

## A G E N D A



## Recommendation for Council Action

|                     |         |       |               |      |
|---------------------|---------|-------|---------------|------|
| Austin City Council | Item ID | 29703 | Agenda Number | 100. |
|---------------------|---------|-------|---------------|------|

|               |           |             |                                 |
|---------------|-----------|-------------|---------------------------------|
| Meeting Date: | 1/23/2014 | Department: | Planning and Development Review |
|---------------|-----------|-------------|---------------------------------|

## Subject

Conduct a public hearing and consider an appeal by co-applicants Rick Engel, Joseph Longaro, and Jimmy Nassour regarding the Planning Commission's denial of a conditional use permit and waiver for Little Woodrow's, located at 5425 Burnet Road.

## Amount and Source of Funding

## Fiscal Note

|                               |                                                                                                                                                                                                                                                                                                                                                                   |
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| Purchasing Language:          |                                                                                                                                                                                                                                                                                                                                                                   |
| Prior Council Action:         |                                                                                                                                                                                                                                                                                                                                                                   |
| For More Information:         | Andrew Linseisen, Planning and Development Review, 512-974-2239; Christine Barton-Holmes, Planning and Development Review, 512-974-2788.                                                                                                                                                                                                                          |
| Boards and Commission Action: | December 10, 2013 - Not approved by the Planning Commission. Failed to obtain a quorum vote on a motion to deny the Conditional Use site plan and parking waiver on a 2-4 vote and a motion to approve the item on a 3-4 vote. Conditional use permit denied due to lack of an affirmative vote with Commissioners Hatfield, Hernandez, Roark and Stevens absent. |
| MBE / WBE:                    |                                                                                                                                                                                                                                                                                                                                                                   |
| Related Items:                |                                                                                                                                                                                                                                                                                                                                                                   |

## Additional Backup Information

Co-applicants Rick Engel, Joseph Longaro, and Jimmy Nassour are appealing the Planning Commission's non-approval due to indecisiveness for the conditional use permit and waiver for Little Woodrow's, located at 5425 Burnet Road.

The applicant requested a conditional use permit to allow alcohol sales with a late hours permit at an existing building and two proposed deck/patios totaling 657 square feet, and parking within 200' of residential uses. The site is limited to a total area of 5,440 square feet of CS-1 uses per zoning, with additional limitations imposed by parking compliance. The agreement as read into the Commission minutes, included in the backup, also provided for screening and limited hours, to minimize the impact on adjacent single-family residential. Parking, which is existing, is located around the perimeter of the site. The parking adjacent to Clay Avenue will be signed "Employee Parking Only", to minimize the impact on that street. The rest of the parking is screened by buildings, or separated by

Houston Street and Burnet Road, and other commercial uses, from the residential uses.

Staff recommends approval of the appeal, and of the conditional use permit and variance request.