

mixed use has been taken off of the radar. Townsend stated that he thinks the council had a global picture of if the community was to accept moving forward with the document and the map, status quo in those quadrants had to be maintained. That is what they heard loud and clear and couldn't push it to where they thought their comfort level might have been.

Cheryl Greenway stated that from being there and listening to them talk she does not think it is off the table as far as if someone came in with a great project they wouldn't listen to it and potentially accept it. It is just as far as what they are going to go ahead and set it up with on the UDC in order to get this finished so they can move forward. They are going to have to pretty much leave that quadrant as it is.

Sidney Dodd stated that one thing he would like to add too is it a good idea not to cap the number of particular units. As Brad Townsend said, one makes himself an easy target for litigation for those attorneys that kind of patrol the property owners and say, "let's sue based on out zoning by right." It is a good thing not to put out a hard and fast cap for those types of new development.

Brad Townsend asked if there was any further discussion on the UDC. Hearing none, Cheryl Greenway stated that the Commission will move forward with their text amendment.

TEXT AMENDMENTS

13-0474

A Text Amendment to Chapter 3, Alcoholic Beverages, Sections 3.1.2 and 3.2.5 of the city of Roswell Code of Ordinances and Article 6, Chapter 6.4, C-3 Highway Commercial District of the city of Roswell Zoning Ordinance to allow for microbreweries. Presented by Brad Townsend, planning and zoning director.

Brad Townsend stated that this is a text amendment that was actually requested to go through that allows for micro-breweries in C3 for a particular spot. Micro-breweries as part of the UDC will end up as a permitted use. So once this is adopted it will then just get rolled in and be a permitted use in that designation. They are just in a little bit more of a hurry than their document would get them in so they want to get this done before the end of the year so they can start going. They want to start making beer.

Sidney Dodd stated that he thought Brad Townsend was going to say before the Super Bowl.

Brad Townsend stated that staff would recommend approval of the text amendment.

Lisa DeCarbo stated that the only question she has is the way this is worded, they define micro-brewery. Does this allow since it does define also distilled spirits and vintners, could there be micro-distillery under this ordinance? She knows that is sort of a new and trendy thing in town. Or would that have to be something done separately? Maybe in the UDC.

Brad Townsend stated that he did not know. This was crafted by the legal people. The lawyers drafted this for one specific instance that they use their criteria, reviewed the state regulations of what the state required with a brewery. Once one gets into the alcohol scenario, Townsend stated the tries to stay out of those types of regulations because it is so convoluted in distribution and consumption and impacation. He does not have a good answer for Lisa DeCarbo.

Cheryl Greenway stated that she has a question and again maybe she was looking at the wrong place, but when she pulled up the code, to her there already was a section 3.2.5 which was catering. Brad Townsend asked Cheryl Greenway if that was in the city code. Greenway stated that it was. So, that confused her whether they just have a wrong number there or did she look at the wrong thing? But it was dealing with alcoholic beverages and catering. Alcoholic Beverage Caterers, 3.2.5. Her understanding was that they were trying to add this, so she thinks they need a different number. Brad Townsend stated that staff will run it by legal tomorrow. It looks like the right area. Greenway stated that she thinks it is the right area, she just thinks it is the wrong number. Townsend stated that maybe they needed to renumber the one's after it. If they are putting it in 2.5, then everything gets renumbered after something. The ordinance needs to say that if that is the objective. Townsend stated that staff will clarify that and thanked Cheryl Greenway, that was a good catch.

Cheryl Greenway stated that she was curious about one other thing on this. Didn't this already exist over at that restaurant, east of 400? Aqua Blue?

Lisa DeCarbo stated John Harper had it. Did they not have they not have it on the books before? Greenway stated that is what she was wondering about because they had one there. They made their own beer. DeCarbo stated that they had two huge copper tanks.

Brad Townsend stated that he thinks there might be some distinction between if they have an alcoholic that allows them to sell in conjunction with the restaurant. There may be some distinction related to if they have a liquor license that allows them to sell on premise what they produce and manufacture. What is being proposed with the micro-brewery is the manufacturing part but then there is a distribution to off site and consumption at a different spot.

Cheryl Greenway clarified that this is more for making and selling off site. Brad Townsend stated that was correct.

Cheryl Greenway asked if there were any other questions from the Commission. Hearing none she called for a motion.

Motion

Lisa DeCarbo made a motion to approve the ordinance to amend Chapter 3, Alcoholic Beverages of the Code of Ordinances and Article 6 with the corrections on the numbering for staff to investigate.

Joe Piontek seconded the motion.

Cheryl Greenway stated for the record that there is no one else from the public present to come up in favor of or in opposition to.

The motion passed unanimously.

OTHER

Election of Co-Chair

 **DRAFT**