

**STAFF REPORT
OUTDOOR MUSIC VENUE PERMIT**

CASE NUMBER: SO-2012-0023

NAME AND LOCATION OF BUSINESS: Lucy's Fried Chicken, 2218 College Ave.

ZONING: GR-MU-CO-NP

APPLICANT/AGENT: James Holmes

APPELLENT: Elliott Mitchell

ADDITIONAL APPELLENTS:

Claire Atna
Patrick Torosian
Darrell Lanford
Daniel Salinas
Holly Bell
Kimberly Stewart
Sheri Mitchell
Kate Lowery

REQUEST: Outdoor Music Venue Permit

TIMELINE/SUMMARY OF ACTIONS:

2/15/12 - Application received
2/28/12 - Noticed mailed
3/13/12 - Date to register as interested party
3/14/12 - Application approve
3/19/12 - Appeal received
3/28/12 - Deadline to appeal decision

STAFF RECOMMENDATION: Approval for following reasons:

- Main speakers must be angled downward and are not to exceed 12" woofers
- Monitor speakers should be limited to mic stand mounted personal monitors
- No subwoofers larger then 15" shall be used at this location for any event
- Appropriate musical styles and instrumentation for this location-no hard rock or heavy bass
- Availability of responsible pary to attend and monitor outdoor music events
- 70 decibel sound limit
- Limited to one larger event in parking lot per year

- No larger parking lot even sound amplification shall go beyond 7:00 p.m. on any night of the week
- Subject to 60 day review

HOURS OF OPERATION:

10:00 a.m. to 8:00 p.m. Sunday
 10:00 a.m. to 8:00 p.m. Monday
 10:00 a.m. to 8:00 p.m. Tuesday
 10:00 a.m. to 8:00 p.m. Wednesday
 10:00 a.m. to 8:00 p.m. Thursday
 10:00 a.m. to 10:00 p.m. Friday
 10:00 a.m. to 10:00 p.m. Saturday

LEGAL INTERESTED PARTIES:

Alex Gomez
 Kim Stewart
 Cathy Culhane
 George & Toney Morgan
 Kate Lowery
 Darrell Lanford
 Gail Allen
 Kimberly Stewart
 Kristina Burns
 Sandra J. Krempasky
 Daniel Salinas
 Elliott & Sheri Mitchell
 Claire Atha
 Patrick Torosian

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
SITE	GR-MU-CO-NP	Restaurant
NORTH	GR-MU-CO-NP	Bank
SOUTH	GR-MU-CO-NO	Hat Shop
EAST	CS-MU-V-CO-NP	Service Station
WEST	SF-3-NP	Single Family Residence

COMPLAINTS SINCE PERMIT ISSUED: (Provided by Leander Davila, APD)

Attached

**AUSTIN POLICE DEPARTMENT STAFF REPORT
OUTDOOR MUSIC VENUE PERMIT**

LOCATION OF BUSINESS: 2218 College Avenue

AREA COMMAND AND DISTRICT: David (South West) 2

REQUEST: Number of noise-related calls for service at 2218 College Avenue (Lucy's Fried Chicken) for the last year.

COMPILED BY: Provided by Leander Davila, APD Constituent Liaison

REQUESTED BY: Clara Hilling, PDRD Planner II

Date 04/12/12 **Time** **Complaint Nature** D.O.C. Disorderly Conduct/City Ordinance Violation
Summary of Complaint There were no calls made to APD from April 12, 2011 through April 12, 2012 at the location of 2218 College Avenue.

Results: During the period of April 12, 2011 through April 12, 2012, there were no disorderly conducts calls for service at 2218 College Avenue.

Note: It is not possible to isolate "noise" calls, so "disorderly conduct" (which includes noise-related calls) is provided instead.

AUSTIN POLICE DEPARTMENT DATA DISCLAIMER

1. 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.
2. 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.
3. 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.