

**AN ORDINANCE BY
CITY UTILITIES COMMITTEE**

12-0-1264

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.

WHEREAS, an application has been filed with the Commissioner of the Department of Public Works (the "Application") requesting that Henry Ford II Avenue/South Central Avenue be renamed to Ferdinand Porsche Avenue in conjunction with the redevelopment of the former Ford Assembly Plant site by Porsche Cars North America, Inc. into its United States headquarters; and

WHEREAS, the founder of Porsche internationally renowned entrepreneur and automotive engineer and designer Ferdinand Porsche; and

WHEREAS, Sec. 138-8 of the City Code requires that the Application meet certain criteria before it can be further processed; and

WHEREAS, the Commissioner of the Department of Public Works or his designee (the "Commissioner") did review the application and determine that the Application sought to rename Henry Ford II Avenue/South Central Avenue after a deceased person, included original signatures of property owners and/or businesses approving the renaming and which are defined by Sec. 138-8 as those who must consent and was accompanied by a check which was for the \$2,500 administrative fee; and

WHEREAS, the 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 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, it appears that this 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 the Application was complete, Sec. 138-8 requires that written notification be given to certain individuals or entities; and

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

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

WHEREAS, as required by Sec. 138-8(d)(1)(a)(2), the Commissioner did give written notice of the receipt of the Application to the Atlanta Public Schools by letter to Larry L. Hoskins, the Deputy Superintendent of Operations for determination of and notice to the affected public schools to be made by the Operations Department; 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 the Application and the Commissioner has reviewed the list of persons who receive electronic notice of the Application of the Agenda of the City of Atlanta Urban Design Commission and deems that the receipt of notice by these persons is sufficient for the purposes of Sec. 138-8(1)(a)(3); 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 Application prior to the public hearing required by Sec. 138-8; and

WHEREAS, the Urban Design Commission did publish an Agenda which showed that the 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 Application; and

WHEREAS, the Commissioner has determined that the cost for producing the signage which will replace the existing Henry Ford II Avenue pole signs will be \$150.00 which has been submitted with the application; 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 Application makes 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 narrative biography of the individual associated with the street renaming was included with the Application and shows that Mr. Ferdinand Porsche is of local, national and international reputation; 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 Application was feasible and did so notify the Applicant; and

WHEREAS, the instant ordinance concerning the Application can now be introduced and 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;

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 Ferdinand 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 Ferdinand 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 Ferdinand Porsche Avenue.

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

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: City Utilities

Caption:

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 A DESIGNEE; AND FOR OTHER PURPOSES

Council Meeting Date: September 17 and October 1

Requesting Dept.: Department of Public Works

B. To be completed by the department:

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

Per Sec. 138-8 of the City Code when a street renaming application is received; is in good form; fees are paid; is deemed feasible; all required notifications have been made; and the application has been the subject of a review and comment process before the Urban Design Commission, the application can be forwarded for consideration as legislation. The feasibility determination was made based on the review of the application and the applicant is the owner of all adjacent property

2. Please provide background information regarding this legislation.

A new application was received for the renaming of Henry Ford II Avenue/South Central Avenue to Ferdinand Porsche Avenue as a part of the redevelopment of the former Ford Assembly Plant site. The application met all required criteria. All required notifications and agency actions have been completed.

3. If Applicable/Known:

- (a) Contract Type (e.g. Professional Services, Construction Agreement, etc): N/A
- (b) Source Selection: N/A

- (c) Bids/Proposals Due: N/A
 - (d) Invitations Issued: N/A
 - (e) Number of Bids: N/A
 - (f) Proposals Received: N/A
 - (g) Bidders/Proponents: N/A
 - (h) Term of Contract: N/A
4. Fund Account Center: designated by Sec. 138-8 of the City Code
 5. Source of Funds: Applicant pays all costs.
 6. Fiscal Impact: None
 7. Method of Cost Recovery: N/A

This Legislative Request Form Was Prepared By: Lemuel H. Ward

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: Santana Kempson Wright

Contact Number: (404) 330-6579

Originating Department: Department of Public Works

Committee(s) of Purview: City Utilities Committee

Chief of Staff Deadline: August 24, 2012

Anticipated Committee Meeting Date(s): Sept. 11, 2012 and Sept. 25, 2012 (public hearing)

Anticipated Full Council Date: Sept. 17, 2012 (1st read) & October 1, 2012 (final action)

Legislative Counsel's Signature: Lemuel H. Ward

Commissioner's Signature: [Signature]

Chief Information Officer Signature (for IT Procurements): [Signature]

Chief Procurement Officer Signature: _____

CAPTION

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FINANCIAL IMPACT:

Mayor's Staff Only

Received by CPO: _____
(date)

Received by LC from CPO: _____
(date)

Received by Mayor's Office: 8.29.12 [Signature]
(date)

Reviewed by: [Signature]
(date)

Submitted to Council: _____ (date)