



Alcoholic Beverage Waiver Application

PURPOSE: This application outlines the requirements and procedures necessary to obtain an alcoholic beverage waiver without submitting a full-scale site plan application, for the situation described below.

General Information

City Council Approval

Under Section 8-3-4 of the City of Austin Code, approval by the City Council is required for the following:

1. A person may not sell nor engage in the business of selling any alcoholic beverage where the place of business of the person is located within 300 feet of a church, public school, or public hospital except as provided by the Texas Alcoholic Beverage Code.
2. A permit or license holder under Chapter 25, 28, 32, 69, or 74 of the Texas Alcoholic Beverage Code who does not hold a food and beverage certificate may not sell or engage in the business of selling any alcoholic beverage where the place of business of the permit or license holder is located within 300 feet of a day-care center facility except as provided by the Texas Alcoholic Beverage Code.

Submittal

Applications may be submitted Monday through Friday to Intake at One Texas Center, 505 Barton Springs Road. **An appointment is necessary** – please phone (512) 978-4000.

Time Frames

Within approximately 45 days a request for an Alcoholic Beverage Waiver will be scheduled to go before the City Council to set a public hearing date to consider the waiver application. The waiver will then be placed on the next available City Council agenda for consideration within approximately four to five weeks.

Customer Assistance

A Case Manager is assigned to each application to act as your liaison with the City of Austin and your main contact. Once your application has been submitted, any questions, problems, conflicts, etc., should be directed to the Case Manager; it is suggested an appointment be made to ensure that he or she is available.

Ethics and Financial Disclosure Information

If you or your agent/representative were City employees or officials within the past 24 months, you may be subject to the City's Ethics and Financial Disclosure requirements (see City of Austin Code Chapter 2-7). Copies of Chapter 2-7 are available at the City Clerk's Office.

Submittal Information and Requirements

1. Completed Application Form

Tax Parcel Number(s): These numbers may be found on the tax plats or tax certificate you are providing. The Intake Center will assist you with these numbers.

Ownership/ Agent Information: Other than sole or community property, use the boxes provided or attach a list partners/ beneficiaries/principals and their positions.

The current owner must sign the application or attach a written authorization for the agent. Be sure that all signatures are legible and address information is correct.

2. Fees

See current Fee Schedule for applicable fees at <http://www.austintexas.gov/department/fees>. Call (512) 978-4000 for an appointment to submit application and pay fee.

3. Tax Plats

Provide one copy of each of the current tax plats, showing all properties within 300 feet of the tract or limits of construction. Include all maps referenced within the 300 feet. Outline the tract or limits of construction in red. (DO NOT SPLICE MAPS TOGETHER)

Tax plats can be obtained from:

- Hays County: Hays County Clerk's Office, 137 N. Guadalupe St., San Marcos, phone: (512) 393-7330
- Travis County: Travis Central Appraisal District, Walnut Creek Business Park, 8314 Cross Park Drive, Austin (Hwy 290 East and Cross Park Drive), phone: (512) 834-9138. Tax plats for Travis County may be printed online at <http://www.traviscad.org/>.
- Williamson County: Williamson County Clerk, Justice Center Building, 405 Martin Luther King St., Georgetown, phone: (512) 943-1515

For projects located outside of Travis County, submit a list of names and addresses of all property owners within a 300-foot radius of the tract.

4. Request Letter/Certificate Of Occupancy Verification

Submit a letter requesting a waiver. Provide proof of valid Certificate of Occupancy for the current use, which may be obtained from the Development Services Department.

5. Site Plans (see Exhibit I: Site Plan Requirements)

The plans shall consist of a cover sheet and a site plan.

One folded 24" x 36" copy of the site plan and one letter-size (8½" x 11") copy are required that include the information outlined in the attached exhibit. The site plan must show the primary use, plus church, public school and public hospital, and day-care center or child-care facility, as applicable within 300 feet, plus the property address and legal description of both sites.

6. Written Consent

Written consent to a waiver request should be filed with this application for each church, public school, public hospital, day-care center, or child-care facility within 300 feet from the proposed place of business or an explanation as to why written consent was not provided.



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For Office Use Only

Development Review Type: _____
Application Accepted By: _____
Case Manager: _____

**To complete this form electronically: Open with Internet Explorer,
then [Click Here to Save and continue.](#)**

Section 1: Project Information

Project Name: _____

Project Street Address: _____

Zip: _____

Provide either Legal Description or Subdivision Reference:

Legal Description:

Subdivision Reference

Name: _____

Block(s): _____ Lot(s): _____ Outlot: _____

Plat Book: _____ Page Number: _____

Document Number: _____ Case Number: _____

Tax Parcel Number(s): _____

Section 2: Ownership Information

Type of Ownership: Sole Community Property Trust Partnership
 Corporation City of Austin Department

If ownership is other than sole or community property, list individuals, partners, principals, etc., below or attach a separate sheet.

Section 7: Inspection Authorization

As owner or authorized agent, my signature authorizes staff to visit and inspect the property for which this application is being submitted.

Please type or print Name below Signature, and indicate Firm represented, if applicable:

Signature

Month

Day

Year

Name (Typed or Printed)

Firm

Exhibit I: Site Plan Requirements

A. COVER SHEET - Show the following:

- Date of submittal
- Project title, Project name and street address
- Property owner, address, telephone number
- Legal description of property by lot, block and subdivision name, or by metes and bounds, if recorded, indicate the book and page numbers
- Site location map that clearly indicates the precise location of the tract (4" x 4" minimum size)

B. BASE INFORMATION

The following information shall be included on each 24" x 36" sheet and the letter-size sheet:

- North arrow
- Engineering scale shall be 1"=10', 1"=20', 1"=30', or 1"=40'; if the project is too large, 1"=50', with detail at 1"=20'
- Line showing the distance from the subject property to the affected church, public school, public hospital, and each day-care center or child-care facility

NOTE:

- Refer to 109.33 of the Texas Alcoholic Beverage Code for distance requirements and how to measure for churches, public schools, and public hospitals.
- Refer to 109.331 of the Texas Alcoholic Beverage Code for distance requirements and how to measure for day-care centers and child-care facilities.