



**CITY COUNCIL
ATLANTA, GEORGIA**

22-O-1473

AN ORDINANCE BY COUNCILMEMBERS ANDREA L. BOONE, DUSTIN HILLIS AND MICHAEL JULIAN BOND TO AMEND CHAPTER 10, ARTICLE II, SECTIONS 10-92(B) OF THE CITY OF ATLANTA CODE OF ORDINANCES SO AS TO PROVIDE AN EXEMPTION FROM THE DISTANCE REQUIREMENTS LISTED IN SECTION 10- 88.1 FOR PACKAGE STORES LICENSED TO SELL MALT BEVERAGES AND/OR WINE FOR AN ESTABLISHMENT LOCATED AT 3170 DONALD LEE HOLLOWELL PARKWAY, NW, ATLANTA, GEORGIA 30318; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in maintaining the public health, safety, and welfare of the citizens of the City of Atlanta and its visitors; and

WHEREAS, the City of Atlanta has an interest in regulating, through the lawful exercise of its police powers, the sale of alcoholic beverages for the public health, safety and welfare; and

WHEREAS, Chapter 10 of the City of Atlanta Code of Ordinances, regulates the issuance of licenses for the sale of alcoholic beverages within the City of Atlanta; and

WHEREAS, Section 10-88.1 (a) of the City of Atlanta Code of Ordinances sets forth that no package store may be located within 1,500 feet of any other package store; and

WHEREAS, the area of the City of Atlanta near 3170 Donald Lee Hollowell Parkway, NW is a heavy traffic, area that can thrive, in part, thru the development of land with a multiplicity of eating, drinking and shopping options; and

WHEREAS, it is now the opinion of the neighborhood and the Atlanta City Council that the interests served in providing an additional option to purchase beer, wine and/or liquor by the package in proximity to this area caters to the convenience and character of the residents and businesses therein; and

WHEREAS, the current distance regulations would restrict the potential effectiveness of this manner of development of this area; and

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAIN, as follows:

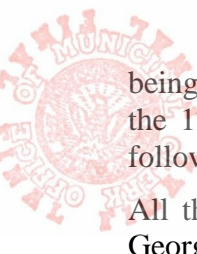
SECTION 1: That Chapter 10, Article II, Section 10-92(b) of the City of Atlanta Code of Ordinances is hereby amended by adding to the end of Section 10-92 (b), a new sub-section, numbered sequentially which shall read as follows:

“(XX) For not more than one (1) package store licensed for the package sale of malt beverages and/or wine located at 3170 Donald Lee Hollowell Parkway, NW, Atlanta, Georgia, 30318, such property

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being more particularly described as: All that tract or parcel of land lying and being in Land Lot 260 of the 17th District, City of Atlanta, Fulton County, Georgia, and being more particularly described as follows:

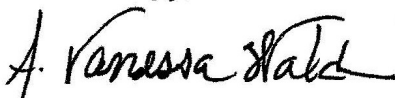
All that tract or parcel of land lying and being in Land Lot 260 of the 17th District, Fulton County, Georgia and being more particularly described as follows:

BEGINNING AT A POINT marked by a concrete monument located at the corner formed by the intersection of the Southwesterly side of Bankhead Highway and the easterly side of Hartwell Road; thence south 72 degrees 04 minutes 45 seconds east along the southwesterly right-of-way of Bankhead Highway a distance of 36.21 feet to an iron pin; thence continuing southeasterly as measured along the southwesterly side of Bankhead Highway a curvilinear distance of 134.29 feet, (said curve being subtended by a chord of south 69 degrees 54 minutes 40 seconds east a chord distance of 134.25 feet;) thence south 00 degrees 33 minutes 49 seconds east a distance of 191.92 feet to an iron pin; thence north 73 degrees 26 minutes 20 seconds west a distance of 248.60 feet to an iron pin located on the southeasterly right-of-way of Hartwell Road; thence northeasterly as measured along the southeasterly side of Hartwell Road a curvilinear distance of 88.23 feet to an iron pin (said curve being subtended by a chord of north 18 degrees 27 minutes 56 seconds east a distance of 88.21 feet); thence continuing northeasterly along the southeasterly right-of-way of Hartwell Road north 19 degrees 24 minutes 31 seconds east a distance of 89.96 feet to a concrete marker; thence north 61 degrees 29 minutes 35 seconds east a distance of 20.52 feet to the point of beginning. A copy of the legal description is attached hereto as Exhibit A.

SECTION 2: This ordinance shall become effective immediately upon the Mayor's signature or by operation of law

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

A true copy,



A. Vanessa Waldon
Deputy Municipal Clerk

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

JUN 21, 2022
JUN 29, 2022