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

CASE NUMBER: SPC-2011-0149A **PC DATE:** October 25, 2011

PROJECT NAME: Pour House Pub

ADDRESS: 6701 Burnet Road

NEIGHBORHOOD PLAN: Brentwood

APPLICANT: Marcos Canchola (512) 796-5561

AREA: 2,438 sq. ft. cocktail lounge
2,590 sq. ft. patio

WATERSHED: Shoal Creek (Urban)

WATERSHED ORDINANCE: Comprehensive Watershed Ordinance (Urban)

C.I.P. STATUS: N/A

T.I.A.: N/A

CAPITOL VIEW: N/A

PROPOSED DEVELOPMENT:

The applicant is requesting a conditional use permit for a 5,028 square foot cocktail lounge. No construction is requested with this application. However, a proposed sidewalk along Burnet Road will be constructed through a separate permit process.

EXISTING ZONING: Pour House Pub is an existing restaurant. The space was granted CS-1-MU-V-CO-NP, Liquor Sales – Mixed Use – Vertical Mixed Use – Conditional Overlay – Neighborhood Plan on August 4, 2011.

STAFF RECOMMENDATION:

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

CASE MANAGER: Donna Galati Telephone: 974-2733
Donna.Galati@austintexas.gov

PROJECT INFORMATION: 2.343 acre site area (5,028 sq. ft. cocktail lounge)

EXIST. ZONING: CS-1-MU-V-CO-NP

ALLOWED F.A.R.: 2:1

EXISTING F.A.R.: 0.135:1

MAX. BLDG. COVERAGE: 95%

EXISTING BLDG. CVRG: 14.2%

MAX. IMPERVIOUS CVRG.: 95%

EXISTING IMPERVIOUS CVRG: 79.3%

REQUIRED PARKING: 81

PROVIDED PARKING: 81

Proposed Access: Burnet Road

SUMMARY COMMENTS ON SITE PLAN:

Land Use: The proposed cocktail lounge is a Conditional Use in CS-1-MU-V-CO-NP zoning. The property is currently developed with a multi-building complex that has frontage on Burnet Road and is primarily used as a Farmers Market. The owner's tenant currently operates an establishment known as the Pour House Pub on the property which serves food and beverages. The establishment also has a large outdoor/patio area to the northwest of the establishment for patrons. The owner's intent is to continue

using the property as it is used today which is a tavern that serves food and drinks. However, the owner requested and received CS-1, Commercial Liquor Sales zoning so that the current tenant could continue to operate the tavern, but would allow them to have food receipts of less than fifty percent (50%). Keeping food sales of fifty percent (50%) is a challenge to consistently maintain. Planning Commission approved the CS-1-MU-V-CO-NP on the consent agenda July 12, 2011.

The conditional overlay prohibits Liquor Sales and Adult Oriented Businesses. The conditional overlay establishes the following uses as conditional: Agricultural sales & services, Equipment Sales, Campground, Kennels, Commercial blood plasma center, Vehicle storage, and Equipment repair services.

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

Transportation: A parking area for a cocktail lounge 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 proposed cocktail lounge is more than 200 feet from the nearest single-family use.

A sidewalk along Burnet Road is proposed to be constructed through a separate permit process.

Access to the proposed cocktail lounge will be from Burnet Road. All parking spaces are located on site.

SURROUNDING CONDITIONS:

Zoning/ Land Use

- North:** CS-MU-V-CO-NP (Retail Sales)
- East:** CS-MU-V-CO-NP (Farmers Market)
- South:** CS-MU-V-CO-NP (Farmers Market)
- West:** Burnet Road, then CS-V (Automotive Sales)

NEIGHBORHOOD ORGNIZATIONS:

- 120—Brentwood Neighborhood Association
- 283—North Austin Neighborhood Alliance
- 511—Austin Neighborhoods Council
- 742—Austin Independent School District
- 769—5702 Wynona Neighbors
- 786—Home Builders Association of Greater Austin
- 787—Brentwood Neighborhood Plan. Contact Team
- 793—Greater Northcross Area
- 1037—Homeless Neighborhood Assn.
- 1057—Highland/Skyview Neigh. Plan Contact Team
- 1075—League of Bicycling Voters
- 1113—Austin Parks Foundation
- 1172—Responsible Growth For Northcross (RG4N)
- 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.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Daily Traffic
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Burnet Road	120'	60'	Arterial	Not Available
Burnet Lane	Varies	Varies	Collector	Not Available

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.

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

Staff Response: The proposed cocktail lounge use is a conditional use in CS-I zoning district.

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. 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 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:

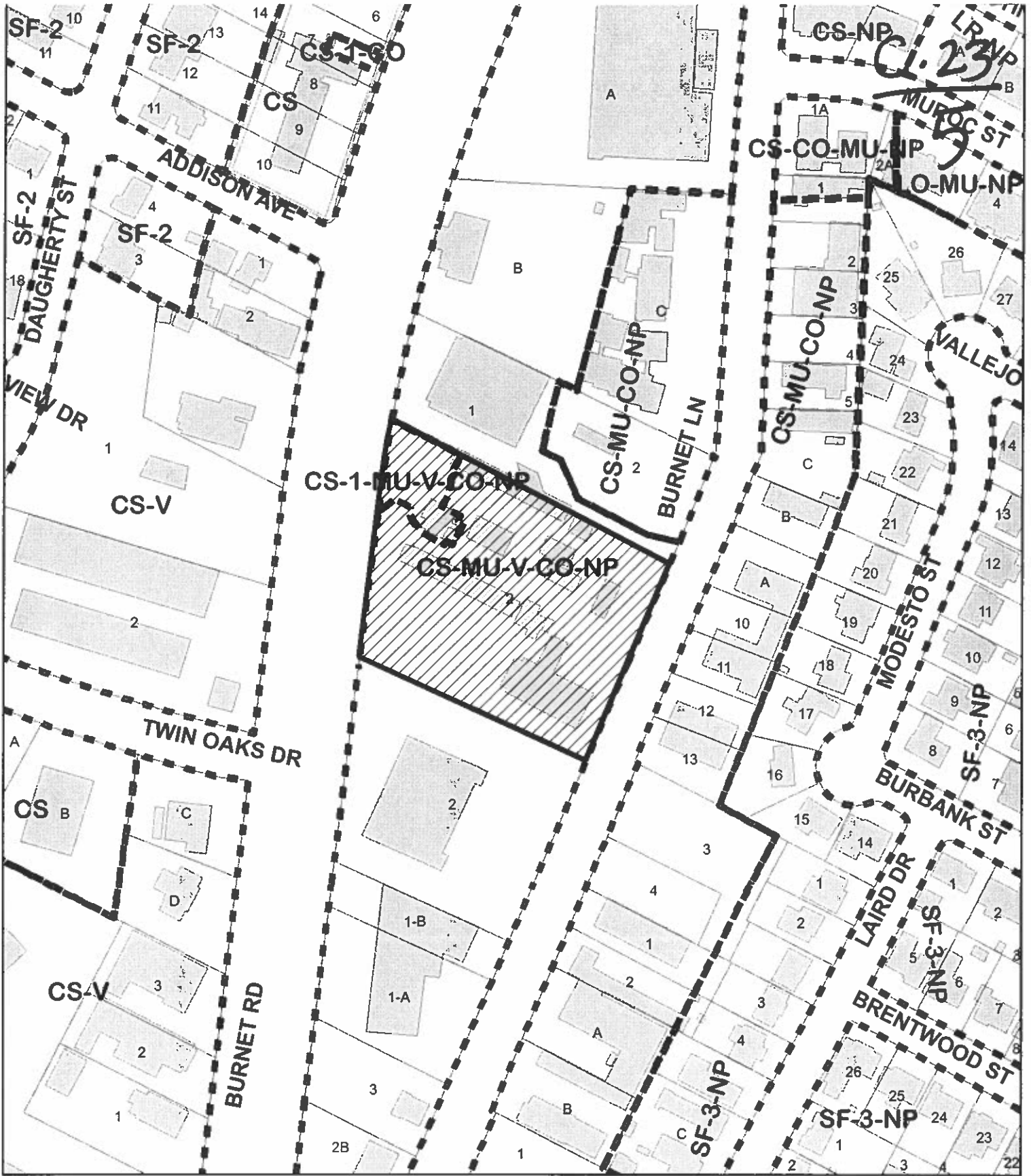
7. More adversely affect an adjoining site than would a permitted use;

A cocktail lounge will have no more impact on adjoining properties than other permitted uses in CS-1 zoning which could operate with similar or later hours than the proposed cocktail lounge.

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.

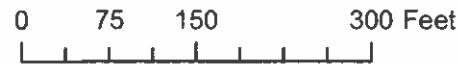
9. Adversely affect an adjacent property or traffic control through the location, lighting, or type of a sign. Staff Response: All signs and lighting will comply with the Land Development Code.



SITE PLAN



- SUBJECT TRACT**
- ZONING BOUNDARY**



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CASE NAME: Pour House Pub
MANAGER: Donna Galati

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OPERATOR: Donna Galati

