

STAFF REPORT

ALCOHOLIC BEVERAGE WAIVER REQUEST

CASE NUMBER: SPC-2025-0211-AW

COUNCIL HEARING DATE: July 24, 2025

NAME AND LOCATION OF BUSINESS: Escuela 6240 W US 290 HWY WB (District 8)

NAME AND LOCATION OF SCHOOL WITHIN 300 FEET OF BUSINESS PROPOSING THE SALE OF ALCOHOLIC BEVERAGES: Oak Hill Elementary School at 6101 Patton Ranch Road

ZONING: GR-H-CO-NO / GR-CO-NP

NEIGHBORHOOD PLAN: East Oak Hill

EXISTING USE: Commercial Restaurant (Limited)

PROPOSED USE: Commercial Restaurant (General)

APPLICANT: Armbrust & Brown, PLLC (Richard Suttle, Jr.) agent for Escuela.

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 the Oak Hill Elementary, a public elementary 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 provided letters of support for the waiver request from the Oak Hill Elementary School Parent Teacher's Association and the Oak Hill Association of Neighborhoods. The applicant has provided a letter of general support for the new restaurant from the principal of Oak Hill Elementary. As of the date of this report no response has been received from the Austin Independent School District.

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

July 9, 2025

Oak Hill Elementary School
6101 PATTON RANCH RD

Escuela
6240 W US 290 HWY WB

PATTON RANCH RD

SCHOOL RD

W US 290 HWY WB

W US 290 HWY EB

290

Project Name: Escuela
Address: 6240 W US 290 HWY WB
Case No: SPC-2025-0211AW

The logo of the City of Austin, featuring a shield with a red and white design, a blue top section with a yellow star, and a blue banner with the word "Austin" in yellow. The shield is set within a circular border with the text "CITY OF AUSTIN" at the top and "FOUNDED 1839" at the bottom.

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Created: 07/08/2025

 Travis County Appraisal District Parcels
 Subject Site
 Public School Property Line

Aerial and Street View Images of the Locations





Oak Hill Elementary School
6101 PATTON RANCH RD
(not in view - located behind building,
trees, and fence)

Escuela
6240 W US 290 HWY WB

Google