

## STAFF REPORT

### ALCOHOLIC BEVERAGE WAIVER REQUEST

CASE NUMBER: SPC-2025-0216-AW

COUNCIL HEARING DATE: July 24, 2025

NAME AND LOCATION OF BUSINESS: Flourish Plant Shop & Wine Bar 5003 Airport (District 9)

NAME AND LOCATION OF SCHOOL WITHIN 300 FEET OF BUSINESS PROPOSING THE SALE OF ALCOHOLIC BEVERAGES: Ridgetop Elementary School at 5005 Caswell Ave.

ZONING: CS-1-V-CO-NP / CS-V-CO-NP

NEIGHBORHOOD PLAN: North Loop

EXISTING USE: Commercial Restaurant (Limited)

PROPOSED USE: Commercial Restaurant (General)

APPLICANT: Rachel Roberts. Business owner of Flourish Plant Shop & Wine Bar and agent for owner.

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 the business intends to sell alcoholic beverages at this location, which is within 300 feet of Ridgetop Elementary, a public school.

Subsections (A) and (B) of 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:

(A)

- (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.

(B) The council may consider the written consent to a waiver under this section from each church, public school, public hospital, day-care center or child-care facility within 300 feet from the applicant's proposed place of business filed by the applicant with the director of the Development Services Department to be a sufficient justification for a waiver.

ADDITIONAL INFORMATION: The applicant has informed staff that they believe they have support from Ridgetop Elementary, and a neighborhood association, and that they expect to have letters of support soon. As of the date of this report, staff have not been provided with any letters of support, and no response has been received from the Austin Independent School District.

CASE MANAGER: Bryan Walker, Planner II, (512) 974-2686, [bryan.walker@austintexas.gov](mailto:bryan.walker@austintexas.gov). Brian Block, Nightlife and Entertainment Services Manager, (512) 974-7966, [brian.block@austintexas.gov](mailto:brian.block@austintexas.gov).

July 9, 2025









**Ridgetop Elementary School**  
5005 CASWELL AVE

**Flourish Plant Shop  
& Wine Bar**  
5003 AIRPORT BLVD

**Place of Business seeking Alcoholic Beverage Waiver**

Project Name: Flourish Plant Shop & Wine Bar  
Address: 5003 AIRPORT BLVD  
Case No: SPC-2025-0216AW

CITY OF AUSTIN  
ARTS CULTURE MUSIC & ENTERTAINMENT DEPT

-  Subject Site
-  Public School Property Line
-  Travis County Appraisal District Parcels
-  Railroad



0 45 90 180 Feet

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. This product has been produced by the Arts Culture Music & Entertainment Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Created: 07/08/2025



## Aerial and Street View Images of the Locations





**Ridgetop Elementary School**  
5005 CASWELL AVE

**Flourish Plant Shop  
& Wine Bar**  
5003 AIRPORT BLVD

