

# City Council Agenda Item Data Sheet

Meeting Date: October 2, 2023

**Topic:**

Consider variance request from BCS Capital Group LLC for alcohol sales within 300 feet of a public school.

**Background:**

Ordinance 2023-28 amended Chapter 4-Alcoholic Beverages by allowing City Council to grant variances to the provisions of that chapter. Section 4-2 of the City of Tomball Code of Ordinances prohibits the sale of alcoholic beverages within 300 feet of any church, public or private school or public hospital, within the corporate limits of the city. Measurement shall be done as required by V.T.C.A., Alcoholic Beverage Code § 109.33. A variance request was received from a proposed restaurant at 28750 Tomball Parkway (old Luby's site), which is within 300 feet of the Tomball ISD campus along Keefer Road.

**Origination:** BCS Capital Group LLC

**Recommendation:**

**Party(ies) responsible for placing this item on agenda:** Community Development Department

**FUNDING (IF APPLICABLE)**

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: \_\_\_\_\_ No: \_\_\_\_\_

If yes, specify Account Number: # \_\_\_\_\_

If no, funds will be transferred from account: # \_\_\_\_\_ To Account: # \_\_\_\_\_

**Signed:** \_\_\_\_\_ **Approved by:** \_\_\_\_\_  
Staff Member Date City Manager Date