

RESOLUTION NO.

WHEREAS, Kareem T. Hajjar, on behalf of 1123 S. Congress L.P., owner of Doc's Motorworks Bar & Grill, has filed an application for a waiver of Section 4-9-4(A) of the City Code which prohibits the sale of alcoholic beverages within 300 feet of a church, public school, or public hospital; and

WHEREAS, Doc's Motorworks Bar & Grill, located at 1123 South Congress Avenue, Austin, Texas, is within 300 feet of the Texas School for the Deaf, located at 1102 South Congress Avenue; and

WHEREAS, notice of the application and hearing for the waiver was provided in accordance with Section 4-9-5 of the City Code; and

WHEREAS, a public hearing concerning this proposed waiver was held by the City Council on October 20, 2005, in accordance with the provisions of Section 25-1-132 of the City Code; and

WHEREAS, the Texas School for the Deaf has provided written consent to the waiver; and

WHEREAS, the City Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, has determined that the waiver request is in the best interest of the community; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

Doc's Motorworks Bar & Grill is granted a waiver from Section 4-9-4 of the City Code and is allowed to sell alcoholic beverages at 1123 South Congress Avenue, Austin, Texas; and the waiver shall expire on the sale or transfer of the business to any other individual or entity, whether by lease or any other arrangement, on cessation of the business, or on revocation of the alcoholic beverage permits granted to Doc's Motorworks Bar & Grill for this site.

ADOPTED: _____, 2005

ATTEST:

Shirley A. Brown
City Clerk

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