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

CASE NUMBER: PC-2011-0146A **PC DATE:** October 25, 2011
PROJECT NAME: Draft Pick
ADDRESS: 1618 E Riverside
NEIGHBORHOOD PLAN: Riverside
APPLICANT: AMLI Residential Properties (512) 745-8400
AGENT: Weiss Architecture (Richard Weiss) (512) 447-6806
CASE MANAGER: Donna Galati Telephone: 974-2733
Donna.Galati@austintexas.gov

PROPOSED DEVELOPMENT:

The applicant is requesting a late hours permit for a 6,211 square foot restaurant. No construction is requested with this application.

STAFF RECOMMENDATION:

Staff recommends approval of the conditional use permit. The site plan complies with all requirements of the Land Development Code.

WATERFRONT OVERLAY: This site is located within the East Riverside Subdistrict of the Waterfront Overlay. Land Development Code section 25-2-721 requires that approval of a site plan by Land Use Commission triggers a recommendation by both the Waterfront Overlay Advisory Board and the Environmental Board.

WATERFRONT OVERLAY ADVISORY BOARD RECOMMENDATION:

On October 10, 2011, the Waterfront Overlay Advisory Board recommended approval of a late hours permit for the Draft Pick restaurant. The motion to recommend was made by Robert Pilgrim, and seconded by Roy Mann, passing 5 to 1 with Chairman Knight absent. A condition of approval was recommended to prohibit any outdoor speakers, televisions or music with amplification between 12:00 midnight and 2:00 a.m. closing.

ENVIRONMENTAL BOARD RECOMMENDATION:

On October 19, 2011, the Environmental Board recommended approval of a late hours permit for Draft Pick restaurant on consent approval vote.

PROJECT INFORMATION:

SITE AREA:	10.9 acres	
INTERIOR RESTAURANT AREA	5717 sq. ft.	
OUTDOOR RESTAURANT PATIO	494 sq. ft.	
SITE'S ZONING	GR-NP	
WATERSHED	Town Lake (Urban)	

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WATERSHED ORDINANCE	Comprehensive Watershed Ordinance	
TRAFFIC IMPACT ANALYSIS	Not required	
CAPITOL VIEW CORRIDOR	None	
PROPOSED ACCESS	E. Riverside Dr.	
	Allowed	Existing
FLOOR-AREA RATIO	1.61:1*	1.34:1
BUILDING COVERAGE	75%	43%
IMPERVIOUS COVERAGE	90%	69.6%5%)
PARKING	750 spaces <i>required</i>	875

*Land Development Code 25-2-714, site allowed a waterfront overlay 60% FAR bonus. (GR-NP allows 1:1)

SUMMARY COMMENTS ON SITE PLAN:

Land Use: The property is currently developed with a Vertical Mixed Use Building that has frontage on Riverside Drive.

The proposed restaurant is a permitted use in the GR-NP zoning district. However, Section 25-2-808(c) states:

A restaurant that requires a late-hours permit from the Texas Alcoholic Beverage Commission is a conditional use if: (1) Article 10 (Compatibility Standards) applies to the restaurant; and (2) Article 10 (Compatibility Standards) is not waived in accordance with Article 10, Division 3 (Waivers).

This site is located within 540 feet of property zoned SF-3-NP which triggers Compatibility Standards. This SF-3- NP properties are to the South, past Riverside Drive, and behind other commercial property. The parking is located more than 200 feet from the affected single-family zoned property. The site plan complies with Compatibility Standards. The proposed hours of operation are as follows: 11 a.m. –2 a.m. (current hours of operation are Sun—Thurs. 11 a.m. – Midnight, and Fri-Sat 11 a.m. – 1 a.m.)

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

Transportation: A parking area for a restaurant with late hours must be separated from a property used or zoned townhouse and condominium residence (SF-6) district or more restrictive by not less than 200 feet unless the Land Use Commission grants a variance from this requirement when the Land Use Commission approves the site plan. [25-5-146(B)(2)]. The parking area for this restaurant with late hours is more than 200 feet from the nearest single-family use.

Access to the proposed restaurant with late hours will be from Riverside Drive. All parking spaces are located on-site.

SURROUNDING CONDITIONS:

Zoning/ Land Use

- North:** Lady Bird Lake
- East:** Lakeshore Blvd, then GR-NP (gas station/convenience store)
- South:** E Riverside Dr., then GR-NP (Retail)
- West:** MF-3-NP (Apartments)

NEIGHBORHOOD ORGNIZATIONS:

- 74—South River City Citizens Assn.
- 299—Crossing Gardenhome Owners Assn (The)
- 498—South Central Coalition
- 511—Austin Neighborhoods Council
- 742—Austin Independent School District
- 781—Southeast Coalition
- 786—Home Builders Association of Greater Austin
- 794—Waterfront Condominium HOA
- 972—PODER
- 1004—Save Town Lake.Org
- 1037—Homeless Neighborhood Assn.
- 1075—League of Bicycling Voters
- 1113—Austin Parks Foundation
- 1200—Super Duper Neighborhood Objectors and Appealers Organization
- 1224—Austin Monorail Project
- 1228—Sierra Club, Austin Regional Group
- 1236—The Real Estate Council of Austin, Inc.
- 1255—Pleasant Valley
- 1258—Del Valle Community Coalition

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:

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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.

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

Staff Response: The proposed restaurant with late hours use is a conditional use in GR-NP zoning district due to SF-3-NP zoning within 540 feet. However, the single family is buffered from the proposed use by Riverside Dr. and a commercial space.

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 complies with all requirements of the Land Development Code.

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 required parking spaces are located onsite.

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.

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

7. More adversely affect an adjoining site than would a permitted use;

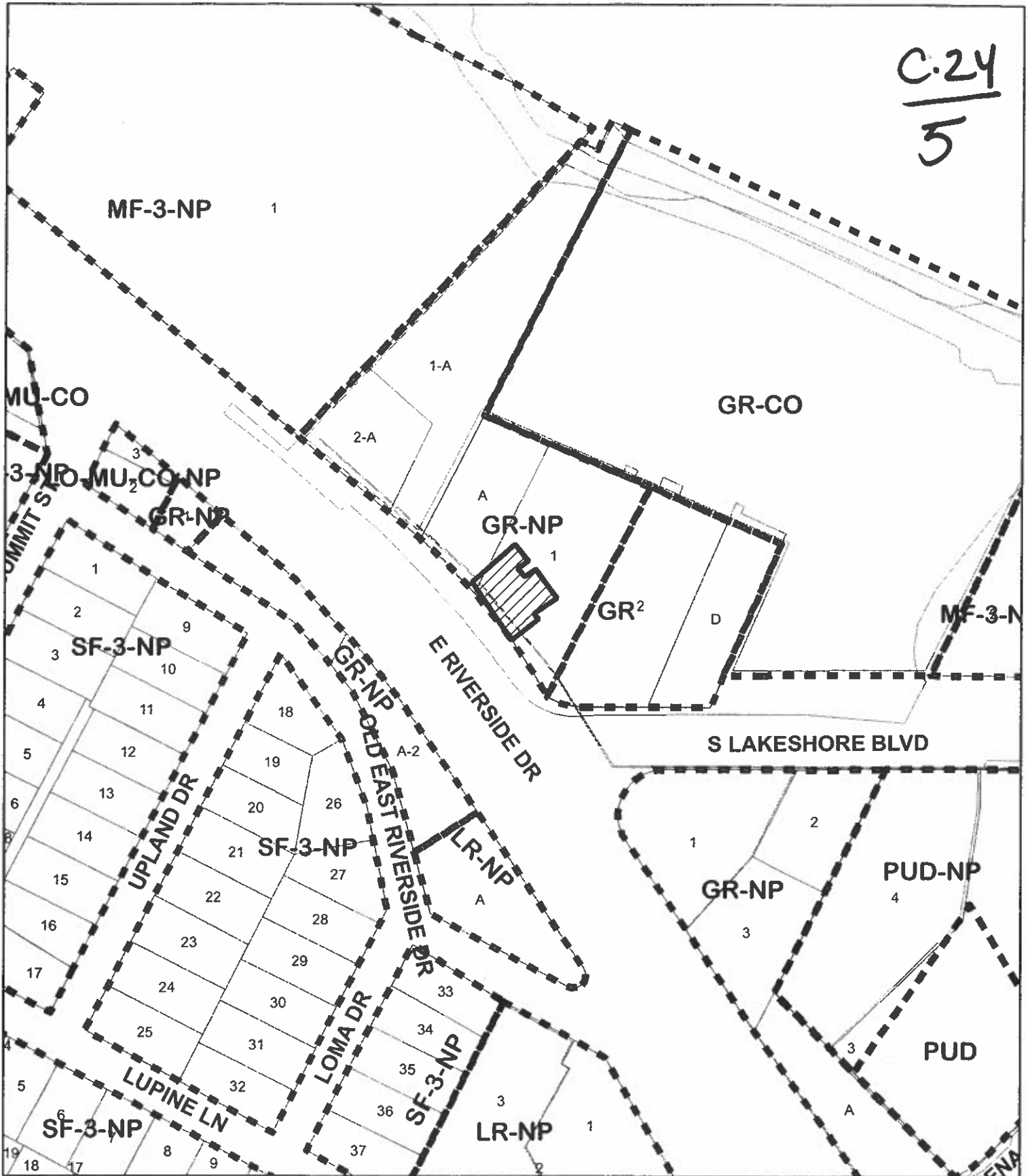
A restaurant with late hours will have no more impact on adjoining properties than other permitted uses in GR-NP zoning which could operate with similar or later hours than the proposed restaurant with late hours. A cocktail lounge in the Waterfront Overlay is a permitted use on the ground floor (LDC 25-2-691). A cocktail lounge could have the same hours as a restaurant with late hours, but serve less (or no) food menu items.

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.



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.

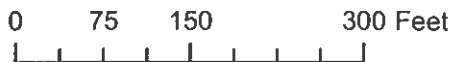
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SITE PLAN



 SUBJECT TRACT
 ZONING BOUNDARY



CASE#: SPC-2011-0146A
 ADDRESS: 1618 E Riverside
 CASE NAME: Draft Pick
 MANAGER: Donna Galati



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.

This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

OPERATOR: Donna Galati

DRAFT PICK-LATE HOURS CONDITIONAL USE PERMIT
 AMLI RIVERSIDE 1620 EAST RIVERSIDE DR AUSTIN TX 78741

LATE HOURS SUBMITTAL - 4-4-11

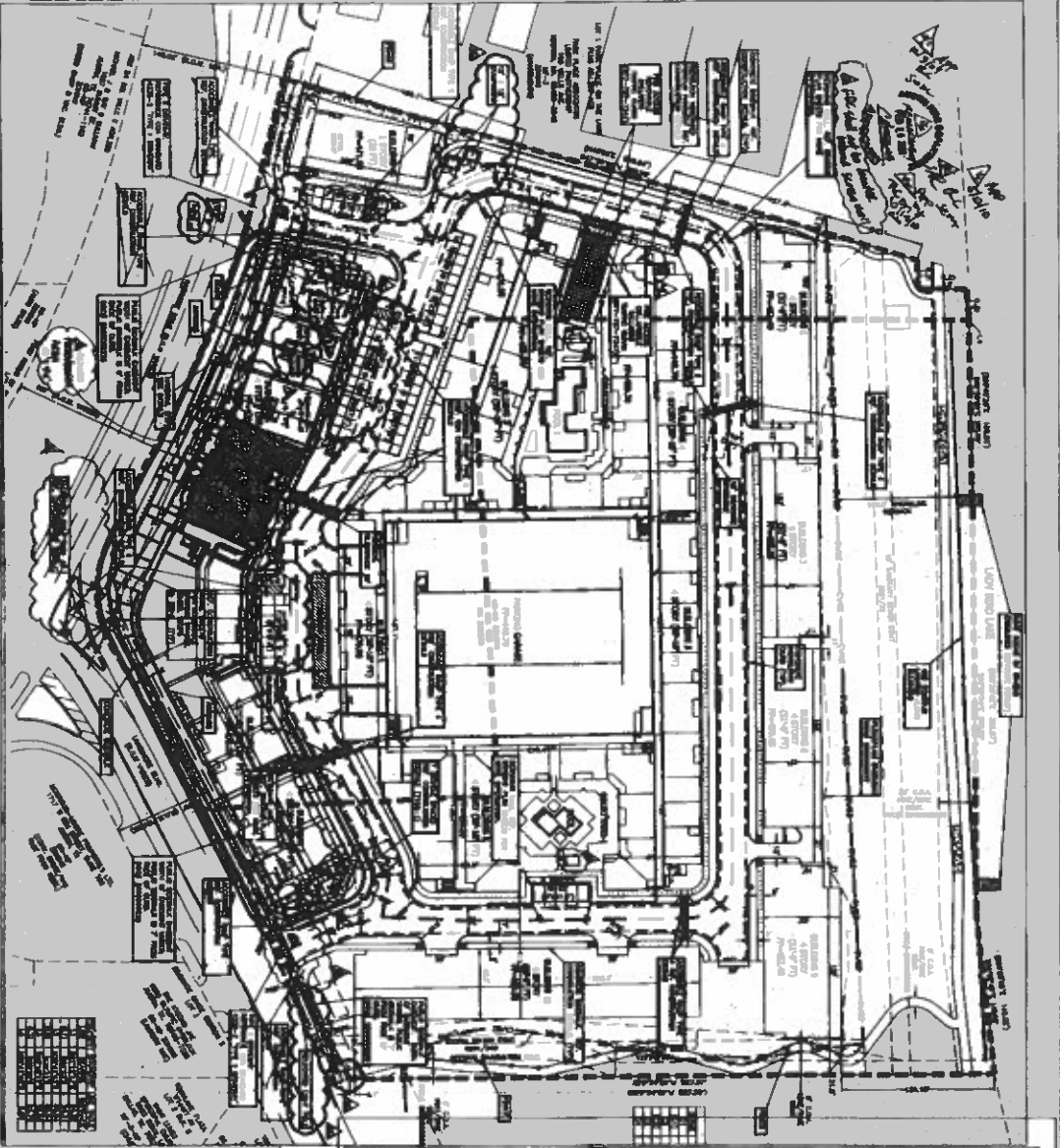
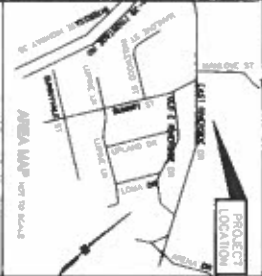
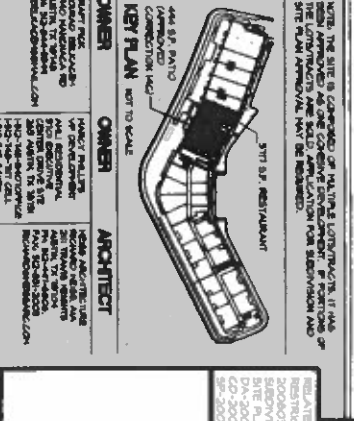
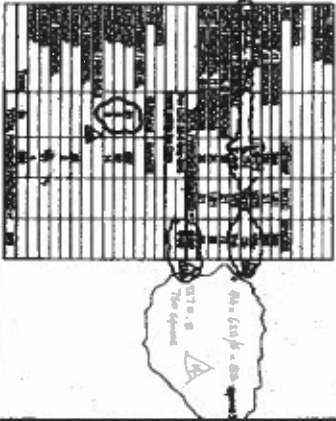


TABLE 1: PROPOSED USES AND PERMITS

USE	PERMIT TYPE	STATUS
RESTAURANT	AMLI	APPROVED
BAR	AMLI	APPROVED
LATE HOURS	AMLI	APPROVED



NOTE: THE SITE IS COMPOSED OF MULTIPLE PARCELS. IT HAS BEEN APPROVED AS ONE COGNITIVE DEVELOPMENT PROJECT AND THE LAYOUT PRESENTED IS THE RESULT OF DEVELOPMENT FOR THE ENTIRE SITE. THE SITE IS COMPOSED OF THE FOLLOWING PARCELS:

TRACT NO.	ACRES	STATUS
1	1.2	APPROVED
2	1.5	APPROVED
3	1.8	APPROVED

OWNER: AMLI RIVERSIDE
 ARCHITECT: RICK PICK ARCHITECTS
 ENGINEER: [Name]
 PLANNING: [Name]