

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 014-028

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS AS HERETOFORE AMENDED TO GRANT SPECIAL USE PERMITS FOR A MICROBREWERY AND THE SALE OF ALCOHOLIC BEVERAGES LIMITED TO BEER ONLY FOR ON-PREMISES CONSUMPTION, ON APPLICATION OF BITTER SISTERS BREWING COMPANY, LLC, FOR PROPERTY LOCATED AT 15103 SURVEYOR BOULEVARD; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the property located at 15103 Surveyor Boulevard is zoned Industrial-1 (I-1); and

WHEREAS, in 2013, the Texas Legislature adopted legislation to encourage and regulate the craft brewing industry within the state; and

WHEREAS, the City Council of the Town of Addison amended the Comprehensive Zoning Ordinance to allow microbreweries; and

WHEREAS, after due deliberations and consideration of the recommendation of the Planning and Zoning Commission, the information received at a public hearing, and other relevant information and materials, the City Council of the Town of Addison, Texas finds that this ordinance promotes the general welfare and safety of this community.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

Section 1. That the recitals and findings set forth above are hereby found to be true and correct and incorporated as if fully set forth herein.

Section 2. That a Special Use Permit authorizing a microbrewery use and a Special Use Permit authorizing the sale of alcoholic beverages limited to beer only, for on-premises consumption, on the property located at 15103 Surveyor Boulevard, are hereby granted.

- (a) Prior to the issuance of a Certificate of Occupancy, said Property shall be improved in accordance with the site plan and floor plan, which are attached hereto as **Exhibit A** and made a part hereof for all purposes.

Section 3. That the microbrewery use authorized herein shall be operated in accordance will all provisions of the Texas Alcoholic Beverage Code, as amended.

Section 4. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the city, as heretofore amended, and upon conviction shall be punished by a fine set in accordance with Chapter 1, General Provisions, Section 1.10, General penalty for violations of Code; continuing violations, of the Code of Ordinances for the Town of Addison.

Section 5. That it is the intention of the City Council that this ordinance be considered in its entirety, as one ordinance, and should any portion of this ordinance be held to be void or unconstitutional, then said ordinance shall be void in its entirety, and the City Council would not have adopted said ordinance if any part or portion of said ordinance should be held to be unconstitutional or void.

Section 6. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 7. That this Ordinance shall become effective from and after its passage and approval and after publication as may be required by law or by the City Charter or ordinance.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 8th day of July, 2014.

Todd Meier, Mayor

ATTEST:

Chelsea Gonzalez, City Secretary

CASE NO: 1697-SUP/Bitter Sisters

APPROVED AS TO FORM:

Brenda N. McDonald, City Attorney

PUBLISHED ON: _____

EXHIBIT A

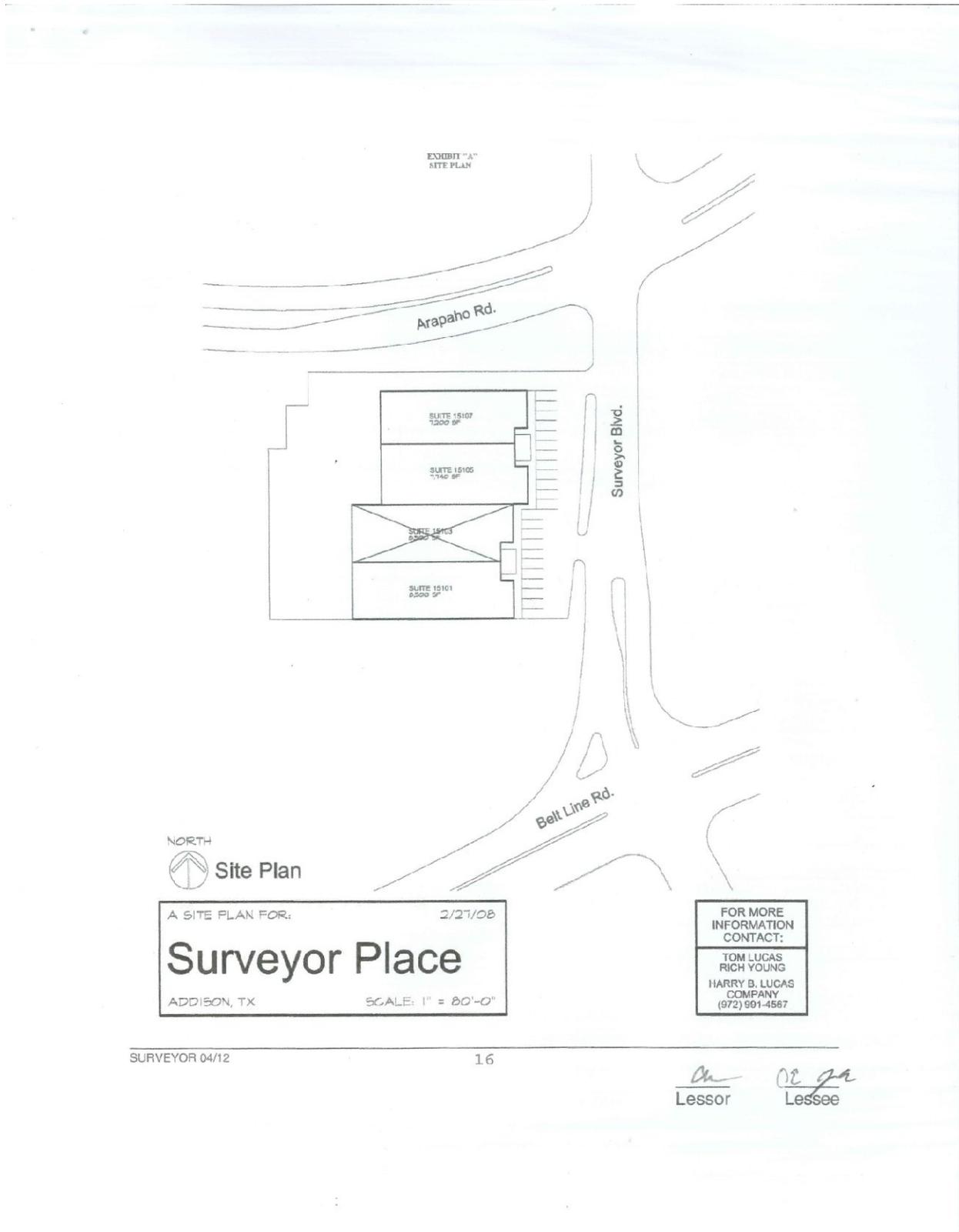


EXHIBIT A

