



# CITY COUNCIL

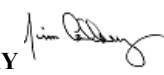
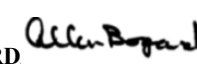
## AGENDA REQUEST

<b>AGENDA OF:</b>	<b>11-17-09</b>	<b>AGENDA REQUEST NO:</b>	<b>IV-A</b>
<b>INITIATED BY:</b>	<b>HAROLD ELLIS PLANNER II</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>PLANNING</b>
<b>PRESENTED BY:</b>	<b>HAROLD ELLIS PLANNER II</b>	<b>DEPARTMENT HEAD:</b>	<b>SABINE SOMERS-KUENZEL, AICPA PLANNING DIRECTOR</b>
		<b>ADDITIONAL DEPARTMENT HEAD (S):</b>	<b>N/A</b>

**SUBJECT / PROCEEDING:** **VARIANCE TO THE DISTANCE REQUIREMENTS FOR THE SALE OF ALCOHOLIC BEVERAGES WITHIN 300' OF A CHURCH CONSIDERATION AND ACTION**

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

CLEARANCES		APPROVAL	
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<b>LEGAL:</b>	<b>N/A</b>	<b>EXECUTIVE DIRECTOR:</b>	<b>JIM CALLAWAY</b>  <b>COMMUNITY DEVELOPMENT</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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Based on council comments during 11/3/09 workshop, staff recommends approval of the Variance as requested.

## 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 is not able to be approved at the staff level 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.*

The City Council held a workshop discussion on this item on November 3, 2009. It is the understanding of the Planning Department that Council did not have major concerns with this request. Council inquired as to whether the City had received any correspondence from the existing church in the shopping center. Attached to this report is a letter dated November 9, 2009 from the Crossbridge Church indicating that they have no issues with alcohol sales within 300' of their premises. Additionally, the Planning Department has met with Crossbridge Church and confirmed that they do not have any issues with the variance request.

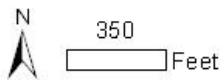
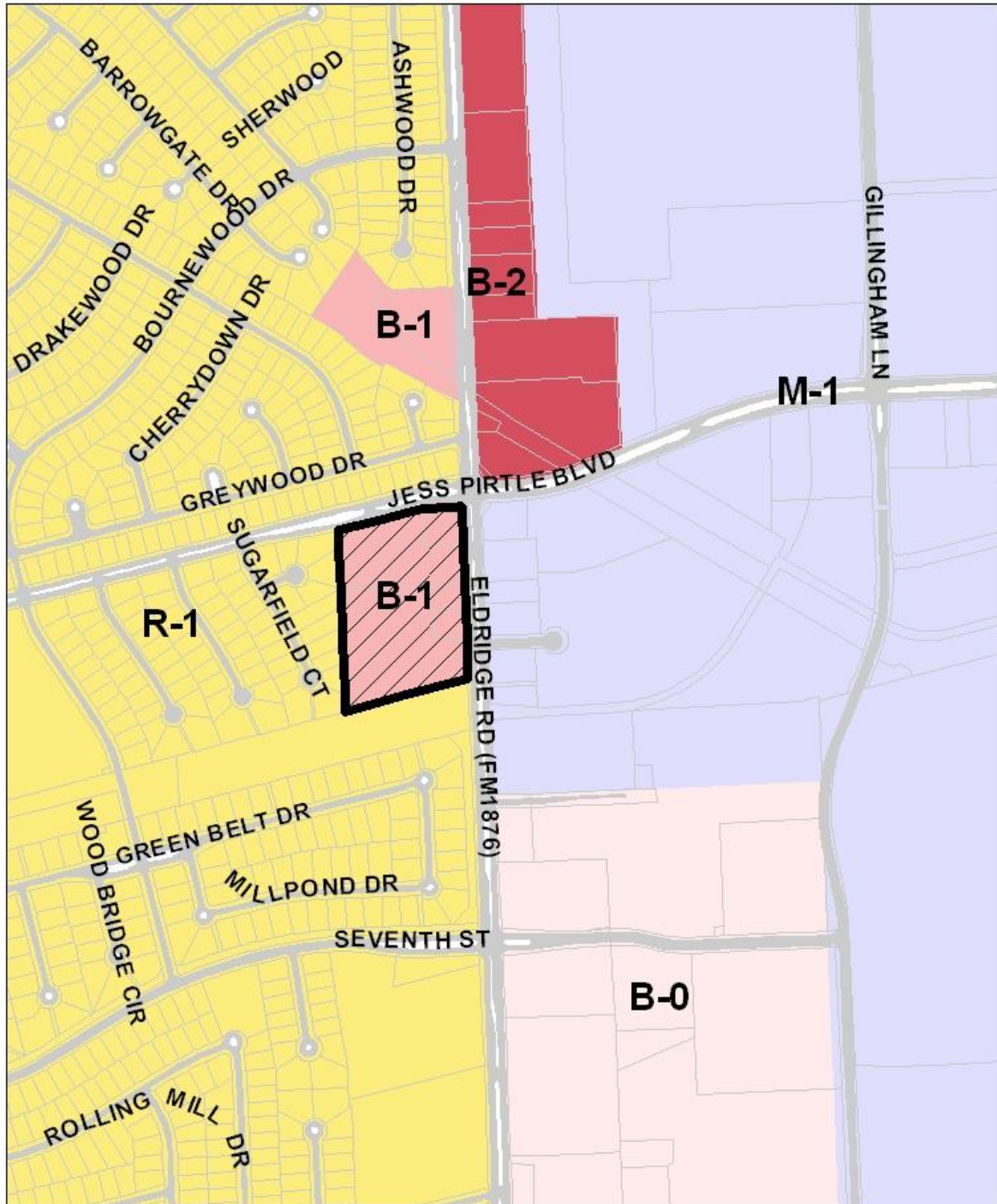
File No. 11651

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

## EXHIBITS

VICINITY MAP

**957 Eldridge - Sugar Mill Plaza**



**AERIAL MAP**



## CORRESPONDENCE

FEB-1-1999 02:07P FROM:

TO: 7137848931

P: 1/1

# CROSSBRIDGE CHURCH

November 9, 2009

Michelle Pilgrim  
Sugar Mill Plaza, Ltd.  
9801 Westheimer, Suite 202  
Houston, Texas 77042

RE: Sugar Mill Plaza Shopping Center

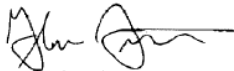
Dear Ms. Pilgrim:

Please accept this letter as written confirmation that Crossbridge Church is aware that there is an existing liquor store, and restaurant that offers liquor to their customers in the Sugar Mill Plaza Shopping Center. Crossbridge Church has no problems with the fact that they are in close proximity to the church.

In addition, Crossbridge Church does not and will not oppose any future restaurant or liquor store tenant who chooses to offer liquor to their customers as a part of their business.

Should you have any questions or need any additional information in this matter, please feel free to contact me at your convenience.

Sincerely,



Glenn Smith  
Associate Pastor

Crossbridge Church  
Location | 1049 Eldridge Rd. Sugar Land, TX 77478  
Mailing | 935 Eldridge Rd #282 Sugar Land, TX 77478  
Phone: 281 313 8300 Fax: 281 313 8310