

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: South Austin Combined (Westgate)

CASE#: NPA-2025-0030.01

DATE FILED: August 21, 2025

PROJECT NAME: Ben White

PC DATE: April 14, 2026
March 24, 2026
February 24, 2026

ADDRESS/ES: 2217 W Ben White Blvd SVRD EB

DISTRICT AREA: 5

SITE AREA: 16,443 sq. ft.

OWNER/APPLICANT: RPS Family Enterprises LP

AGENT: Keepers Land Use Planning (Ricca Keepers)

CASE MANAGER: Maureen Meredith

PHONE: (512) 974-2695

STAFF EMAIL: Maureen.Meredith@austintexas.gov

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Neighborhood Node

To: Mixed Use Activity HUB/Corridor

Base District Zoning Change

Related Zoning Case: C14-2025-0104

From: CS-NP

To: CS-1-NP (building footprint)

NEIGHBORHOOD PLAN ADOPTION DATE: November 6, 2014

CITY COUNCIL DATE: TBD

ACTION:

PLANNING COMMISSION RECOMMENDATION:

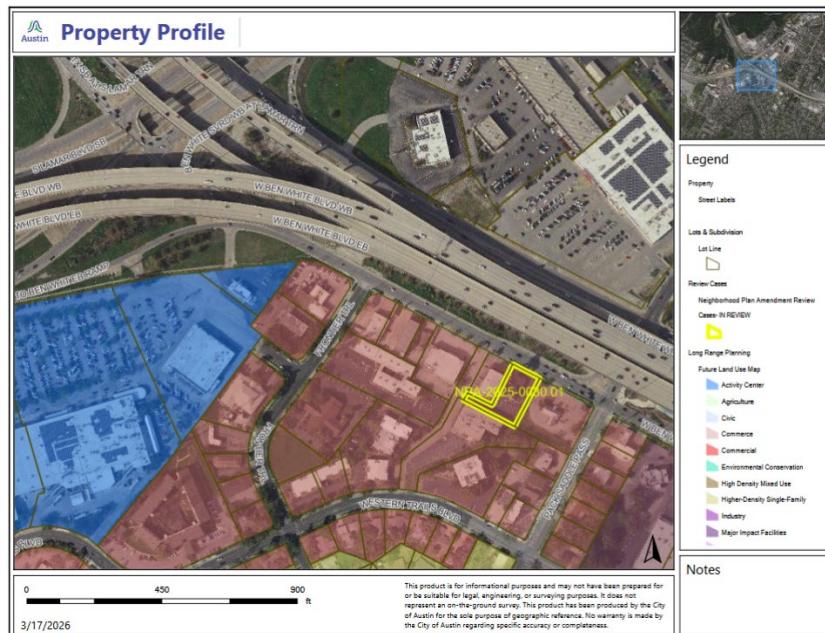
April 14, 2026 – (action pending)

March 24, 2026 – Postponed to the April 14, 2026 hearing on the consent agenda at the request of the Neighborhood. [I. Ahmed – 1st; F. Maxwell -2nd] Vote: 12-0 [One vacancy on the dais].

February 24, 2026 – Postponed to March 24, 2026 at the request of Staff on the consent agenda. [D. Skidmore – 1st; B. Bedrosian – 2nd] Vote: 12-0 [One vacancy on the dais].

STAFF RECOMMENDATION: Staff supports the Applicant’s request for Mixed Use Activity HUB/Corridor.

BASIS FOR STAFF’S RECOMMENDATION: Staff supports the Applicant’s request for the Mixed Use Activity HUB/Corridor character district because the property is located along E. Ben White Blvd highway where this land use is appropriate. The property is also located near the major highway interchange of W. Ben White Blvd and South Lamar Blvd. The applicant proposes to rezone the footprint of an existing building to CS-1 for the sale of alcoholic beverages that are primarily to-go and not for on-site consumption.



Below are sections of the plan that staff believe supports the applicant’s request.

Mixed-use Activity Hub/Corridor

Located at the intersections of major roadways, Mixed-Use Activity Hubs/Corridors are the most urban areas of the neighborhood and serve the surrounding neighborhoods and the broader community. They consist of a mix of services and housing types at a more intensive scale than a Neighborhood Node.

Mixed-Use Activity Hubs/Corridors are located along arterial roadways and building heights currently range from one to two stories (although many locations are zoned for greater height). Most are currently setback from roadways behind large surface parking lots.

VISION: The Mixed-Use Activity Hub/Corridor District contains a mix of uses and is accessible by car, bus, bike, and foot. Ample public amenities including trees and landscaping, plazas, outdoor seating, and public art create a sense of place.

MUH P10: Encourage missing middle housing types and neighborhood- and regional-serving businesses that are compatible with the neighborhood character. In the interim between the adoption of this neighborhood plan and the adoption of the revised Land Development Code, the following zoning districts should be generally considered appropriate to the Mixed-Use Activity Hub/Corridor character district.

SF-5: Urban family residence

SF-6: Townhouse & condo residence

MF-1: Limited density multi-family

MF-2: Low density multi-family

MF-3: Medium density multi-family

MF-4: Moderate density multi-family

MF-5: High density multi-family

NO: Neighborhood office

LO: Limited office

GO: General office

LR: Neighborhood commercial

CS: Commercial Services

CS-1: Commercial liquor sales

TOD: Transit-oriented development

W/LO: Warehousing/limited office

MU Combining District: allows mixed-use

VMU Combining District: allows vertical mixed-use

LAND USE DESCRIPTIONS:

EXISTING LAND USE:

Neighborhood Node - Neighborhood Node districts contain restaurants, shops, offices, and multi-family housing. The form of these areas is similar to Neighborhood Transition districts but with more commercial activity. Neighborhood Nodes have a

similar mix of uses as Mixed Use Hubs, but primarily serve residents in the neighborhood. Building heights range from one to two stories (although many locations are zoned for greater height).

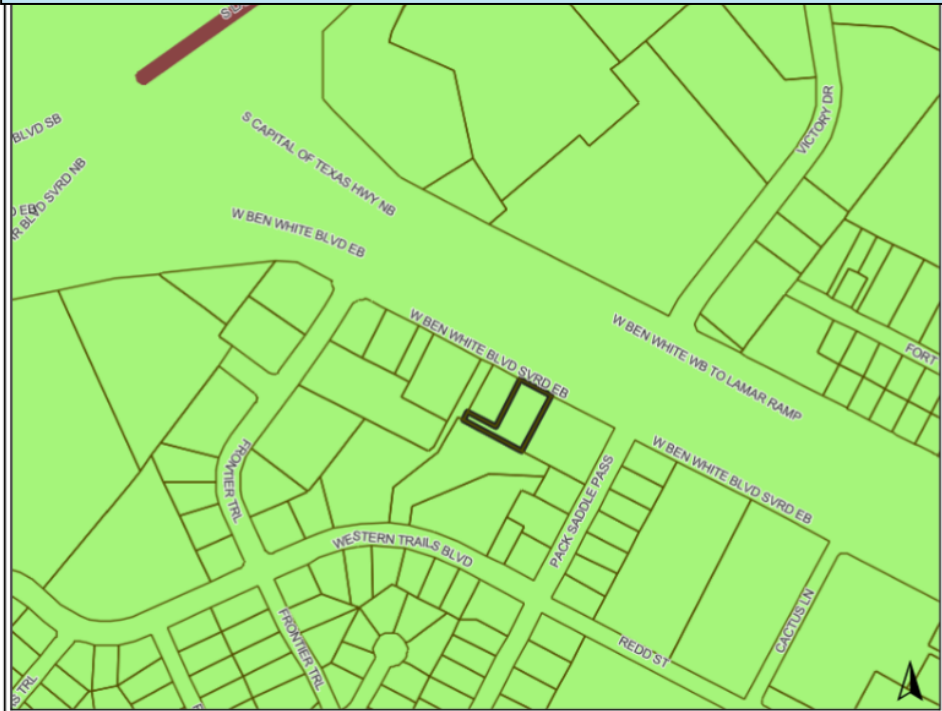
PROPOSED LAND USE:

Mixed Use Activity HUB/Corridor - Located at the intersections of major roadways and along arterial roadways, Mixed-Use Activity Hubs/Corridors are the most urban areas of the neighborhood and serve the surrounding neighborhoods and the broader community. They consist of a mix of services and housing types at a more intensive scale than a Neighborhood Node.

Yes	Imagine Austin Decision Guidelines
	Complete Community Measures
Yes	Imagine Austin Growth Concept Map: Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. Name(s) of Activity Center/Activity Corridor/Job Center: <ul style="list-style-type: none"> • Near the Lamar & Ben White Redevelopment in Sensitive Environmental Area Activity Center
Yes	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station.
Yes	Mobility and Bike/Ped Access: Adjoins a public sidewalk, shared path, and/or bike lane. <ul style="list-style-type: none"> • Sidewalks are provided along E. Ben White Blvd
Yes	Connectivity, Good and Services, Employment: Provides or is located within 0.50 miles to goods and services, and/or employment center. <ul style="list-style-type: none"> • Various businesses along E. Ben White Blvd
Yes	Connectivity and Food Access: Provides or is located within 0.50 miles of a grocery store/farmers market. <ul style="list-style-type: none"> • 0.3 miles from Central Market
No	Connectivity and Education: Located within 0.50 miles from a public school or university. <ul style="list-style-type: none"> • 0.6 miles from Joslin Elem. School
Yes	Connectivity and Healthy Living: Provides or is located within 0.50 miles from a recreation area, park or walking trail. <ul style="list-style-type: none"> • 0.40 Joslin Neighborhood Park
Yes	Connectivity and Health: Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care.) <ul style="list-style-type: none"> • 0.4 miles from Texas Children's Urgent Care Westgate, 4477 S Lamar Blvd Suite 400, Austin, TX 78745 • 0.4 miles from Dr. Todd A. Canon, MD, 2555 Western Trails Blvd # 101, Austin, TX 78745
No	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
No	Housing Choice: Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.

No	Mixed use: Provides a mix of residential and non-industrial uses.
No	Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center). <ul style="list-style-type: none"> • 1.3 miles from Austin Public Library - Menchaca Road Branch, 5500 Menchaca Rd, Austin, TX 78745
No	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.
No	Creative Economy: Expands Austin’s creative economy (ex: live music venue, art studio, film, digital, theater.)
No	Workforce Development, the Economy and Education: Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
No	Industrial Land: Preserves or enhances industrial land.
Yes	Not located over Edwards Aquifer Contributing Zone or Edwards Aquifer Recharge Zone
8	Number of “Yeses”

Proximity to Imagine Austin Activity Centers and Corridor



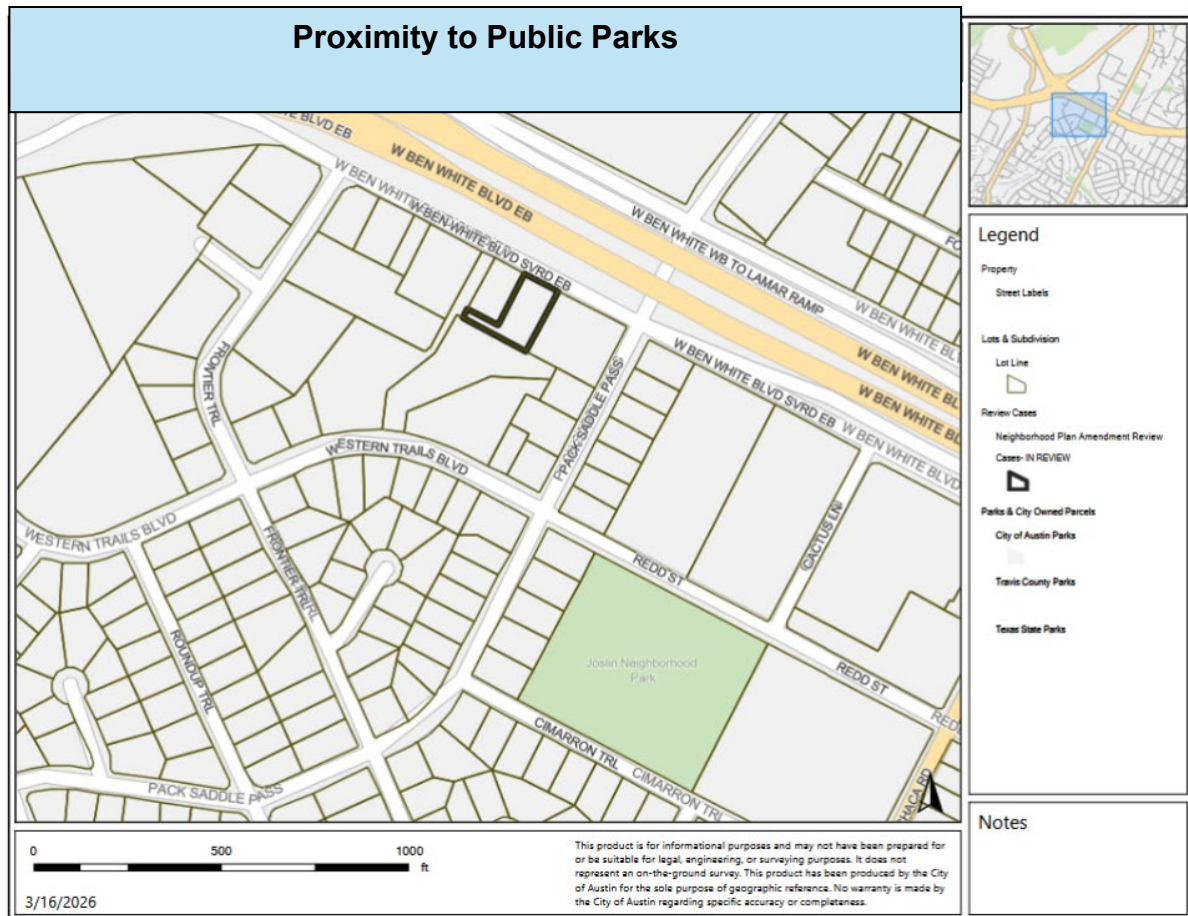
Legend

- Property
 - Street Labels
- Lots & Subdivision
 - Lot Line
- Review Cases
 - Neighborhood Plan Amendment Review
 - Cases- IN REVIEW
- Long Range Planning
 - Imagine Austin Corridors
 - Imagine Austin Centers
 - Regional Center
 - Town Center
 - Neighborhood Center
 - Activity Centers for
 - Redevelopment in Sensitive Environmental Areas
 - Job Center



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Notes



IMAGINE AUSTIN GROWTH CONCEPT MAP

Definitions

Neighborhood Centers - The smallest and least intense of the three mixed-use centers are neighborhood centers. As with the regional and town centers, neighborhood centers are walkable, bikable, and supported by transit. The greatest density of people and activities in neighborhood centers will likely be concentrated on several blocks or around one or two intersections. However, depending on localized conditions, different neighborhood centers can be very different places. If a neighborhood center is designated on an existing commercial area, such as a shopping center or mall, it could represent redevelopment or the addition of housing. A new neighborhood center may be focused on a dense, mixed-use core surrounded by a mix of housing. In other instances, new or redevelopment may occur incrementally and concentrate people and activities along several blocks or around one or two intersections. Neighborhood centers will be more locally focused than either a regional or a town center. Businesses and services—grocery and department stores, doctors and dentists, shops, branch libraries, dry cleaners, hair salons, schools, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods.

Town Centers - Although less intense than regional centers, town centers are also where many people will live and work. Town centers will have large and small employers, although

fewer than in regional centers. These employers will have regional customer and employee bases, and provide goods and services for the center as well as the surrounding areas. The buildings found in a town center will range in size from one-to three-story houses, duplexes, townhouses, and rowhouses, to low-to midrise apartments, mixed use buildings, and office buildings. These centers will also be important hubs in the transit system.

Regional Centers - Regional centers are the most urban places in the region. These centers are and will become the retail, cultural, recreational, and entertainment destinations for Central Texas. These are the places where the greatest density of people and jobs and the tallest buildings in the region will be located. Housing in regional centers will mostly consist of low to high-rise apartments, mixed use buildings, row houses, and townhouses. However, other housing types, such as single-family units, may be included depending on the location and character of the center. The densities, buildings heights, and overall character of a center will depend on its location.

Activity Centers for Redevelopment in Sensitive Environmental Areas - Five centers are located over the recharge or contributing zones of the Barton Springs Zone of the Edwards Aquifer or within water-supply watersheds. These centers are located on already developed areas and, in some instances, provide opportunities to address long-standing water quality issues and provide walkable areas in and near existing neighborhoods. State-of-the-art development practices will be required of any redevelopment to improve stormwater retention and the water quality flowing into the aquifer or other drinking water sources. These centers should also be carefully evaluated to fit within their infrastructural and environmental context.

Job Centers - Job centers accommodate those businesses not well-suited for residential or environmentally- sensitive areas. These centers take advantage of existing transportation infrastructure such as arterial roadways, freeways, or the Austin-Bergstrom International airport. Job centers will mostly contain office parks, manufacturing, warehouses, logistics, and other businesses with similar demands and operating characteristics. They should nevertheless become more pedestrian and bicycle friendly, in part by better accommodating services for the people who work in those centers. While many of these centers are currently best served by car, the growth Concept map offers transportation choices such as light rail and bus rapid transit to increase commuter options.

Corridors - Activity corridors have a dual nature. They are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are also characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. Along many corridors, there will be both large and small redevelopment sites. These redevelopment opportunities may be continuous along stretches of the corridor. There may also be a series of small neighborhood centers, connected by the roadway. Other corridors may have fewer redevelopment opportunities, but already have a mixture of uses, and could provide critical transportation connections. As a corridor evolves, sites that do not redevelop may transition from one use to

another, such as a service station becoming a restaurant or a large retail space being divided into several storefronts. To improve mobility along an activity corridor, new and redevelopment should reduce per capita car use and increase walking, bicycling, and transit use. Intensity of land use should correspond to the availability of quality transit, public space, and walkable destinations. Site design should use building arrangement and open space to reduce walking distance to transit and destinations, achieve safety and comfort, and draw people outdoors.

BACKGROUND: The applicant proposes to change the land use on the future land use map from Neighborhood Node to Mixed Use Activity HUB/Corridor.

The applicant proposes to change the zoning on the property from CS-NP (General Commercial Services district – Neighborhood Plan) to CS-1-NP (Commercial Liquor Sales district- Neighborhood Plan) on the building footprint for alcohol sales. For more information on the proposed zoning request, please see zoning case report C14-2025-0104.

PUBLIC MEETINGS: The ordinance-required community meeting was virtually held on November 18, 2025. The recorded meeting can be found here: <https://publicinput.com/neighborhoodplanamendmentcases>. Approximately 140 meeting notices were mailed to people who have utility accounts or own property within 500 feet of the subject tract, in addition to neighborhood and environmental groups who requested notification for the area. Three city staff members attended, Maureen Meredith, Mark Walters and Chase Gonsoulin from Austin Planning. Ricca Keepers from Keepers Land Planning attended along with the property owner Zach Stanke. Three people from the neighborhood attended.

Below are highlights from Ricca Keepers’ presentation:

- We are just rezoning the building to CS-1. The building is not going to change.
- The business will be 100% to-go drinks.
- The business is owned by a father and son.
- The hours of operation are weekdays Monday – Thursday from 11 am – 11 pm with extended hours on Friday and Saturday.
- We met with neighborhood representatives from the Western Trails Neighborhood Association and we discussed the easement on the property. Most of the traffic flows from W. Ben White Blvd. We can put a gate up on the easement, although most traffic will exit on Ben White. There is no indoor seating, so people will be using the drive-through. If we put a gate on the easement, we will need to talk to Transportation Department. Another idea would be a right turn only.

Q: What are the ingress and egress points?

A: Most traffic comes off Ben White. The easement is for parking because you can’t really access from there.

Q: The building was built for Daiquiris-To-Go. Is it wine now?

A: Yes, we are selling just wine. We do not sell food. We want the rezoning to sell more than just wine.

Q: Will there be verbiage in the ordinance if you can change the access to the easement?

A: I don't think the City would allow that, but will need to be a private agreement. We can talk more offline on how to do this.

A: Is it possible to install a permanent fixture to have right turn only because people could just turn left anyway?

Q: I will need to work with City Staff on this.

Q: We are dealing with people who are into drugs and now we have Daiquiris-To-Go. Are you only serving people who drive up in cars?

A: We predominately serve people in the drive-through, but people are able to park and walk inside to be served. Before we bought the property, it was vacant and fenced off and we had problems with homeless people, but now we don't have problems because we improved the lighting. Most of the traffic is in the drive-through.

Q: What kind of TABC License do you have?

A: Now we are off-premises wine and malt beverage, it's not a liquor mixed-beverage license. That is why we serve wine-based, not liquor-based daiquiris.

Ricca Keepers' Follow-Up from Virtual Community Meeting

From: Ricca Keepers <>
Sent: Tuesday, March 17, 2026 3:56 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Danielle Lipford <>; Estrada, Nancy <Nancy.Estrada@austintexas.gov>
Cc: Brandon Gonzales <>; Karl Burkett <>; Zach Stanke <zach@>
Subject: Re: Case NPA-2025-0030.01

Danielle and All,

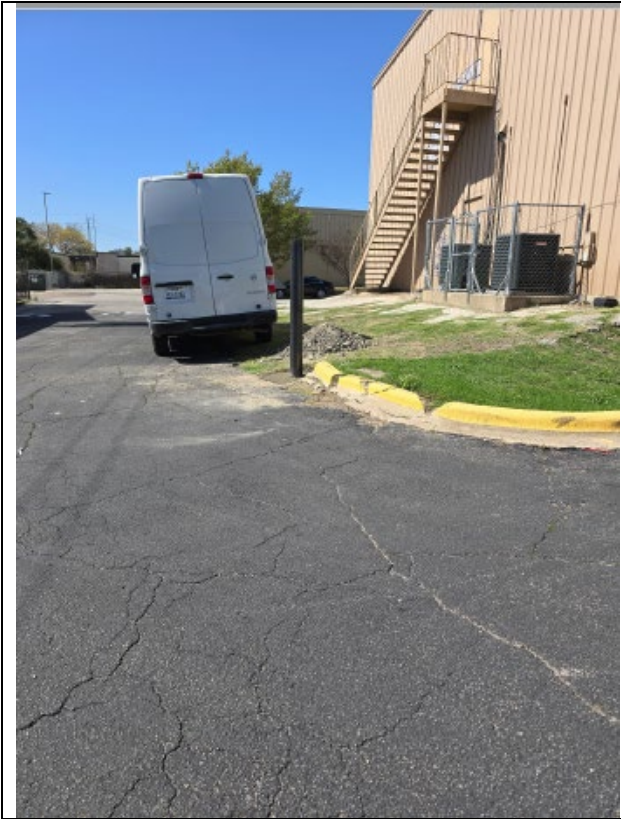
Please see the pictures showing the gate is being installed as we speak. They are waiting for the concrete to dry timeframe for gate install is tomorrow. Please refer to the enclosed pictures.

All the best,

Ricca Keepers, MUP

Keepers Land Planning Celebrating 10 years!
Founder, Owner, and Land Planner
Assistant (512) 550-6508
Cell (512) 999-0690
KeepersLandPlanning.com





Neighborhood Postponement Request at the March 24, 2026 Planning Commission Hearing

03/18/2026

Re: **NPA-2025-0030.01**

Dear Chair Woods and Commissioners,

On behalf of several business owners in the immediate area of rezoning case C14-2025-0104 located at 2217 W. Ben White Blvd for which CS-1 zoning district is sought, we request a 60 day postponement so that we may meet with the applicant. To date, our group has not been reached out to in order to meet with the agent about two new issues which were not previously addressed:

1. It is important to understand that the business of selling alcohol from this site is already occurring. From our understanding, a business selling “to go alcohol without food” is prohibited by TABC regulations. See note from TABC investigation for TABC permit, 107255737; Big Chill Daiquiri

*“If the BG permit holder applies for a Mixed Beverage Permit (Alcoholic Beverage Code Chapter 28), the Mixed Beverage permit holder is authorized to sell alcohol to go with food. **Selling alcohol to go without food is prohibited.** You can find this information within TABC website “Alcohol Delivery and Pickup” guidelines and the Alcoholic Beverage Code Sections 28.10 (Consumption Restricted to Premises; Exceptions) and 28.1001 (Pickup and Delivery of Alcoholic Beverages for Off-Premises Consumption). Regarding the Food and Beverage Certificate, the same requirements would apply as with Wine and Malt Beverage Retailer’s Permit (BG). They either meet the definition of a “Restaurant” or alcohol sales cannot exceed 60% of total sales. “*

2. Another concern relates to traffic – all traffic is supposed to be entering and exiting onto Ben White which is simply not the case as some traffic exits between existing businesses and onto Western Trails Street, which is a neighborhood collector street.

We will attend the hearing on Tuesday unless we have an agreement with the agent for the 60 day postponement and she is willing to meet with us.

Anand Joshi, MD

5122220170

**Letter of Recommendation from Westgate
Neighborhood Plan Contact Team**

(No letter as of April 3, 2026)

From: Meredith, Maureen
Sent: Thursday, March 12, 2026 3:55 PM
Cc: Estrada, Nancy <Nancy.Estrada@austintexas.gov>
Subject: Westgate NPCT Ltr Rec?: NPA-2025-0030.01_2217 W Ben White Blvd
Importance: High

Dear Westgate NPCT and Interested Parties:

I wanted to give you a “head’s up” that cases **NPA-2025-0030.01** and **C14-2025-0104_2217 W Ben White Blvd** cases will be ready for PC action at the March 24th PC hearing. If you would like to have a letter of recommendation included in our staff case reports, please email it to me and Nancy Estrada, the zoning case manager, ***no later than Tuesday, March 17th by 4:30 pm.*** If we get the letter after this date and time, we will submit it as late material to the Planning Commissioners, but it will not be in our staff reports.

The virtual community meeting was held on November 18, 2025 and the recorded meeting can be found here: <https://publicinput.com/b16504> if you were unable to attend and would like to hear the discussion about the cases.

On Friday, March 20th, I will email to you the speaker registration link so people can register to speak at the Tuesday, March 24th Planning Commission hearing. The public hearing begins at 6:00 pm at City Hall, 301 W. 2nd Street. You will be able to speak virtually by phone or in-person. Here’s the link to the Planning Commission website where the agenda and staff reports will be posted no later than Friday, March 20th.

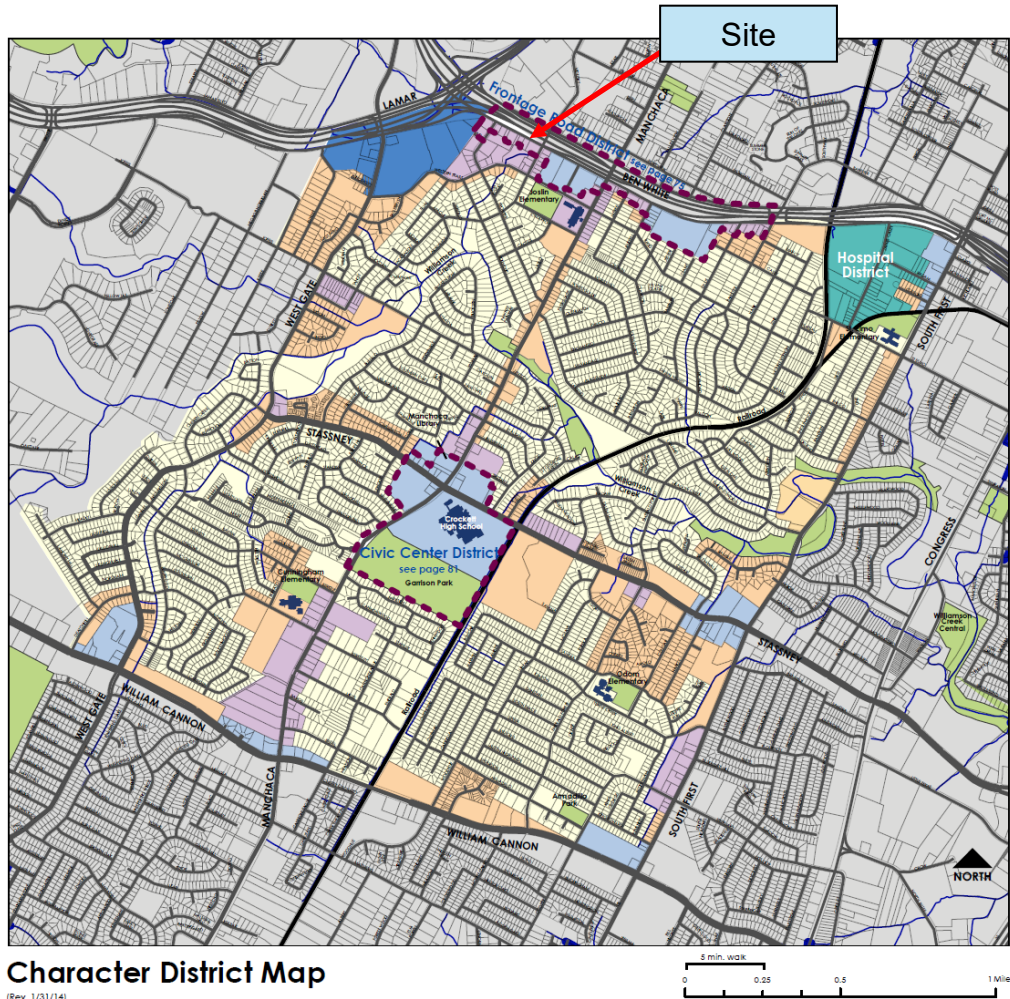
Please let me know if you have any questions.

Maureen










Maureen Meredith (*she/her*)
Senior Planner
Austin Planning
6310 Wilhelmina Delco Dr.
Austin, TX 78752
512-974-2695
maureen.meredith@austintexas.gov







South Austin Combined Neighborhood Plan



Character District Map

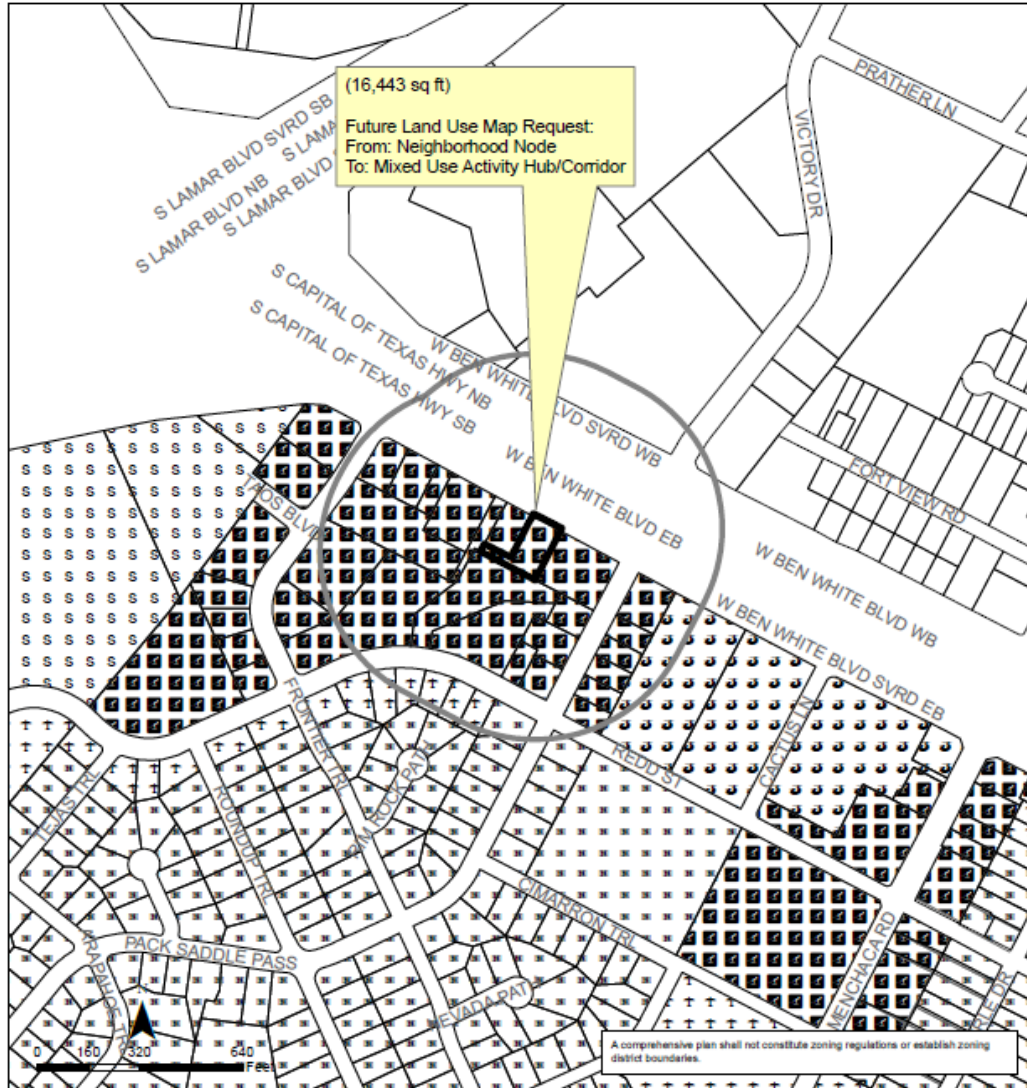
(Rev. 1/31/14)

- | | |
|---|---|
|  Activity Center |  Residential Core |
|  Mixed-Use Activity Hub/Corridor |  Special District |
|  Neighborhood Node |  District with Illustrative Vision
<small>(Character Districts applied to fit community vision)</small> |
|  Neighborhood Transition | |

- | | |
|--|--|
|  City of Austin Parks |  Streets |
|  Civic Buildings |  Railroad |
|  Parcels |  Creeks |

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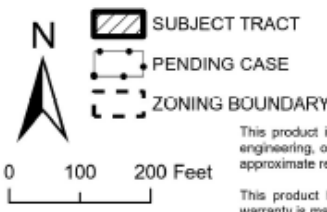
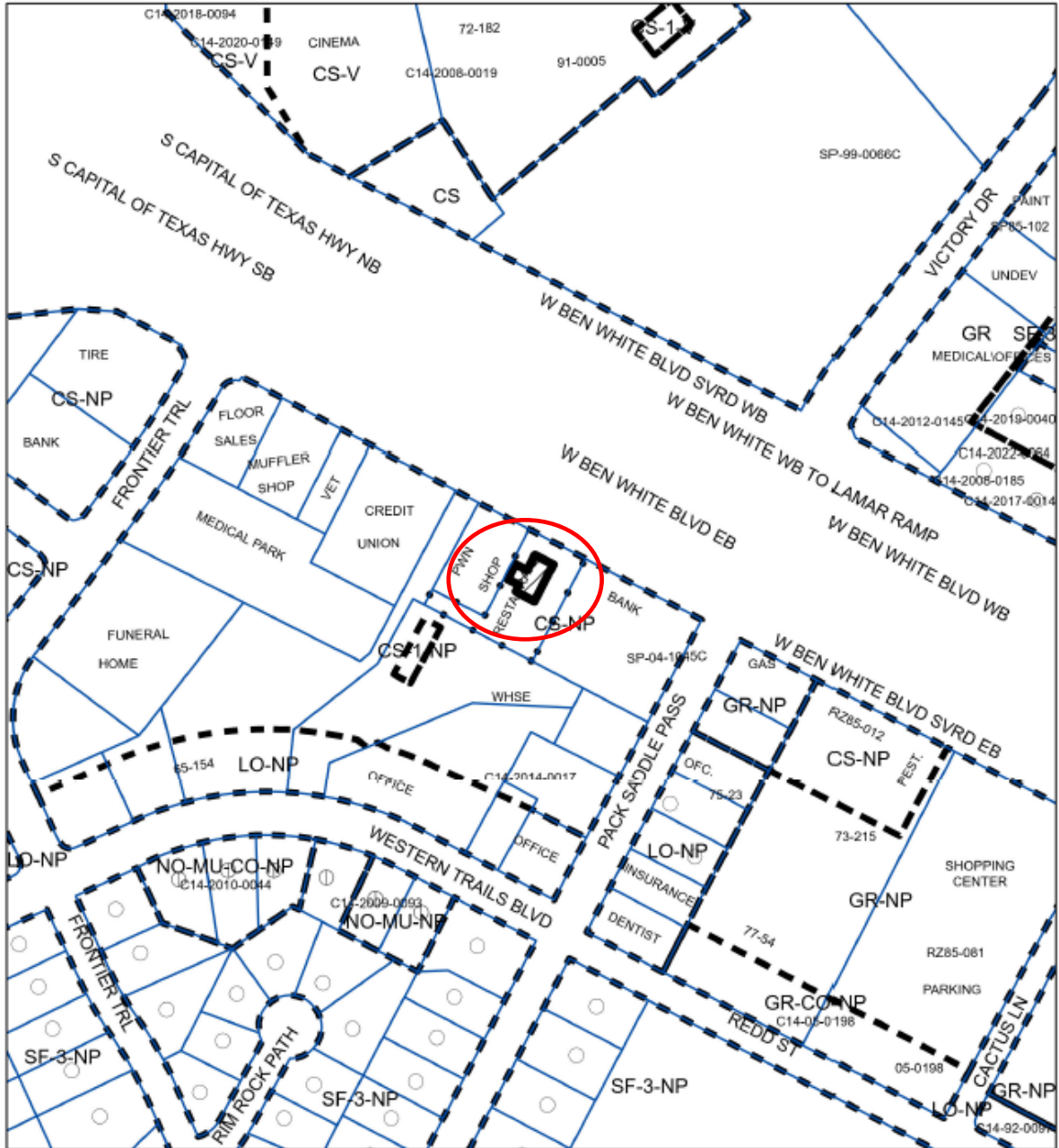
**South Austin Combined Neighborhood Planning Area
 NPA-2025-0030.01**

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 City of Austin
 Planning Department
 Created on 9/15/2025, by: MeeksS

Future Land Use	
	Subject Tract
	500 ft. notff. boundary
	Neighborhood Node
	Neighborhood Transition
	Residential Core
	Activity Center
	Mixed-use Activity Hub/Corridor



ZONING
 ZONING CASE#: C14-2025-0104

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Created: 12/22/2025

Ricca Keepers' Presentation at the Virtual Community Meeting

Addresses: 2217 W BEN WHITE BLVD SVRD EB

Property Profile Report | Address Verification

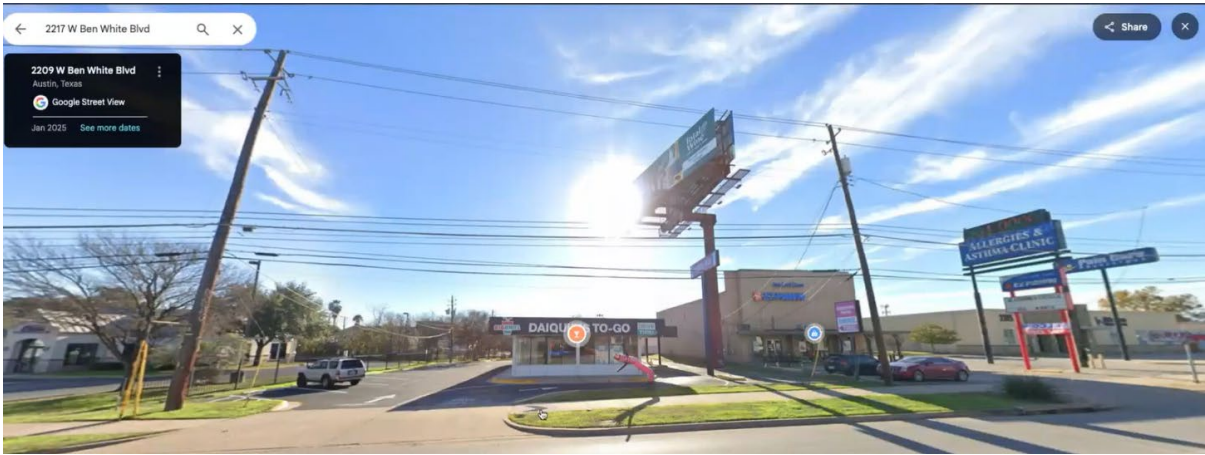
Full Street	2217 W BEN WHITE BLVD
Address	SVRD EB
Address	2217
Prefix Direction	W
Street Name	BEN WHITE BLVD
Street Type	SVRD
Suffix Direction	EB
Place ID	706320

FloodPro

Legal Description

Legal	LOT 6A * 7TH RESUB OF LOT
Description	2 FRONTIER VILLAGE SEC 3
Parcel ID	0408111017
Council District	5
Jurisdiction	AUSTIN FULL PURPOSE
County	TRAVIS
Map Grid	MF19
Property	https://stage.travis.crodigital.com/property-detail/05019002025
Website	
X Coordinate	3098808.01
Y Coordinate	10057061.01
Place ID	706320

Scale: 675 | 0 50 ft | Projected Coordinates (X,Y) | X: 3098760.51 | Y: 10057162.49



Correspondence Received

From: Cynthia Wigley

Sent: Tuesday, February 24, 2026 4:57 PM

To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>

Subject: Today's Public Hearing 2/24/26 Planning Commission Case #: NPA-2025-0030.01

Case Number: NPA-2025-0030.01

Public Hearing:Feb 24,2026- Planning Commission

I Object

Cynthia Garza

4509 Pack Saddle Pass 78745

2/24/26

I object to the rezoning proposed by RPS Family Enterprises, LP and Keepers Land Planning Case C14-2025-0104.

The current Neighborhood Node is affected by the Homeless Center provided by Sunrise Church at the corner of Redd St. and Menchaca, across from Joslin Elementary School. Primarily the men Sunrise Church services spill over to Joslin Park, down Pack Saddle Pass and from Western Trails/Ben White access road to Pack Saddle Pass.

Current businesses have fences around their perimeter and hurricane shutters to minimize the damage, vandalism and threatening behavior of the homeless. Residents find their yards littered and camped on. Joslin Elementary students no longer have use of their school park due to hyperdermic needles left behind by the Sunrise population.

All this without a Drive Thru liquor store.

A mixed use activity hub/corridor would further erode the Western Trails Neighborhood.

ABC Bank clients, Pain Care patients, Midas Customers and Pet Hospital clients deserve clean and safe parking lots free from people drinking curbside and leaving trash on the streets.

Please assist the Western Trails Neighborhood to regain the beauty of clean streets by not amending our Neighborhood plan.

Thank you,
Cynthia Garza
4509 Pack Saddle Pass 78745.

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:

Maureen Meredith
City of Austin - PDC
Austin Planning
P. O. Box 1088
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2025-0030.01
Contact: Maureen Meredith, 512-974-2695 or
Maureen.Meredith@austintexas.gov
Public Hearing: FEB 24, 2026 - Planning Commission

I am in favor
 I object

ANAND JOSHI MD

Your Name (please print)

2315 WEST BEN WHITE BLVD

Your address(es) affected by this application

ANAND JOSHI

Signature

Date

02/19/2026

Comments:

The Drive thru Labour
Egress path creates an unacceptable
Risk to Life And Property
Between Buildings For our
Vulnerable Medical Patients.

From: Danielle Lipford <
Sent: Monday, March 23, 2026 8:27 AM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Estrada, Nancy <Nancy.Estrada@austintexas.gov>; Brandon Gonzales <brandon.gonzales@ >; Karl Burkett < >; Ricca Keepers <ricca@ >
Subject: Withdrawal of rezoning opposition

Good Morning Maureen and Nancy,

With the new addition of the gate at Ben White, we would like to formally withdraw our opposition to the rezoning. We appreciate your understanding and diligence in this matter.

Best,
Danielle



Danielle Lipford
Office Coordinator | Maldonado-Burkett, LLP
2312 Western Trails Blvd., Suite C-303, Austin, TX 78745
O: 512-916-1386 | D: 830-515-4651
www.maldonado-burkett.com

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From: Danielle Lipford <
Sent: Tuesday, March 17, 2026 10:57 AM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Estrada, Nancy <Nancy.Estrada@austintexas.gov>
Cc: Ricca Keepers <>; Brandon Gonzales <>; Karl Burkett <>
Subject: Case NPA-2025-0030.01

To Whom It May Concern,

On behalf of Western Trails Medical Center (WTMC), I am writing this letter regarding case NPA-2025-0030.01. We oppose the rezoning at 2217 W Ben White BLVD.

The applicant's business proposal will increase the traffic on WTMC's property by exiting their customers onto WTMC's roadway. During the case hearing on November 18, 2025, Ricca Keepers proposed two potential solutions to prevent wear and tear to the road; putting up a gate to block off the easement or putting up a sign that says "Right Turn Only." On February 4, 2026, Ricca informed us that the owner was planning on putting up a gate to the road owned by WTMC to prevent their customers from using WTMC's roadway. As of March 17, 2026, there is no progress being made to fulfilling that request. We therefore oppose the zoning change.

We are looking forward to discussing this in depth at the hearing on March 24th.

Sincerely,
Danielle Lipford



Danielle Lipford
Office Coordinator | Maldonado-Burkett, LLP
2312 Western Trails Blvd., Suite C-303, Austin, TX 78745
O: 512-916-1386 | D: 830-515-4651
www.maldonado-burkett.com

RE: Formal Opposition to Zoning Case C14-2025-0104
Property Address: 2217 West Ben White Blvd Service
Road Eastbound
Requested Zoning: CS-1-NP

Dear Mayor, Council Members, and Planning Staff,

I am writing to formally oppose the requested rezoning of the above-referenced property to CS-1-NP.

I am a property owner / physician / business owner located in close proximity to the subject site. I have a direct and material interest in maintaining appropriate land use compatibility, safety, and long-term stability within this corridor.

1. Incompatibility with Surrounding Uses

The subject property is directly adjacent to a medical business and a financial institution (bank), both of which represent low-intensity, professional commercial uses. The requested CS-1 zoning permits significantly higher-intensity uses, including adult-oriented businesses and other late-hour commercial activities. These uses are fundamentally incompatible with the existing professional services environment and would disrupt the established character of the area.

2. Failure to Provide Appropriate Transition

Sound planning principles require a reasonable transition between varying land-use intensities. The introduction of CS-1 zoning at this location creates an abrupt and inappropriate escalation in allowable uses without a buffer or transitional zoning category. This fails to respect adjacent uses and undermines orderly development.

3. Traffic and Safety Concerns

The Ben White Boulevard service road is already a constrained access environment. Higher-intensity uses permitted under CS-1 zoning would increase traffic volume, turning movements, and late-hour activity, creating additional safety risks for patients, customers, and employees accessing nearby businesses. The egress from the drive thru leads directly into a narrow blind easement which gives options DIRECTLY into the neighborhood.

4. Adverse Precedent

Approval of this request would establish a concerning precedent for introducing high-intensity zoning classifications adjacent to professional service nodes. This could lead to incremental erosion of compatibility standards along this corridor.

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5. Conflict with Adopted Planning Principles

The request is inconsistent with the goals of the Imagine Austin Comprehensive Plan, particularly with respect to maintaining compatibility, protecting established uses, and promoting balanced, context-sensitive development.

6. Impact on Existing Businesses

The presence of medical and financial services relies on a predictable, safe, and professional environment. Allowing CS-1 uses adjacent to these businesses introduces uncertainty, reputational risk, and potential operational disruption. Additionally, the sole purpose of the business is to attract as a “destination” drive-thru alcohol sales with no food items.

Conclusion and Request

For the reasons stated above, I respectfully request that the Austin City Council deny the requested zoning change. In the alternative, I request postponement to allow for further stakeholder engagement and exploration of a more compatible zoning solution.

Thank you for your consideration.

Sincerely,
Andy Joshi, MD

2315 West Ben White Blvd, Austin TX 78704

Direct neighbor to property.

RE: Formal Opposition to Zoning Case C14-2025-0104
Property Address: 2217 West Ben White Blvd Service
Road Eastbound
Requested Zoning: CS-1-NP

03/17/2026

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Thank you for your consideration.

Sincerely,

Banking Officer, Bank Center Manager
American Bank of Commerce
2201 W. Ben White Blvd
Austin, TX 78704
Direct neighbor to property.

From: Dale Herron <
Sent: Tuesday, March 10, 2026 9:11 AM
To: Ryan Alter <ryan.alter@austintexas.gov>
Cc: Krista M Weatherford <KristaM.Weatherford@austintexas.gov>; Ben Leffler <ben.leffler@austintexas.gov>; Meenah Hulsen <>; Scott Parker <>
Subject: Western Trails Neighborhood Concerns

Hi Ryan,

I hope you're doing well. Thank you for your continued support of District 5 neighborhoods. We appreciate the accessibility and responsiveness of your office when issues arise.

There are a few matters affecting the Western Trails neighborhood on which we would value your guidance. If possible, I would appreciate the opportunity to speak briefly with you to discuss the best path forward and how our neighborhood can engage constructively with the City.

1. Harrell Funeral Home Crematorium Proposal

Residents have recently learned about the proposed crematory associated with Harrell Funeral Home, located at 2302 Western Trails Blvd. The project is currently under review through Texas Commission on Environmental Quality (TCEQ) Air Permit Application No. 182940 (RN112241229).

Given the proximity to homes, schools, and neighborhood amenities, many residents have questions about emissions, operational impacts, and the role the City can play in reviewing or commenting on the permit. We would appreciate any guidance on how the neighborhood can appropriately engage in this process and whether your office is able to provide input or advocacy.

2. Proposed Daiquiris-To-Go Zoning / Land Use Change

Another issue generating significant neighborhood concern is the proposal for a drive-through daiquiris-to-go business at 2217 W. Ben White Blvd. (service road).

This request involves Neighborhood Plan Amendment Case NPA-2025-0030.01, which seeks to change the Future Land Use Map designation from Neighborhood Node to Mixed-Use Activity Hub / Corridor in the South Austin Combined Neighborhood Plan area. The case is currently scheduled for a Planning Commission public hearing on March 24, 2026.

Neighbors are concerned that this use could encourage impaired driving along Ben White and potentially spill into nearby residential streets. We would appreciate your perspective on this case and any guidance on how the neighborhood should best communicate its concerns ahead of the hearing. Our request is that you work with Council to deny this amendment request.

3. Sunrise Navigation Center (Menchaca Location)

Finally, the neighborhood would appreciate clarification on the next steps regarding the Sunrise Navigation Center at the Menchaca location.

As you know, this issue has been a major concern for Western Trails and surrounding neighborhoods for some time. Residents would like to better understand the City's current and future plans and to ensure that the Menchaca location is not used for navigation services under any circumstances going forward.

We also request clear contract language, particularly if Sunrise is selected, stating that any services outside the City-funded location are expressly prohibited. Clear expectations and enforceable boundaries on this point are very important to the neighborhood.

If you have availability for a short conversation, I would welcome the opportunity to speak with you and determine how we can move forward in a constructive and collaborative way.

Thank you again for your time and for your service to District 5.

Best regards,

Dale

Western Trails Neighborhood Association

Sent from my iPhone

From: Zach Stanke >

Sent: Thursday, March 26, 2026 4:52 PM

To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>

Cc: ricca@; sandy@ Estrada, Nancy <Nancy.Estrada@austintexas.gov>

Subject: Re: FW: Western Trails Neighborhood Concerns

The concern here is this would increase impaired driving. All drinks are sealed in accordance with TABC rules. Buying our products is no different than somebody buying alcohol from the convenience store two doors down. If somebody decides to break the law and drink and drive, there's nothing that any grocery store or restaurant with to go sales or anything in between can do about it. But all drinks that we sell are sealed. They must remove a sticker/label to access it.

Keep it Chilllll,

Zach



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Requested Zoning: CS-1-NP

03/17/2026

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Thank you for your consideration.

Sincerely,

Banking Officer, Bank Center Manager
American Bank of Commerce
2201 W. Ben White Blvd
Austin, TX 78704
Direct neighbor to property.

From: Andy Joshi <
Sent: Wednesday, March 18, 2026 4:00 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Estrada, Nancy <Nancy.Estrada@austintexas.gov>
Cc: Andy Joshi < >
Subject: NPA-2025-0030.01_2217 W Ben White Blvd

Please add this to the file. I may be able to refer to it during the hearing, but will also bring a copy with me. Thanks so much
AJ

From: Reynaldo U. Santos <Reynaldo.Santos@tabc.texas.gov>
Sent: Wednesday, March 18, 2026 3:54 PM
To: Andy Joshi <A>; Stephine Connelly <Stephine.Connelly@tabc.texas.gov>
Cc: ANDYJSPINE@Y
Subject: RE: TABC permit, 107255737; Big Chill Daiquiri

Hello Andy,

If the BG permit holder applies for a Mixed Beverage Permit (Alcoholic Beverage Code Chapter 28), the Mixed Beverage permit holder is authorized to sell alcohol to go with food. Selling alcohol to go without food is prohibited. You can find this information within TABC website "Alcohol Delivery and Pickup" guidelines and the Alcoholic Beverage Code Sections 28.10 (Consumption Restricted to Premises; Exceptions) and 28.1001 (Pickup and Delivery of Alcoholic Beverages for Off-Premises Consumption).

Regarding the Food and Beverage Certificate, the same requirements would apply as with Wine and Malt Beverage Retailer's Permit (BG). They either meet the definition of a "Restaurant" or alcohol sales cannot exceed 60% of total sales. Please let me know if you have any other questions.



Reynaldo Santos

Auditor / Audit and Investigations

Texas Alcoholic Beverage Commission

Office: (512) 206-3334

Cell: (512) 831-8482

reynaldo.santos@tabc.texas.gov

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From: Andy Joshi < >
Sent: Wednesday, March 18, 2026 3:33 PM
To: Reynaldo U. Santos <Reynaldo.Santos@tabc.texas.gov>; Stephine Connelly

<Stephine.Connelly@tabc.texas.gov>

Cc: ANDYJSPINE@Y

Subject: [EXT] RE: TABC permit, 107255737; Big Chill Daiquiri

Thank you. Would the food requirements change if they get a higher license for hard liquor sales?

AJ

From: Reynaldo U. Santos <Reynaldo.Santos@tabc.texas.gov>

Sent: Wednesday, March 18, 2026 10:38 AM

To: Andy Joshi <>; Stephine Connelly <Stephine.Connelly@tabc.texas.gov>

Cc: ANDYJSPINE@Y

Subject: RE: TABC permit, 107255737; Big Chill Daiquiri

Hello Andy,

A Wine and Malt Beverage Retailer's Permit (BG) is required to follow the "Alcohol Delivery and Pickup" guidelines from our website (<https://www.tabc.texas.gov/texas-alcohol-laws-regulations/alcohol-delivery-pickup/>). They may sell drinks to go if the type of alcohol is allowed for sale under their permit; may put beverages in containers sealed by the license holder; and alcohol does not have to be accompanied by a food order. The Alcoholic Beverage Code Chapter 25 authorizes the Wine and Malt Beverage Retailer's Permit (BG) to sell wine and malt beverages for consumption on or off the premises.[Code 25.01 (1)]. However, alcoholic beverages for traditional port or sherry, dessert-flavored wine or rice wine that contains more than 24 percent by volume is only authorized for on-premise consumption.

Regarding the Food and Beverage Certificate requirements, Alcoholic Beverage Code 25.13 (a) (a-1)(1)(2) (b) (b-1) requires a Wine and Malt Beverage Retailer's Permit may be issued a food and beverage certificate if the permit holder is a restaurant or the commission finds that the receipts from the sale of alcoholic beverages by the permit holder at the location are 60 percent or less of the total receipts from the location. A food and beverage certificate may not be issued unless the location has permanent food service facilities for the preparation and service of multiple entrees for consumption at the location. The commission Administrative Rules section 33.5 (Food and Beverage Certificate) clarifies the definition of a restaurant status. Section 33.5 (b)(6) states, "Restaurant—a business that: (A) operates its own permanent food service facility with commercial cooking equipment on its premises; and prepares and offers to sell multiple entrees for consumption on or off the premises." Section 33.5 (c) explains the qualifications to maintain a food and beverage certificate which states, "(1) multiple entrees are available to customers; and (2) permanent food service facilities are maintained at the location; and (3) either: (A) the receipts from the sale of alcoholic beverages by the license or permit holder at the location are 60 percent or less of the total receipts from the location; or (B) the facility meets the definition of Restaurant under subsection (b)(6) of this section." Therefore, if the business does not meet the definition of a "Restaurant"(does not possess commercial cooking equipment on premise and

prepares/offers multiple entrees) than their alcohol sales cannot exceed 60 percent of total sales.

I will investigate the business regarding their activities to determine if they are in compliance with the Alcoholic Beverage Code and Administrative Rules. Once I complete my review, I will contact you regarding the results.

We appreciate your time in helping us with this matter.



Reynaldo Santos

Auditor / Audit and Investigations

Texas Alcoholic Beverage Commission

Office: (512) 206-3334

Cell: (512) 831-8482

reynaldo.santos@tabc.texas.gov

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From: Andy Joshi >

Sent: Wednesday, March 18, 2026 9:21 AM

To: Stephine Connelly <Stephine.Connelly@tabc.texas.gov>

Cc: Reynaldo U. Santos <Reynaldo.Santos@tabc.texas.gov>; Andy Joshi <>

Subject: [EXT] RE: TABC permit, 107255737; Big Chill Daiquiri

Please keep in mind that there is absolutely no food at this location. Its not even on the menu and never was intended to be (bad faith). Please consider revocation. They can reapply when the have different license in mind, after the zoning change.

AJ

From: Stephine Connelly <Stephine.Connelly@tabc.texas.gov>

Sent: Wednesday, March 18, 2026 9:16 AM

To: Andy Joshi <A>

Cc: Reynaldo U. Santos <Reynaldo.Santos@tabc.texas.gov>; ANDYJSPINE@

Subject: RE: TABC permit, 107255737; Big Chill Daiquiri

Good morning, AJ,

Thank you for reaching out to us about your concern about their food service. For TABC purposes, they can have 60% alcohol sales and 40% food sales for them to maintain a FB permit with the TABC. While Reynaldo is conducting his investigation into the sealing of their to go containers, he will also investigate their food service to ensure that it qualifies with TABC standards. If it is found they are not complying with

those standards, he will educate them by instructing them on changes they can make so they qualify to maintain the permit.

Thank you,



Stephine Connelly

Regional Manager / Audit & Investigations Department

Texas Alcoholic Beverage Commission

Office: (512) 206-3332

Cell: (512) 839-1357

Stephine.Connelly@tabc.texas.gov

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From: Andy Joshi <

Sent: Tuesday, March 17, 2026 8:22 PM

To: Stephine Connelly <Stephine.Connelly@tabc.texas.gov>

Cc: Reynaldo U. Santos <Reynaldo.Santos@tabc.texas.gov>; ANDYJSPINE@;
Andy Joshi >

Subject: [EXT] TABC permit, 107255737; Big Chill Daiquiri

Stephanie and Reynaldo,

Regarding my complaint, my understanding from the City of Austin is that there must be 50% food sales for this permit. There is no food there. Any issues with that?

AJ