




# CITY COUNCIL

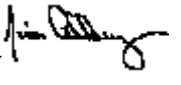
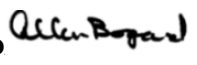
## AGENDA REQUEST

<b>AGENDA OF:</b>	<b>11-03-09</b>	<b>AGENDA REQUEST NO:</b>	<b>VIII-A</b>
<b>INITIATED BY:</b>	<b>HAROLD ELLIS PLANNER II</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>PLANNING</b>
<b>PRESENTED BY:</b>	<b>SABINE SOMERS-KUENZEL, AICP DIRECTOR OF PLANNING</b>	<b>DEPARTMENT HEAD:</b>	<b>SABINE SOMERS-KUENZEL, AICP  DIRECTOR OF PLANNING</b>
		<b>ADDITIONAL DEPARTMENT HEAD (S):</b>	<b>N/A</b>

**SUBJECT / PROCEEDING:** **VARIANCE TO THE DISTANCE REQUIREMENTS FOR THE SALE OF ALCOHOLIC BEVERAGES NEAR A CHURCH WORKSHOP**

**EXHIBITS:** **VICINITY MAP, AERIAL MAP, SITE PHOTO**

CLEARANCES		APPROVAL	
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<b>LEGAL:</b>	<b>N/A</b>	<b>EXECUTIVE DIRECTOR:</b>	<b>JIM CALLAWAY </b>
<b>PURCHASING:</b>	<b>N/A</b>	<b>ASST. CITY MANAGER:</b>	<b>N/A</b>
<b>BUDGET:</b>	<b>N/A</b>	<b>CITY MANAGER:</b>	<b>ALLEN BOGARD </b>

BUDGET	
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<b>EXPENDITURE REQUIRED: \$</b>	<b>N/A</b>
<b>CURRENT BUDGET: \$</b>	<b>N/A</b>
<b>ADDITIONAL FUNDING: \$</b>	<b>N/A</b>

RECOMMENDED ACTION
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Receive workshop presentation and provide direction to staff.

## EXECUTIVE SUMMARY

Theresa Crespo of Teresita's Catering has applied for a license to sell alcoholic beverages at 957 Eldridge, which is to be the location of a new restaurant and catering facility. The license has not yet been approved because the lease space does not meet the required 300' separation from a church to sell alcohol, as required by Sec. 3-91 (a) of Sugar Land's Code of Ordinances. The space is approximately 270' from the existing Crossbridge Church.

Sec. 3-91 (e) of Sugar Land's Code of Ordinances gives City Council the ability to grant a Variance to this requirement if: *it determines that enforcement of the regulation in a particular instance is not in the best interest of the public, constitutes waste or inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or any other reason the city council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.*

Ms. Crespo has requested a variance to the separation requirement. The City has no record of having received such a request in the past. This is the City's first case of nature and therefore there is no established process.

The purpose of this workshop is to inform City Council of the code provisions for variances and gain policy direction from City Council related to process and public notice.

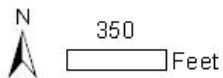
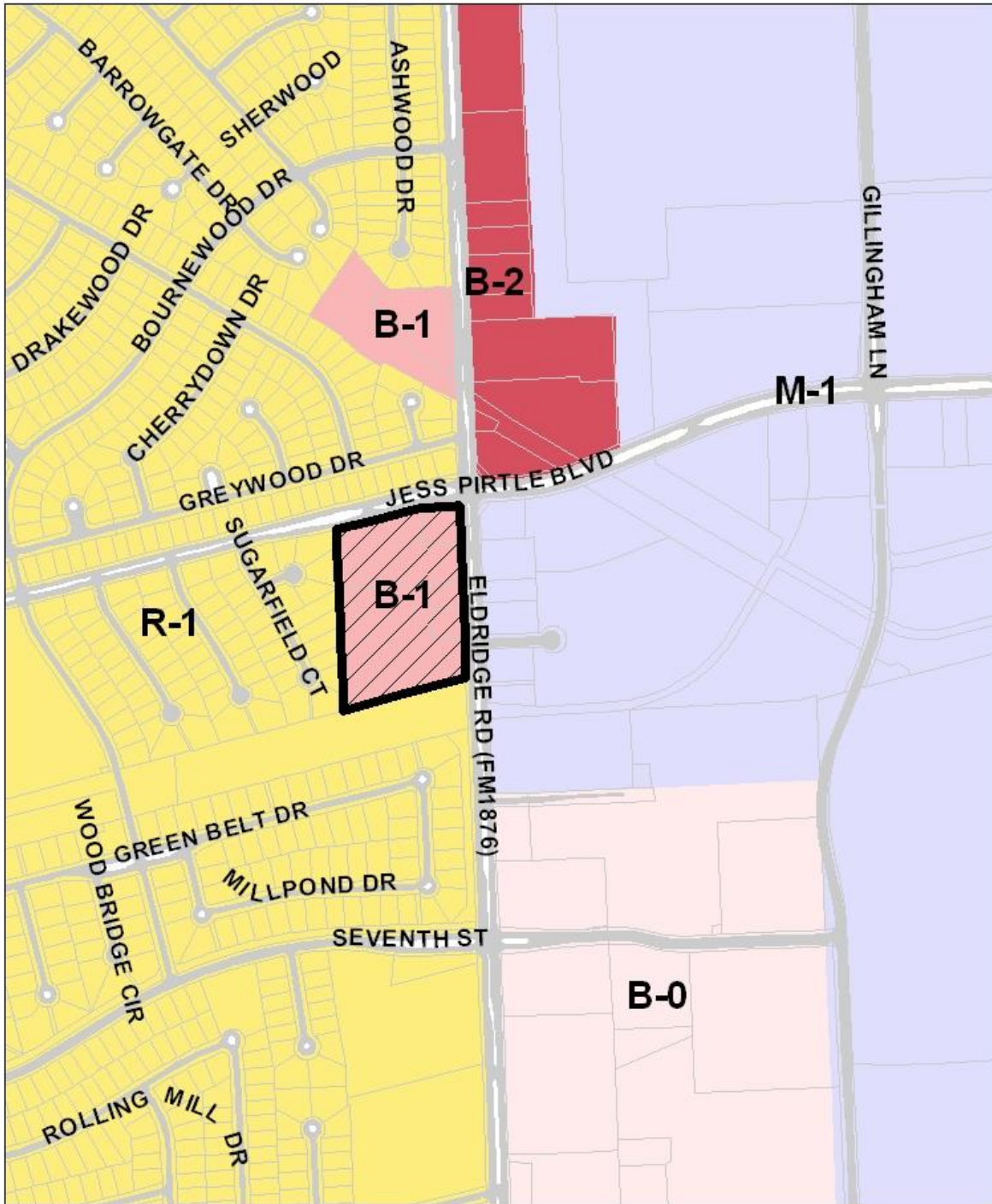
File No. 11620

CC: Theresa Crespo, [info@teresitascatering.com](mailto:info@teresitascatering.com)

EXHIBITS

VICINITY MAP

**957 Eldridge - Sugar Mill Plaza**



**AERIAL MAP**

