	(1/1/2020 – 12/31/2021)
60%	Year 8	(1/1/2022 – 12/31/2022)
40%	Year 9	(1/1/2023 – 12/31/2023)
20%	Year 10	(1/1/2024 – 12/31/2024)

SECTION 6: That personal property, as defined by Article 5 of Chapter 48 of O.C.G.A., of a qualifying business, as defined by O.C.G.A. § 36-88-4 operating within the “Porsche Cars North America Industrial Urban Enterprise Zone”, is hereby exempted, commencing on January 1, 2015, from state ad valorem taxes according to the following schedule:

Exemption Percentage	Years of exemption	Dates
100%	Years 1-5	(1/1/2015 – 12/31/2019)
80%	Years 6-7	(1/1/2020 – 12/31/2021)
60%	Year 8	(1/1/2022 – 12/31/2022)
40%	Year 9	(1/1/2023 – 12/31/2023)
20%	Year 10	(1/1/2024 – 12/31/2024)

SECTION 7: As authorized by O.C.G.A. § 36-88-9(a), construction of One Porsche Drive within the enterprise zone created herein shall be exempt from payment of development impact fees on condition that the exempt development projects’ proportionate share of the system improvement is funded through a revenue source other than development impact fees, as required by O.C.G.A. § 36-71-4(1)(3). Said exemption shall only be granted at such time as said funds are identified and funded.



SECTION 8: The Municipal Clerk is hereby directed to transmit a certified copy of this Ordinance to the Fulton County Tax Commissioner, the Fulton County Board of Assessors, the Georgia Department of Community Affairs and the Superintendent of the Atlanta Board of Education within 30 days of this Ordinance becoming law.

SECTION 9: The Office of Planning and the Office of the Municipal Clerk are hereby directed to maintain on file a copy of this Ordinance, including all related maps, legal descriptions, application information, etc.

SECTION 10: All Ordinances and parts of Ordinances that are in conflict herewith are hereby repealed to the extent of the conflict.

A true copy,

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

September 16, 2013
September 25, 2013

Rhonda Dauphin Johnson
Municipal Clerk

RCS# 3015
9/16/13
2:19 PM

Atlanta City Council

CONSENT AGENDA SECTION I PAGES (1-20)
EXCEPT 13-O-1260
ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 4

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

+

ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	09-16-13 ITEMS ADVERSED ON CONSENT
1. 13-O-1227	40. 13-R-3544	66. 13-R-3571
2. 13-O-1228	41. 13-R-3545	67. 13-R-3572
3. 13-O-1229	42. 13-R-3546	68. 13-R-3573
4. 13-O-1230	43. 13-R-3427	69. 13-R-3574
5. 13-O-1232	44. 13-R-3428	70. 13-R-3576
6. 13-O-1235	45. 13-R-3429	71. 13-R-3577
7. 13-O-1258	46. 13-R-3533	72. 13-R-3578
8. 13-O-1263	47. 13-R-3547	73. 13-R-3579
9. 13-O-1265	48. 13-R-3537	74. 13-R-3580
10. 13-O-1266	49. 13-R-3538	75. 13-R-3581
11. 13-O-1267	50. 13-R-3539	
12. 13-O-1234	51. 13-R-3549	
13. 13-O-1248	52. 13-R-3550	
14. 13-O-1082	53. 13-R-3551	
15. 13-O-1216	54. 13-R-3552	
16. 13-O-1236	55. 13-R-3560	
17. 13-O-1238	56. 13-R-3561	
18. 13-O-1240	57. 13-R-3562	
19. 13-O-1241	58. 13-R-3563	
20. 13-O-1244	59. 13-R-3564	
21. 13-O-1247	60. 13-R-3565	
22. 13-O-1242	61. 13-R-3566	
23. 13-O-1260	62. 13-R-3567	
24. 13-O-1249	63. 13-R-3568	
25. 13-O-1250	64. 13-R-3569	
26. 13-O-1251	65. 13-R-3570	
27. 13-O-1252		
28. 13-O-1253		
29. 13-O-1254		
30. 13-O-1255		
31. 13-O-1256		
32. 13-R-3555		
33. 13-R-3556		
34. 13-R-3557		
35. 13-R-3558		
36. 13-R-3559		
37. 13-R-3012		
38. 13-R-3541		
39. 13-R-3542		