



# CITY OF Coppel

## Application For Alcoholic Beverage Variance

APPLICATION FOR (CHECK ONE):

- ☐ WINE AND BEER RETAILER'S OFF-PREMISE PERMIT  
☒ MIXED BEVERAGE RESTAURANT PERMIT WITH FB

PLEASE PRINT OR TYPE THE FOLLOWING:

APPLICANT'S NAME: LAWRENCE KELLY  
Address 110 W SANDY LAKE RD., STE. 150, COPPELL, TX 75019  
Phone Number 214-762-6982

NAME OF ESTABLISHMENT: KELLY'S TEXICAN  
LOCATION OF ESTABLISHMENT (INCLUDING COUNTY): Address 110 W SANDY LAKE RD., STE. 150  
Legal Description CONNELLY SLAGGS RE PLAT, BLK 1, LOT 1R

Signature: [Signature] Date: May 27, 2019  
Property Owner's NAME: LETO WOODSIDE, LLC  
Address 1701 Directors Blvd. AUSTIN TX 78744  
Phone Number 214-378-1212

### Sec. 6-16-2 General Requirements.

- A. The sale of beer in residential areas or within residential zoning districts is prohibited.  
B. Where otherwise allowed, the legal sale of alcoholic beverages as permitted for on-premise or off-premise consumption shall not occur after 12 midnight or before 7 a.m. except for on Sunday where such legal sale shall not occur after 12 midnight or before 12 noon.  
C. Alcoholic beverages shall not be sold by a dealer whose place of business is within 300 feet of a church, public or private school, or public hospital. This Subsection does not apply to the holder of:

1. A license or permit who also holds a food and beverage certificate covering a premise that is located within 300 feet of a private school; or
  2. A license or permit covering a premise where minors are prohibited from entering under Section 109.53 of the Texas Alcoholic Beverage Code, as amended, and that is located within 300 feet of a private school.
- D. A private school may request from the governing body of the city of Coppel that sales be prohibited within one thousand feet (1,000') of the property of said school.  
E. 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.  
F. The measurement of the distance between the place of business where alcoholic beverages are sold and the public or private school shall be:

1. in a direct line from the property line of the public or private school to the property line of the place of business, and in a direct line across intersections; or
2. if the permit or license holder is located on or above the fifth story of a multistory building, in a direct line from the property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.

G. Every applicant for an original alcoholic beverage license or permit for a location with a door by which the public may enter the place of business of the applicant that is within 1,000 feet of the nearest property line of a public or private school, measured along street lines and directly across intersections, must give written notice of the application to officials of the public or private school before filing the application with the Texas Alcoholic Beverage Commission. A copy of the notice must be submitted to the commission with the application. This subsection does not apply to a permit or license covering a premise where minors are prohibited from entering the premises.

H. The City Council may after a Public Hearing and a publication of a notice ten (10) days prior to the Hearing in the official City newspaper, allow variances to the regulation 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 for any other reason, 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.

### Sec. 6-16-3 Day Cares / Child Care Facilities.

Provisions of Section 6-16-2 relating to a public school also apply to a day-care center and a child-care facility as those terms are defined by Section 42.002, Human Resources Code for a permit or license holder under Chapter 25, 28, 32, 69, or 74 who does not hold a food or beverage certificate. This Subsection does not apply to a permit or license holder who sells alcoholic beverages if:

1. The permit or license holder and the day-care center or child-care facility are located on different stories of a multistory building; or
2. the permit or license holder and the day-care center or child-care facility are located in separate buildings and either the permit or license holder or the day-care center or child-care facility is located on the second story or higher of a multistory building."

Date Received

Date notice published in newspaper

Date of Council Meeting

CITY SECRETARY USE ONLY

Application Approved

Yes ☐

No ☐

Signed by

Date