

**PLANNING AND ZONING COMMISSION
MEETING AGENDA
CITY HALL, 3200 DIANA DRIVE
MAY 28, 2024 at 6:00 PM**

1. CALL TO ORDER

2. EXECUTIVE SESSION

Executive Session: Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Section 551.071. **Executive Session may be held, under these exceptions, at any time during the meeting that a need arises for the Planning and Zoning Commission to seek advice from the City Attorney as to the posted subject matter of this Planning and Zoning Commission meeting.**

3. PUBLIC COMMENTS

This is the public's opportunity to address the Planning & Zoning Commission about non-agenda items. In compliance with the Texas Open Meetings Act, Commission members and city staff are prevented from discussing non-agenda items and may only respond with statements of factual information or existing city policy.

REGULAR AGENDA

4. Approve minutes from the April 23, 2024 Planning and Zoning Commission meeting and the April 30, 2024 Joint Meeting of the City Council and the Planning and Zoning Commission
5. Consider Ordinance 1502-24 a Specific Use Permit (2024-0382) to permit a Package Liquor Store for the property described as Lot 10R, Block 15, Richland Hills Addition, Richland Hills, Texas, otherwise known as 7060 Boulevard 26, Richland Hills, Texas 76118. **PUBLIC HEARING**

6. ADJOURNMENT

A quorum of the City Council or other Boards may be present at this meeting

CERTIFICATE

I hereby certify that the above agenda was posted on this the 23rd day of May 2024 by 5:30 p.m. on the official bulletin board at the Richland Hills City Hall, 3200 Diana Drive, Richland Hills, Texas, pursuant to the Texas Government Code, Chapter 551.

Lindsay Rawlinson

Lindsay Rawlinson
City Secretary



ACCESSIBILITY STATEMENT

The Facility is wheelchair accessible. If you plan to attend this public meeting and have a disability that requires special arrangements, please notify the City Secretary 48 hours in advance at (817) 616-3810 and reasonable accommodations will be made to assist you.

Memorandum

To: Richland Hills Planning and Zoning Commission

From: Lindsay Rawlinson, City Secretary

Date: May 28, 2024

Subject: Minutes from the April 23, 2024 Regular Planning and Zoning Commission Meeting and the April 30, 2024 Joint Meeting of the City Council and the Planning and Zoning Commission

Agenda Item:

Approve minutes from the April 23, 2024 Planning and Zoning Commission meeting and the April 30, 2024 Joint Meeting of the City Council and the Planning and Zoning Commission.

Background Information:

N/A

Financial Considerations:

N/A

Legal Review:

N/A

Board/Citizen Input:

N/A

Attachments:

April 23, 2024 Draft Minutes

April 30, 2024 Draft Minutes

Suggested Motion:

Motion to approve the minutes from the April 23, 2024 Planning and Zoning Commission meeting and the April 30, 2024 Joint Meeting of the City Council and the Planning and Zoning Commission.

**RICHLAND HILLS PLANNING & ZONING COMMISSION
REGULAR MEETING
APRIL 23, 2024
MINUTES**

Members Present

Michael Wilson, Chair
Kenneth Keating, Place 1
Jackson Durham, Place 3
Mary Witt, Place 4
Kelle Jones, Place 5
Keith Albee, Alternate 1

Members Absent

Alternate Members Absent
Curtis Bergthold, Alternate 2

Staff Present

JP Ducay, Director of Planning and Development Services
Lindsay Rawlinson, City Secretary

1. CALL TO ORDER

Chair Wilson called to order at 6:00 p.m.

2. EXECUTIVE SESSION

Executive Session: Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Section 551.071. Refer to posted list attached hereto and incorporated herein. Executive Session may be held, under these exceptions, at any time during the meeting that a need arises for the Planning and Zoning Commission to seek advice from the City Attorney as to the posted subject matter of this Planning and Zoning Commission meeting.

None.

3. PUBLIC COMMENTS

None.

REGULAR AGENDA

4. Approved minutes from the January 23, 2024 Planning and Zoning Commission meeting.

Motion: Motion was made by Commissioner Jones and seconded by Commissioner Witt to approve the minutes from the January 23, 2024 Planning and Zoning Commission meeting.

Motion carried by a vote of 5-0.

5.

6. Approved a Replat for the property described as Lots 1 and 6, Block 16, Richland Hills South – Section 3, otherwise known as 6500 Lavon Dr and 2800 Mary Boaz St, Richland Hills, Texas 76118.

Director of Planning and Development Services JP Ducay introduced the item to the Commission and advised that applicant David Lewis with Spry Surveyors on behalf of property owner Lawrence Ludwig submitted an application for a replat (Case 2024-0004) for the property described as Lots 1 and 6, Block 16, Richland Hills South – Section 3, otherwise known as 6500 Lavon Dr and 2800 Mary Boaz St, Richland Hills, Texas 76118.

The purpose of this plat is to unify Lots 1 and 6 to create Lot 1R in an effort to bring the site into compliance and construct a garage.

Discussion ensued regarding approval by the City for the garage construction.

Mr. Ducay confirmed that the applicant will bring forward an application for a permit to construct the garage at a later date but the replat needed to be completed first.

Motion: Motion was made by Commissioner Witt and seconded by Commissioner Durham to approve the Replat for the property described as Lots 1 and 6, Block 16, Richland Hills South – Section 3, otherwise known as 6500 Lavon Dr and 2800 Mary Boaz St, Richland Hills, Texas 76118.

Motion carried by a vote of 5-0.

7. Approved Ordinance 1498-24 a Specific Use Permit (2024-0217) to permit a Guesthouse for the property described as Lot 7, Block 10, Richland Hills Addition, Richland Hills, Texas, otherwise known as 7148 Dover Lane, Richland Hills, Texas 76118. PUBLIC HEARING

Director of Planning and Development Services JP Ducay introduced the item to the Commission and advised that property owner Jonathan Mercer submitted an application for a Specific Use Permit, to allow for the use of “Guest House” in the SF-E, Single-Family Residential Estate Zoning District for 7148 Dover Lane. The subject property is approximately 2.6 acres and contains a 3,888 square-foot primary residence.

The applicant has proposed building a guest house approximately 4,000 square-feet in total, including 2,000 square-feet of living space and 2,000 square-feet of garage space. The living space will contain three bedrooms, two bathrooms, a full kitchen and laundry room to accommodate family members and a caregiver. The full kitchen facility is proposed to allow for the preparation of food for family members within the confines of the guest house and the garage will be utilized to house an RV and classic cars.

The applicant was made aware that the proposed guest house was not in conformance with all standards. In lieu of bringing the guest house into conformance, the applicant is requesting three special terms and conditions in association with the SUP request:

Allow for the subject guest house to comply with all requirements listed in Section 3.02.01 (A)(19) of the City's Comprehensive Zoning Ordinance with the exception of:

1. (19.c.1) Guest house shall not exceed 40 percent of the livable floor area of the main structure.
 - The subject guest house exceeds the livable floor area of the main structure by approximately 152 percent. (Primary residence has a livable floor area of 2,638 square feet per the Tarrant Appraisal District.)
2. (19.c.2) Guest house shall not contain more than one bathroom facility.
 - The subject guest house is proposing two bathroom facilities.
3. (19.c.3) Guest house shall not contain a kitchen, including a range, stove or cooktop.
 - The subject guest house is proposing a full kitchen including a stove and cooktop.

Jonathan Mercer, 7148 Dover Lane, Richland Hills, stated that he is a lifelong resident and is seeking to build a barndominium style guesthouse for aging relatives as he feels that family should not go to nursing homes. He is seeking direction for the best solution.

Discussion ensued regarding making the property ADA accessible and the overall square footage of the property.

Mr. Mercer confirmed that the property would be built with larger doorways and ramps to accommodate wheelchairs, if necessary. Additionally, he advised that he could add on to his existing home but is still seeking to build a large detached garage.

Chair Wilson opened the public hearing at 6:24 p.m. and asked to hear from any proponents followed by opponents of the case.

Cecil Lanter, 7133 Hovenkamp Avenue, Richland Hills, advised that Mr. Mercer's property as well as his own are each 500 feet deep so their homes are 1,000 feet apart. He is in favor of Mr. Mercer's plan.

Chair Wilson closed the public hearing at 6:28 p.m.

Further discussion ensued regarding the potential of approving a flag lot, subdividing the property into separate tracts, or changing the overall structure to come into compliance with City regulations.

Chair Wilson expressed concern regarding the Specific Use Permit process bypassing City approvals and Fire Code considerations.

Motion: Motion was made by Chair Wilson and seconded by Commissioner Keating to deny Ordinance 1498-24 a Specific Use Permit (2024-0217) to permit a Guesthouse for the property described as Lot 7, Block 10, Richland Hills Addition, Richland Hills, Texas, otherwise known as 7148 Dover Lane, Richland Hills, Texas 76118.

Motion carried by a vote of 5-0.

8. ADJOURNMENT

Chair Wilson declared the meeting adjourned at 6:55 p.m.

ATTEST:

APPROVED:

Lindsay Rawlinson, City Secretary

Michael Wilson, Chairman

**MINUTES OF A JOINT MEETING OF THE
CITY COUNCIL AND THE PLANNING & ZONING COMMISSION
APRIL 30, 2024**

Roll Call:

Council present

Edward Lopez, Mayor
GW Estep, Mayor Pro Tem
Douglas Knowlton, Place 1
Travis Malone, Place 2
Theresa Bledsoe, Place 3
Javier Alvarez, Place 4
Roland Goveas, Place 6

Council absent

Planning & Zoning Members Present

Michael Wilson, Chair
Kenneth Keating, Place 1
Jackson Durham, Place 3
Mary Witt, Place 4
Keith Albee, Alternate 1
Curtis Bergthold, Alternate 2

Planning & Zoning Members Absent

Kelle Jones, Place 5

Staff present

Candice Edmondson, City Manager
Lindsay Rawlinson, City Secretary
JP Ducay, Director of Planning and Development Services

JOINT MEETING – 7:30 P.M.

1. CALL TO ORDER

Mayor Lopez called the joint meeting of the City Council and the Planning & Zoning Commission to order at 7:30 p.m.

REGULAR AGENDA

2. Introduce the Comprehensive Plan project, provide a progress report, initiate group discussion of issues, goals, and objectives.

Halff Associates Senior Planner Nathlie Booth introduced herself as the Project Manager for the City of Richland Hills Comprehensive Plan update and introduced her team, PLA Deputy Practice Leader, Matt Bucchin, Director of Planning/Team Leader Brad Johnson, and Urban Planner Shelby Sweet.

Ms. Booth introduced the concept of a Comprehensive Plan and its importance to Richland Hills stating that the Plan will help the City with long range planning for topics such as capital improvements, zoning regulations, and departmental plans. She advised

of the schedule for discussion, review, and implementation stating that the Plan is tentatively scheduled for final approval by the City Council in late 2024/early 2025.

Discussion ensued regarding the overall Plan and what makes Richland Hills unique. Members stated that many citizens have deep roots in the community, the city has a rural feel in an urban environment, and the neighborhoods are not cookie cutter.

Further discussion ensued regarding traffic issues in the City as well as the surrounding community leading into Richland Hills.

Ms. Booth advised of the next steps in the process stating that Halff Associates has completed its initial data collection and a second round of community engagement will be scheduled to finetune and frame the plan. The Comprehensive Plan Advisory Committee will meet again in the summer and a second community engagement event will also be held in the summer.

3. ADJOURNMENT

There being no further business to come before the joint meeting of the City Council and the Planning & Zoning Commission, Mayor Lopez and Chair Wilson declared the meeting adjourned at 8:57 p.m.

ATTEST:

APPROVED:

Lindsay Rawlinson, City Secretary

Edward Lopez, Mayor

APPROVED:

Michael Wilson, Chair

Memorandum

To: Richland Hills Planning and Zoning Commission

From: JP Ducay, Director of Planning and Development Services

Date: May 28, 2024

Subject: 7060 Boulevard 26 – Package Liquor Store SUP

Agenda Item:

Consider Ordinance 1502-24 a Specific Use Permit (2024-0382) to permit a Package Liquor Store for the property described as Lot 10R, Block 15, Richland Hills Addition, Richland Hills, Texas, otherwise known as 7060 Boulevard 26, Richland Hills, Texas 76118. **Public Hearing**

Background Information:

On April 24, 2024, an application was submitted by Karim Keshwani (applicant) requesting a SUP, Specific Use Permit, allowing for the use of “Package Liquor Store” in the R, Retail Zoning District for 7060 Blvd 26. The subject 0.8-acre property contains an 8,000 square-foot retail storefront with two suites. Suite B is currently occupied by LA LA Laundromat.

The applicant is proposing occupy the vacant 4,000 square-foot suite and operate a package liquor store. According to the applicant, the proposed business will have 3 to 4 full and or part time employees with operating hours in compliance with Texas Law. The startup inventory of alcohol is projected to be approximately \$200,000. The liquor store will offer a diverse selection of liquor options and contain a walk-in beer and wine cooler. Per the City’s parking ordinance, the existing parking count on the subject site can accommodate both the laundromat and liquor store. The applicant’s narrative and illustrations have been attached as separate exhibits.

Staff has performed a vicinity analysis to ensure the subject location was not within 300 feet of a church, public school, or public hospital. It was determined that none of the aforementioned uses were within a 300-foot radius of the subject site. The applicant has been working with TABC to obtain all the necessary permits and licenses.

Planning Analysis:

The City’s 2014 Comprehensive Plan designates the subject area as Retail. This land use type is intended to provide for a variety of restaurants, larger shops, and personal service establishments. These uses are envisioned to provide goods or services directly to the community. Other examples of uses in this area include florists, grocery stores, and light auto service. Staff recommends approval of ordinance 1502-24 for a specific use permit for the use of “Package Liquor Store” at 7060 Blvd 26.

Financial Considerations:

There are not any financial considerations for the SUP.

Board/Citizen Input:

Planning and Zoning Commission consideration: May 28, 2024

City Council consideration: June 10, 2024

Attachments:

Application & Concepts

Property Photos

Draft Ordinance

Sections 3.02 Alcohol Use Chart

Article II Section 18 – Alcoholic Beverage Standards

Suggested Motion:

Motion to approve Ordinance 1502-24 a Specific Use Permit (2024-0382) to permit a Package Liquor Store for the property described as Lot 10R, Block 15, Richland Hills Addition, Richland Hills, Texas, otherwise known as 7060 Boulevard 26, Richland Hills, Texas 76118.



Richland Hills Development Services

3200 Diana Drive | Richland Hills, TX, 76118

817-616-3800 | richlandhills.com

Zoning Application

Application Type

- Specific Use Permit (Fee: \$300.00)
- Zoning Text Amendment (Fee: \$300.00)
- Planned Development (Fee: \$300.00)
- Zoning Map Amendment (Fee: \$300.00)

Applicant Information

Applicant's Name: Karim Keshwani

Business Name: _____

Phone: 723-865-4524 Email Address: Karim.Keshwani@gmail.com

Property Information

Property Address: 7060 Blvd 26 Richland Hills, TX 76180

Square Feet: 4000 Deed Date: _____

Building Owner: _____

Company: _____

Phone: _____

Owner Address: _____

Owner Phone Number: _____

Owner Email Address: _____

Previous Occupant: N/A Current Zoning: _____

Zoning Request

Please provide a detailed description of your request: Packaged off Premise

liquor sales.

Signature

I certify that my answers are true and complete to the best of my knowledge, and I understand that false or misleading information in my application may result in zoning violations.

Signature: [Signature] Date: 4-24-24

Project

I, Harshida Keshwani, would like to obtain a Special use Permit to open a Liquor/Wine store at 7060 Blvd 26 Richland Hills, TX.

Background

I currently reside in Southlake, TX and have been a resident in Texas since 2003. As of now I have 3 businesses, all of them are gas stations. I have been in the Gas Station and Convenience store business for the past 21 years. All my businesses are in Arlington, TX. I have experience opening new stores from the ground up, buying/selling existing businesses, and managing day to day operations that it takes to run a successful business.

Size/Structure

The building located at 7060 Blvd 26 is approximately 8000 sq ft. The building is divided into 2 units that are 4000 sq ft each. One of the units is occupied by the landowner and is a Laundromat. The second unit is available for lease and is 4000 sq ft as well. The size of the unoccupied unit is 80x50 sq ft. Parking space for the size of the building is adequate.

Store Details

Name of Store – I will be applying for a DBA which has not been done yet.

Employees – We will have 3-4 full and/or part time employees initially.

Hours – Monday-Saturday 10 am to 9pm. (as per Texas Law)

Signage – We will be getting a Channel Letter sign big enough to comply with city code.

Inventory – We are projecting initial startup inventory of alcohol to be approximately \$200,000.

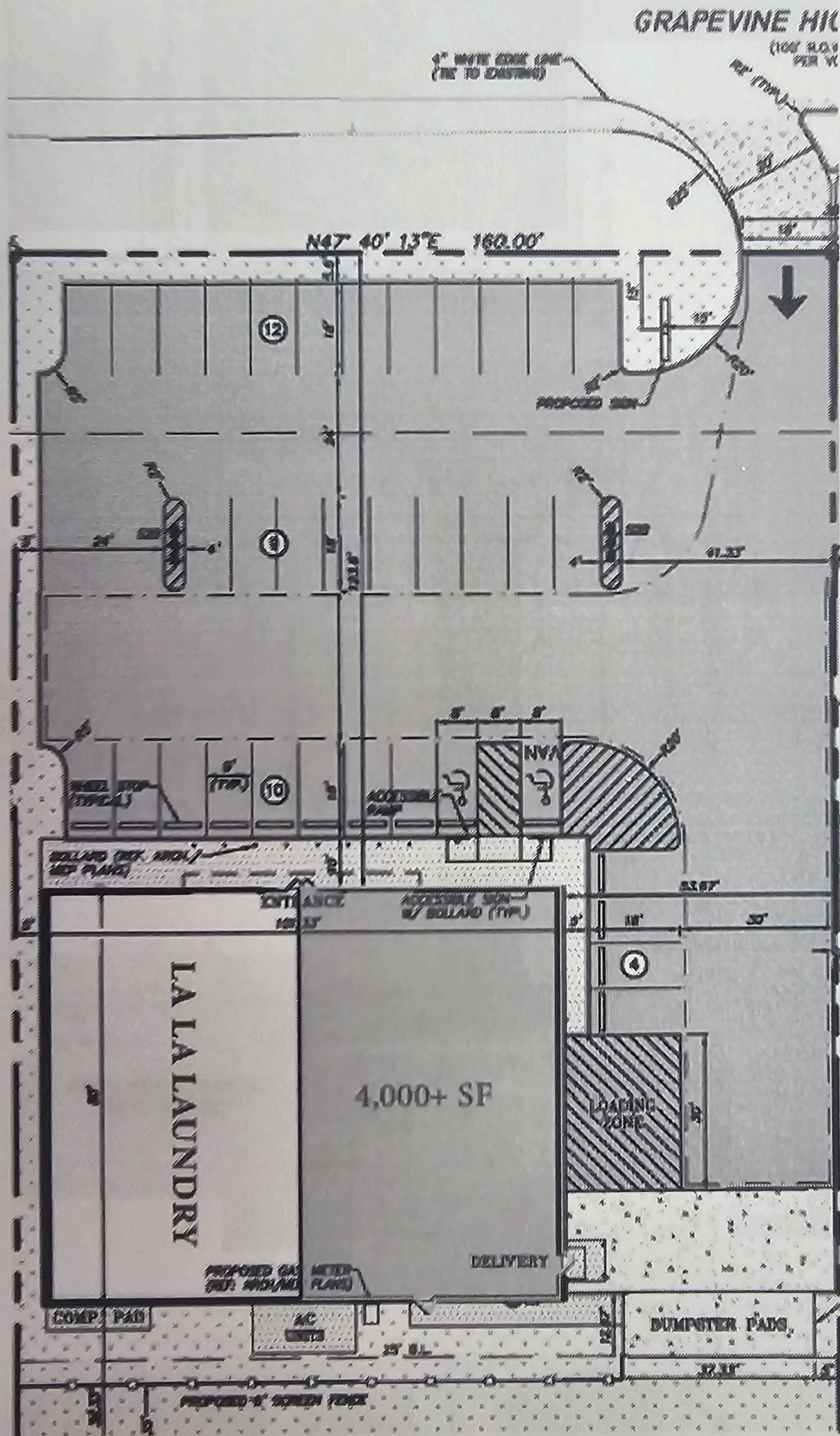


Exhibit A
Site Plan

50 ft

Walk in Cooler (36 x 10)

Beer & Wine

Delivery Rear

(09 x 11)

Stock Area

Wine (one sided shelf)

Liquor/Wine (Two Sided Shelves)

Liquor (Two Sided Shelves)

Liquor (Two Sided Shelves)

Liquor (one side shelf)

80 FT

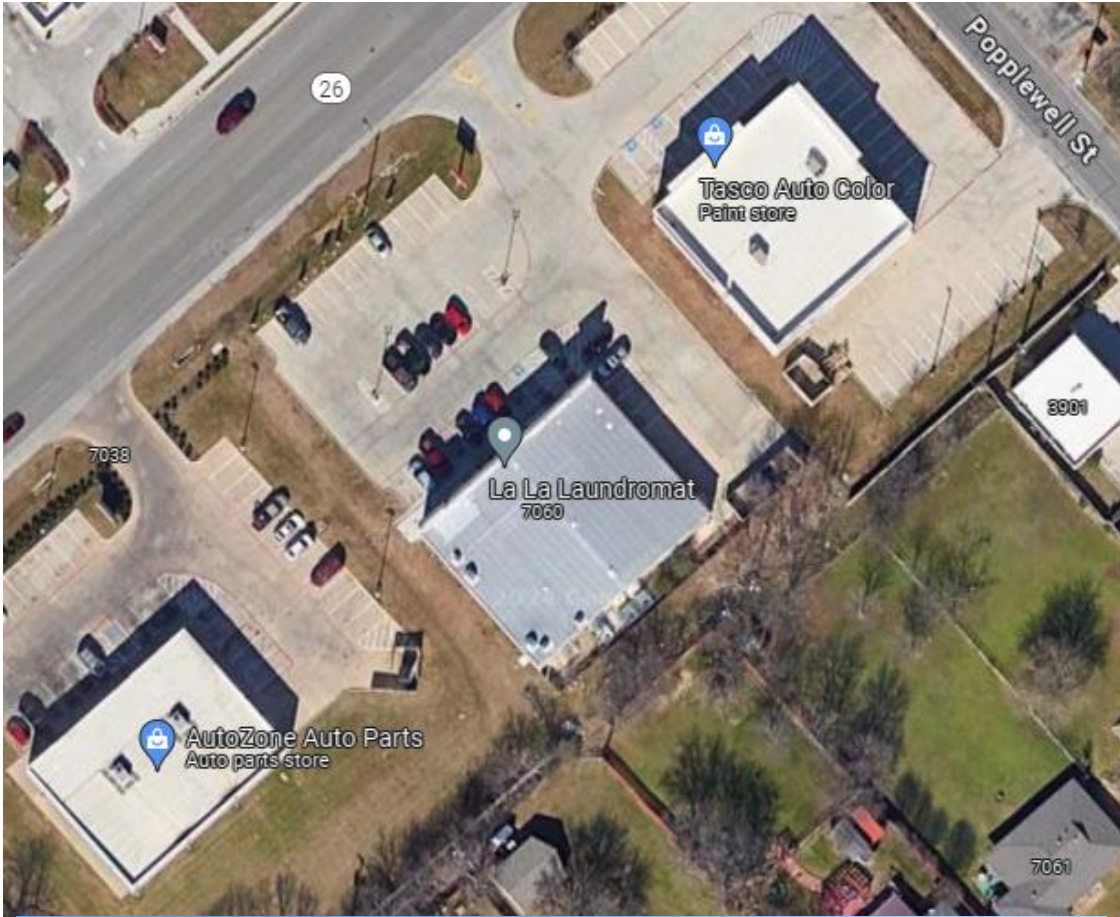
Bathrooms

Office

Checkout counter

Entrance

7060 Boulevard 26 Property Photos



ORDINANCE NO. 1502-24

AN ORDINANCE AMENDING CHAPTER 90 OF THE RICHLAND HILLS CODE, AS AMENDED, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF RICHLAND HILLS, BY GRANTING A SPECIFIC USE PERMIT PERMITTING A PACKAGE LIQUOR STORE ON CERTAIN PROPERTY LOCATED AT 7060 BOULEVARD 26, RICHLAND HILLS, TEXAS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Richland Hills (the “City”) is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, pursuant to Chapter 211 of the Local Government Code, the City has adopted a comprehensive zoning ordinance, codified as Chapter 90 of the Richland Hills Code, and a comprehensive zoning map, regulating the location and use of buildings, other structures, and land for business, industrial, residential, or other purposes, and providing for a method to amend said ordinance and map for the purpose of promoting the public health, safety, morals, and general welfare, all in accordance with a comprehensive plan; and

WHEREAS, in accordance with the Comprehensive Zoning Ordinance, the owner of the property referenced below has filed an application for a specific use permit for a Package Liquor Store in the Retail (R) Zoning District; and

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the City on May 28, 2024, and by the City Council of the City on June 10, 2024, with respect to the use changes described herein; and

WHEREAS, all requirements of law dealing with notice to other property owners, publication, and all procedural requirements have been complied with in accordance with the comprehensive zoning ordinance and Chapter 211 of the Local Government Code; and

WHEREAS, the City Council of the City does hereby deem it advisable and in the public interest to grant such permit on the terms and conditions described herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHLAND HILLS, TEXAS, THAT:

**SECTION 1.
SPECIAL USE PERMIT GRANTED**

Chapter 90, "Zoning," of the Richland Hills Code, as amended, is hereby amended so that a specific use permit is granted as shown and described below:

Applicant: Karim Keshwani

Property Owner: LFC Liquors Inc.

Property Address: 7060 Blvd 26, Richland Hills, Texas 76118

Legal Description: Lot 10R, Block 15, Richland Hills Addition

Zoning Change: The property shall remain located in the Retail (R) Zoning District, and a Specific Use Permit for a Package Liquor Store is hereby granted subject to the terms and conditions provided herein.

**SECTION 2.
ACCORDANCE WITH COMPREHENSIVE PLAN AND PURPOSES OF ZONING**

The zoning districts, boundaries, and uses as herein established have been made in accordance with the comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the community. They have been designed to lessen congestion in the streets; to secure safety from fire, panic, flood, and other dangers; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provisions of transportation, water, sewerage, parks, and other public requirements. They have been made after a full and complete hearing with reasonable consideration among other things of the character of the district and its peculiar suitability for the particular uses and with a view of conserving the value of the buildings and encouraging the most appropriate use of land throughout the community.

**SECTION 3.
ZONING ORDINANCE AND SPECIAL TERMS AND CONDITIONS APPLICABLE**

The use of the property described herein shall be subject to all the applicable regulations contained in the Comprehensive Zoning Ordinance and all other applicable and pertinent ordinances of the City for the zoning district into which they have been assigned.

**SECTION 4.
ORDINANCE CUMULATIVE**

This Ordinance shall be cumulative of all other ordinances of the City of Richland Hills affecting zoning and land use, as amended, and shall not repeal any of the provisions of such ordinances except in those instances where provisions of such ordinances are in direct conflict with the provisions of this Ordinance.

**SECTION 5.
RESERVATION OF RIGHTS AND REMEDIES FOR ACCRUED VIOLATIONS**

All rights or remedies of the City are expressly saved as to any and all violations of Chapter 90 of the Richland Hills Code, as amended, or any other ordinance affecting zoning and land use that have accrued at the time of the effective date of this Ordinance and as to such accrued violations and all pending litigation, both civil and criminal, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the Courts.

**SECTION 6.
PROVISIONS SEVERABLE**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

**SECTION 7.
PENALTY CLAUSE**

Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in Section 1-14 of the Richland Hills Code. Each day that a violation is permitted to exist shall constitute a separate offense. In addition, any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance may be subjected to such civil penalties as authorized by law.

**SECTION 8.
PUBLICATION CLAUSE**

The City Secretary of the City of Richland Hills is hereby directed to publish caption, penalty clause, and effective date clause in the official newspaper as/if required by law.

**SECTION 9.
EFFECTIVE DATE**

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED at a regular meeting of the Richland Hills City Council on June 10, 2024, by a vote of _____ ayes, _____ nays, and _____ abstentions.

APPROVED:

THE HONORABLE MAYOR CURTIS BERGTHOLD

ATTEST:

LINDSAY RAWLINSON, CITY SECRETARY

Section 3.02. - Use Chart

	Residential							Nonresidential					Special		Parking	
	SF-E Single-Family Residential Estate	SF-10 Single-Family Residential	SF-7 Single-Family Residential	MF-1 Two-Family (Duplex) Residential	MF-2 Multiple-Family Residential Medium Density	MF-3 Multiple-Family Residential High Density	MH Manufactured Home (HUD Code)	P Professional Office	R Retail	LC Light Commercial	HC Heavy Commercial	I Industrial	BP Business Park	MX Mixed Use	Entertainment District Overlay	Minimum Requirement (see Section 8(F) Parking Requirement Based on Use)
	Nonresidential Uses															
Brewery											S	S	S			1 space per 1,000 square feet
Brewpub								S	S	S	S		S	S	S	1 space per 1,000 square feet
Package Liquor Store								S	S	S	S		S	S	S	1 Space per 300 square feet
Tap Room								S	S	S	S		S	S	S	Standalone: 1 space for each 100 square feet In-line: 1 space per 200 square feet
Wine Bar								S	S	S	S		S	S	S	Standalone: 1 space for each 100 square feet
Winery											S	S	S			1 space per 1,000 square feet

Article II Alcoholic Beverages

§ 18-31. Permit fee.

The city council hereby levies and shall collect one-half of the state fee collected for each permit issued under the state alcoholic beverage code for premises located within the corporate limits of the city as provided in V.T.C.A., Alcoholic Beverage Code § 11.38. [Code 1984, ch. 4, § 11(A)(1)]

§ 18-32. License fee.

The city council does hereby levy and shall collect one-half of the state fee for each license, issued under the Alcoholic Beverage Code for premises located within the corporate limits of the city as provided in V.T.C.A., Alcoholic Beverage Code § 61.36. [Code 1984, ch. 4, § 11(A)(2)]

§ 18-33. Selling of alcoholic beverages restricted to certain hours.

Any person authorized to offer for sale alcoholic beverages within the city limits may do so only during the hours authorized under the state alcoholic beverage code. [Code 1984, ch. 4, § 11(B)]

§ 18-34. Unlawful to drink or possess intoxicating liquors within certain areas.

- (a) Ball fields. It shall be unlawful for any person to carry, possess or drink any alcoholic or intoxicating beverage in or upon the grounds of any city-owned or operated baseball or softball field.
- (b) Swimming pool areas. It shall be unlawful for any person to carry, possess or drink any alcoholic or intoxicating beverage in any city-owned or operated swimming pool area.
- (c) City facilities and park areas. Unless permission is granted pursuant to a rental policy approved by the city manager, the following shall be prohibited:
 - (1) It shall be unlawful for any person to sell or otherwise provide or make available any alcoholic or intoxicating beverage in any city-owned or operated building, facility or park.
 - (2) It shall also be unlawful for any person to possess or consume any alcoholic or intoxicating beverage in or bring such alcoholic or intoxicating beverage into or upon the grounds of any city-owned or operated building, facility or park.

[Code 1984, ch. 4, § 11(E); Ord. No. 1324-17, § 1, 2-7-2017]

§ 18-35. Sales near churches, schools or hospitals.

- (a) The sale of alcoholic beverages within 300 feet of a church, public school or public hospital as determined by measurements prescribed in this article is prohibited.

- (b) The measurement of the distance between the place of business where alcoholic beverages are sold and the church or public hospital shall be along the property lines of the street fronts and from front door to front door and in direct line across intersections.
- (c) The measurement of the distance between the place of business where alcoholic beverages are sold and the public school shall be from the nearest property line of the public school to the nearest property line of the place of business, along street lines and in direct lines across intersections.
- (d) For any permit or license covering premises which minors are prohibited from entering under V.T.C.A., Alcoholic Beverage Code § 109.53, the measurement of the distance between the premises and a public school shall be from the nearest property line of the public school to the nearest property line of such premises and in a direct line across intersections.

[Code 1984, ch. 4, § 11(C), (D); Ord. No. 888-00, § I, 12-12-2000]

§ 18-36. Selling beer in residential areas prohibited.

It shall be unlawful for any person to sell or offer for sale beer in any area of the city zoned for residential use under the zoning ordinance of the city as such zoning ordinance now exists or may hereafter be amended.

[Code 1984, ch. 4, § 11(F)]

§ 18-37. through § 18-60. (Reserved)