

Friends of Austin Neighborhoods
South Austin Neighborhood Alliance (SANA)
Homeless Neighborhood Association
Onion Creek Homeowners Association
TNR BCP - Travis County Natural Resources
Westgate Neighborhood Plan Contact Team
Western Trails Neighborhood Association

Preservation Austin
Save our Springs Alliance
Go Austin Vamos Austin 78745

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2022-0064 – 2106, 2108 & 2110 W. Ben White Blvd Svrđ West Bound; 2109 & 2111 Fort View Road	LO-MU-CO, NO-MU-CO & LO-CO to GR	To Grant GR zoning for Tract 1 and LO- MU-CO zoning for Tract 2 (4/26/22)	Apvd GR zoning for Tract 1 and LO-MU- CO zoning for Tract 2 as Commission recommended (8/1/22)
C14-2020-0149 – 4215 S. Lamar	Unzoned and CS to CS-V	To Grant CS-V (6/8/21)	Apvd CS-V as Commission recommended (7/29/21)

RELATED CASES:

NPA-2025-0030.01 – from Neighborhood Node to Mixed Use Activity HUB / Corridor

ADDITIONAL STAFF COMMENTS:

Drainage

The developer is required to submit a pre- and post-development drainage analysis at the subdivision and site plan stage of the development process. The City’s Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Williamson Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to floodplain maps there is a floodplain within or adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2-year storm on site.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Fire Department

Approved. No comments.

PARD – Planning & Design Review

Parkland dedication fees may apply to any future site or subdivision applications resulting from this rezoning. As of January 1, 2024, new commercial non-residential uses are not subject to parkland dedication requirements at the time of site plan and subdivision.

Site Plan

FYI: All comments regarding the effects of the proposed rezoning on subsequent Site Plan Review applications are intended to assist in identifying potential development constraints but do not include all regulations which may affect a specific proposal. Changes to property boundaries and requests for development cannot include all regulatory limitations which may apply to a specific subject to modification or reconsideration if affected by a change in property boundaries or if development is proposed on only a portion of the land proposed for

rezoning. These comments are intended to assist in identifying potential development constraints, but do not address the actual restrictions which will apply to a specific development proposal. Austin Development Services offers a variety of pre-application review options to assist in evaluating specific development proposals prior to Site Plan Application.

Site plans will be required for any new development except for residential only project with up to 4 units.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

Austin Transportation Department – Engineering Review

The adjacent street characteristics table is provided below:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
West Ben White Blvd. Service Rd Eastbound	Level 4 – Major Arterial	Coord. w/TxDOT	Varies	46'	Yes	No	Yes

Austin Water Utility

No comments on zoning change.

FYI: The landowner intends to serve the site with existing City of Austin water utilities.

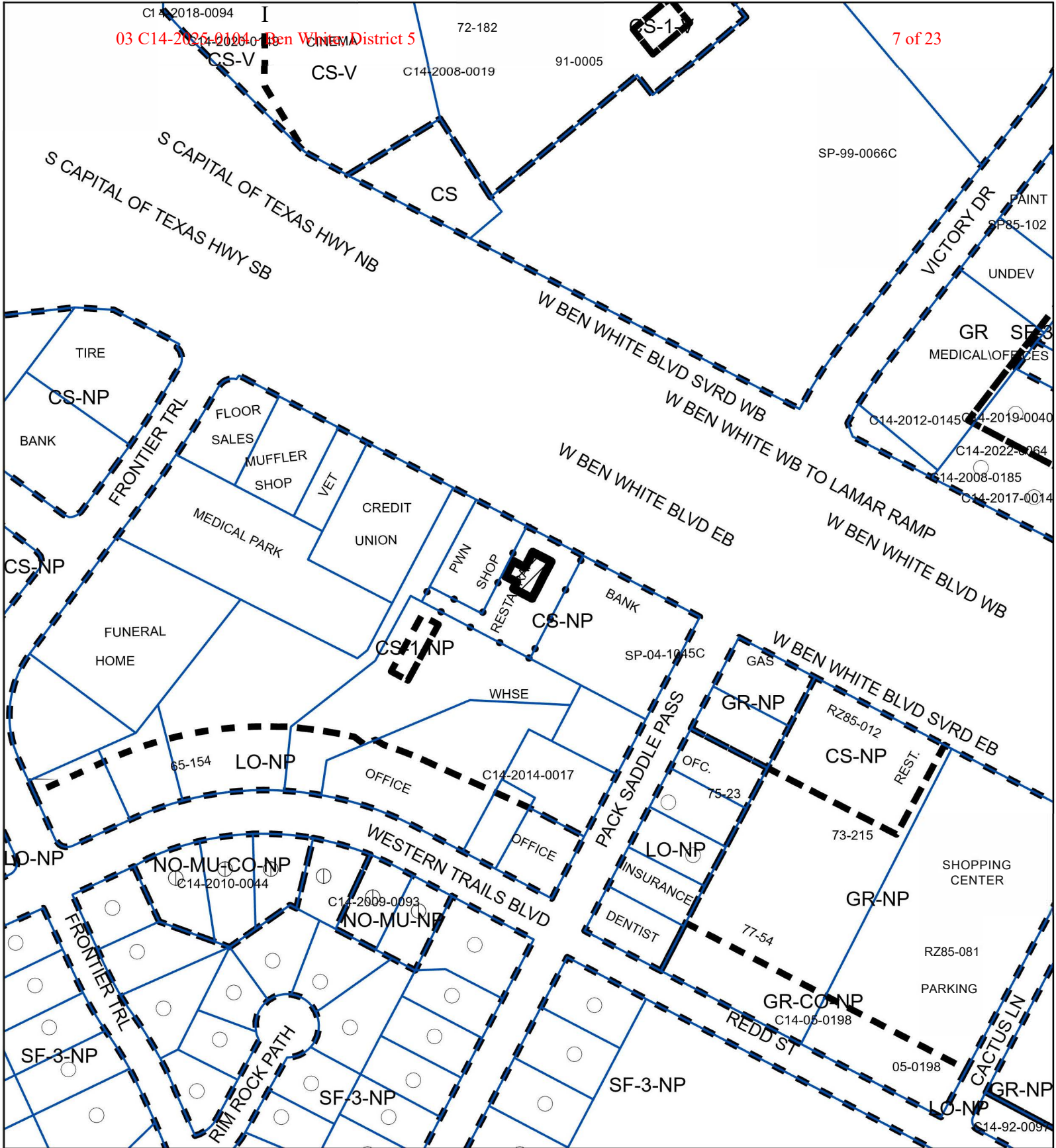
Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at ser@austintexas.gov.

INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

Exhibit A: Zoning Map

Exhibit B: Aerial Map

Correspondence



03 C14-2025-0104 Ben White District 5

SUBJECT TRACT

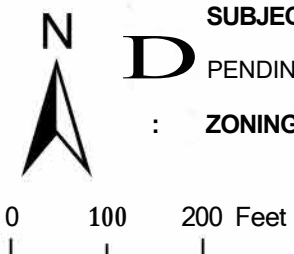
ZONING

D PENDING CASE

ZONING CASE#: C14-2025-0104

: ZONING BOUNDARY

EXHIBIT A



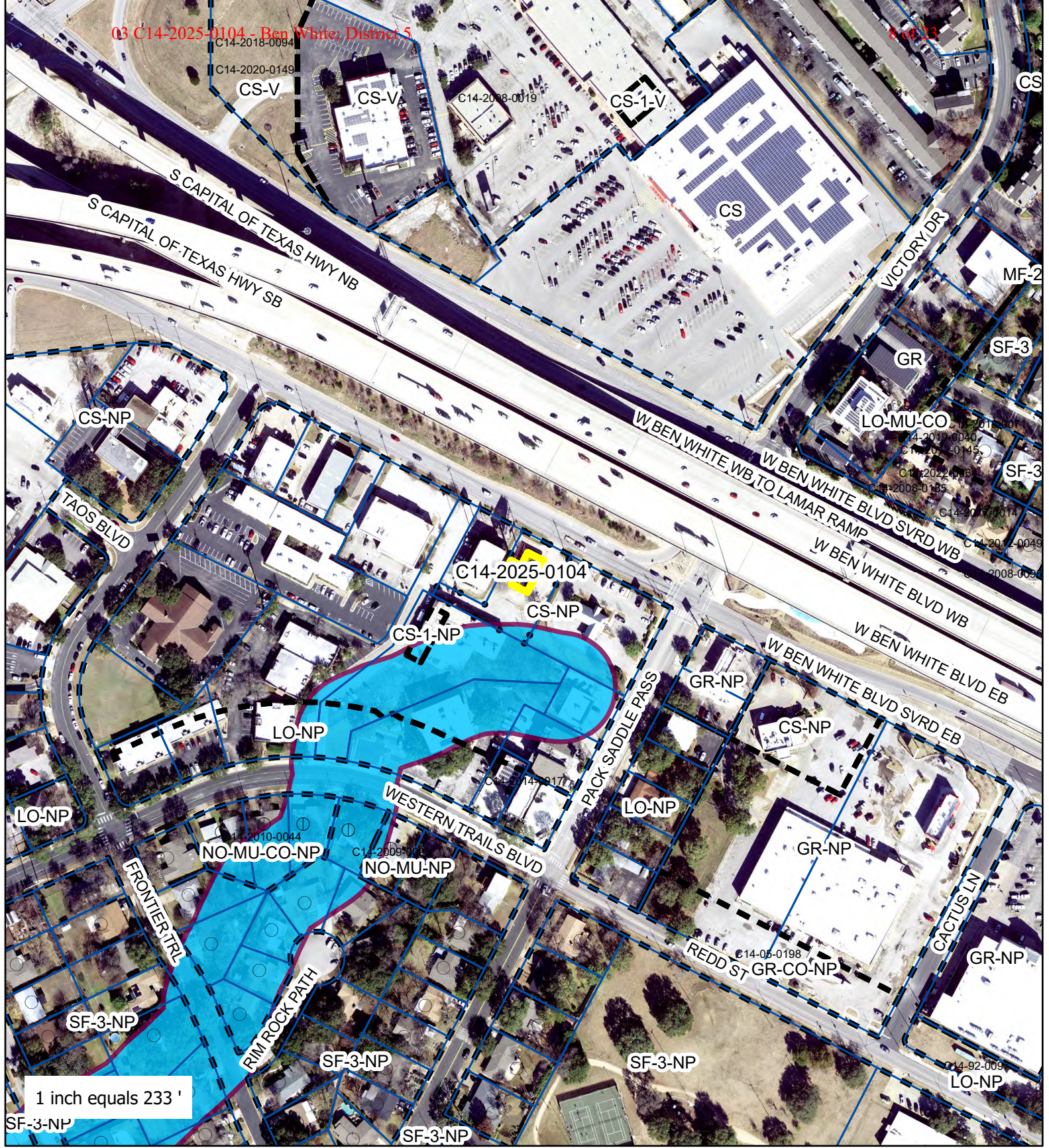
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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03 C14-2025-0104 - Ben White, District 5





8/23/23



1 inch equals 233'

Ben White

EXHIBIT B

-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE
-  CREEK BUFFER

ZONING CASE#: C14-2025-0104
 LOCATION: 2217 W Ben White Blvd Svrdr EB
 SUBJECT AREA: 0.0613 Acres
 MANAGER: Nancy Estrada



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Created: 1/13/2026

From: Rafa Valiente
Sent: Monday, April 6, 2026 3:36 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Estrada, Nancy <Nancy.Estrada@austintexas.gov>
Cc: Rafa Valiente
Subject: Clarification Regarding Zoning Opposition Letter - NPA-2025-0030.01_2217 W Ben White Blvd
Importance: High

External Email - Exercise Caution

Good afternoon,

I hope this message finds you well. I am writing to address the attached zoning opposition letter.

I would like to clarify that this letter was not submitted by a representative of American Bank of Commerce. Furthermore, American Bank of Commerce has no concerns regarding the current or proposed zoning of the subject property.

If you have any questions or would like to discuss this further, please feel free to reach out. I am available at your convenience and would be happy to provide any additional information.

Thank you for your attention to this matter.

Best regards,

Rafa


Rafa Valiente

EVP, Market President

American Bank of Commerce

610 West 5th Street

Austin, TX 78701

 512-391-5513



 EQUAL HOUSING LENDER / MEMBER FDIC

NMLS#460789

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<https://www.theabcbank.com>



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For any additional questions or concerns, contact CSIRT at

["cybersecurity@austintexas.gov"](mailto:cybersecurity@austintexas.gov).



AUSTIN PSYCHOLOGICAL
AND TESTING CENTER

2403 West Ben White Blvd. Austin, Texas 78704
4207 East Highway 290 Dripping Springs 78620
Telephone: 512 707-2782 Fax: 512 707-2783

<http://www.austintestingandtherapy.com/>

Regarding case number: C14-2025-0104

April 7, 2025

Dear City of Austin,

I am writing with concern regarding the *Big Chill Daiquiri To Go* establishment, which has been operating out of code for the past few years.

I have been the owner of *Austin Psychological and Testing Center, LLP* (since 2000) and have owned the location at 2403 West Ben White, Austin, TX 78704 since that time. I bought the property from Dr. Ed Epperson, DVM, who constructed the building in 1967 when there were no other buildings in the area. My father (also a veterinarian) was a colleague of Dr. Epperson, and I was often in the building as a young child. *I am very familiar with the area and its history.*

My business provides psychological services for children and adults, including those suffering from trauma and substance abuse. We receive many referrals from Child Protective Services and other agencies involved in the protection of children's mental health treatment.

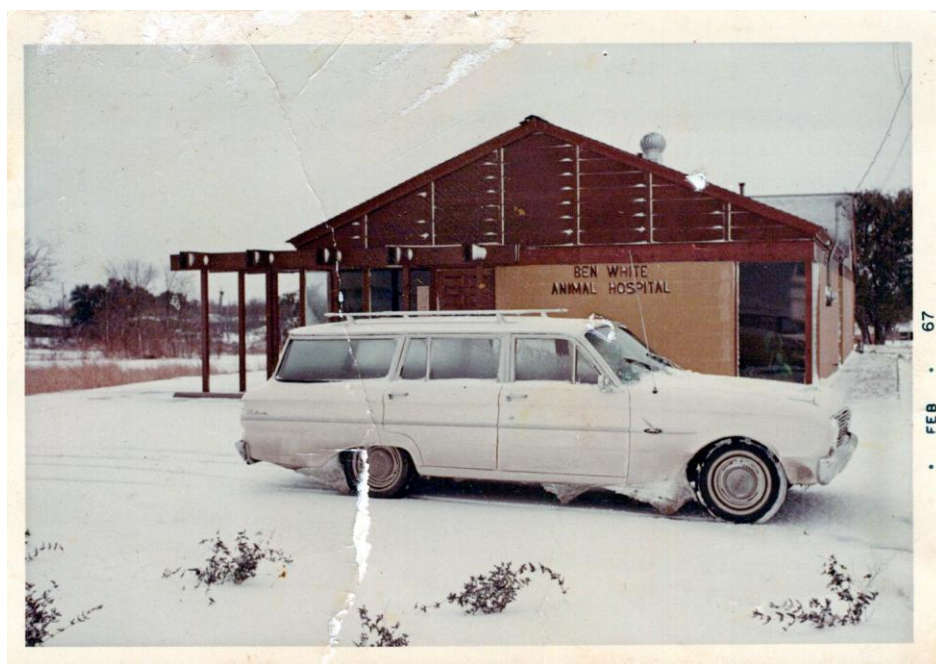
Currently, within the immediate vicinity of 2403 W. Ben White Blvd, there is a particularly robust infrastructure of pediatric-focused medical, developmental, and therapeutic services, making the area well-resourced for children across medical, behavioral, and developmental domains. In terms of developmental and therapeutic services, the area includes a robust network of pediatric speech-language pathologists, occupational therapists, mental health workers, and physical therapists. Many of these providers operate within multidisciplinary settings, allowing children to receive coordinated care, which is particularly beneficial for children with autism spectrum disorder, ADHD, developmental delays, or complex neurodevelopmental profiles. Additionally, there are many other medical professionals within close proximity, including dentists, primary care physicians, orthodontists, veterinarians, medical clinics, dermatologists, etc. *In short, there is an extremely high concentration of medical professionals serving children, families, and adults. Having a "to go" daiquiri bar is an outlier and inconsistent with the surrounding businesses (as well as a detriment).*

I have personally had caseworkers and other referral sources express extreme concern about referring their children to our care, given that such an establishment exists two doors down. Additionally, I have had parents, medical professionals, and community referrals comment on the concerns about this establishment. ***It simply does not fit the context of this area.*** Over the years, we have established a strong community of medical and mental health treatment providers, and the credibility of these establishments is diminished by the presence of this daiquiri store. There is overwhelming agreement among my professional neighbors that this business should not be allowed to provide services here. In fact, their property code does not allow them to (***for good reason***).

I understand that there are businesses outside of medical services within the area; however, none are similar to *Big Chill*. Although there are two grocery stores (Randalls and Central Market), these are locations that are appropriate for parents to visit while their children are receiving psychological treatment services. *There are no other locations in the immediate area that pose a safety threat to our clients.*

I have heard the arguments about traffic and easement regarding Big Chill; frankly, these concerns do not bother me. I have ongoing concerns about the impact on the numerous businesses that *provide essential services to those in need*. Please consider the impact on the professional services offered in the area. Feel free to contact me with any questions or to discuss further.

My building in 1967



My daughter in 2000 when we were renovating the building to be my psychology practice



Thank you for your consideration.

Sincerely,

Kelley Ahr

Dr. Kelley Ahr

Licensed Psychologist

From: [Ricca Keepers](#)
To: [Meredith, Maureen](#); [Danielle Lipford](#); [Estrada, Nancy](#)
Cc: [Brandon Gonzales](#); [Karl Burkett](#); [Zach Stanke](#)
Subject: Re: Case NPA-2025-0030.01
Date: Tuesday, March 17, 2026 3:56:24 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

External Email - Exercise Caution

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





From: [Danielle Lipford](#)
To: [Meredith, Maureen](#); [Estrada, Nancy](#)
Cc: [Ricca Keepers](#); [Brandon Gonzales](#); [Karl Burkett](#)
Subject: Case NPA-2025-0030.01
Date: Tuesday, March 17, 2026 10:59:13 AM
Attachments: [image.png](#)

External Email - Exercise Caution

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

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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

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.

RE: Formal Opposition to Zoning Case C14-2025-0104

**Property Address: 2217 West Ben White Blvd Service
Road Eastbound**

Requested Zoning: CS-1-NP

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.

AUSTIN PUBLIC HEARING
CASE NO.- C14-2025-0104
City of Austin Contact- Nancy Estrada,
512-974-7617, Nancy.estrada@austintexas.gov

Comment form for Randol Stout Jr. at property 4502 Pack Saddle Pass, Austin Texas.

I firmly object to the addition of a commercial liquor sales district to our neighborhood by changing the applicants property zoning and changing our entire neighborhood plan to accommodate this one property owner. The desires of one property owner to change the entire nature and character of our neighborhood demonstrates that our neighborhood plan and zoning protections to preserve the nature and character of our neighborhoods are completely meaningless when confronted by a single property who wants to inject a non-conforming use into a part of Austin where the use is prohibited. Literally one rotten property can spoil the entire neighborhood!

Objections:

1. A drive through liquor store on the access road of the busiest east west highway in South Austin is completely misguided. The proposed store location is just a few hundred feet from the freeway entrance onto Ben White. The location also has an elementary school and the Ann Richards School within a quarter mile of this location. I regularly see students from these schools walking on these streets.
Liquor sales require a dram shop interview to determine if the person purchasing the alcohol is already intoxicated. Selling alcohol to persons already intoxicated and driving a vehicle is illegal. Conducting any type of evaluation of the sobriety of the potential customers through a drive through window will be hindered and put our entire neighborhood and Austin community members in danger.
2. The Austin Police force is already understaffed and cannot report to all issues in our neighborhood. Adding a drive through liquor store next to a highway facilitates dangerous criminal behavior, drinking and driving, which will not be properly policed because of our understaffed Police force.
3. This area is already a dangerous zone than includes numerous pedestrians and three lanes of traffic traveling and speeds between 50 and 60 miles an hour. Many drivers speed through this segment to make the light at Pack Saddle and enter the free way immediately after the light. Unfortunately, we have had several fatalities on this very segment of road in the past few years. Adding this type of use in this location will increase all of these dangers for the citizens of Austin that live in this area. This proposed use seems directly contradicted by Austin's "Vision Zero" goal.
4. For these reasons this zoning change and neighborhood plan change for this property should be denied.

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:
www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2025-0104
Contact: Nancy Estrada, 512-974-7617
Public Hearing: March 24, 2026, Planning Commission

Randol; Stout Jr.
Your Name (please print)

I am in favor
 I object

4502 Pack Saddle Pass, Austin 78745
Your address(es) affected by this application

/s/ Randy Stout
Signature

3-17-2026
Date

Daytime Telephone: rls2700@gmail.com

Comments: See attached comment document

If you use this form to comment, it may be returned to:
City of Austin Or email to:
Austin Planning
Nancy.estrada@austintexas.gov
Nancy Estrada
P. O. Box 1088, Austin, TX 78767

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Case Number: C14-2025-0104
Contact: Nancy Estrada, 512-974-7617
Public Hearing: March 24, 2026, Planning Commission

SADITH SOTO BERENGUEL

Your Name (please print)

I am in favor
 I object

4503 Pack Saddle Pass, Austin 78745

Your address(es) affected by this application

S. Jane Berenguel

3-17-2026

Signature

Date

Daytime Telephone: _____

Comments: I oppose a drive through liquor store at this location.

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

City of Austin
Austin Planning
Nancy.estrada@austintexas.gov
Nancy Estrada
P. O. Box 1088, Austin, TX 78767

Or email to:

PUBLIC HEARING INFORMATION

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Case Number: C14-2025-0104
Contact: Nancy Estrada, 512-974-7617
Public Hearing: March 24, 2026, Planning Commission

Holly Vandrovec
Your Name (please print)

I am in favor
 I object

4500 Pack Saddle Pass
Your address(es) affected by this application

Holly Vandrovec
Signature

3.17.2026
Date

Daytime Telephone: 512-484-6038

Comments: I oppose the requested zoning change. Applicant is seeking the zoning change to open a drive through daiquiri establishment. This is not a good location for this establishment because: (1) it is near an elementary school, (2) it is near the Ann Richard's girls school, (3) it is on the service road for a major highway (highway 71/290), and (4) it is in an area with significant unhoused population.

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

City of Austin
Austin Planning
Nancy.estrada@austintexas.gov
Nancy Estrada
P. O. Box 1088, Austin, TX 78767

Or email to: