

**PLANNING COMMISSION SITE PLAN
CUP/ LATE HOURS PERMIT REVIEW SHEET**

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CASE NUMBER: SPC-2010-0317A **PLANNING COMMISSION DATE:** 2-8-2011

PROJECT NAME: 214 C.U.P.

ADDRESS: 214 E Anderson Ln.

WATERSHED: Buttermilk Creek (Urban)

AREA: 4,649 s.f. cocktail lounge on a 1.04 Acre site

EXISTING ZONING: CS-1, Commercial Services w/ Alcohol

PROPOSED USE: Cocktail Lounge/ Commercial Kitchen (no onsite sales)

OWNER: Najib Wehbe
5902 Mountain Villa Dr.
Austin, TX 78731
(512) 657-0203

AGENT: Jim Bennett Consulting/ Rodney Bennett
11505 Ridge Drive
Austin, TX 78748
(512) 784-4961

NEIGHBORHOOD ORGANIZATION:

- 511- Austin Neighborhoods Council
- 1290-North Lamar Combined Neighborhood Plan Contact Team
- 1037- Homeless Neighborhood Association
- 786- Homebuilders Assn. Of Greater Austin
- 1200- Super Duper Neighborhood Objectors and Appealers Assn.
- 283- North Austin Neighborhood Alliance
- 223-Highland Neighborhood Assn.
- 1057- Highland/Skyview Neighborhood Plan Contact Team
- 938-St. Johns Advisory Board
- 114- North Growth Corridor Alliance
- 718- Georgian Manor Neighborhood Assn.
- 740- Brentwood/Highland Combined Neighborhood COA Liaison
- 28- Northcreek and Georgian Acres Neighborhood Assn.
- 1075- League of Bicycling Voters
- 964- St. John Neighborhood Assn.

APPLICABLE WATERSHED ORDINANCE: Current/ Comprehensive watershed ordinance

CAPITOL VIEW: Not in View Corridor

SUMMARY STAFF RECOMMENDATION: Recommended.

PLANNING COMMISSION ACTION: 2-8-2011

CASE MANAGER: Lynda Courtney, 974-2810

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PROJECT INFORMATION:

EXIST. ZONING: CS-1

SITE AREA.: 1.04 Acre site, 8000 sf building, 4649 sf proposed as lounge use

EXIST. USE: Restaurant

PROP. USE: 4649 sf Cocktail Lounge and 3350 sf Commercial Kitchen (separate and unconnected to the lounge)

SUMMARY COMMENTS ON SITE PLAN:

The applicant is requesting a conditional use permit and late-hours permit for a proposed cocktail lounge. The cocktail lounge is proposing to stay open until 2 a.m. It is listed as a conditional use in the Land Development Code, Section 25-2- 492 in CS-1 zoning and in 25-2-808C, which states that a cocktail lounge that requires a late-hours permit as part of a conditional use must comply with parking area setbacks listed in 25-5-146. The parking for the proposed late hour use is located approximately 1056 feet from the closest single-family zoned property or property which is used for single family use.

A commercial kitchen is located in the same building but is a separate and unconnected use.

SURROUNDING CONDITIONS:

Zoning/ Land use

North: MF-3, Multi-family, Apartment use

South: Anderson Lane, then CS-NP Commercial Services in a Neighborhood Plan, Auto Repair

East: GR-NP, Community Commercial in a Neighborhood Plan, Fast Food restaurant

West: GR-NP, Community Commercial in a Neighborhood Plan, Financial Services

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

A conditional use site plan must:

1. Comply with the requirements of this title; **Staff response: This application complies with the requirements of this title.**
2. Comply with the objectives and purposes of the zoning district; **Staff response: This application complies with the objectives and purposes of the zoning district. A cocktail lounge is an appropriate use for CS-1 zoning.**
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: This application falls within the regulations of the Land Development Code and is compatible with the uses of abutting sites.**
4. Provide adequate and convenient off-street parking and loading facilities; **Staff response: Adequate and convenient off-street parking and loading facilities are provided to meet the requirements of the cocktail lounge and the commercial kitchen.**
5. Reasonably protect persons and property from erosion, flood, fire, noises, glare, and similar adverse effects; **Staff response: The site does not contribute to any of these adverse effects.**

A Conditional Use Site Plan May Not:

1. More adversely affect an adjoining site than would a permitted use; **Staff response: This site plan conforms to all regulations and standards established by the Land Development Code for its proposed use and zoning. This site plan does not more adversely affect an adjoining site than would the existing use or a regularly 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: This is not anticipated to any detriment of safety or convenience.**
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.**

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4. A cocktail lounge applying for a late-hours permit must have its parking area separated from a property zoned or used as townhouse or condominium residence (SF-6) or more restrictive district by a minimum of 200 feet, unless the lounge is located within an enclosed shopping center or the Land Use Commission grants a variance from this requirement when the Land Use Commission approves the site plan.

Staff response: The parking area for the restaurant does meet the separation distance requirements. Parking is provided in a parking lot on site and meets the minimum specified required number of parking spaces as specified in the Land Development Code.

DBGS ANDERSON LANE, L.P.
100 E. Anderson Lane, Suite 200
Austin, TX 78752
Tel: (512) 833-6444 Fax: (512) 833-6448

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January 31, 2011

City of Austin
Planning & Development Review Department
Attn: Lynda Courtney
P.O. Box 1088
Austin, TX 78767-8810

Via Email: lynda.courtney@ci.austin.tx.us

Re: Case Number: SPC-2010-0317A
Address: 214 E. Anderson Lane

Dear Ms. Courtney:

I represent the ownership of the Frost Bank office building located at 100 E. Anderson Lane, which is directly adjacent to the subject property. I object to the proposed late hour's permit for a lounge.

During the brief period that the recent occupant of the subject property (Club Bongos) operated, we experienced repeated problems with their patrons. Club Bongos offered happy hours in the evenings that created overflow parking onto our property. Despite towing signs that have always been posted at the entrances of our parking lots (both in the front and rear of our building), on numerous occasions we were forced to have their cars towed away. In addition many of these patrons left empty bottles and trash in our parking lot that we paid to have removed. We also had to have a fence repaired due to one of the patrons driving through the locked gate.

In summary, we are fearful that the approval of the permit will create problems for our office building and our tenants and force us to incur extra expenses.

Sincerely,
DBGS Anderson Lane, LP

Randy Bassett, Vice President

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ZONING GR-NP
USAGE BANK

ZONING : GR-NP
USAGE : FAST FOOD

ZONING : MF3-NP
USAGE : APARTMENTS

ZONING : SF3-NP
USAGE : RESIDENTIAL

ZONING : SF3-NP
USAGE : RESIDENTIAL



PROJECT: 214 C.U.P. CONDITIONAL USE PERMIT
214 GAGE ANDERSON LANE
AUSTIN, TEXAS

DATE: 08/11/14

SCALE: 1" = 40'

REVISIONS:

NO.	DATE	DESCRIPTION
1	08/11/14	ISSUED FOR PERMIT



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11	12	13	14	15	16	17	18	19	20

214 C.U.P. CONDITIONAL USE PERMIT
214 GAGE ANDERSON LANE
AUSTIN, TEXAS

DATE: 08/11/14

SCALE: 1" = 40'

PROFESSIONAL STRUCTURAL ENGINEERS, INC.
CONSULTING CIVIL AND STRUCTURAL ENGINEERS

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