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

CASE NUMBER: SPC-2011-0034AT

PC DATE: July 26, 2011

Postponed from cancelled date: June 28, 2011

PROJECT NAME: The Dram Shop

ADDRESS OF APPLICATION: 907 E 6th St.

APPLICANT/AGENT: BTV, GP LLC
Brandon Testa
910 E 15th St.
Austin, TX 78702

OWNER: 907 E 6th St. LLC
Robert Tobor
33833 Deep Forest Rd
Evergreen, CO 80437

AREA: 0.147 acres

WATERSHED: Waller Creek (urban)

WATERSHED ORDINANCE: Comprehensive Watershed Ordinance (urban)

C.I.P. STATUS: N/A

T.I.A.: N/A

CAPITOL VIEW: Pleasant Valley Road at Lakeshore Drive Corridor
Capital View Corridor Review case C17-2010-0153

PROPOSED DEVELOPMENT:

The applicant is requesting a conditional use permit for a 2,767 sq. ft. cocktail lounge. Parking will be provided on-site and off-site. This site plan application is for the conditional land use only. Upon approval of this conditional land use permit, the applicant has 60 days to submit the construction element site plan application.

EXISTING ZONING:

The property is zoned TOD-NP, and is in the Corridor Mixed-Use Subdistrict. "TOD Corridor Mixed-Use is the most permissive Mixed Use Subdistrict in terms of use and does not require that ground floor space be designed to accommodate active non-residential uses, although it is encouraged." (2.3.6 Plaza Saltillo Regulating Plan) A cocktail lounge is a Conditional Use in the Corridor Mixed-Use Subdistrict.

Before the Plaza Saltillo TOD, this property was zoned CS-1, in which cocktail lounge is also a Conditional Use. The development of the Plaza Saltillo TOD went through the City's public planning process which included numerous stakeholder meetings.

SUMMARY STAFF RECOMMENDATION:

Staff recommends approval of the Conditional Use Permit for a cocktail lounge at this location. Throughout the Plaza Saltillo TOD stakeholder meetings and rezoning, this location remained a less restrictive zoning district, allowing for the Conditional Use Permit of a cocktail lounge. Additionally, the location is within two blocks of IH-35 and is surrounded by commercial development. The closest residential development to the North is located on the North side of E 7th St., an arterial. Residential development to the South is separated by railroad lines and located on the south side of East 3rd Street.

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CASE MANAGER: Donna Galati

Telephone: 974-2733

Donna.Galati@ci.austin.tx.us

PROJECT INFORMATION: 6403 sq. ft. site area (2,767 sq. ft. cocktail lounge)

EXIST. ZONING: TOD-NP (Corridor Mixed-Use)

ALLOWED F.A.R.: 2:1

PROPOSED F.A.R.: 0.305:1

MAX. BLDG. COVERAGE: 95%

PROPOSED BLDG. CVRG: 43.2%

MAX. IMPERVIOUS CVRG.: 95%

PROPOSED IMPERVIOUS CVRG: 77.5%

EXISTING IMPERVIOUS CVRG: 79.7%

REQUIRED PARKING: 19

PROVIDED PARKING: 19 total

1 on-site, 18 off-site

Proposed Access: Alley

SUMMARY COMMENTS ON SITE PLAN:

Land Use: This site plan application is for the conditional land use only. Upon approval of this conditional land use permit, the applicant has 60 days to submit the site plan application for the construction element. After all comments on both plans have been addressed, both plans will be released at the same time and have the same expiration date (3 years from the date of Commission approval).

The site plan is within a Capital View Corridor (Pleasant Valley Road at Lakeshore Drive). A Capital View Corridor review has been completed (case # C17-2010-0153). The building will be reviewed again for height compliance within the corridor during review of the construction site plan application.

The TOD Corridor Mixed-Use Subdistrict is the least restrictive Mixed Use Subdistrict in terms of use. Ground floor space is not required to accommodate active non-residential uses, although it is encouraged. The proposed site plan does accommodate active non-residential use. The patio is open and oriented to E 6th St. Sound from the patrons on the patio will be on the street side, and will be blocked and separated from the closest residential development to the North by arterials East 6th and E 7th Streets and by buildings. The sound will be blocked from the closest residential development to the South by buildings, roads, and rail road lines.

This site plan complies with the Plaza Saltillo TOD regulating plan.

Transportation: The site is within two blocks of IH-35, and surrounded by commercial development. TOD Corridor Mixed-Use "is generally located on arterial streets farther away from the transit station" (2.3.6 Plaza Saltillo TOD). Access to the site will be from the alley.

Off-site accessory parking has been obtained for a majority of the parking. The off-site parking locations are within a block, at Brushy and E 7th Streets. Patrons can use the existing sidewalks along E 7th St., Brushy St., and E 6th St.

The applicant will construct a sidewalk along E 6th St. in compliance with the TOD Pedestrian Priority Street regulations. The planting zone of the sidewalk will include street trees and benches.

Environmental: This site is located in the Waller Creek Watershed and subject to Urban Watershed regulations. All Environmental comments are cleared.

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SURROUNDING CONDITIONS:

Zoning/ Land Use

North: E 6th St., then TOD-NP (Tortilleria)
East: TOD-NP (Antiques)
South: TOD-NP (mixed commercial: coffee shop, studio, personal services)
West: TOD-NP (auto repair)

NEIGHBORHOOD ORGNIZATIONS:

6—Barrio Unido Neighborhood Assn.
23—Old Pecan Street Assn.
30—Guadalupe Neighborhood Development
452—Guadalupe Association for an Improved Neighborhood
511—Austin Neighborhoods Council
623—City of Austin Downtown Commission
742—Austin Independent School District
744—Sentral Plus East Austin Koalition (SPEAK)
786—Home Builders Association of Greater Austin
960—Lower Waller Creek
966—Organization of Central East Austin Neighborhoods (OCEAN)
972—PODER
975—East Cesar Chavez Neighborhood Planning Team
1017—East River City Citizens
1037—Homeless Neighborhood Assn.
1075—League of Bicycling Voters
1113—Austin Parks Foundation
1189—Tejano Town
1199—United East Austin Coalition
1200—Super Duper Neighborhood Objectors and Appealers Organization
1220—Greater East Austin Neighborhood Association
1224—Austin Monorail Project
1228—Sierra Club, Austin Regional Group
1236—The Real Estate Council of Austin, Inc
1258—Del Valle Community Coalition

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CONDITIONAL USE PERMIT

D. 25-5-145. 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.

§ 25-5-146 CONDITIONS OF APPROVAL.

(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.

CONDITIONAL USE PERMIT REVIEW AND EVALUTATION CRITERA

A. 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 Planning 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:

B.

1. Comply with the requirements of this title;

Staff Response: This site plan complies with all regulations and requirements of the Land Development Code. The site plan complies with the Plaza Saltillo TOD regulating document.

2. Comply with the objectives and purposes of the zoning district;

Staff Response: The proposed cocktail lounge use is a conditional use in Corridor Mixed-Use Subdistrict of the Plaza Saltillo TOD, the least restrictive Subdistrict.

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 site plan will comply with all requirements of the Land Development Code. In addition, the site plan complies with setback and height 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 majority of spaces are provided off-site within a block and there is an existing sidewalk connecting the two locations.

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 not in the East Austin Overlay.

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C. In addition, a conditional use site plan may not:

7. **More adversely affect an adjoining site than would a permitted use;**
A cocktail lounge will have no more impact on adjoining properties than other permitted uses in the Corridor Mixed-Use TOD zoning Subdistrict which could operate with similar or later hours than the proposed cocktail lounge. The site plan complies with all design and pedestrian-oriented elements of the Plaza Saltillo regulating plan through being open and oriented to the front of the site.
8. **Adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area; or**
Staff Response: The site plan does not adversely affect the safety and convenience of vehicular and pedestrian circulation. The site enhances pedestrian circulation by providing a sidewalk to TOD pedestrian priority street standards.
9. **Adversely affect an adjacent property or traffic control through the location, lighting, or type of a sign.** Staff Response: All signs and lighting will comply with the Land Development Code.



SITE PLAN



SUBJECT TRACT



ZONING BOUNDARY

0 70 140 280 Feet

CASE#: SPC-2011-0034AT
 ADDRESS: 907 E 6th St.
 CASE NAME: The Dram Shop
 MANAGER: Donna Galati

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.



OPERATOR: Donna Galati



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MEMORANDUM

TO: Donna Galati, Case Manager
CC: Brandon Testa, Applicant
FROM: Amber Mitchell, Transportation Review
DATE: June 22, 2011
SUBJECT: Off-Site Parking Assessment for The Dram Shop:
SPC-2011-0034AT, 907 E 6th Street

Analysis Required

Land Development Code (LDC) chapter 25-6-502(C)(6) requires staff to consider the impact of off-site parking on nearby urban single family (SF-5) or more restrictive properties. An application for a conditional land use and off-site parking site plan was filed on April 19, 2011, case number SPC-2011-0034AT. The project is located at 907 E 6th Street, between Brushy St and San Marcos St.

The applicant proposes to construct a 2,767 square foot cocktail lounge on the 0.147 acre vacant tract. The Land Development Code requires 15 parking spaces for this particular cocktail lounge use. The off-site parking plan provides 18 parking spaces. The parking locations are about a block away from the site, at Brushy and E 7th Street. One van accessible parking space is provided on site.

Staff reviewed the off-site parking component of the site plan according to LDC 25-6-501 through 25-6-503 and determined that the application meets the requirements of the ordinance. This review included an assessment of the site's impact on near-by single family properties. I have summarized the assessment below:

- The site is zoned TOD-NP and is located in the TOD's Corridor Mixed Use subdistrict, the least restrictive mixed use subdistrict in terms of use.
- Users of the off-site parking lots will not have to walk through single-family areas to get to the site.
- The proposed off-site parking spaces are conveniently situated along a commercial thoroughfare (E 7th) with good sidewalk connectivity to the site. The route between the site and off-site parking is direct.
- On-street parking is available along E 5th St, E 6th St, and the surrounding side streets.
- The site is less than two blocks from the parking lots underneath the IH 35 Bridge.
- Railroad tracks and an industrial area to the south, and the arterial (E 7th) to the north makes the single family neighborhoods in the area less attractive as an alternative to parking in the proposed off-site parking lots.

Summary

Staff supports the requested off-site parking site plan. Potential impacts by the proposed development to the nearby single-family properties are mitigated by the site's adjacency to alternative parking opportunities and the convenience of the proposed off-site parking locations.

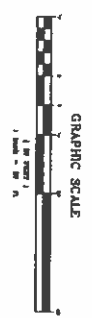
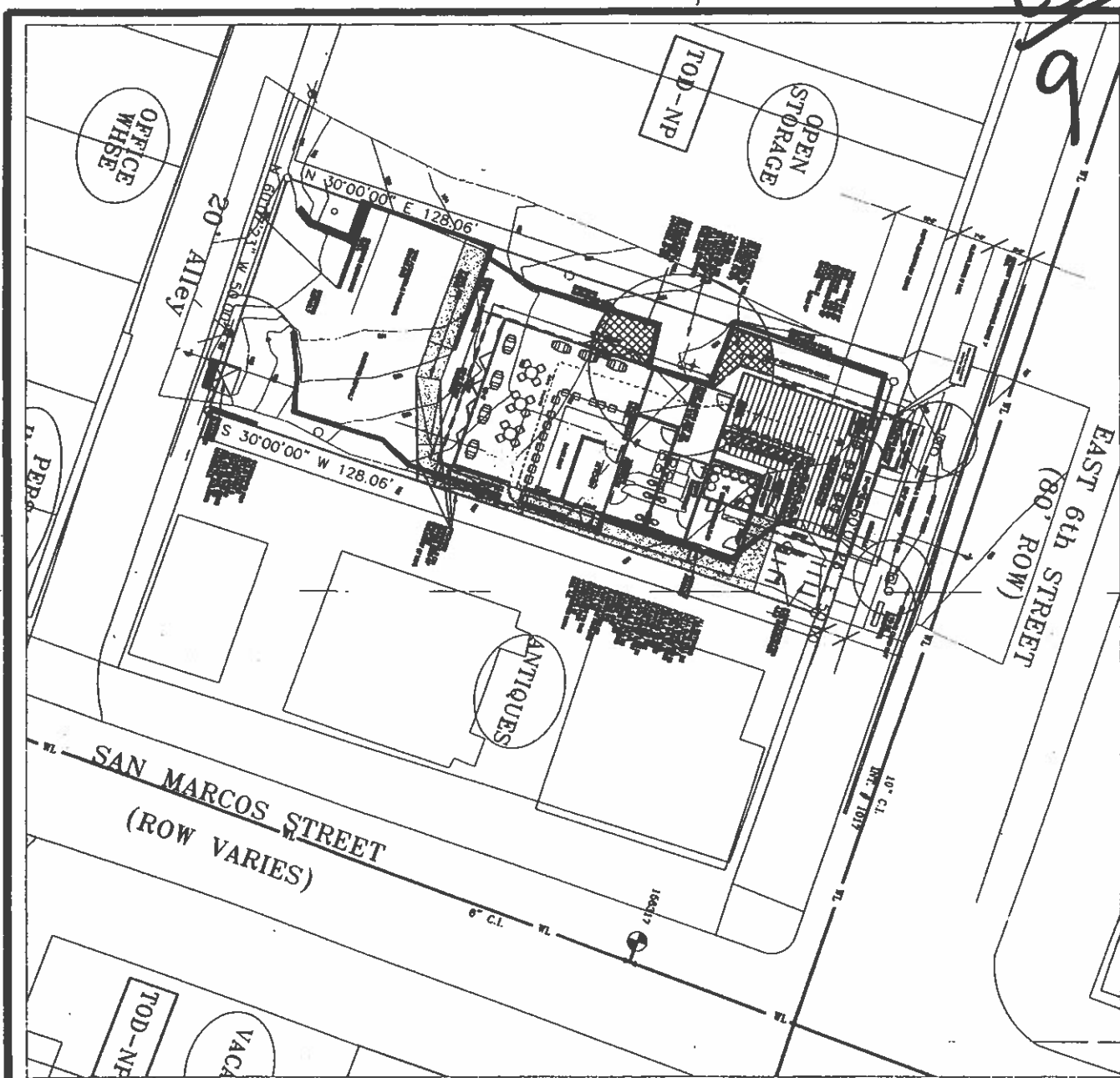
If you have any questions or require additional information, please contact me 974-3428.


Amber Mitchell

Planning & Development Review Department

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TABULATION

BUILDING DATA	
Proposed Use	Cocktail Lounge
Zoning	TOD-NP
Gross Site Area	0.147 AC./6,403 SF
Occupiable Area	2,300 SF
Bor/Office/Storage	1,953 SF
Wood Deck Area	547 SF
Floor Area Ratio (FAR)	0.305:1
Building Coverage	2,767 SF
% Building Coverage	43.2%
Building Height	34' Above Ex. Grade w/ 30" tall mechanical box
Foundation Type	Conc. Slab on Grade
Finish Floor Elev.	0.00'
Impermeable Cover/%	5.109 SF(0.117 AC)/79.7%
Pop. Impermeable	4,948 SF(0.114 AC)/77.5%
Parking Data	
Standalone Spaces	18
Monoclip Spaces(s)	1 On-Site
Total Spaces	19
Bicycle Pkg.	9

NOTES:
 1. Elm #1-35 will be saved & some asphalt removed.
 2. No two trunks are planned on this site.
 3. Current site use is a parking lot. Proposed use is
 4. Proposed improvements are to be constructed
 over existing improvements. Impermeable will remain on site.
 5. Site plan layout & design by Dick Clark Architecture.
 6. Every accessible parking space must be identified by
 a sign, centered at the head of the parking space.
 7. The sign must include the international symbol of
 accessibility & state "RESERVED" or equivalent language.
 8. Characters & symbols on such signs must be located
 60 min. above the ground so they cannot be obscured
 by a vehicle parked in the space.(9C11-D.1, ANSI 502.7).
 9. Screening for solid waste collection and loading areas
 shall be the same as, or of equal quality to, principal
 building materials.

- LEGEND**
- Wood Deck
 - Ex. Retaining
 - Ex. Asphalt
 - Ex. Tree
 - Bor. Woi
 - Prop. Tree
 - Fire Hydrant
 - 200'
 - WC
 - Dumpster
 - Bench
 - Bike Rack

DATE	BY	REV	DESCRIPTION
10/1/03	WJL	1	Initial Design
10/1/03	WJL	2	Revised Design
10/1/03	WJL	3	Final Design
10/1/03	WJL	4	As-Built

CUP & OFF-SITE PARKING
Site Plan

DRAM SHOP
907 EAST 6TH STREET
AUSTIN, TX. 78702

PROJECT NO. 1003
 FILE NO. 1003
 DATE 10/1/03
 DRAWN BY WJL
 CHECKED BY WJL
 DESIGNED BY WJL
 SCALE: 1/8" = 1'-0"

HOLT PLANNERS
 Land Planners & Development Consultants
 P. O. BOX 18003
 Austin, Texas 78760
 (512) 327-4600 FAX: (512) 327-4601

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OFFICE SPACE
907 East 7th St
3,111 Sq Ft
2

Office, Warehouse
901 E. 7th
4,205

10 Pkg. Spcs.
905 E. 7th

8 Parking Spaces
901 East 7th Street
TOD-1P

EAST 6th STREET
(60' SW)

SAN MARCOS STREET
(ARROYA AVE)
TOD-1P

C3/11

My name is Brandon Testa. I am the owner of this project, and a long time resident of East Austin. The "barrier effect" created by IH-35 has been a long standing challenge for the neighborhood. In fact, the neighborhood plan states on page 12, "Residents would like to see the barrier effect of IH-35 removed, and stronger connections made between the East Cesar Chavez neighborhood and downtown." Recently, the City of Austin spent \$2.3 million dollars to completely transform the Parking Lot beneath I-35 into a creatively lit and landscaped point of connection between East and West Austin. Our project is in line with the vision of the IH35 Makeover Coalition and will help the City of Austin and neighborhood achieve their goal of breaking the barrier. Our goal is to transform this land from an unproductive, run down parking lot into a uniquely designed, well lit, classy, *clean*, and profitable service business, by doing so we will put more eyes on the street in order to create a safer, more inviting, pedestrian friendly environment.

The site at 907 East 6th Street has been in a declining state for over three decades. In its' current state *as a crumbling parking lot*, it produces little taxable revenue for the City, creates no jobs, and is an eyesore to the neighborhood. According to APD reports, there have been numerous calls to break up fights among the many transients, drunks and drug dealers known to congregate on the tree shaded lot. The site is currently a public nuisance, and is frequently littered with trash and human excrement. The development of this site will be a positive improvement for the neighborhood and city. Not only will our project rid the neighborhood of a neglected, blighted and dangerous property, it will create new neighborhood jobs, increase property taxes and create additional taxable revenue for the City and State. The neighborhood Economic Development plan states that "The neighborhood should be a thriving, self-sufficient community where services are available and people are able to gain work that supports them." I am happy to announce that based on our current design and projected sales volume, we anticipate creating a minimum of 12 full time and part time jobs. Our project should also contribute more than \$175,000 in annual property and business taxes to the City and State.

As suggested by City Staff I contacted my local neighborhood association to request support for my project. The first meeting took place one year ago on June 14, 2010. This meeting was suggested by the neighborhood team to discuss the merits of my project prior to our monthly neighborhood meeting. Although the meeting was confirmed, only one member of the committee was able to attend. No explanation was offered to me.

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Two days later, on June 16, 2010 at our scheduled Neighborhood meeting not enough members of the Planning Team were present to reach a quorum. I offered to present the concept to the members who were in attendance. The following week, in an e-mail dated June 23, 2010, the East Cesar Chavez Planning Team suggested that I broaden my market "to include food sales, ticket sales or some other enterprise". We took the team's suggestions to heart, and engaged our architect to redesign and reconfigured the building layout to allow us to more effectively feature, display and sell various art media from local area artists. We also made the addition of a grease trap and kitchen to our building design plans. Despite our efforts to work with the neighborhood, on March 16, 2011 the East Cesar Chavez planning team informed me that they will not support the project regardless of its merits and suggested I build a "high-rise style development" on the 6,400 sq ft site.

I believe in the neighborhood goal of supporting small business and have secured a local chef to operate the "kitchen concept" on-site. Adopting this new kitchen concept allows us to better control our kitchen overhead expenses while providing our clientele with a wider selection and variety of higher quality food offerings. Our chef partner will be responsible for the logistics of our food service operations. We are applying for a Conditional Use Permit for a Cocktail Lounge as the kitchen and cocktail lounge will be run as separate businesses, operated by separate entities, at the same location. Leasing the kitchen to a Chef partner will create additional jobs as well as provide a low cost start up opportunity for another local business in its infancy. This concept is in line with Action 160 of the neighborhoods Economic Development plan.

Parking is an ever growing concern in the Downtown Area. Per TOD Ordinance 20050519, this project will require fifteen (15) parking spaces. We have provided eighteen (18) off-site parking spaces on our site plan and, to further facilitate the development of this property for our intended use, we have secured parking leases to seventeen (17) additional spaces which fit the requirements prescribed in the Saltillo District TOD. Currently, we have a total of thirty-five (35) spaces under lease. In order to inform our guests of our parking options, we will provide table tents and signage that illustrates the availability and location of the various parking leases and how to locate them. A parking study compiled by the City of Austin Transportation department concluded that our Off-Site parking options are conveniently located in the commercial corridor, easily accessible, and more attractive than parking in the single family neighborhood.

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For the past six years, I have made East Austin my home. I love the history of this neighborhood and relish the diversity of the people who live and work here. The stated goal of our neighborhood "is to create a community where people can gain work that supports them and makes the best use of their individual skills and talents." My skills and talents are in the service industry. The "History Section" of the Neighborhood Plan reveals that some of our neighborhoods' earliest residents were bartenders, waiters, and other service industry professionals. As a career service industry professional, artist, and resident of East Austin, I believe in the goals that have been outlined in the neighborhood plan. The spirit of the TOD zoning is to create a lively, pedestrian-friendly environment. Action Item 6 of the plan is to provide economic opportunities for existing neighborhood residents so that they too may benefit from the increased development promoted as a result of the Transit Oriented Development zoning. Owning a local neighborhood business has been my personal goal for many years. I have invested my time and resources toward the achievement of this goal and, frankly, I can't imagine opening in any other neighborhood.

Thank you for your consideration.

Brandon Testa
907 East 6th Street LLC
BTV, LLC

Casimiro, Donna G.

THE DRAM SHOP

910 East 15th Street
Austin, Texas 78702
512.576.4545

13/14

April 18, 2011

City of Austin – Land Use Commission
City Hall - 301 West Second Street
Austin, Texas 78701

RE: The Dram Shop Cocktail Lounge – 907 East 6th Street, 78702 – Conditional Use Permit and Off Site Parking

Dear Land Use Commission:

As suggested by City Staff I have contacted my local neighborhood association to request support for my project. My meetings with the East Cesar Chavez Neighborhood Planning Team went as follows:

June 14, 2010 – Meeting with ECCN Land Use Committee On-Site ~ This meeting was suggested by the team to discuss the merits of the project prior to our monthly neighborhood meeting. Although the meeting was confirmed, only one member of the committee was able to attend. No explanation was offered me.

June 16, 2010 – Monthly ECCN Meeting – At our scheduled meeting not enough members of the team were present to reach a quorum. I offered to present the concept to the members who were in attendance.

In an email dated June 23, 2010, the ECCN Land Use Committee requested we broaden our market *"to include food sales, ticket sales or some other enterprise"*. I am happy to advise that I took the Planning Team's suggestions to heart and have added a grease trap as well as an efficient, yet well equipped little kitchen to our building design plans. We are actively seeking a chef partner to operate this new *"kitchen concept"*. Our chef partner will be responsible for the logistics of all food service operations. Although we will offer a full menu, The Dram Shop is applying for a C.U.P for Cocktail Lounge use as the kitchen and cocktail lounge will be separate businesses, operated by separate entities, at the same location. This fresh approach to food service will offer another small local business an affordable upstart in a wonderful location; this vision is in line with the neighborhoods goal for Economic Development outlined on page 55 of the ECC Neighborhood Plan.

Commercial Objective 3, Action 24 of the ECC Neighborhood Plan states: *"The neighborhood will promote artists, art studios, workshops, and galleries in our area."* As a ranked contemporary artist in the Austin area art is very important in my life. We have made changes to the design of the interior in order to allow us to more effectively feature, display and sell various art media from local area artists. We will work with local artists to help them promote and display their work. The venue will also multi-task as an art gallery and private events center.

Per TOD Ordinance 20050519-008 Section 25-6-611(A), The Dram Shop will require fifteen (15) parking spaces. The Dram Shop has provided eighteen (18) off-site parking spaces on our site plan. To further facilitate the development of this property for our intended use, we have secured parking leases to seventeen (17) additional spaces which fit the requirements prescribed in the Saltillo District TOD. The Dram Shop has a total of thirty-five (35) spaces under lease. (Please see map – "EXHIBIT A")

On February 7, 2011 I contacted the ECCN team by e-mail to inform them we had updated our plans to reflect their suggestions and request another meeting to discuss the project. (Please see attached letter – "EXHIBIT B")

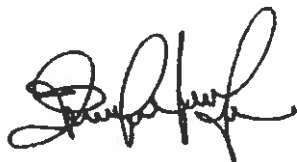
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March 16, 2011 – Monthly ECCN Meeting -- The Dram Shop was informed that although we had revised the plans to *offer food service and room for additional enterprises* the team "will not support a cocktail lounge regardless of the projects merits."

The site at 907 East 6th Street is currently a crumbling parking lot. The unimproved site produces little taxable revenue for the City, and creates no jobs for the neighborhood. The site is frequently littered with broken beer bottles, and is known to attract transient individuals for unlawful activities. Commercial Objective 3 of the ECCN Design Guidelines is to "minimize the visual impact of parking lots and parking structures." In addition to helping rid the neighborhood of an unsightly parking lot at the gateway to our neighborhood, the development of this site will create additional taxable revenue for the City, create new jobs for the neighborhood, and add a new structure to the East 6th Street landscape that is in line with the neighborhood's design goals.

The ECC Neighborhood Plan envisions a mix of businesses which serve neighborhood residents and residents that support local businesses. Page 14 of the ECCN Plan states "its goal is to create a community where people can gain work that supports them and makes the best use of their individual skills and talents." As a career hospitality industry professional, artist, and resident of East Austin owning a local business in my neighborhood has been my dream for many years. I look forward to the opportunity to work in the neighborhood I live and play.

Sincerely,



Brandon Testa

EXHIBIT B

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----- Forwarded message -----

From: **B Testa** <thedramshop@gmail.com>

Date: Thu, Feb 3, 2011 at 1:43 PM

Subject: 907 East 6th Street C.U.P

To: Jeff Thompson <jeffreylthompson@yahoo.com>

Dear Mr. Thompson,

As I prepare to resubmit my application for a Conditional Use Permit, I am contacting you in order to revisit a few points from our June 2010 meeting and also to solidify a few parallels I believe exist between my project and the stated goals of the East Cesar Chavez Neighborhood Plan. The ECCNP was the result of an extensive collaborative effort between neighborhood residents, businesses and property owners with the support of COA neighborhood planning staff. People who lived, worked, or owned property or businesses in the neighborhood were invited to participate with the purpose being a plan that provided direction for future neighborhood growth and development as well as for city programs and projects.

For the past five years, I have resided in the East Cesar Chavez neighborhood. I chose the east side of Austin to be my home because this is where I enjoy living, working and playing. During that time, I have worked diligently and have made major sacrifices in order to stay true to my goals. I have purchased two properties in the neighborhood; one on which to build a business and one on which to build my future residence. I have dedicated and committed my efforts toward creating a business model that I believe will benefit the community on several levels. As a career hospitality industry professional and bartender, owning my own business has been my dream. East Austin is and has been my home and quite frankly, I can't imagine operating my business in any other area.

In an email to Donna Galati dated June 23, 2010, your committee's suggestion was that I broaden my market "to include food sales, ticket sales or some other enterprise". I am happy to advise you that I took your team's suggestions to heart and I have added a grease trap to our building design plans as well as an efficient, yet well equipped little kitchen. We will be actively seeking a chef partner to operate this new "kitchen concept". By adopting this new concept, we will better control our kitchen overhead while allowing for greater variety and higher quality food offerings. Our chef partner will be responsible for the logistics of all food service operations. Although we will have food available for our patrons, we will be applying for a C.U.P for a Cocktail Lounge as the kitchen and cocktail lounge will be separate businesses, operated by separate entities, at the same location. By leasing the kitchen to a Chef partner, we will be creating additional jobs as well as have the opportunity to provide a low cost upstart to another local business in its infancy.

As I noted above, I am a career hospitality industry professional and bartender. I am also a ranked contemporary artist in the Austin area. Recently I was chosen to be one of the featured artists in the new "I Art Congress" gallery event which will be held on Thursday, February 10th,

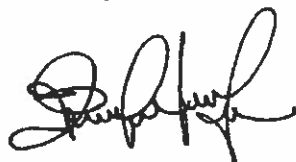
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on Congress Avenue. I am active in Austin's art community and have been involved in several East Austin Studio Tours. **Commercial Objective 3, Action 24** of the ECC Neighborhood Plan states: *"The neighborhood will promote artists, art studios, workshops, and galleries in our area."* We have made some changes to the design of the interior in order to allow us to more effectively feature, display and sell various art media from local area artists. We will work with local artists to help them promote and display their work. The venue will multi-task as a cocktail lounge, private events center, and art gallery. This venture is an opportunity for me to best utilize my talents and skills in order to create job opportunities for the community as well as myself.

The site at 907 East 6th Street is currently a crumbling parking lot. The unimproved site produces little taxable revenue for the City, and creates no jobs for the neighborhood. The site is frequently littered with broken beer bottles, and is known to attract transient individuals for unlawful activities. **Commercial Objective 3** of the ECCN Design Guidelines is to *minimize the visual impact of parking lots and parking structures*. In addition to helping rid the neighborhood of an unsightly parking lot at the gateway to our neighborhood, the development of this site will create additional taxable revenue for the City, create new jobs for the neighborhood, and add a new structure to the East 6th Street landscape that is in line with the neighborhood's design goals. To further facilitate the use of this property for our intended use, we have secured over twice the required off-site parking spaces needed for our business. We currently are working to secure additional spaces.

Mr. Thompson, when I originally requested the support of your team, I was informed that an on site meeting for the ECCN Land Use Committee would be required so that a review of the project could be conducted prior to the monthly meeting. Regrettably, only one person from the committee showed up. No reason or explanation was offered me by the ECCN Land Use Committee. At my scheduled ECCN meeting later that month, I was informed that not enough members had attended the monthly meeting to form a quorum and therefore you could not vote. I again ask for your consideration and request that the ECCN planning team support my project. I believe in the vision and direction of the ECCN Plan and I am confident that my project, in conjunction with my marketing plan and "pay it forward" community action plan, will quickly prove to be a shining asset for the neighborhood. I have proven myself to be a team player as shown by my willingness to listen and to implement the changes suggested by your committee, and I look forward to your support for the revised project.

Sincerely,



Brandon Testa

512.576.4545

TheDramShop@gmail.com

13/18

- ☐ The data provided is for informational use only and is not considered official APD crime data as in official Texas DPS or FBI crime reports.
- ☐ APD's crime database is continuously updated, so reports run at different times may produce different results. Care should be taken when comparing against other reports as different data collection methods and different data sources may have been used.
- ☐ The Austin Police Department does not assume any liability for any decision made or action taken or not taken by the recipient in reliance upon any information or data provided.

- Data Source: Austin Police Department, Discoverer, ap4294
- Date: 6/7/11
- Exclusions: Unfounded, incomplete and 311 canceled reports
- 12 months of crime reports for the 900 block of East 6th St
- 12 months of crime reports for crimes along Brush Street and San Marcos St in the 78702 Zip Code

Number of Offenses (Highest) June 2010 through May 2011	
Highest Offense	Total
AGG ROBBERY/DEADLY WEAPON	4
ROBBERY BY ASSAULT	2
AGG ASSAULT	3
BURGLARY OF RESIDENCE	2
THEFT	8
BURGLARY OF VEH	68
THEFT OF AUTO PARTS	1
THEFT OF BICYCLE	5
AUTO THEFT	7
UNAUTHORIZED USE OF VEH	1
ASSAULT W/INJURY-FAM/DATE VIOL	3
ASSAULT WITH INJURY	4
ASSAULT ON PEACE OFFICER	2
FORGERY BY MAKING	1
CRED CARD ABUSE/OTHER	1
DEBIT CARD ABUSE	3
CRIMINAL MISCHIEF	12
UCW	1
SEXUAL ASSAULT	1
AGG SEXUAL ASSAULT	1
POSS CONTROLLED SUB/NARCOTIC	28
POSS CONTROLLED SUB/OTHER	1
POSS MARIJUANA	24
DEL CONTROLLED SUB/NARCOTIC	17
POSS DANG DRUG	1
POSS OF DRUG PARAPHERNALIA	36
MANF CONTROLLED SUB/OTHER	2
NUISANCE ABATEMENT	1
DWI	3
DUI - AGE 17 TO 20	1
DWI / FELONY	1
LIQ LAW VIOLATION/OTHER	1
POSS OF ALCOHOL - AGE 17 TO 20	1
PUBLIC INTOXICATION	10
DATING DISTURBANCE	2

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19

DOC FIGHTING	1
DOC EXPOSURE	1
PEDESTRIAN ON ROADWAY	5
FAILURE TO IDENTIFY	2
CRIMINAL TRESPASS	12
CRIMINAL TRESPASS/TRANSIENT	4
EVADING / FOOT	2
CRIMINAL TRESPASS NOTICE	4
TAMPERING WITH EVIDENCE	1
ALCOHOL CONSUMPTION VIOLATION	11
UIPP	6
VIOL OF CAMPING ORDINANCE	5
AMPLIFIED MUSIC/VEHICLE	3
VOCO VIOL/OTHER	4
FAMILY DISTURBANCE	5
DISTURBANCE/OTHER	5
SUSPICIOUS PERSON	3
SUSPICIOUS VEH	1
CHECK WELFARE	1
LOST PROP	3
FOUND PROP	4
ABANDONED VEH	4
ANIMAL BITE	3
WARR ARREST NON TRAFFIC	39
EDP COMMITMENT	1
EDP INTERVENTION	1
SUICIDE	1
FAIL TO STOP AND RENDER AID	1
LEAVING THE SCENE CRASH/ACCIDE	12
CRASH/ACCIDENT/CITY VEHICLE	1
BLOCKED DRIVE/ROADWAY	1
WRECKER ORDINANCE VIOL	1
CUSTODY ARREST TRAFFIC WARR	15
DRIVING WHILE LICENSE INVALID	8
IMPOUNDED VEH	1
REQUEST TO APPREHEND	11
IDENTITY THEFT	1
MISSING ADULT	1
CRIMINAL MISCHIEF INFORMATION	1
NARCOTICS INFORMATION	1
BURGLARY INFORMATION	1
THEFT INFORMATION	1
BURGLARY OF VEH INFORMATION	3
ASSAULT INFORMATION	1
TOTAL	452

C3/20

April 4, 2011

City of Austin – Land Use Commission
505 Barton Springs Road
Austin, Texas 78704

RE: The Dram Shop Cocktail Lounge – 907 East 6th Street, 78702 – Conditional Use Permit and Off Site Parking

To Whom It May Concern:

My name is Willis McPhaul, **neighboring property and business owner**. I am writing this letter to express my strong support of the proposed cocktail lounge, The Dram Shop, to be located at 907 East 6th Street. I am exercising my full support of this project for the below listed property: (See Attached Map)

- 911 East 6th Street

It is my considered belief and opinion that the addition of The Dram Shop to the East 6th Street Commercial Corridor will prove to be a great benefit to the neighborhood and City of Austin. The Dram Shop will replace an unsightly parking lot, and as *ECCN Commercial Objective 3* clearly states, the goal of the neighborhood is to “**minimize the visual impact of parking lots and parking structures.**” Redevelopment of the parking lot will also benefit the neighborhood as the new design will not allow vehicular access from 6th Street, helping to achieve the goals set forth in the *ECCN Public Space Design Guidelines*.

Section 5 of the ECCN Plan states, “The neighborhood should be a thriving, self-sufficient community where services are available and **people can find work that supports them and makes the best use of their individual skills and talents.**” Replacing a parking lot with a locally owned business will not only create additional taxable revenue for the City of Austin, but it will allow the ECCN to achieve the community goals described as this project is being proposed by an East Cesar Chavez Neighborhood resident and long time Austin bartender.

After previewing the proposed improvements for 907 East 6th Street, I have concluded that the vision and goals of The Dram Shop are in line with the goals of the neighborhood and that this area owned business will contribute to the character of a blossoming neighborhood and commercial corridor.

Warmest Regards,



Willis McPhaul
Johnny's Antiques
911 East 6th Street
Austin, Texas 78701
(512) 480 - 0361

Will Steakley, Principal
will@denpg.com

C3
21

April 7, 2011
City of Austin – Land Use Commission
505 Barton Springs Road
Austin, Texas 78704

RE: The Dram Shop Cocktail Lounge – 907 East 6th Street, 78702 – Conditional Use Permit and Off Site Parking

To Whom It May Concern:

My name is Will Steakley, business owner and long time property owner in the East Cesar Chavez Neighborhood (ECCN). I am writing this letter to express my strong support of the proposed cocktail lounge, The Dram Shop, to be located at 907 East 6th Street. I am exercising my full support of this project for the below listed properties: (See Attached Map)

- 902 East 6th Street Unit 101
- 902 East 6th Street Unit 107

It is my considered belief and opinion that the addition of The Dram Shop to the East 6th Street Commercial Corridor will prove to be a great benefit to the neighborhood and City of Austin. The Dram Shop will replace an unsightly parking lot, and as *ECCN Commercial Objective 3* clearly states, the goal of the neighborhood is to **“minimize the visual impact of parking lots and parking structures.”** Redevelopment of the parking lot will also benefit the neighborhood as the new design will not allow vehicular access from 6th Street, helping to achieve the goals set forth in the *ECCN Public Space Design Guidelines*.

Section 5 of the ECCN Plan states, “The neighborhood should be a thriving, self-sufficient community where services are available and **people can find work that supports them and makes the best use of their individual skills and talents.**” Replacing a parking lot with a locally owned business will not only create additional taxable revenue for the City of Austin, but it will allow the ECCN to achieve the community goals described as this project is being proposed by an East Cesar Chavez Neighborhood resident and long time Austin bartender.

After previewing the proposed improvements for 907 East 6th Street, I have concluded that the vision and goals of The Dram Shop are in line with the goals of the neighborhood and that this area owned business will contribute to the character of a blossoming neighborhood and commercial corridor.

Warmest Regards,

DocuSigned by:
William M. Steakley
630634DA8F804AA...

William Steakley
DEN Property Group
902 East 6th Street Unit 101
Austin, Texas 78702
(512) 799 - 3777



Staff Leasing LLC

C3
22

April 15, 2011

City of Austin – Land Use Commission
505 Barton Springs Road
Austin, Texas 78704

**Re: The Dram Shop Cocktail Lounge – 907 East 6th Street, 78702 –
Conditional Use Permit and Off Site Parking**

To Whom It May Concern:

We are AXO Staff Leasing LLC, a business and property owner in the East Cesar Chavez Neighborhood (ECCN). I am writing this letter to express my strong support of the proposed cocktail lounge, The Dram Shop, to be located at 907 East 6th Street. I am exercising my full support of this project for the below listed properties: (See Attached Map)

- 901 East 7th Street

It is my considered belief and opinion that the addition of The Dram Shop to the East 6th Street Commercial Corridor will prove to be a great benefit to the neighborhood and City of Austin. The Dram Shop will replace an unsightly parking lot, and as *ECCN Commercial Objective 3* clearly states, the goal of the neighborhood is to “**minimize the visual impact of parking lots and parking structures.**” Redevelopment of the parking lot will also benefit the neighborhood as the new design will not allow vehicular access from 6th Street, helping to achieve the goals set forth in the *ECCN Public Space Design Guidelines*.



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23

Staff Leasing LLC

*Section 5 of the ECCN Plan states, "The neighborhood should be a thriving, self-sufficient community where services are available and **people can find work that supports them and makes the best use of their individual skills and talents.**"* Replacing a parking lot with a locally owned business will not only create additional taxable revenue for the City of Austin, but it will allow the ECCN to achieve the community goals described as this project is being proposed by an East Cesar Chavez Neighborhood resident and long time Austin bartender.

After previewing the proposed improvements for 907 East 6th Street, I have concluded that the vision and goals of The Dram Shop are in line with the goals of the neighborhood and that this area owned business will contribute to the character of a blossoming neighborhood and commercial corridor.

Most kind regards,

AXO STAFF LEASING LLC

A large, stylized handwritten signature in black ink, appearing to read "John C. Herzer".
John C. Herzer, CEO

512.843.0010 vox.
512.843.0011 fax
901 E 7th Street
Austin, TX 78702-3218
www.axogroup.com



6.23.2011

Re: The Dram Shop

Letter of Support

I would like to offer this letter in support of Brandon Testa and his proposed small business, The Dram Shop, to be located at 907 East Sixth Street.

The Central East Side of Austin is experiencing a dramatic arts and entertainment rebirth. As a major property owner, developer and business owner in the area for more than 35 years, we have seen this area recently begin to emerge from decline and neglect and experience an influx of entrepreneurial business owners who are fostering a vibrant nightlife and restaurant scene along with creating jobs, tax revenues and venues that employ and showcase Austin musicians and performers. Brandon's proposed business will be a part of this movement, and it is exactly the kind of positive economic activity that the City of Austin should be promoting and supporting.

Brandon first approached me about this project two years ago. Brandon has committed himself fully to the project's success, and is exactly the kind of involved Austin business owner/operator who is needed in Central East Austin. His business plan is an innovative approach to creating a cocktail lounge with a chef driven food service aspect. It will create jobs in the area, new opportunities for other businesses and another amenity for the permanent residents who are re-populating the area.

Brandon's proposed business has the advantage of being located in a largely commercial neighborhood (so that it will have no impact on single family homes because there are virtually none in the immediate area) while at the same time being within easy walking distance of the CBD and neighborhoods to the north and south.

I urge you to support Brandon's application. I believe his new enterprise will be beneficial to the area and to the City as a whole.

Thank you.



Richard Kooris

501 Studios/Urban Infill LP/Sixth and Brushy condo project developer/1021 East Sixth St. building owner and manager



501 N IH-35 AUSTIN TEXAS 78702 T 512.485.3000 F 512.485.3013 501STUDIOS.COM
PEGALO PROPERTIES

C3
25

April 11, 2011
City of Austin – Land Use Commission
505 Barton Springs Road
Austin, Texas 78704

RE: **"The Dram Shop" – 907 East 6th Street, Austin, Texas 78702**

To Whom It May Concern:

My name is Richard Kooris, General Partner of Pegalo Properties, Urban Infill Partnership and long time property owner in the East Cesar Chavez Neighborhood (ECCN). I am writing this letter to express my strong support of the proposed cocktail lounge, The Dram Shop, to be located at 907 East 6th Street. Our partnerships own the adjacent properties at:

- 902 East 5th Street
- 906 East 5th Street
- 1000 East 5th Street
- 1009 East 5th Street
- 500 San Marcos Street
- 1001 East 6th Street
- 1003 East 6th Street
- 1015 East 6th Street
- 1019 East 6th Street. (See Attached Map)

In addition to lending my full support to this project, I have already agreed to, and authorized, a long term off-site parking lease with The Dram Shop for 35 parking spaces. These spaces will be in a proposed "to-be-built" parking garage which will be part of a Vertical Mixed Use project called "Corazon" to be located at 1001 East 6th Street, 78702.

It is my considered belief and opinion that the addition of The Dram Shop to the East 6th Street Commercial Corridor will prove to be a great benefit to the neighborhood and City of Austin. The Dram Shop will replace an unsightly parking lot, and as *ECCN Commercial Objective 3* clearly states, the goal of the neighborhood is to "minimize the visual impact of parking lots and parking structures." Redevelopment of the parking lot will also benefit the neighborhood as the new design will not allow vehicular access from 6th Street, helping to achieve the goals set forth in the *ECCN Public Space Design Guidelines*. In addition, The Dram Shop is committed to the East 6th Street beautification efforts outlined in *Commercial Objective 2* of the ECCN Design Guidelines, and have proposed a "Tree Planting Fund" for East 6th Street, as well as an extensive "streetscape" improvement project for 907 East 6th Street to the ECCN Planning Team as well as to Pegalo Properties and Urban Infill Partnership. Replacing a parking lot with a locally owned business will not only create additional taxable revenue for the City of Austin, but it will allow the ECCN to achieve the community goals described on page 14 of the *ECC Neighborhood Plan*, as this project is being proposed by an East Cesar Chavez Neighborhood resident and long time Austin bartender.

After previewing the proposed improvements for 907 East 6th Street, we feel that the vision and goals of The Dram Shop are consistent with the goals of the neighborhood and that this locally owned business will contribute to the character of this blossoming neighborhood and commercial corridor.

Warmest Regards,

Richard Kooris - General Partner
Pegalo Properties/ Urban Infill Partnership

CORAZON

C3
26

Nov. 3, 2009

Five East Partners
500 San Marcos
Austin, Texas 78702
512.576.4545

Brandon-

The proposed parking garage is to be constructed at 1001 East 6th Street, Austin, Texas 78702, as part of the mixed use project called "Corazon."

We expect the parking garage to be completed and ready for use in mid to late 2011. This letter shall serve as our agreement with Five East Partners to guarantee the availability, in the proposed garage, of up to 35 parking places for the customers of Five East's business between the hours of 6:00 PM and 2:30 AM every evening. We reserve the right to collect parking fees from each user at current market rates at the time. The customers of Five East who park in the garage will be expected to conform to all rules and regulations currently in effect at the parking facility.

We reserve the right to rescind and cancel this letter of agreement at any time, provided we give you six months (180 days) written notice of our intent to do so.

Thanks,

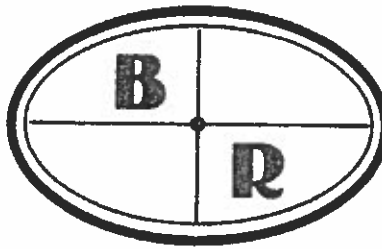


Richard Kooris
Managing Partner
Urban Infill LP

BECK-REIT & SONS, LTD.

03/27

Phone: 512-472-8833
Local Fax: 512-472-8844



P.O. Box 6369
Austin, Texas 78762
e-mail: russ@beckreit.com

City of Austin - Land Use Commission
505 Barton Springs Road
Austin, Texas 78704

April 12, 2011

**RE: The Dram Shop Cocktail Lounge - 907 East 6th Street, 78702 -
Conditional Use Permit and Off Site Parking**

To Whom It May Concern:

My name is Russell Becker, business owner and long time property owner in the East Cesar Chavez Neighborhood (ECCN). I am writing this letter to express my strong support of the proposed cocktail lounge, The Dram Shop, to be located at 907 East 6th Street. I am exercising my full support of this project for the below listed property: (See Attached Map)

- 1101 E 6th Street

It is my considered belief and opinion that the addition of The Dram Shop to the East 6th Street Commercial Corridor will prove to be a great benefit to the neighborhood and City of Austin. The Dram Shop will replace an unsightly parking lot, and as *ECCN Commercial Objective 3* clearly states, the goal of the neighborhood is to **"minimize the visual impact of parking lots and parking structures."** Redevelopment of the parking lot will also benefit the neighborhood as the new design will not allow vehicular access from 6th Street, helping to achieve the goals set forth in the *ECCN Public Space Design Guidelines*.

Section 5 of the ECCN Plan states, "The neighborhood should be a thriving, self-sufficient community where services are available and **people can find work that supports them and makes the best use of their individual skills and talents.**" Replacing a parking lot with a locally owned business will not only create additional taxable revenue for the City of Austin, but it will allow the ECCN

to achieve the community goals described as this project is being proposed by an East Cesar Chavez Neighborhood resident and long time Austin bartender.

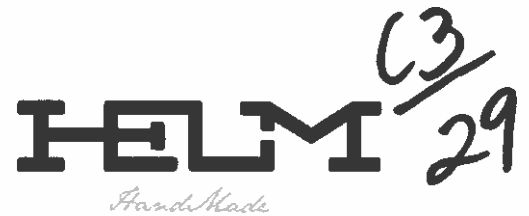
C3/28

After previewing the proposed improvements for 907 East 6th Street, I have concluded that the vision and goals of The Dram Shop are in line with the goals of the neighborhood and that this area owned business will contribute to the character of a blossoming neighborhood and commercial corridor.

Best regards,



Russell M. Becker
Beck-Reit and Son's, LTD
1101 East 6th Street
Austin, Texas 78702
(512) 844 - 7692



To Whom It May Concern:

I support Brandon Testa's bar project located on the back side of the alley from my business, Progress Coffee.

Having been in this location for over 7 years I have not only seen the area drastically "develop" more but am very happy to see more and more affluent and professional businesses such as Mr. Testa's come into our neighborhood.

I would appreciate nothing more than to have the alley and lot behind my business where my staff takes trash and recyclables and often encounters homeless and drug dealers committing lewd and illegal acts developed into a classy, clean and profitable service business.

I believe this project will benefit the neighborhood, the community, surrounding business and the city as a whole.

Sincerely,

Joshua J Bingaman

Founder and Owner
Progress Coffee, Inc
500 San Marcos #105, Austin 78702

HELM Handmade Boots, Inc
www.progresscoffee.com
www.helmhandmade.com

Galati, Donna

From: Susan Benz [benz@benzresourcegroup.com]
Sent: Monday, March 21, 2011 1:55 PM
To: sully.jumpnet@sbcglobal.net; danette.chimenti@gmail.com; kbtovo@earthlink.net; Mandy Dealey; dave.anderson.07@gmail.com; mnrghatfield@yahoo.com; alfonsohernandez@gmail.com; vskirk@att.net; jay_reddy@dell.com
Cc: Galati, Donna; Jeff Thompson; Molly O'Halloran; Cristina Valdes
Subject: The Dram Shop, 907 East Sixth St
Attachments: ECCNPT cocktail lounge policy.pdf; ATT167192.htm

C3
30

Dear Planning Commission Members,

I am writing as the Sector 8 Resident Representative of the East Cesar Chavez Neighborhood Planning Team about a project that will be coming before you for a conditional use permit.

Brandon Testa, developer for The Dram Shop, (SPC-2011-0034AT) has come before our planning team several times to ask for support for his conditional use permit to build a cocktail lounge on an existing parking lot. Each time our planning team has voted unanimously against this proposal.

We feel that building a cocktail lounge and mini-kitchen on this existing parking lot is not the highest and best use of the property in that location. This property is mid-block near IH35 with greater FAR allowances than most in our neighborhood. This is a prime area for future development of a high-rise multi use, office or other commercial property.

In January of 2010, the Chair of our planning team sent the attached letter to the City Council outlining our team's position on the creation of new cocktail lounges in our neighborhood. This letter is attached for your reference.

We have explained to Mr. Testa our policy and each time he has returned with an altered plan asking our approval. We appreciate his entrepreneurial spirit, however, he continues to seek the cocktail lounge conditional use permit rather than developing a use that fits our Neighborhood Plan. The most recent iteration of his plan is to build a small kitchen so that a group of yet-to-be-identified chefs could rotate each three months of preparing portable food items. He confirmed that his project is a cocktail lounge and that he would not be operating or be responsible for the kitchen portion of the project.

While we support existing cocktail lounges and new businesses within the CS-1 zoning, we find no support for additional cocktail lounges in either the East Cesar Chavez Neighborhood Plan or the Saltillo Plaza TOD Station Area Regulating Plan.

If you would like to discuss this further, please do not hesitate to call or email me.

Thank you for your efforts,

Sincerely,

Susan Benz

3/22/2011

January 19, 2010

C3
31

Re: Cocktail Lounge Policy in the East Cesar Chavez Neighborhood

To Austin City Council, Planning and Zoning, and all concerned:

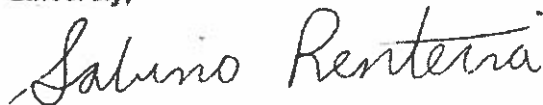
Numerous requests for new "cocktail lounge" conditional use permits within the East Cesar Chavez Neighborhood have given us, the East Cesar Chavez Neighborhood Planning Team, occasion to discuss this issue during the past several monthly Team meetings. We would like to take this opportunity to clarify our position regarding new cocktail lounges.

While we support existing CS-1 zoning and new businesses in existing CS-1 zoning, we are opposed to conditional use permits that create new cocktail lounges, for the following reasons:

- The ECC Neighborhood Plan envisions a mix of "businesses which serve neighborhood residents and residents that support local businesses". We do not want to become a drinking destination for the city.
- Many existing businesses in the ECC Neighborhood serve the neighborhood's and city's demand for cocktail lounges. We do not support making exceptions to existing zoning in order to create additional cocktail lounges.
- The ECC Neighborhood Plan and the Plaza Saltillo TOD Station Area Plan both envision, and the Team supports, dense mixed use including residential, commercial and civic elements. Cocktail lounges in addition to the existing CS-1 businesses are counter to this desired mix.
- We have found no support in "The East Cesar Chavez Neighborhood Plan" (1999) nor in the Regulating Plan for the Plaza Saltillo TOD for an increase in cocktail lounges. We work to maintain the vision that our neighborhood and the City created together and adopted as our Neighborhood Plan.

Thank you for the opportunity for us to clarify our opposition to conditional use permits for new cocktail lounges. We look forward to hearing from you with any questions or concerns.

Sincerely,



Sabino Renteria

Chair
East Cesar Chavez Neighborhood Planning Team

1511 Haskell St.