



**CITY COUNCIL
ATLANTA, GEORGIA**

23-O-1487

AN ORDINANCE BY COUNCILMEMBER MARCI COLLIER OVERSTREET AS SUBSTITUTED BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE TO AMEND CHAPTER 10, ARTICLE II, SECTION 10-94(A) OF THE CITY OF ATLANTA CODE OF ORDINANCES SO AS TO PROVIDE AN EXEMPTION FROM THE DISTANCE REQUIREMENTS APPLICABLE TO ESTABLISHMENTS SELLING ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES LISTED IN SECTION 10-88 OF THE CITY OF ATLANTA CODE OF ORDINANCES FOR THE JOHN A. WHITE GOLF COURSE OWNED BY THE CITY OF ATLANTA, AND OPERATED IN ACCORDANCE WITH AN INTERGOVERNMENTAL AGREEMENT WITH THE ATLANTA-FULTON COUNTY RECREATION AUTHORITY; 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 within its territorial limits; and

WHEREAS, the City of Atlanta is authorized to regulate the locations of establishments which are licensed to sell alcoholic beverages; and

WHEREAS, Section 10-88 of the City of Atlanta Code of Ordinances sets forth the City's distance requirements between establishments seeking licenses to sell alcoholic beverages for consumption on the premises and residences, schools, churches, libraries, parks, and other places; and

WHEREAS, the City of Atlanta owns John A. White Park as a facility of recreation for the benefit of its citizens and all those who wish to make use of its facilities; and;

WHEREAS, through 1998, the City of Atlanta operated an instructional five (5) hole junior golf course which was located at John A. White Park; and

WHEREAS, pursuant to authority granted by Resolution 98-R-2162, which was approved by the Atlanta City Council on December 7, 1998, and approved on December 14, 1998, the City entered into an Intergovernmental Lease Agreement with the Atlanta-Fulton County Recreation Authority, (AFCRA), for the developing, designing, constructing, and renovating a portion of John A. White Park as a modern nine (9) hole instructional golf course dedicated to junior golf purposes, (the AFCRA IGA); and

WHEREAS, pursuant to the AFCRA IGA, AFCRA was authorized to enter into an appropriate Development, Sublease, and Operating Agreement with a third party to implement the junior golf training program following the completion of the renovated 9-hole golf facility; and

WHEREAS, the John A. White Golf Course is now home to The First Tee of Atlanta, and is managed by Bobby Jones Links, a club management and development company headquartered in Atlanta; and

2023-37(23-O-1487)



WHEREAS, the John A. White Golf Course is a hidden gem located in Southwest Atlanta, and the regulation 9-hole, par-35 course is fun to play, fair, and challenging; and

WHEREAS, the John A. White Golf Course is a player-friendly course and offers a pavilion for post-tournament festivities, and includes a large driving range, practice green, and separate practice bunkers; and

WHEREAS, the John A. White Golf Course provides a unique and enjoyable format for corporate events, client outings, or fundraisers, and has been a favorite among local groups and organizations that come back year after year for its personalized service and welcoming golf course; and

WHEREAS, to enhance the customer experience at the John A. White Golf Course, AFCRA and its management partner desire to acquire a license for the sale and service of alcohol for consumption on the premises of the John A. White Golf Course; and

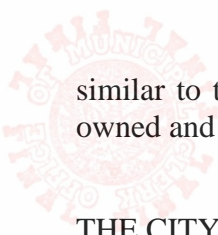
WHEREAS, due to its location, John A. White Golf Course is not currently eligible to acquire a license for the sale of alcohol for consumption on the premises due to the distance requirements set forth in Section 10-88 of the City of Atlanta Code of Ordinances; and

WHEREAS, pursuant to Ordinance 19-O-1708, which was adopted by the Atlanta City Council and approved on January 15, 2020, the Atlanta City Council amended Chapter 10 of the City of Atlanta Code of Ordinances, (the Alcohol Code) to create exemptions from the current distance requirements in Section 10-88 of the Alcohol Code for certain golf courses owned and operated by the City of Atlanta (the City of Atlanta Golf Courses) so as to facilitate the City's application for licenses to sell and serve alcohol for consumption on the premises at those City of Atlanta Golf Courses; and

WHEREAS, in Ordinance 19-O-1708, the Atlanta City Council found that there existed adequate physical and geographic buffers between the City of Atlanta Golf Courses and the private residences, and the school and church grounds located within the distance requirements prescribed by Section 10-88 of the Alcohol Code, so that creating exemptions from the current distance requirements in Section 10-88 would not offend the purposes of the distance requirements of Section 10-88 of the Alcohol Code; and

WHEREAS, the Atlanta City Council also finds that there exist adequate physical and geographic buffers between the John A. White Golf Course and the private residences, and the school and church grounds located within the distance requirements prescribed by Section 10-88 of the Alcohol Code, so that creating an exemption from the current distance requirements in Section 10-88 for the John A. White Golf Course would not offend the purposes of the distance requirements of Section 10-88 of the Alcohol Code; and

WHEREAS, it would be in the best interest of the City of Atlanta to create an exemption from the current distance requirements in Section 10-88 of the Alcohol Code for the John A. White Golf Course



similar to the exemption adopted by the City Council on January 6, 2020, for the public golf courses owned and operated by the City of Atlanta.

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

SECTION 1: Chapter 10, Article II, Section 10-94(a) of the City of Atlanta Code of Ordinances is hereby amended by adding to the end of Section 10-94(a), one new sub-section, numbered sequentially which shall read as follows:

(XX) All that tract or parcel of land and being in Land Lots 150, 170, and 171 of the 14th District of Fulton County, Georgia and more particularly described as: Beginning at the Southwest corner of Beecher St SW and Rosemary Ave SW and running thence West 905 ft, thence South on Beecher Ct SW 965.5 ft, thence West 1,215.2 ft into a wooded area, thence Northwest 171.4 ft, thence Northeast 63 ft, thence Northwest 562.7 ft, thence Southwest 180 ft, thence Northwest 34.5 ft, thence Southwest 237.7 ft, thence East 281.3 ft curving eastward around a cul-de-sac along Rector Dr SW, thence Southeast 682 ft, thence South 1,058.5 ft, thence Southeast 1,020.6 ft, thence East 278.6 ft, thence Northeast/East 1,759 ft following the curve of Cascade Cir SW to Cascade Ave SW, thence Northeast 569.4 ft along Cascade Ave SW to the SW corner of the intersection with Cascade Ter SW, thence West and North 1,653 f along Cascade Ter SW, thence East 374 ft along Clearvue Ter SW, thence North 978 ft along Rosemary Ave to the starting point at the intersection with Beecher St SW. Said property being 1053 Cascade Cir SW Atlanta, GA 30311

SECTION 2. This ordinance shall become effective immediately upon approval.

SECTION 3. Should any ordinance or part thereof be found to conflict with this ordinance or the provisions thereof, then those sections contained herein shall be deemed controlling.

A true copy,

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

OCT 16, 2023
OCT 25, 2023

AJ Vanessa Waldon

Municipal Clerk