

**CITY COUNCIL
ATLANTA, GEORGIA**

24-O-1516

AN ORDINANCE BY COUNCILMEMBER MARY NORWOOD 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 LISTED IN SECTION 10-88 OF THE CITY OF ATLANTA CODE OF ORDINANCES, FOR ONE (1) CONVENTION CENTER SELLING ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES LOCATED AT 1881 HOWELL MILL ROAD, ATLANTA, GEORGIA; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in maintaining the public safety and welfare of 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 businesses seeking licenses to sell alcoholic beverages for consumption on the premises and residences, schools, churches, libraries, parks and other places; and

WHEREAS, Proof of the Pudding by MGR, LLC (herein "Proof") is managing an event space at 1881 Howell Mill Rd. in Northwest Atlanta, GA 30318 (herein the "Property") and Proof specializes in providing innovative catering and food management services, particularly with respect to event venues.; and

WHEREAS, Proof will operate as a wedding and event venue, similar to how the property has functioned for over the past 80 years, providing a unique and enjoyable area for neighborhood events, private functions, and fundraisers; and

WHEREAS, Proof provides a unique and enjoyable opportunity for private functions, or weddings; and

WHEREAS, the Property does not comply with the requirements of Section 10-88 of the City of Atlanta Code of Ordinances to permit the sale of alcoholic beverages because it is too close to private residences; and

WHEREAS, the leadership of the Channing Valley Neighborhood Association and NPU-C have been notified and offered an opportunity to comment about a plan to create an exemption to City of Atlanta Code of Ordinances Section 10-88 to allow the Property the opportunity to qualify for a consumption on the premises alcohol license as a convention center; and



WHEREAS, the leadership of the Channing Valley Neighborhood Association and NPU-C were in support of the exemption; 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 Proof at the Property.

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

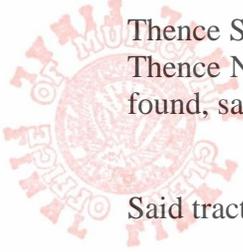
SECTION 1: That Chapter 10, Article II, Section 10-94(a) of the City of Atlanta Code of Ordinances is hereby amended by adding to the end of Section 10-94 (a), a new sub-section, numbered sequentially which shall read as follows:

“(XX) For one (1) convention center located on that parcel of land located at 1881 Howell Mill Rd., Atlanta, Georgia, under the numbering system of the City of Atlanta and being more particularly described as:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN ORIGINAL, Land Lot 153 of the 17th District, Fulton County, City of Atlanta, Georgia, and being more particularly described as follows:

Commencing at a concrete monument found at the intersection of the Northern right of way line of Interstate 75 (having a publicly dedicated variable width right of way) and the East right of way line of Howell Mill Road (having a publicly dedicated variable width right of way); Thence leaving said Northern right of way line of Interstate 75 and along said East right of way line of Howell Mill Road North 19 degrees 41 minutes 38 seconds East a distance of 68.28 feet to a concrete monument found, said monument being the TRUE POINT OF BEGINNING.

Thence along said East right of way line of Howell Mill Road the following courses and distances: South 86 degrees 39 minutes 45 seconds West a distance of 16.62 feet to a concrete monument found; along a curve to the left, said curve having a radius of 1710.46 feet, with an arc distance of 150.53 feet, with a chord bearing of North 09 degrees 08 minutes 23 seconds East and a chord length of 150.48 feet to a point; North 07 degrees 33 minutes 27 seconds East a distance of 76.29 feet to a 60d nail found at the intersection of said East right of way line with the South right of way line of an unnamed ally (having a 20 foot wide right of way); Thence along said South right of way line South 89 degrees 02 minutes 31 seconds East a distance of 210.60 feet to a 5/8 inch capped rebar set at the intersection of said South right of way line with the West right of way line of an unnamed ally (having a 10 foot wide right of way); Thence along said West right of way line South 00 degrees 33 minutes 12 seconds West a distance of 285.04 feet to a 1/2 inch rebar found; Thence leaving said West right of way line South 51 degrees 03 minutes 32 seconds West a distance of 24.54 feet to a 1 inch crimp top pipe found; Thence North 24 degrees 08 minutes 37 seconds West a distance of 86.42 feet to a 1 inch open top pipe found;



Thence South 87 degrees 56 minutes 28 seconds West a distance of 78.55 feet to a 5/8 inch rebar found;
Thence North 87 degrees 04 minutes 38 seconds West a distance of 92.35 feet to a concrete monument
found, said monument being the TRUE POINT OF BEGINNING.

Said tract of land contains 1.221 Acres (53,206 square feet).

SECTION 2: This ordinance shall become effective upon the Mayor's signature or as specified by City Charter Section 2-403.

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,

A handwritten signature in blue ink, appearing to read 'Corrine A. Lindo'.

Corrine A. Lindo

Municipal Clerk

ADOPTED by the Atlanta City Council

OCT 7, 2024

APPROVED per City Charter Section 2-403

OCT 16, 2024