



**CITY COUNCIL
ATLANTA, GEORGIA**

24-O-1477

AN ORDINANCE BY COUNCILMEMBER DUSTIN HILLIS 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 1535 CHATTAHOOCHEE AVENUE, 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 1535 Chattahoochee Avenue, 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

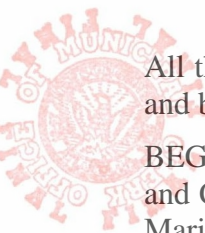
WHEREAS, it is now the opinion of the neighborhood and the Atlanta City Council that the interests served in providing an additional option to purchase beer, wine by the package in proximity to this area caters to the convenience and character of the residents and businesses therein; and

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

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

SECTION 1: That Chapter 10, Article II, Division 2, Subdivision 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 subsection, numbered sequentially which shall read as follows:

(XX) For one (1) retail store for the package sale of malt beverages and/or wine located on that parcel of land known as 1535 Chattahoochee Avenue, NW, Atlanta, Georgia 30318, under the numbering system of the City of Atlanta and being more particularly described as:



All that triack or parcel of land lying and being in Land Lot 222, 17th District, Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin at the northeast intersection of the right of wayws of Marietta Boulevard and Chattahoochee Avenue, being the True Point of Beginning; thence along the eastern right of way of Marietta Boulevard North 10 degrees 49 minutes 13 seconds West a distance of 107.12 feet to an iron pin; thence leaving said right of way North 81 degrees 01 minutes 00 seconds East a distance of 265.83 feet to an iron pin; thence South 00 degrees 16 minutes 39 seconds West a distance of 161.85 feet to an iron pin; thence South 53 degrees 18 minutes 34 seconds East a distance of 90.18 feet to an iron pin; thence South 28 degrees 00 minutes 04 seconds est a distance of 143.74 feet to an iron pin on the northern right of way of Chattahoochee Avenue; thence along said right of way North 51 degrees 31 minutes 22 seconds West a distance of 313.88 feet to an iron pin being the True Point of Beginning. All as shown on Survey for Bak South Corporation, et al, dated December 18, 1984, by B.K. Rochester, Jr., Georgia Registered Land Surveyor No. 153.

SECTION 2: The amendments contained in this Ordinance shall be effective immediately upon approval.

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

A true copy,

Corrine A. Lindo

Municipal Clerk

ADOPTED by the Atlanta City Council

SEP 16, 2024

APPROVED per City Charter Section 2-403

SEP 25, 2024