

Recommend denial of Zilker Café CUP

September 28, 2021



What is a Conditional Use Permit?

- Allowed use within a zoning designation, not a permit to a vendor. Designates entire 6,500 square feet including seating area as appropriate for alcohol sales.
- No expiration.
- Staff not “entirely” clear how this could be undone; re-zoning process does not include PARB.
- Zoning is about compatibility.

Safety experts oppose alcohol service at this location due to drowning risk

- Dangerous swimming environment – current, low visibility, crowded; diving board
- Drowning Prevention Coordinator Dell Children's OPPOSED
- ED of Colin's Hope, anti-drowning organization OPPOSED
- Texans for Safe and Drug-Free Youth OPPOSED
- Barton Springs lifeguards OPPOSED
- Additional burden on lifeguards.





Major Change at Zilker without Sufficient Community Input or Support

- Changing 6- year history of café by creating “destination” through beer and wine sales is a decision being made separate and apart from Zilker Park Vision Plan.
- No parking or ride share plan for new destination.
- 2015 Community Survey: Question 6 “What would you LIKE to be available?” 425 responses; 20 of 425 (4.7%) include beer, beer and wine; or wine. 95.3% did not mention beer and wine. 2 requests for beer garden.

129 (30%) responses requested fresh juice, mostly in reference to juiceland or smoothies.

- CUP Emails received: More than 193 against; 6 in favor; 550 petition signatures change.org.



No PARB discussion on fencing courtyard or alcohol sales until CUP.

- CCC April 9, 2019 “need to get clarification” “researching alcohol and parks policy”
- CCC September 10, 2019; PARB September 24, 2019; City Council October 3, 2019: NO DISCUSSION OF ALCOHOL
- RFP Evaluation factors: no requirement for experience with beer and wine sales.
- Fencing off seating area: no discussion.
- No consideration of revenue estimates with and without.



No visibility to playground from cafe.

- Not like Central Market or restaurant with playground: no line of sight from café to playground.
- Play structure designed for pre-school age 2-5 years old. "Active adult supervision recommended." Fire truck requires adult supervision.
- Path between playground and café is heavily traveled by people going to and from area downstream of dam.
- Alta's café not applicable comparison because no swimming allowed.
- P. Terry's, Juiceland, Casa de Luz all alcohol-free successful locally owned restaurants nearby.



CUP is not compatible with community uses, interests and goals.

- Alcohol and drug use below the dam is prohibited but open, obvious and ongoing. Many people are requesting enforcement of rules. Allowing alcohol in one area and not in another close by area is confusing and will further discourage compliance with rules.
- Most public comment refers to nature, kids, recreation, healthy family activity, physical training, peacefulness, and the uniqueness of this area on the planet earth.
- Enhance welcoming and family friendly atmosphere by keeping this café alcohol free.

