

STAFF REPORT

ALCOHOLIC BEVERAGE WAIVER REQUEST

CASE NUMBER: SPC-2015-0355AW

NAME AND LOCATION OF BUSINESS: Two Hands Brew at 1007 S Congress Ave
(District 9)

NAME AND LOCATION OF SCHOOL WITHIN 300 FEET OF PROPOSED SALE OF ALCOHOLIC BEVERAGES: Texas School for the Deaf at 1102 S Congress Ave
(District 9)

ZONING: CS-MU-V-NP

NEIGHBORHOOD PLAN: Bouldin Creek

EXISTING USE: Medical Office

PROPOSED USE: Restaurant (General)

APPLICANT: Bennett Consulting (Jim Bennett,) agent for Two Hands Brew LLC
(Aamil Sarfani)

REQUEST: The applicant requests a waiver from the minimum distance requirement of 300 feet in Section 4-9-4(A) of the Austin City Code because they intend to sell alcoholic beverages at this location which is across the street from the Texas School for the Deaf, a public school. The property line to property line distance is 120 feet.

Section 4-9-5 allows the City Council to waive the 300 foot distance requirement if it determines that the enforcement of the distance requirement in a particular instance:

- (1) is not in the best interest of the public;
- (2) constitutes waste or the inefficient use of land or other resources;
- (3) creates an undue hardship on the applicant;
- (4) does not serve its intended purpose;
- (5) is not effective or necessary; or
- (6) for any other reason the council, 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.

No written letter of support or opposition has been received from the Texas School for the Deaf as of this posting. Staff recommends approval of waiver contingent upon any conditions set by the school.

CASE MANAGER: Viktor Auzenne, (512) 974-2941, viktor.auzenne@austintexas.gov