



ORDINANCE NO. 3627

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF FARMERS BRANCH, TEXAS, BY GRANTING A SPECIFIC USE PERMIT TO ALLOW THE ON-PREMISE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN A QUALIFYING RESTAURANT FOR A 2,012± SQUARE FOOT PORTION OF A BUILDING ON LOT 1, BLOCK B, DALLAS PARKWAY AT INTERNATIONAL PLACE ADDITION, (COMMONLY KNOWN AS 14221 DALLAS PARKWAY) LOCATED WITHIN PLANNED DEVELOPMENT NUMBER 53 (PD-53) ZONING DISTRICT; PROVIDING FOR ADDITIONAL SPECIAL CONDITIONS; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR TERMINATION.

WHEREAS, the Planning and Zoning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the laws of the State of Texas and the ordinances of the City of Farmers Branch, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, the governing body, in the exercise of the legislative discretion, has concluded that the Comprehensive Zoning Ordinance and Zoning Map should be amended;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THAT:

SECTION 1. The Comprehensive Zoning Ordinance and zoning map of the City of Farmers Branch, Texas, be, and the same is hereby amended, so as to grant a change in zoning by granting a Specific Use Permit with special conditions for the on-premise sale and consumption of alcoholic beverages within a qualifying restaurant for a 2,012± square foot portion of the building depicted on Exhibit "A," attached hereto and incorporated herein by reference, said building being located within the property described as Lot 1, Block B, Dallas Parkway at International Addition, an addition to the City of Farmers Branch, Texas, according to the plat thereof recorded as Instrument No. 200600102366, Map Records, Dallas County, Texas (more commonly known as 14221 Dallas Parkway)("the Property") which is located within the Planned Development Number 53 (PD-53) zoning district.

SECTION 2. If the Property is used and developed in accordance with the rights granted pursuant to Section 1, above, the Property shall conform in operation, location and construction to the development standards specified within the Planned Development No. 53 (PD-53) zoning district as well as the following special conditions:

- A. The sale of alcoholic beverages shall at all times be in full compliance with all requirements of laws and regulations of the State of Texas and the City of Farmers Branch Comprehensive Zoning Ordinance, as amended or succeeded, relative to such use;
- B. The rights granted pursuant to Section 1 of this Ordinance shall be limited to the portion of the building located on the Property depicted on Exhibit “A,” attached hereto and incorporated herein by reference; and
- C. The sales and service of alcoholic beverages on the Property shall at all times be in conformance with the Alcohol Awareness Program set forth in Exhibit “B,” attached hereto and incorporated by reference.

SECTION 3. The Property shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch, as heretofore amended and as amended herein.

SECTION 4. In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Farmers Branch and the provisions of this Ordinance as applicable to the use and development of the Property, the provisions of this Ordinance shall be controlling.

SECTION 5. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 6. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 7. 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 of Farmers Branch, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 8. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provide.

SECTION 9. This ordinance shall be subject to termination pursuant to Section 6.5.C of the Comprehensive Zoning Ordinance, as amended.

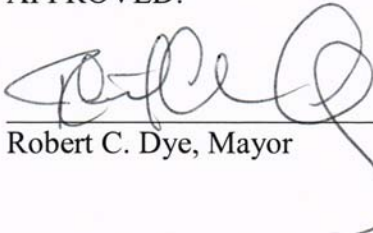
DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, ON THIS, THE 18TH DAY OF FEBRUARY 2020.

ATTEST:



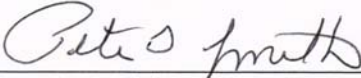
Amy Piukana, City Secretary

APPROVED:



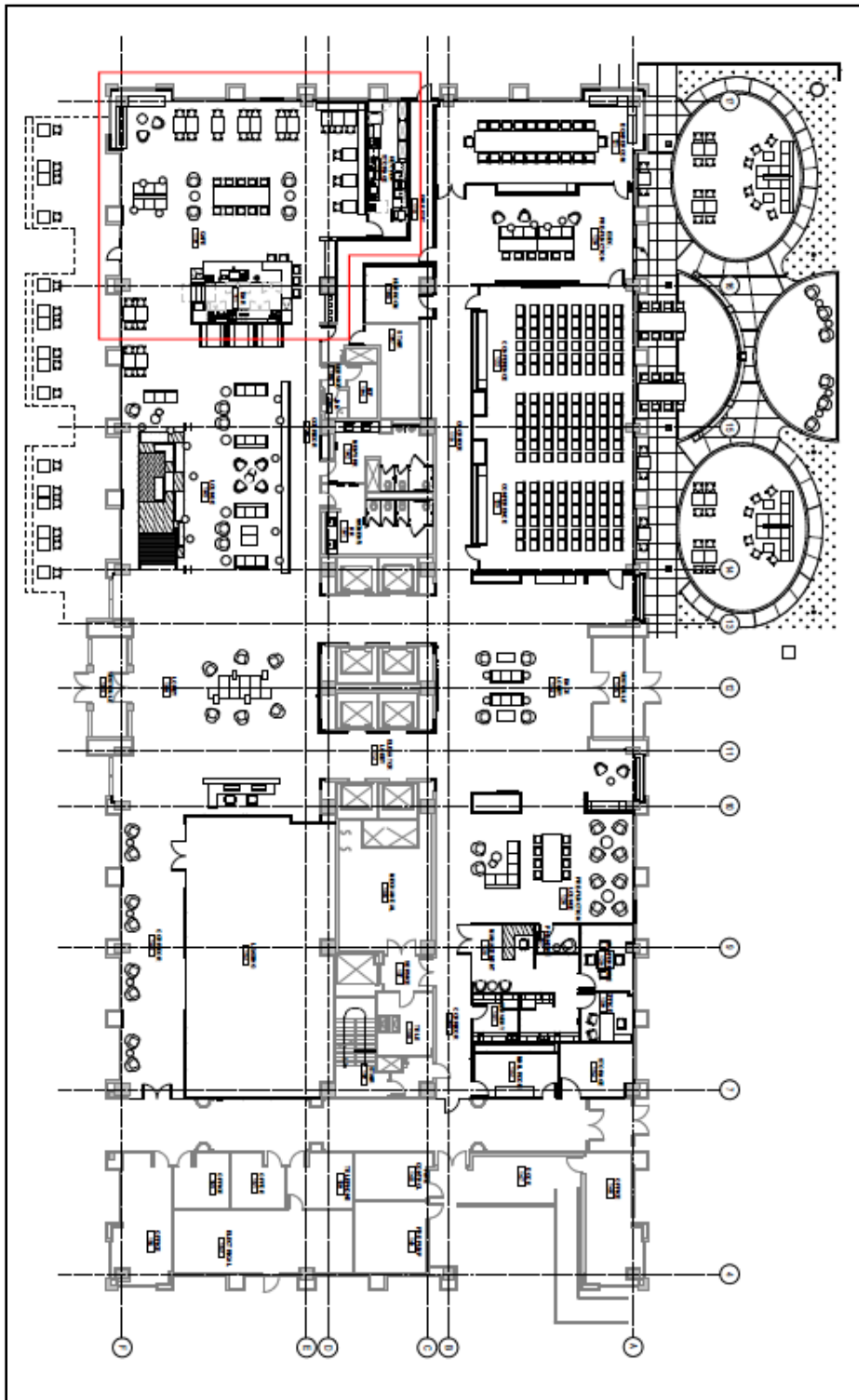
Robert C. Dye, Mayor

APPROVED AS TO FORM:



Peter G. Smith, City Attorney
(kbl:2/6/2020:113586)

Ordinance No. 3627
Exhibit "A" – Depiction of Property Location (cont.)



Ordinance No. 3627
Exhibit "B" - Alcohol Awareness Program
University Food Services Farmers Branch TX Alcohol Awareness Program

University Food Services requirements for alcohol service are as follows:

1. All unit manager and all employees at the location that will serve alcohol are required to take an alcohol training course prior to serving alcohol as an employee.
2. The location manager is responsible for ensuring that employees maintain current alcohol training certifications which managers shall keep in employee personnel files.
3. An employee will not be allowed to serve alcohol if their alcohol training certification has expired
4. Consumption of alcohol is permitted only in designated areas. Guests shall not be permitted to leave designed areas with any open or closed containers of alcohol.
5. Outside alcohol may not be brought into a designated area by guests.
6. Service of alcohol will only occur during the regular business hours of the restaurant between 11:00 a.m. to 6:00 p.m. daily.
7. Employees are prohibited from consuming alcoholic beverages before, during and after their work shifts.
8. All alcoholic beverages must be stored in one or more secured areas that are only accessible by management.
9. Visibly intoxicated or underage guests shall not be served alcohol.
10. Anyone that appears under the age of 40 shall be asked to present a valid ID. Employees shall physically examine the ID out of protected covers to ensure the ID is valid.
11. Guests passing alcohol to minors shall be reported to the location manager and shall be removed from the premises and subject to arrest, unless otherwise authorized by applicable law.
12. Employees shall observe and monitor the guests. If an employee has reason to believe a guest is obviously intoxicated, the location manager should be notified immediately.
13. No more than 2 alcoholic beverages may be served to 1 individual at a time. The location manager has authority to reduce such maximum limit to one alcoholic beverage at a time.
14. Substantial food and non-alcoholic beverages are required to be offered when alcohol is served.
15. Alcohol sales shall be limited to on-premise consumption only and shall be prohibited for off-premise consumption.
16. Sales of food and non-alcoholic beverages in the restaurant shall be at least 50% of the gross sales for each quarterly reporting period.

Note the service of alcohol is a privilege which can be revoked and the improper service of alcohol by you can lead to your arrest.

University Food Services has more extensive alcohol policies which shall be provided to its employees upon their hiring and which shall be acknowledged by such employees. Should you have any questions regarding the foregoing, please contact your immediate supervisor and/or the legal department.

- A. The sale of alcoholic beverages shall at all times be in full compliance with all requirements of laws and regulations of the State of Texas and the City of Farmers Branch Comprehensive Zoning Ordinance, as amended or succeeded, relative to such use;
- B. The rights granted pursuant to Section 1 of this Ordinance shall be limited to the portion of the building located on the Property depicted on Exhibit "A," attached hereto and incorporated herein by reference; and
- C. The sales and service of alcoholic beverages on the Property shall at all times be in conformance with the Alcohol Awareness Program set forth in Exhibit "B," attached hereto and incorporated by reference.

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SECTION 4. In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Farmers Branch and the provisions of this Ordinance as applicable to the use and development of the Property, the provisions of this Ordinance shall be controlling.

SECTION 5. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

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