

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

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CASE NUMBER: SPC-2013-0181A **PC DATE:** August 27th, 2013

PROJECT NAME: Taco Cabana

ADDRESS OF APPLICATION: 5240 N. Lamar Blvd.

APPLICANT: Bury & Partners (Joe Farias) (512) 328-0011

AGENT: Sprinkle & Co. Architects (Brett Davidson) (210) 227-7722

AREA: 43,996 SF (Total Site Area)

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 a Texas Alcoholic Beverage Commission (TABC) late hours permit for a 4,233 square foot restaurant.

EXISTING ZONING: The site is located on the NW corner of North Loop Blvd. and N. Lamar Blvd. and is zoned CS-MU-V-CO-NP.

NEIGHBORHOOD ORGNIZATIONS:

Brentwood Neighborhood Plan

The Real Estate Council of Austin, INC.

Austin Heritage Tree Foundation

Super Duper Neighborhood Objectors and Appealers Organization

North Austin neighborhood Alliance

Highland/ Skyview Neighborhood Plan Contact Team

Austin Neighborhood Council

Sierra Club

SUMMARY STAFF RECOMMENDATION:

Staff recommends approval of the Conditional Use Permit. This project is in compliance with all Land Development Code requirements.

DEPARTMENT COMMENTS:

A restaurant that requires a late-hours permit from the TABC is a conditional use if Compatability Standards apply. There is SF-5 or more restrictive within 540 ft to the NW and to the E of the site, therefore this is a conditional use.

CASE MANAGER: Amanda Couch Telephone: 974-2881
Amanda.couch@austintexas.gov

PROJECT INFORMATION: 43,996 sq. ft. (4,233 sq. ft. restaurant)

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

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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 use is allowed under zoning district and is required to get a conditional use due to the fact that it is within 540 ft. of SF-5 or more restrictive.

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: Yes.

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.

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.

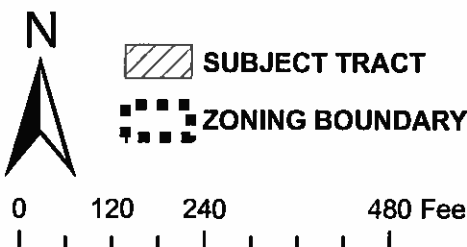
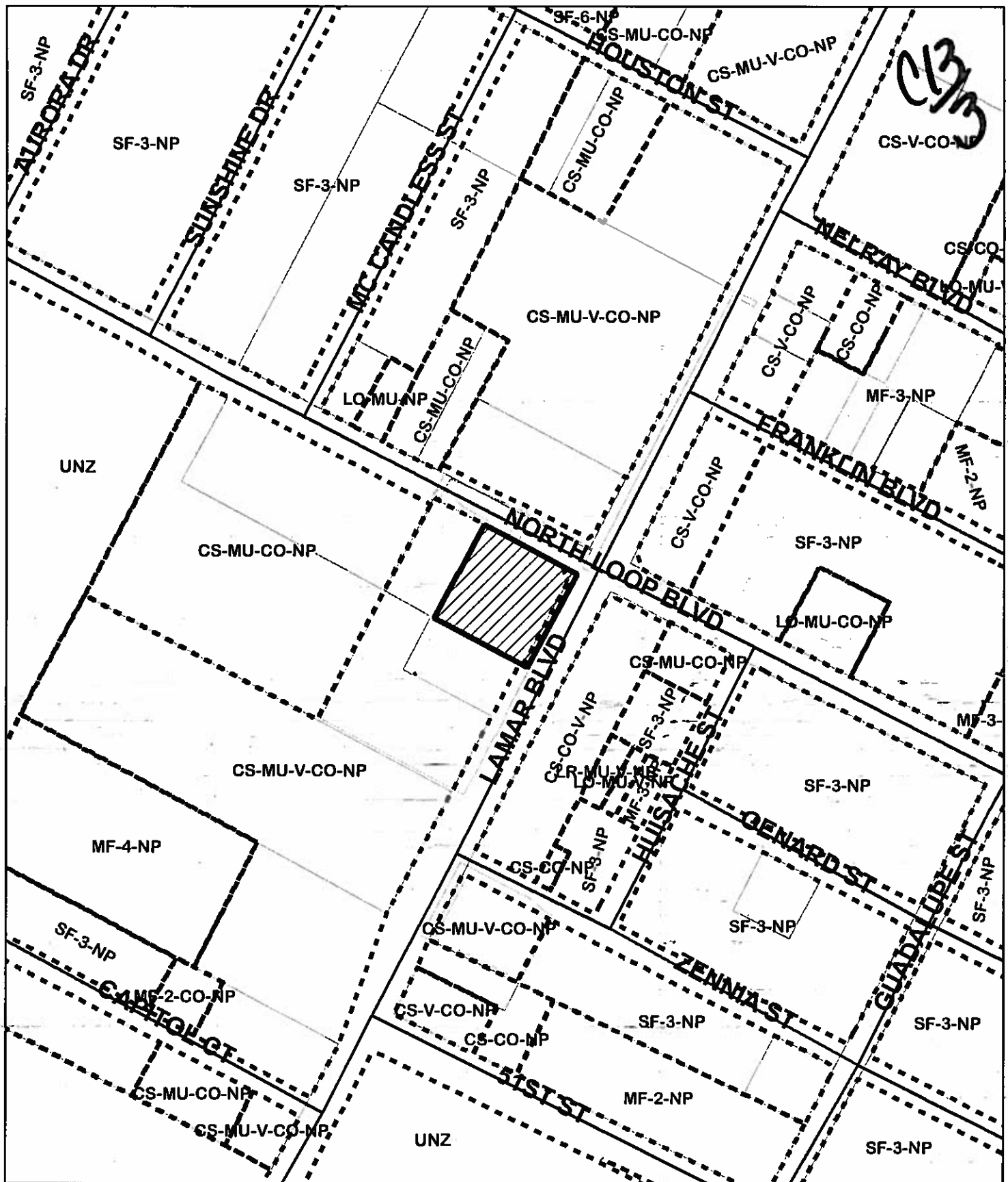
6. For conditional use located within the East Austin Overlay district, comply with the goals and objectives of a neighborhood plan adopted by the City Council for the area in which the use is proposed. Staff response: The proposed project is not in the East Austin Overlay.**C. In addition, a conditional use site plan may not:****7. More adversely affect an adjoining site than would a permitted use;**

Staff Response: No

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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OPERATOR: Amanda Couch

