



CITY COUNCIL
ATLANTA, GEORGIA

04-0-1723

AN ORDINANCE BY
COUNCILMEMBER HOWARD SHOOK (as substituted by Public Safety
And Legal Administration Committee)

**AN ORDINANCE TO AMEND CHAPTER 10, ARTICLE II,
SECTION 10-92(B) OF THE CITY OF ATLANTA CODE OF
ORDINANCES SO AS OF PROVIDE AN EXEMPTION FROM
THE DISTANCE REQUIREMENTS FOR PACKAGE STORES
LICENSED TO SELL MALT BEVERAGES AND/OR WINE BY
THE PACKAGE LISTED IN SECTION 10-88.1 FOR AN
ESTABLISHMENT LOCATED AT 2625 PIEDMONT ROAD,
SUITE 51 AND FOR OTHER PURPOSES.**

WHEREAS, the City of Atlanta has promulgated legislation which specifically provides that there must be a least 1500 feet between package stores licensed to sell alcohol by the package; and

WHEREAS, the Wine Gallery and Market, located at 2625 Piedmont Road, Suite 51, is an establishment seeking a license to sell wine exclusively; and

WHEREAS, the Wine Gallery and Market is located within 1286 feet from Chevron Food Mart, located at 639 Morosgo Drive which establishment is licensed and does sell only beer;

WHEREAS, the community leaders and the community-at-large have demonstrated that they strongly support this exception, while acknowledging the importance of Section 10-88.1 as an overall protection to the public;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF ATLANTA, GEORGIA AS FOLLOWS:**

SECTION 1:

That Chapter 10, Article II, Section 10-92(b), of the City of Atlanta Code of Ordinances is amended by adding the following

- (7) For one retail establishment selling wine by the package located at 2625 Piedmont Road, Suite 51, Atlanta, Georgia, and situated on that parcel of land lying and being in Land Lot 47 and Land Lot 48 of the 17th District of Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a point marked by an iron pin set located on the northerly right-of-way line of Sidney Marcus Boulevard (formerly known as Marion Road, having a variable right-of-way width), said point being located at the southeastern most and of miter which forms the intersection of the northerly right-of-way line of Sidney Marcus Boulevard with the easterly right-of-way line of Piedmont Road (having a variable right-of-way width), said miter being delineated by a line running from the easterly right-of-way line of Piedmont Road South 27*26'41" East a distance of 39.30 feet to a point on the northerly right-of-way line of Sidney Marcus Boulevard:



RUNNING THENCE North 89°42'18" East along the northerly right-of-way line of Sidney Marcus Boulevard a distance of 135.24 feet to a point marked by an iron pin set:

RUNNING THENCE South 06°16'58" West a distance of 8.90 feet to a point marked by a right-of-way monument on the aforesaid right-of-way line of Sidney Marcus Boulevard:

RUNNING THENCE North 89°42'03" East a distance of 143.37 feet to a point marked by an iron pin set on the aforesaid right-of-way:

RUNNING THENCE North 03°30'37" East for a distance of 10.48 feet to a point marked by a nail on the aforesaid right-of-way line of Sidney Marcus Boulevard:

RUNNING THENCE South 86°29'23" East for a distance of 59.51 feet to a point marked by a nail set on the aforesaid right-of-way:

RUNNING THENCE North 89°42'03" East of distance of 403.10 feet to a point marked by an iron pin found on the aforesaid right-of-way:

RUNNING THENCE North 00°00'00" East (or due North) a distance of 809.49 feet to a point marked by an iron pin found:

RUNNING THENCE North 30°39'15" West for a distance of 140.75 feet to a point marked by an iron pin found:

RUNNING THENCE 89°29'42" West for a distance of 123.06 feet to a point marked by an iron pin found:

RUNNING THENCE North 39°36'30" West for a distance of 38.70 feet to a point marked by an iron pin set located on the southerly right-of-way line of Miami Circle (50-foot right-of-way):

RUNNING THENCE along a curve to the right formed by the southerly right-of-way line of Miami Circle a distance of 73.36 feet to a point marked by an iron set (said curve having a chord line running south 79°23'17" West a distance of 73.13 feet and having a radius of 197.07 feet):

RUNNING THENCE North 80°55'08" West for a distance of 282.69 feet to a point marked by an iron pin set on the aforesaid right-of-way:

RUNNING THENCE along a curve to the left formed by said right-of-way line a distance of 69.91 feet to a point marked by an iron pin found on the (said curve having a chord line running south 68°32'44" West a distance of 68.28 and having a radius of 93.00 feet):



RUNNING THENCE South of 47°00'35" West for a distance of 122.66 feet to a point marked by a nail set on aforesaid right-of-way, said point also being on the easterly right-of-way line of Piedmont Road:

RUNNING THENCE South 02°14'41" West for a distance of 367.88 feet to a point marked by an iron pin found on aforesaid right-of-way line of Piedmont Road:

RUNNING THENCE South 5°57'42" East for a distance of 95.98 feet to a point marked by a nail set on aforesaid right-of-way:

RUNNING THENCE South 02°14'41" West for a distance of 175.00 feet to a point marked by an iron pin on aforesaid right-of-way:

RUNNING THENCE South 15°19'05" West for a distance of 60/57 feet to a point marked by a nail set on aforesaid right-of-way:

RUNNING THENCE South 02°14'41" West for a distance of 108.00 feet to a point marked by a concrete monument found on aforesaid right-of-way:

RUNNING THENCE South 27°26'41" East for a distance of 39.30 feet to the
POINT OF BEGINNING

SECTION 2:

That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

A true copy,

Rhonda Daughlin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

October 4, 2004
October 8, 2004

RCS# 6091
10/04/04
2:51 PM

Atlanta City Council

Regular Session

04-O-1727 AMEND SECTION 10-92(B) PROVIDE EXEMPTION
DISTANCE REQU FOR 2625 PIEDMONT RD S-51
ADOPT ON SUB

YEAS: 8
NAYS: 5
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 2

Y Smith	N Archibong	N Moore	Y Mitchell
Y Starnes	N Fauver	N Martin	Y Norwood
Y Young	B Shook	B Maddox	Y Willis
Y Winslow	Y Muller	N Sheperd	NV Borders

04-O-1727

		10-04-04 Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 04-O-1418	38. 04-R-1683	60. 04-R-1705
2. 04-O-1441	39. 04-R-1684	61. 04-R-1706
3. 04-O-1565	40. 04-R-1685	62. 04-R-1707
4. 04-O-1567	41. 04-R-1686	63. 04-R-1708
5. 04-O-0438	42. 04-R-1687	64. 04-R-1709
6. 04-O-1507	43. 04-R-1688	65. 04-R-1710
7. 04-O-1559	44. 04-R-1689	66. 04-R-1711
8. 04-O-1572	45. 04-R-1690	67. 04-R-1712
9. 04-O-1582	46. 04-R-1691	68. 04-R-1713
10. 04-O-1728	47. 04-R-1692	69. 04-R-1714
11. 04-O-1732	48. 04-R-1693	70. 04-R-1715
12. 04-R-1655	49. 04-R-1694	71. 04-R-1716
13. 04-R-1421	50. 04-R-1695	72. 04-R-1717
14. 04-R-1668	51. 04-R-1696	
15. 04-R-1719	52. 04-R-1697	
16. 04-R-1487	53. 04-R-1698	
17. 04-R-1624	54. 04-R-1699	
18. 04-R-1673	55. 04-R-1700	
19. 04-R-1674	56. 04-R-1701	
20. 04-R-1675	57. 04-R-1702	
21. 04-R-1491	58. 04-R-1703	
22. 04-R-1659	59. 04-R-1704	
23. 04-R-1660		
24. 04-R-1661		
25. 04-R-1662		
26. 04-R-1663		
27. 04-R-1664		
28. 04-R-1665		
29. 04-R-1613		
30. 04-R-1676		
31. 04-R-1677		
32. 04-R-1678		
33. 04-R-1679		
34. 04-R-1680		
35. 04-R-1681		
36. 04-R-1682		
37. 04-R-1718		

