

#9

11-0-0795

(Do Not Write Above This Line)

AN ORDINANCE BY COUNCIL MEMBER HOWARD SHOOK

AN ORDINANCE TO AMEND CODE OF ORDINANCES SECTION 10-93.1 ADOPTED 21 FEBRUARY 2011 AND APPROVED ON 2 MARCH 2011, WHICH ORDINANCE AUTHORIZED CERTAIN RETAIL ESTABLISHMENTS WITHIN THE C-3 ZONING DISTRICT TO SELL ALCOHOLIC BEVERAGES BY THE PACKAGE WHEN LOCATED IN COMMERCIAL SHOPPING CENTERS ON PEACHTREE ROAD IN EXCESS OF 80,000 SQUARE FEET, SO AS TO CORRECT THE EXEMPTION REFERENCES IN SAID ORDINANCE; AND FOR OTHER PURPOSES.

ADOPTED BY

JUN 06 2011

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 05/16/2001

Referred To: PSLA & LA

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
 Date _____
 Chair _____
 Referred To _____

PSLA
 5/13/11
 Chair [Signature]
 Action Fav, Adv, Hold (see rev. side)
 Other 4 years
 Members 1 abstention / Martin
 [Signature]
 [Signature]
 [Signature]
 Refer To

Committee _____
 Date _____
 Chair _____
 Action Fav, Adv, Hold (see rev. side)
 Other _____
 Members _____
 Refer To

Committee _____
 Date _____
 Chair _____
 Action Fav, Adv, Hold (see rev. side)
 Other _____
 Members _____
 Refer To

Committee _____
 Date _____
 Chair _____
 Action Fav, Adv, Hold (see rev. side)
 Other _____
 Members _____
 Refer To

FINAL COUNCIL ACTION

- 2nd
- 1st & 2nd Readings
- Consent
- V Vote
- FC

CERTIFIED

CERTIFIED JUN 06 2011

ATLANTA CITY COUNCIL PRESIDENT

[Signature]

CERTIFIED JUN 06 2011

Rhonda Daughlin Johnson MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

JUN 13 2011

[Signature] MAYOR



CITY COUNCIL
ATLANTA, GEORGIA

11-0-0795

CITY COUNCIL
ATLANTA, GEORGIA

ORDINANCE NO. _____

AN ORDINANCE
BY COUNCIL MEMBER HOWARD SHOOK

Handwritten signature: H. Shook

AN ORDINANCE TO AMEND CODE OF ORDINANCES SECTION 10-93.1 ADOPTED 21 FEBRUARY 2011 AND APPROVED ON 2 MARCH 2011, WHICH ORDINANCE AUTHORIZED CERTAIN RETAIL ESTABLISHMENTS WITHIN THE C-3 ZONING DISTRICT TO SELL ALCOHOLIC BEVERAGES BY THE PACKAGE WHEN LOCATED IN COMMERCIAL SHOPPING CENTERS ON PEACHTREE ROAD IN EXCESS OF 80,000 SQUARE FEET, SO AS TO CORRECT THE EXEMPTION REFERENCES IN SAID ORDINANCE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in regulating the sale of alcoholic beverages within its city limits, and it has in place certain regulations which provide that distance requirements must be met in order to obtain a license to sell alcoholic beverages by the package; and

WHEREAS, certain large retail commercial areas in the C-3 Zoning District of the City of Atlanta are being re-developed and leased to take advantage of the opportunity to establish an environment of in-town living which includes new types of specialized retail trade for the convenience of the residents and businesses therein; and

WHEREAS, the City of Atlanta recognizes that this type of specialized in-town development presents many advantages, including safe, pleasant, and convenient pedestrian circulation, minimal conflict between pedestrians and vehicles, and the opportunity for more dense and unique uses and activities; and

WHEREAS, the City of Atlanta accordingly adopted Code of Ordinances Section 10-93.1 through Ordinance Number 11-O-0245 on 21 February 2011 approved 2 March 2011 authorizing the sale of packaged alcoholic beverages in establishments located within these C-3 retail commercial areas provided that the establishments met certain requirements; and

WHEREAS, said Ordinance correctly identified the exemption of the provisions of Code of Ordinances Section 10-88.1.(a) but failed to similarly identify the exemption of the provisions of Section 10-88.1.(b); and

WHEREAS, the City Council desires to correct this omission in said ordinance;



NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

Section 1. That Section 10-93.1 of the City of Atlanta Code of Ordinances be amended so as to add the reference “and 10-88.1.(b)” in the first sentence immediately following the reference to section 10-88.1.(a), and be further amended so as to delete the word “section” in said sentence and insert the word “subsections” in lieu thereof, so that, as amended, section 10-93.1 shall read as follows:

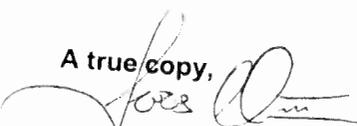
Sec. 10-93.1 - Exemptions for the sale of alcoholic beverages by the package in certain retail commercial areas on Peachtree Road.

Any applicant for a license to sell alcoholic beverages, including beer, wine and distilled spirits, by the package shall be exempt from the distance requirements provided for in subsections 10-88.1.(a) and 10-88.1.(b) of the City Code of Ordinances if the location for which the license is being sought meets each of the following requirements:

- (a) The location for which such package license is being sought is located in a retail commercial area that contains at least 80,000 square feet of retail space. For purposes of this section, “retail commercial area” shall mean a retail area which contains at least five (5) or more commercial establishments developed and managed as a unit and providing common on-site surface parking.
- (b) Such retail commercial area shall be zoned C-3 and contain frontage on Peachtree Road between Junction Avenue, NE and Lindbergh Drive, NE.

Section 2. 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,


Deputy Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED by Mayor Kasim Reed

June 06, 2011
June 13, 2011

RCS# 1083
6/06/11
3:58 PM

Atlanta City Council

REGULAR SESSION

11-O-0795

AMEND SEC.10-93.1 OF THE CODE OF
ORDINANCES
ADOPT

YEAS: 12
NAYS: 1
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	N Moore	Y Bond
B Hall	Y Wan	Y Martin	Y Watson
Y Young	Y Shook	Y Bottoms	NV Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

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