

9/1/13

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

CASE NUMBER: SPC-2013-0028A **PC DATE:** May 28, 2013

PROJECT NAME: North Loop Pub

ADDRESS: 100 W North Loop Blvd. Bldg. H

NEIGHBORHOOD PLAN: North Loop

APPLICANT: Terrell Timmermann 512-453-1327
P.O. Box 4784
Austin, TX 78765

AGENT: Bleyl Interests, Inc (Vincent Huebinger) – 512-328-7878
1715 Capital of Texas Hwy, Suite 109
Austin, TX 78746

AREA: 365 sq. ft. cocktail lounge (added to 770 sq. ft. existing cocktail lounge)
239 sq. ft. patio

WATERSHED: Waller 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 an addition to a previously approved cocktail lounge. No construction is requested with this application. However, the proposed patio will be constructed through a separate permit process.

EXISTING ZONING: North Loop Pub is an existing cocktail lounge. The existing conditional use permit, case number SPC-2009-0078A was approved by Planning Commission June 9, 2009. Along with the conditional use permit, a variance for parking within 200 feet of single-family zoning was approved by Planning Commission [25-5-146(B)(2)]. The parking variance is still valid for parking spaces within 200 feet of the property to the north zoned SF-3-NP. The additional CS-1-CO-NP (commercial-liquor sales-conditional overlay-neighborhood plan) zoning for this cocktail lounge expansion was approved February 28, 2013.

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: 512-974-2733
Donna.Galati@austintexas.gov

PROJECT INFORMATION: .5477 acre site area (1,374 sq. ft. cocktail lounge)

EXIST. ZONING: CS-1-CO-NP (parent tract zoned GR-CO-NP)

ALLOWED F.A.R.: 1:1

EXISTING F.A.R.: 0.35:1

MAX. BLDG. COVERAGE: 75%

EXISTING BLDG. CVRG: 35%

MAX. IMPERVIOUS CVRG.: 90%

EXISTING IMPERVIOUS CVRG: 86.56%

REQUIRED PARKING: 34

PROVIDED PARKING: 34

Proposed Access: North Loop

SUMMARY COMMENTS ON SITE PLAN:

Land Use: The proposed cocktail lounge addition is a Conditional Use in CS-1-CO-NP zoning. The property is currently developed with a mix of uses, including the previously approved cocktail lounge. The existing cocktail lounge was approved by Planning Commission June 9, 2009. The zoning ordinance to increase the CS-1 base zoning to accommodate the cocktail lounge expansion was approved on the Planning Commission consent agenda on January 22, 2013 and approved on City Council consent agenda February 28, 2013.

The conditional overlay prohibits several uses, including liquor sales and adult oriented businesses; auto sales, repair, and rental; funeral, exterminating, and pawn shop services; medical offices; residential treatment; and service stations. The conditional overlay prohibits uses generating traffic that exceeds 2,000 trips per day.

Environmental: This site is located in the Waller 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 already received a variance from this requirement with the Conditional Use Permit approved in 2009; that parking is still approved.

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

SURROUNDING CONDITIONS:

Zoning/ Land Use

North: SF-3-NP (Single Family)

East: CS- CO-NP (Retail)

South: North loop, then SF-3-NP (Austin State Hospital Cemetery)

West: GR-CO-NP (Single and Multi - Family)

NEIGHBORHOOD ORGNIZATIONS:

Austin Heritage Tree Foundation

Austin Independent School District

Austin Neighborhoods Council

Austin Monorail Project

Beyond2ndNature

BikeAustin

Central Austin Community Development

Homeless Neighborhood Assn.

North Austin Neighborhood Alliance

Northfield Neighborhood Assn.

North Loop IBIZ District



SelfTexas

Sierra Club, Austin Regional Group

Super Duper Neighborhood Objectors and Appealers Organization

Sustainable Neighborhoods

The Real Estate Council of Austin, Inc.

Existing Street Characteristics:

Name	ROW	Pavement	Classification
North Loop	73'	37'	Arterial

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-1 zoning district. The CS-1 base zoning district was expanded to accommodate the cocktail lounge expansion.

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.

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

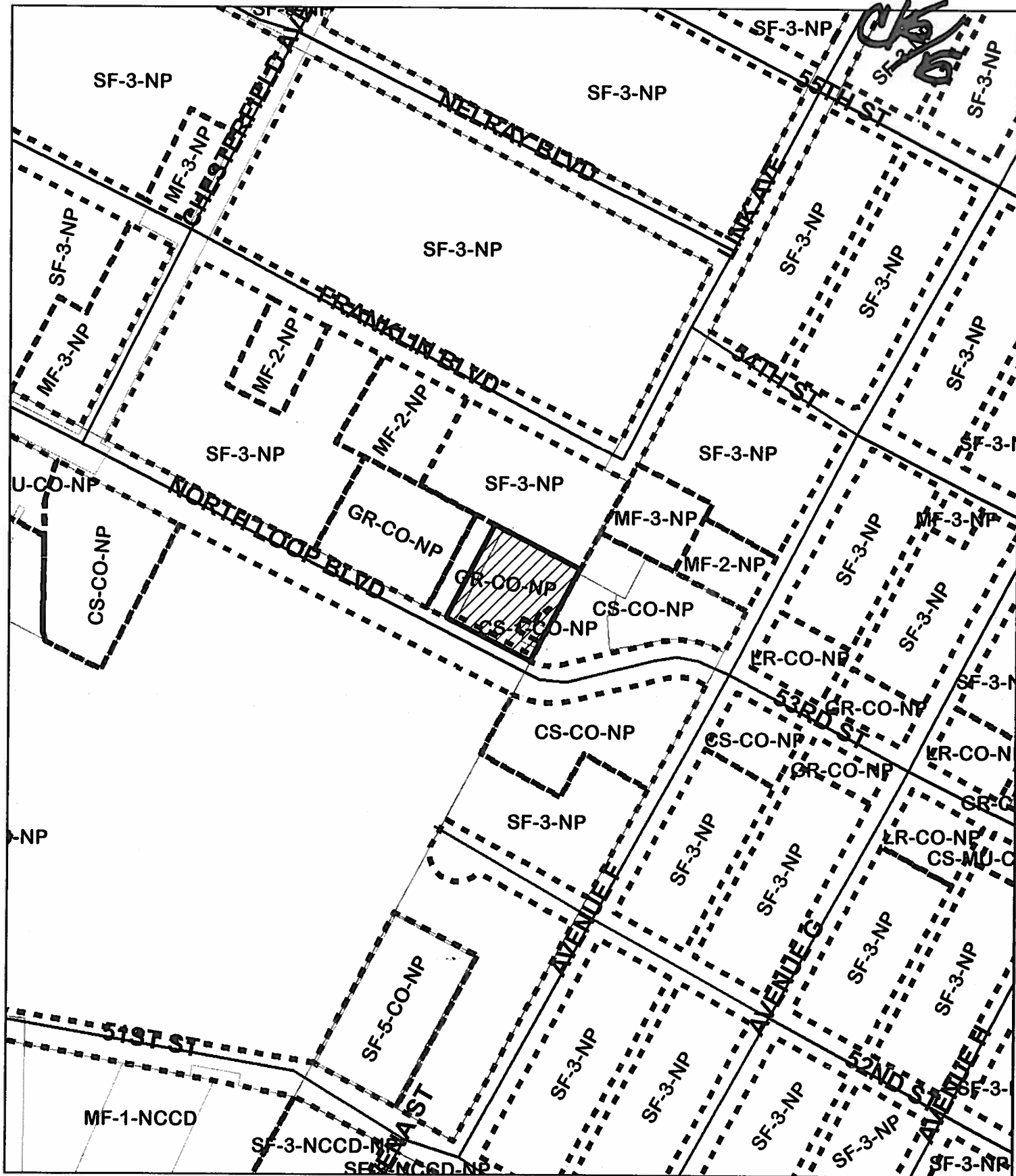
6. More adversely affect an adjoining site than would a permitted use;

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.

7. 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.

8. 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

CASE#: SPC-2013-0028A

ADDRESS: 100 W North Loop Blvd. Bldg H

CASE NAME: North Loop Blvd

MANAGER: Donna Galati



SUBJECT TRACT



ZONING BOUNDARY

0 100 200 400 Feet

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

