



MEMORANDUM

TO: Mayor and Council

FROM: Joseph G. Pantalion, P.E., Director
Watershed Protection and Development Review Department

DATE: October 20, 2005

SUBJECT: Alcohol Waiver Request 1123 South Congress
Case Number: SP-04-0905CS

Item 65 on today's City Council agenda is a request from Doc's Motorworks Bar & Grill for a waiver from the minimum distance requirements listed in section 4-9-4(A) of the City Code for the sale of alcohol in proximity to a public school. City staff has received a letter from the Superintendent of the Texas School for the Deaf (TSD) in support of Doc's Motorworks' request. Staff recommends approval of the waiver request.

Recently, it has come to the City's attention that Doc's Motorworks is not in compliance with the site development permit issued in December of 2004.

The off-site parking lease for this site was modified in February of 2005 to require valet service to any patron wishing to use the off-site parking facility. The City was not notified of this modification to the off-site parking lease until Thursday, October 6, 2005. By requiring valet service as part of the off-site parking lease, the development must now provide for a valet service on site. A field investigation of the site has determined that valet service is not being offered. Doc's Motorworks has submitted a correction to the site plan to show service for valet parking internal to the site. The correction was filed on October 19, 2005.

During the field investigation it was also determined that alcohol was being sold at this location under a catering license from the Texas Alcohol Beverage Commission (TABC). However, it has since been determined that this license excepts the applicant from the City's Code pursuant to 4-9-4(A).

Should Council deny the waiver request today, the TABC has informed the City that they will consider this denial in their review of future extensions of the current catering license.

cc: Toby Hammett Futrell, City Manager
Laura J. Huffman, Assistant City Manager