

Austin City Council
July 30, 2020, meeting Agenda Item 53
Rezoning of 1516 S Lamar from CS to CS-1
Locally known as Planet K

Mayor and City Council:

Staff presentations on CS-1 zoning cases usually end up in utter confusion over the connection between City zoning regulations and Texas state alcoholic beverage licensing regulations. The summary statement, “The CS-1 zoning district is specifically used to permit sale of liquor on site and allows for the cocktail lounge use,” does not capture the actual distinction between CS and CS-1. Properties with CS zoning are eligible to receive most permits for the sale of liquor on site, but it has to be within a restaurant use or in connection with the sale of food. CS zoning limits alcohol sales to less than 50% of revenue; all that CS-1 zoning does is remove the 50% revenue limit, effectively allowing the business to sell liquor without food.

Serving alcohol without food is a public health problem. A committee of scientists who are currently updating the federal dietary guidelines is recommending that Americans who drink alcohol limit their consumption to a single serving of wine, beer, or liquor per day, and they are rejecting the notion of safe moderate drinking--“this idea that a small amount of alcohol is good for you.”

At the same time (on July 16, to be precise), Governor Cuomo of New York banned the sale of alcohol to customers who do not also buy food. The governor told the *New York Times* that “bars and restaurants offering outdoor dining must serve something more closely resembling a meal with any alcohol.”

In the current public health crisis, drinking in bars with lax social distancing is a bad idea, and in the long-term context of zoning that supports our community’s public health priorities, CS-1 zoning is unwise and unnecessary. Please deny this request for CS-1 zoning at 1516 S. Lamar.

Thank you for your service to Austin.
Lorraine Atherton
District 5 resident