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**PLANNING COMMISSION SITE PLAN
CONDITIONAL USE PERMIT
REVIEW SHEET**

CASE NUMBER: SPC-2010-0098CT

PC DATE: December 14, 2010

PROJECT NAME: West End Bistro

ADDRESS: 1315 W. Sixth Street

NEIGHBORHOOD PLAN: Old West Austin

AREA: 1496 sq. ft. for Food Preparation Use

APPLICANT: AGSA Group LLC (Gretchen Alley c/o Sheralyn Jones)
P.O. Box 12380
Jackson, WY 83002
Telephone: (512) 627-5212

AGENT: Jim Bennett Consulting (Jim Bennett)
11505 Ridge Drive
Austin, Texas 78748
Phone: (512) 784-4961

CASE MANAGER: Sue Welch Phone: 974-3294
sue.welch@ci.austin.tx.us

PROPOSED DEVELOPMENT:

The applicant is proposing to construct a restaurant & food preparation use, and parking (both on-site and off-site) with associated improvements. Restaurant is an allowed use in GR zoning. The conditional use permit is required for a Food Preparation Use in GR. The applicant is proposing to change the ground floor of the existing structure to a commercial kitchen to allow for catering/prepared food services.

EXISTING ZONING: GR-V-CO-NP Community commercial (GR) district is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways. Food Preparation Use is the use of a site for the production of prepared food for wholesale distribution in a structure with not more than 5,000 square feet of gross floor area. The use includes wholesale bakeries, commercial kitchens, and specialty food processing or packaging shops, but excludes the on-site slaughter of animals and the commercial production of ice.

SUMMARY STAFF RECOMMENDATION: Staff recommends approval of the conditional use permit. The site plan will comply with all requirements of the Land Development Code prior to its release.

PLANNING COMMISSION ACTION:**RELATED CASE HISTORIES:**

C14-2009-0166: West End Bistro, approved change from LO-V-NP/LO-NP to GR-V-CO-NP on February 9, 2010 (8-0 consent)

C14-2010-0115: West End Bistro, approved GR-V-CO-NP to change a condition of zoning (to delete the 25 ft. front yard setback) on August 10, 2010 (8-0 consent)

PROJECT INFORMATION: 1518 sq. ft. general restaurant (allowed) and new 1200 sq. ft. deck, and associated parking and the conditional use is required for the food preparation use (approx. 1496 sq. ft)

SITE: 17,566 sq. ft.	Existing Use: vacant office	Proposed Use: Restaurant & Food Preparation	
EXISTING ZONING	GR-V-CO-NP		
WATERSHED	Town Lake (Lake Lady Bird) Watershed (urban)		
WATERSHED ORDINANCE	Comprehensive Watershed Ordinance (Urban)		
TRAFFIC IMPACT ANALYSIS	Not required		
CAPITOL VIEW CORRIDOR	Mopac Bridge		
PROPOSED ACCESS	West 6 th Street, with additional access from the alley.		
	Allowed	Existing	Proposed
MAX. HEIGHT:	25' (existing 2-story)	25'	25'
FLOOR-AREA RATIO	.7:1	0.17:1	No change
BUILDING COVERAGE	50%	9%	No change
IMPERVIOUS COVERAGE	80%	55%	69%
PARKING	33	7	33

SUMMARY COMMENTS ON SITE PLAN:

Land Use: The applicant is converting the existing single family dwelling (vacant) that was serving as a chiropractor's office into a restaurant and food preparation use. The restaurant will be approximately 1518 sq. ft. (first floor) with a new deck of 1200 sq. ft. The food preparation will be in the ground floor of the existing building, and will be approximately 1496 sq. ft. Parking on-site will be 25 spaces and 8 off-site spaces (located on the adjacent tract).

The site is zoned GR-CO-V-NP. The conditional overlay has several site development regulations that applied to the property (height, side and front yard setback, building coverage, impervious coverage, FAR and gross floor area of a building) and several prohibited uses, the applicant is complying with all conditions. The site is in compliance with compatibility requirements. The applicant is also proposing to install approximately 55 ft. of a 6' wood privacy fence along the western side.

The site is within the West Line Historic District. The new deck was reviewed by the City's Historic Preservation Office and comments were received to note the new addition of the deck railing shall not block the existing old stone wall. The applicant is complying with this requirement.

Any outdoor amplified sound or outdoor music venue requires a separate permit to show compliance with the sound ordinance. A late hours permit will be required if the restaurant proposes to sell of alcohol from 12 -2 a.m. for this area.

Environmental: This site is located in the Lady Bird Lake (Town Lake) Watershed and subject to Urban Watershed regulations. The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. There are three heritage size trees on site and the applicant is proposing to save these trees. The applicant has coordinated with the City Arborist on preserving these trees.

Transportation: Primary Access will be from 6th, with additional access from alley behind the tract. A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day.

EXISTING ZONING AND LAND USES

	ZONING	LAND USES
<i>Site</i>	GR-V-CO-NP	Vacant office
<i>North</i>	SF-3-H-NP	Residential
<i>South</i>	CS-MU-CO-NP	Multi-family/Mixed Use Building
<i>East</i>	CS-MU-V-CO-NP	Personal Services/Parking Lot
<i>West</i>	LO-CO-NP	Office

ABUTTING STREETS

Street	Right-of-Way Width	Pavement Width	Classification
W. Sixth	70 ft	40 ft	Major Arterial

NEIGHBORHOOD ORGANIZATIONS:

- Austin Independent School District
- Austin Neighborhood Council
- Austin Monorail Project
- Austin Parks Foundation
- Central West Austin Planning Area
- Homeless Neighborhood Association
- Home Builders Association of Greater Austin
- League of Bicycling Voters
- Old West Austin Neighborhood Association
- Old West Austin Neighborhood Planning Team
- Real Estate Council of Austin
- Sierra Club
- Super Duper Neighborhood Objectors and Appealers Organization
- West End Austin Alliance

CONDITIONAL USE PERMIT REVIEW AND EVALUATION CRITERIA

The following evaluation is included to provide staff position on each point of the conditional use permit criteria. Section 25-5-145 of the Land Development Code states:

A. "The Land Use Commission shall determine whether the proposed development or use of a conditional use site plan complies with the requirements of this section.

B. A conditional use site plan must:

1. **Comply with the requirements of this title;** Staff Response: This site plan complies with all regulations and requirements of the Land Development Code.
2. **Comply with the objectives and purposes of the zoning district;** Staff Response: The proposed uses are a permitted use in the GR-CO-V-NP zoning district. The proposed restaurant is an allowed use, and the food preparation will be for a catering-type service.
3. **Have building height, bulk, scale, setback, open space, landscaping, drainage, access, traffic circulation, and use that is compatible with the use of an abutting site;** Staff Response: The structures are currently existing, but comply with all requirements of the GR-CO-V-NP zoning district. In addition, the building complies with setback, height, and compatibility screening requirements.
4. **Provide adequate and convenient off-street parking and loading facilities; and** Staff Response: The site plan complies with off-street parking and loading facility requirements. The applicant has obtained an off-site parking lease for eight space on the adjacent property to the east.
5. **Reasonably protect persons and property from erosion, flood, fire, noise, glare, and similar adverse effects.** Staff Response: The site plan will comply with all requirements of the Land Development Code including compatibility standards, and reasonably protects the health, safety, and welfare of persons and property.
6. **For conditional use located within the East Austin Overlay district, comply with the goals and objectives of a neighborhood plan adopted by the City Council for the area in which the use is proposed.** Staff response: The proposed project is within the Old West Austin neighborhood plan.

C. A Conditional Use Site Plan May Not:

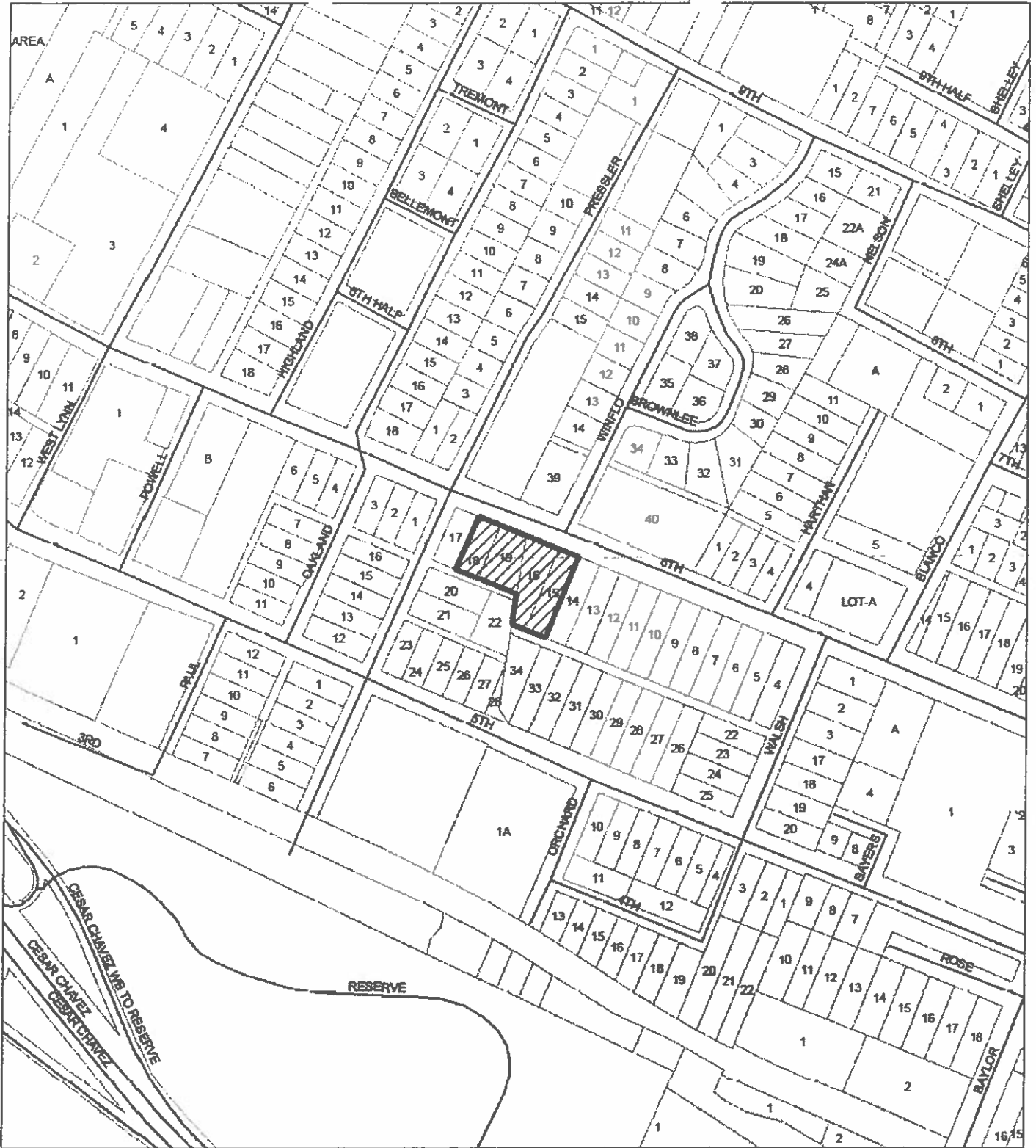
1. **More adversely affect an adjoining site than would a permitted use;** Staff response: The site plan will conform to all regulations and standards established by the Land Development Code. This proposed site plan does not more adversely affect an adjoining site than would a permitted use.
2. **Adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area;** Staff response: The site plan is not anticipated to have any detriment of safety or convenience. The site plan does not adversely affect the safety and convenience or vehicular and pedestrian circulation.



3. **Adversely affects an adjacent property or traffic control through the location, lighting, or type of signs;** Staff response: No signage or lighting is proposed that would affect adjacent properties or traffic control. Compatibility notes are required on the plans to regulate lighting to shield the adjacent property from adverse effects.
- D. **A site plan may not adversely affect the public health, safety, or welfare, or materially injure property. If the Land Use Commission determines that a site plan has an adverse effect or causes a material injury under this subsection, the Land Use Commission shall identify the adverse effect or material injury.**

Section 25-5-146 (Conditions of Approval) states:

- (A) To make a determination required for approval under Section 25-5-145 (Evaluation of Conditional Use Site Plan), the Land Use Commission may require that a conditional use site plan comply with a condition of approval that includes a requirement for:
- (1) a special yard, open space, buffer, fence, wall, or screen;
 - (2) landscaping or erosion;
 - (3) a street improvement or dedication, vehicular ingress & egress, or traffic circulation;
 - (4) signs;
 - (5) characteristics of operation, including hours;
 - (6) a development schedule; or
 - (7) other measures that the Land Use Commission determines are required for compatibility with surrounding uses or the preservation of public health, safety, or welfare.

CS4



 Subject Tract
 Base Map

WEST END BISTRO

CASE#: SPC-2010-0098CT
 ADDRESS: 1315 W 6TH ST
 MANAGER: SUE WELCH

OPERATOR: R.CERVANTES

This map has been produced by Notification Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



SITE PLAN



-  SUBJECT TRACT
-  ZONING BOUNDARY

CASE#: SPC-2010-0098CT
 ADDRESS: 1315 W. 6th Street
 GRID:
 MANAGER: Sue Welch

OPERATOR:

This map has been produced by site plan review for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

WEST END BISTRO
1315 W 6th Street

CS-MU-CO-NP
CONDOMINIUM LOT 20

15' alley

LOT 22

LOT 21

LOT 19

LOT 18

LOT 17

LOT 16

LOT 15

LOT 14

LOT 13

LOT 12

LOT 11

LOT 10

LOT 9

LOT 8

LOT 7

LOT 6

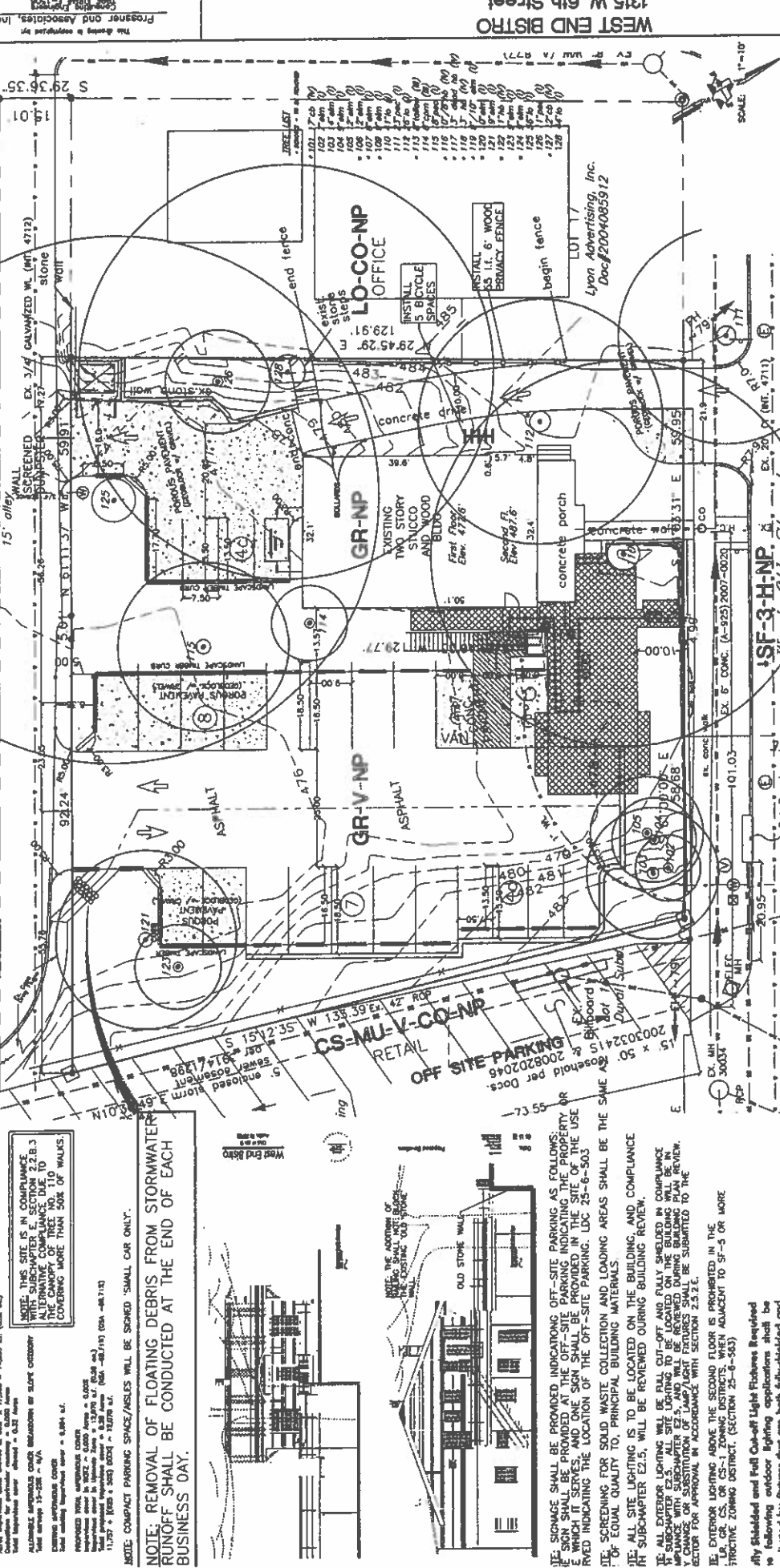
LOT 5

LOT 4

LOT 3

LOT 2

LOT 1



Scale: 1" = 10'

North Arrow

Legend:

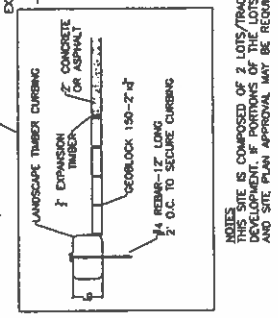
- FOUND SPRAWL
- FOUND P.L. WALL
- WATER LATER
- PREPARATION VALVE
- WOOD FENCE
- CHAIN LINK FENCE
- TRIPLE W/SHR LANE
- PEDESTAL
- LAKE OAK
- CHERRY
- GRPE STRIPLE

PARKING TABLE

RESTAURANT GENERAL	IN A ROWS	# of SEATING
1518 sq ft	75	202
FIRST FLOOR DECK (STREET LEVEL)	75	10
FOOD PREPARATION FLOOR	1498 sq ft	5.4
USE FOR RESTAURANT		5
TOTAL PARKING REQ'D		41
PARKING PROVIDED		33
W/ 20% REDUCTION (B) per 25-B-47(C)		15
REGULAR HANDICAP		2
TOTAL ON-SITE		25
2260 LL MAX WALKING DIST. SHARED OFF-SITE		6
TOTAL PARKING PROVIDED		33

NOTES:

THIS SITE IS COMPOSED OF 2 LOTS/TRACTS. IT HAS BEEN APPROVED AS ONE CONGESTIVE DEVELOPMENT. ALL UTILITIES ARE SHOWN. APPLICATION FOR SUBDIVISION AND SITE PLAN APPROVAL MAY BE REQUIRED.



- Figure 428: Examples of fully-shielded light fixtures
- Public street and pedestrian lighting
 - Residential
 - Pathways
 - Recreational areas
 - Barboards
 - Prohibit display area lighting and building overhangs and open canopies.

SUPERVISOR COVER

NOTE: THIS SITE IS IN COMPLIANCE WITH THE CITY OF DENVER'S 2013 ALTERNATIVE COMPLIANCE DUE TO THE CANOPY OF TREE NO. 110 COVERING MORE THAN 50% OF WALKWAY.

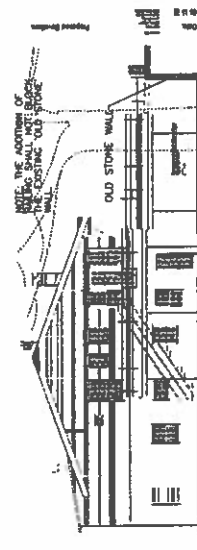
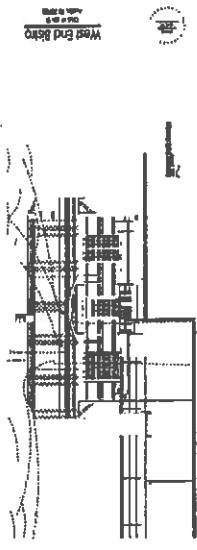
1.1.25' x 1.25' x 3.00' (SEE - 12.07' S.I.)

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NOTE: REMOVAL OF FLOATING DEBRIS FROM STORMWATER RUNOFF SHALL BE CONDUCTED AT THE END OF EACH BUSINESS DAY.



NOTE: THE ADDITION OF SIGNAGE SHALL BE PROVIDED INDICATING OFF-SITE PARKING AS FOLLOWS:

IF SIGNAGE IS PROVIDED AT THE OFF-SITE PARKING INDICATING THE PROPERTY OR WHICH IT SERVES, AND ONE SIGN SHALL BE PROVIDED IN THE SITE OF THE USE INDICATING THE LOCATION OF THE OFF-SITE PARKING, LDC 25-6-6-503

NOTE: SCREENING FOR SOLID WASTE COLLECTION AND LOADING AREAS SHALL BE THE SAME AS FOR OTHER BUILDING MATERIALS.

NOTE: ALL SITE LIGHTING IS TO BE LOCATED ON THE BUILDING, AND COMPLIANCE WITH SUBCHAPTER E2.5, WILL BE REVIEWED DURING BUILDING REVIEW.

NOTE: EXTERIOR LIGHTING ABOVE THE SECOND FLOOR IS PROHIBITED IN THE CITY OF DENVER OR CS-1 ZONING DISTRICTS, WHEN ADJACENT TO SF-3 OR MORE STRUCTIVE ZONING DISTRICT. (SECTION 25-6-503)

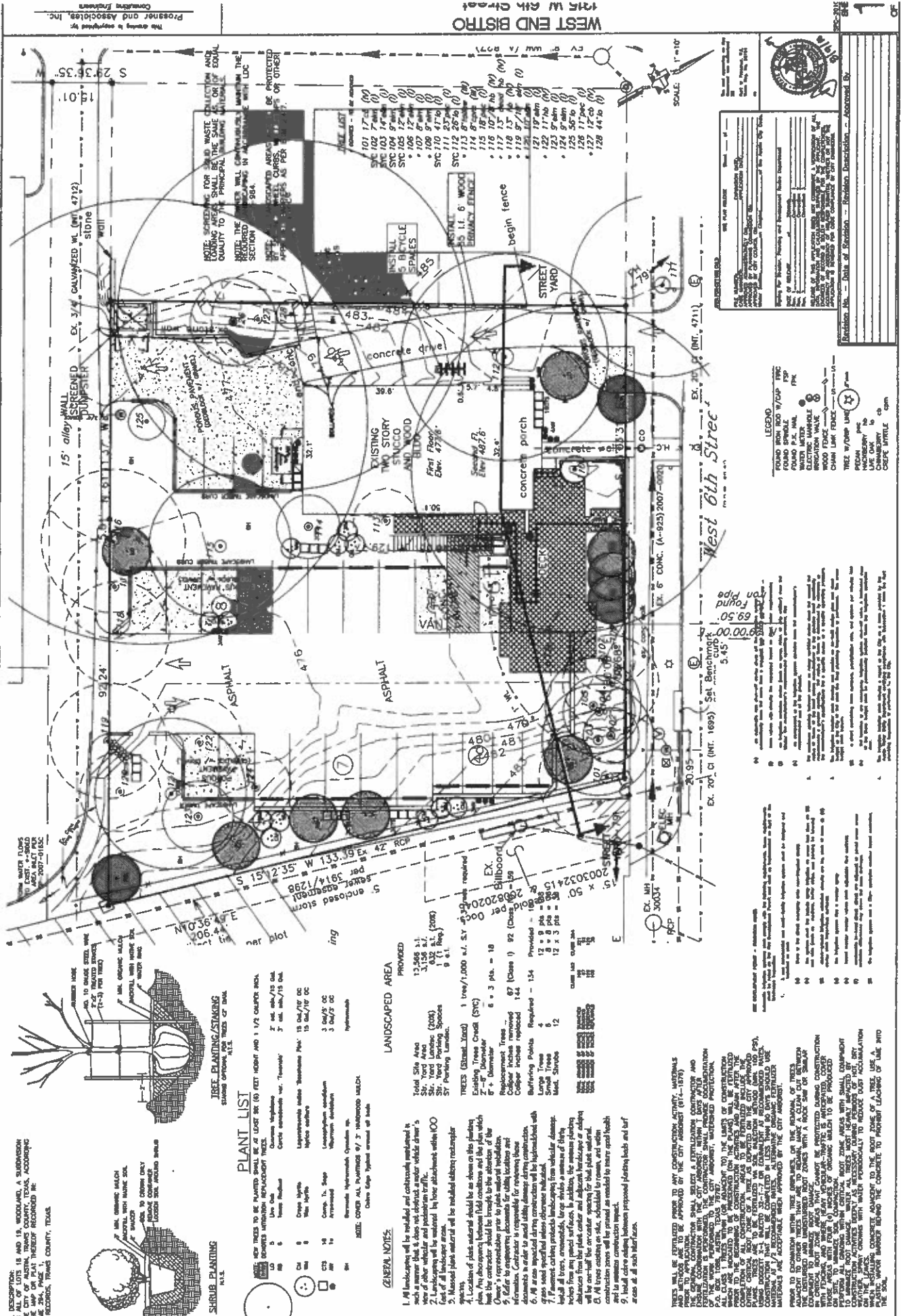
NOTE: ALL EXTERIOR LIGHTING SHALL BE FULLY SHIELDED IN COMPLIANCE WITH SUBCHAPTER E2.5. ALL SITE LIGHTING TO BE LOCATED ON THE BUILDING WILL BE IN COMPLIANCE WITH SUBCHAPTER E2.5, AND WILL BE REVIEWED DURING BUILDING PLAN REVIEW. APPLICATION FOR APPROVAL IN ACCORDANCE WITH SECTION 25.2.E.

ALLY SHIELDED and Full Cut-off Light Fixtures Required

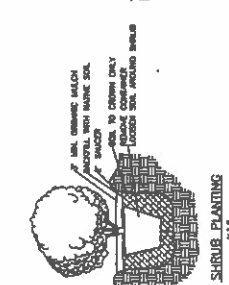
Following outdoor lighting applications shall be unshaded by fixtures that are both fully-shielded and full cut-off (See Figure 42).

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DESCRIPTION: THIS PLAN IS FOR THE WEST END BISTRO, A SUBDIVISION OF THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAN THEREOF RECORDED IN THE PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.



TREE PLANTING/STAKING
 1. 15" DIA. ORGANIC MULCH (12" DIA. TREE)
 2. 12" DIA. TREE
 3. 15" DIA. HOLE
 4. WATER

SHRUB PLANTING
 1. 15" DIA. ORGANIC MULCH (12" DIA. SHRUB)
 2. 12" DIA. SHRUB
 3. 15" DIA. HOLE
 4. WATER

PLANT LIST
 TREE: NEW TREES TO BE PLANTED SHALL BE AT LEAST 60 (60) FEET HEIGHT AND 1 1/2" CALIBER AREA. 100% GUARANTEED REPLACEMENT REPLACEMENT TREES.
 SHRUB: NEW SHRUBS TO BE PLANTED SHALL BE AT LEAST 60 (60) FEET HEIGHT AND 1 1/2" CALIBER AREA. 100% GUARANTEED REPLACEMENT REPLACEMENT TREES.
 SPECIES: SPECIES TO BE PLANTED SHALL BE AS LISTED IN THE ATTACHED SPECIES LIST.

LANDSCAPED AREA

Total Site Area	12,568 s.f.
Site Area (100%)	3,158 s.f.
Site Area (100%)	9,410 s.f.
Site Area (100%)	9 s.f.
Trees (Estimated)	1 tree/1,000 s.f. S.Y.
Planting Area	6 x 3 p.s. = 18
Planting Area	67 (Class 1) 92 (Class 2) 154
Planting Area	12 x 3 p.s. = 36
Planting Area	12 x 3 p.s. = 36
Planting Area	12 x 3 p.s. = 36
Planting Area	12 x 3 p.s. = 36

GENERAL NOTES:
 1. All landscaping to be installed and maintained in accordance with the City of Austin, Texas, Ordinance 140-100, which requires that all landscaping be installed and maintained in accordance with the City of Austin, Texas, Ordinance 140-100.
 2. Landscaping shall be installed in accordance with the City of Austin, Texas, Ordinance 140-100.
 3. All trees shall be planted in accordance with the City of Austin, Texas, Ordinance 140-100.
 4. All shrubs shall be planted in accordance with the City of Austin, Texas, Ordinance 140-100.
 5. All plants shall be planted in accordance with the City of Austin, Texas, Ordinance 140-100.
 6. All plants shall be planted in accordance with the City of Austin, Texas, Ordinance 140-100.
 7. All plants shall be planted in accordance with the City of Austin, Texas, Ordinance 140-100.
 8. All plants shall be planted in accordance with the City of Austin, Texas, Ordinance 140-100.
 9. All plants shall be planted in accordance with the City of Austin, Texas, Ordinance 140-100.
 10. All plants shall be planted in accordance with the City of Austin, Texas, Ordinance 140-100.

LEGEND
 FOUND W/UP PIP
 FOUND SPORE
 FOUND P.K. WALL
 FOUND WOOD
 FOUND BRICK
 FOUND CONCRETE
 FOUND METAL
 FOUND GLASS
 FOUND CERAMIC
 FOUND TILE
 FOUND PAINT
 FOUND PLASTER
 FOUND GYPSUM
 FOUND BRICK
 FOUND CONCRETE
 FOUND METAL
 FOUND GLASS
 FOUND CERAMIC
 FOUND TILE
 FOUND PAINT
 FOUND PLASTER
 FOUND GYPSUM

WEST END BISTRO
 1215 W 6TH STREET
 AUSTIN, TEXAS 78701
 SCALE: 1"=10'
 DATE: 08/14/2007
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]

PROSENER AND ASSOCIATES, INC.
 CONSULTING ENGINEERS
 1215 W 6TH STREET
 AUSTIN, TEXAS 78701
 TEL: 512-476-1111
 FAX: 512-476-1112
 WWW.PROSENER.COM

PUBLIC HEARING INFORMATION

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 a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. 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.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

A zoning ordinance amendment may include a conditional overlay which would include conditions approved by the Land Use Commission or the City Council. If final approval is by a City Council's action, there is no appeal of the Land Use Commission's action.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact listed on a notice*); or
- appearing and speaking for the record at the public hearing;
- and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.ci.austin.tx.us/development.

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 name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: SPC-2010-0098CT

Contact: Sue Welch, 512-974-3294 or Yolanda Parada, 512-974-2784

Public Hearing: Planning Commission, Dec 14, 2010

Stephen Gris Fifth

Your Name (please print)

1206 West 6th St

Your address(es) affected by this application

[Signature]

Signature

12/7/10

Date

Daytime Telephone:

Comments:

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

City of Austin
 Planning and Development Review/4th FL
 Sue Welch
 P. O. Box 1088
 Austin, TX 78767-8810

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