

RESOLUTION NO. 040415-52

WHEREAS, Ms. Julie Fouillet, on behalf of the Pacha Coffeehouse, has filed an application for a waiver of Section 4-9-4 of the City Code which prohibits the sale of alcoholic beverages with 300 feet of a church, public school, or public hospital; and

WHEREAS, the Pacha Coffeehouse, located at 4618 Burnet Road, Austin, Texas, is within 300 feet of Texas School for the Blind and Visually Impaired, a public school located at 1100 West 45th Street; and

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

WHEREAS, a public hearing concerning this proposed waiver was held by the City Council on April 15, 2004, in accordance with the provisions of Section 25-1-132 of the City Code; and

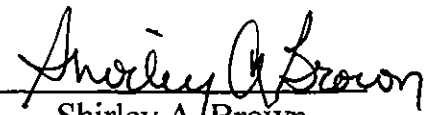
WHEREAS, Texas School for the Blind and Visually Impaired has provided written consent to the waiver; and

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:

That the Pacha Coffeehouse be granted a waiver from Section 4-9-4 of the City Code and be allowed to sell alcoholic beverages at 4618 Burnet Road, Austin, Texas; and that the waiver shall expire on the sale or transfer of the business to any other individual, whether by lease or any other arrangement, on cessation of the business, or on revocation of the alcoholic beverage permits granted to the Pacha Coffeehouse for this site.

ADOPTED: April 15, 2004

ATTEST: 
Shirley A. Brown
City Clerk