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

CASE NUMBER: SPC-2013-0209AT **PLANNING COMMISSION
HEARING DATE:** April 22, 2014

PROJECT NAME: 1300 Plaza II

ADDRESS: 1300 S. Lamar Blvd.

APPLICANT: Lantzch Family Trust (Thomas Lantzch)
2625 Middlefield Road
Palo Alto, CA 94306

DEVELOPER: 1300 Lamar Plaza LLC (Scott Trainer)
P.O. Box 160896
Austin, TX 78716

AGENT: UTE Consultants Inc. (Joan Ternus P.E.)
307 E. 2nd Street
Austin, TX 78701

CASE MANAGER: Nikki Hoelter Phone: 974-2863
Nikki.hoelter@austintexas.gov

NEIGHBORHOOD PLAN: Zilker

PROPOSED DEVELOPMENT:

The applicant is requesting a conditional use permit for a cocktail lounge. The cocktail lounge will have a 200 square foot roof top deck. The site plan under review includes a liquor store; however it's a permitted use within the CS-1 zoning district and does not require a conditional use permit.

The change of use will be within an existing, vacant building and only interior remodeling will be necessary. Parking will be provided on site with the exception of 5 spaces being provided as off-site accessory on the abutting property to the east. The off-site parking will also be reviewed and approved administratively. No construction will be permitted with this conditional use permit.

The cocktail lounge will operate Monday through Sunday, 3pm to 2am.

SUMMARY STAFF RECOMMENDATION:

Staff recommends approval of the conditional use permit for the cocktail lounge. Lamar Boulevard is a core transit corridor and major arterial with a number of commercial businesses across and next to the proposed use. The proposed uses of the cocktail lounge and liquor store will be occupying a vacant liquor store. Although 5 parking spaces will be provided off site, the spaces will be on the adjacent lot, and pedestrians will not be required to cross right of way to access the cocktail lounge.

Additional variances are not being requested and the site complies with compatibility standards. The site plan will comply with all requirements of the Land Development Code prior to release.

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PROJECT INFORMATION

SITE AREA	8820 SF.	.2025 acres	
EXISTING ZONING	CS-1-V and CS-V		
WATERSHED	West Bouldin Creek		
WATERSHED ORDINANCE	Comprehensive Watershed Ordinance (Suburban)		
TRAFFIC IMPACT ANALYSIS	Not required		
CAPITOL VIEW CORRIDOR	None		
PROPOSED ACCESS	South Lamar Blvd. and Lamar Square Drive		
	Allowed/Required	Existing	Proposed
FLOOR-AREA RATIO	2:1	.52:1	.48:1
BUILDING COVERAGE	95%	4601 SF	4194 SF
IMPERVIOUS COVERAGE	95%	100%	100%
PARKING	18	8	18**

**includes the 5 off-site parking spaces

*5 bicycle spaces will be provided

SUMMARY COMMENTS ON SITE PLAN:

The proposed cocktail lounge will not provide an additional permissive use as this building has been a liquor store for at least 30 years.

Parking will be accessed from South Lamar and Lamar Square Drive. The 5 off-site parking spaces will be available on the abutting property, which will be developed by the same owner. The abutting property will be redeveloped to a restaurant. A portion of the building will be demolished with the remaining portion of the property resurfaced for parking.

The parking agreement and restrictive covenant have been submitted to City of Austin legal for review. The RC will be recorded once it's been approved by City legal, and before the conditional use permit is released.

The site was recently rezoned to CS-1-V to permit the option of requesting a conditional use permit for a cocktail lounge. CS-1-V did not cover the entire building footprint, therefore additional CS-1 was requested. The remainder of the site which does not have building, is zoned CS-V.

There is multifamily land use to the west which is zoned CS, across Lamar Square, and about 75 feet from the subject tract.

Existing single family land use and zoning districts are not within 500 feet of the proposed cocktail lounge use.

The neighborhood, Mary Lee Foundation and the owner of the business have entered into a private restrictive covenant that specifies additional restrictions about amplified sound, outdoor live music, temporary permitting for outdoor events, and signage. Even though the City is not a party to the restrictive covenant, the owner and neighborhood appear to be in agreement with the restrictions, and understand the implications. The restrictive covenant was filed when the zoning change occurred.

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EXISTING ZONING AND LAND USES

	ZONING	LAND USES
<i>Site</i>	CS-1-V	Vacant (formerly liquor sales)
<i>North</i>	CS-V, CS	Restaurant, pizza take out, convenient store and gas station
<i>South</i>	CS-1-V, CS-V, CS-CO	Cocktail lounge
<i>East</i>	CS-MU-V-CO	Carwash, auto repair, Multi family
<i>West</i>	CS-MU-CO, CS-V, GR-MU-CO	General retail, office

ABUTTING STREETS

Street	Right-of-Way Width	Pavement Width	Classification
S. Lamar Blvd.	114 feet	60 feet	Arterial
Lamar Square Dr.	60 feet	37 feet	Local

NEIGHBORHOOD ORGNIZATIONS:

- 511—Austin Neighborhoods Council
- 107 – Zilker Neighborhood Association
- 498- South Central Coalition
- 742—Austin Independent School District
- 786—Home Builders Association of Greater Austin
- 1037—Homeless Neighborhood Assn.
- 1075— Bike Austin (fka) League of Bicycling Voters
- 1113—Austin Parks Foundation
- 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.
- 1340 – Austin Heritage Tree Foundation
- 1363 – SEL Texas
- 1409 – Beyond2ndNature
- 1423 – Wildflower Church
- 1424 – Preservation Austin

CONDITIONAL USE PERMIT REVIEW AND EVALUTATION CRITERA

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The following evaluation is included to provide staff's position on each point of the conditional use permit criteria. Section 25-5-145 of the Land Development Code (EVALUATION OF CONDITIONAL USE SITE PLAN) states:

A. The Land Use Commission shall determine whether the proposed development or use of a conditional use site plan complies with the requirements of this section.

B. A conditional use site plan must:

1. Comply with the requirements of this title;

Staff Response: This site plan complies with all regulations and requirements of the Land Development Code. Variances are not being requested in addition to the conditional use permit.

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

Staff Response: The proposed cocktail lounge within the CS-1 zoning district; a rezoning was recently approved by City Council for CS-1-V, to include the remaining portion of the building not zoned CS-1, and to address the potential request of a cocktail lounge.

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 will comply with all requirements of the Land Development Code. The site plan complies with setback, height, and compatibility requirements. The abutting sites are zoned similarly with CS and CS-1 zoning district. The existing one story building will be renovated; the height and square footage of the building will not increase.

4. Provide adequate and convenient off-street parking and loading facilities; and

Staff Response: The site plan will create adequate off-street parking and loading for all uses on the site. 5 off-site parking spaces will be provided on the adjacent site to comply with the code required parking standard.

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;

The existing use is vacant; however the previous use was a liquor store. The proposed use front and take access to a major arterial, Lamar Boulevard, and is classified as a core transit corridor; and would not more adversely affect an adjoining site more than a permitted use.

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.

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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.

D. 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.

In addition, Sec. 25-5-146 (CONDITIONS OF APPROVAL) states:

(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:

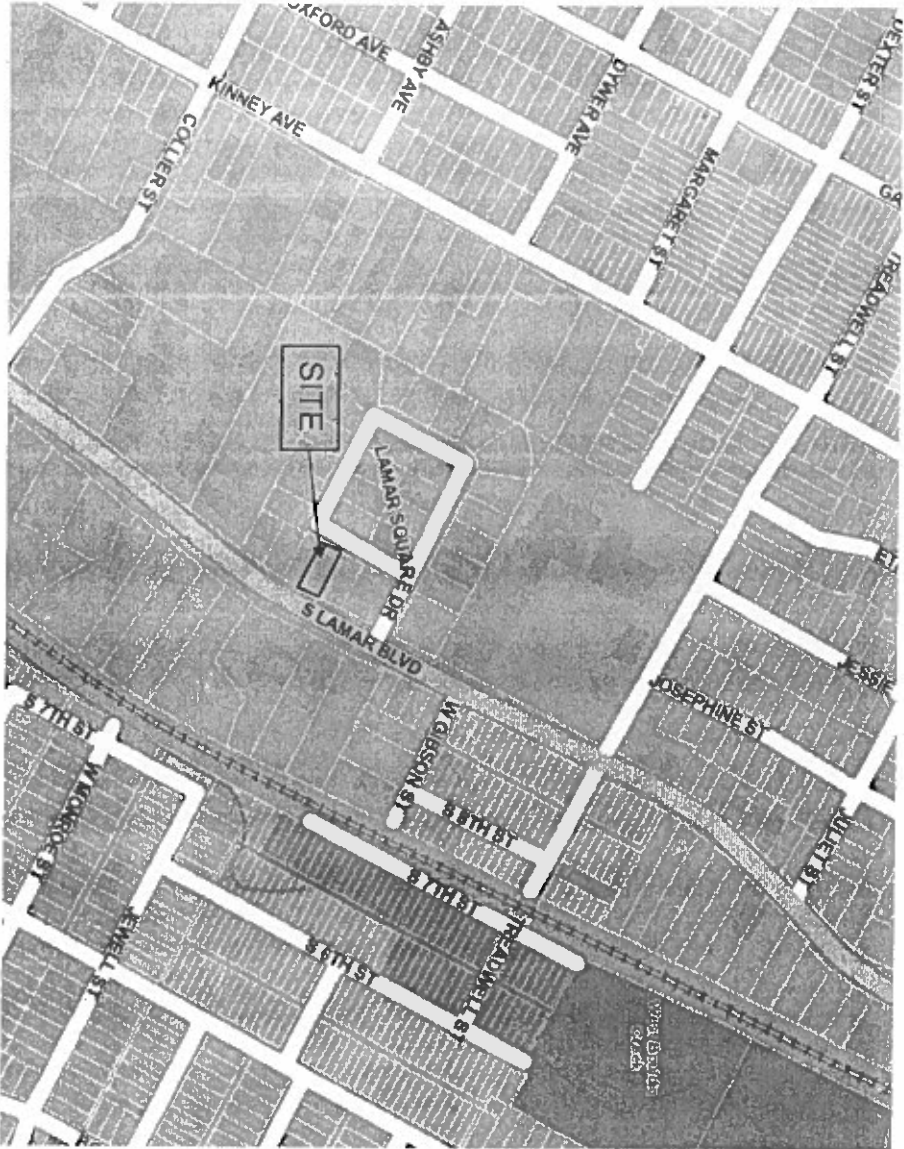
- (1) a special yard, open space, buffer, fence, wall, or screen;
- (2) landscaping or erosion;
- (3) a street improvement or dedication, vehicular ingress & egress, or traffic circulation;
- (4) signs;
- (5) characteristics of operation, including hours;
- (6) a development schedule; or
- (7) other measures that the Land Use Commission determines are required for compatibility with surrounding uses or the preservation of public health, safety, or welfare.

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LOCATION MAP

N.T.S.

1300 Lamar Plaza II





DATE	2013-03-21
CHANGED	1
BY	
FOR	
REVISION	
NO.	
DATE	
CHANGED	
BY	
FOR	
REVISION	
NO.	

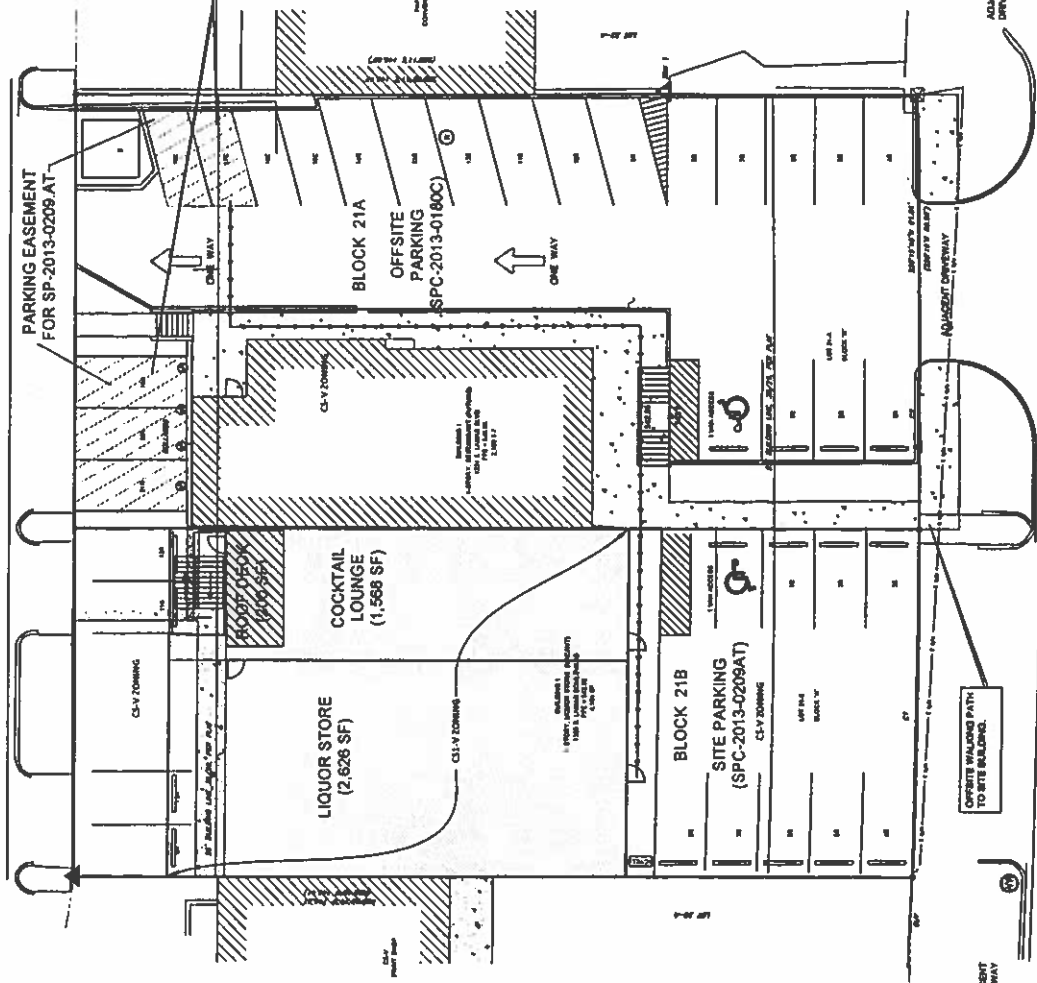
1300 LAMAR PLAZA II
1300 SOUTH LAMAR BOULEVARD
AUSTIN, TEXAS

SITE DEVELOPMENT

OFFSITE PARKING PLAN

SHEET 4 OF 4

MINOR SITE CONSTRUCTION SHOWN ON THIS SITE PLAN IS AUTHORIZED BY SITE PLAN EXEMPTION DA-2011-...



THESE FIVE (5) SPACES ARE LOCATED WITHIN PARKING EASEMENT DOC. USE BY 1300 S LAMAR PLAZA II UNTIL SUCH EASEMENT IS REMOVED. THE CITY OF AUSTIN MUST APPROVE THE RELEASE OF EASEMENT.

PROPOSED PARKING CALCULATIONS

USE	EX. (SQ. FT.)	RATIO	SPACES	SPACES	ADJACENT
OFFICE	12,500	1:75	167	167	0
RETAIL	2,000	1:100	20	20	0
TOTAL	14,500		187	187	0

OFFSITE @ BLOCK 21A PARKING REQUIREMENTS

USE	EX. (SQ. FT.)	RATIO	SPACES	ADJACENT
OFFICE	12,500	1:75	167	0
RETAIL	2,000	1:100	20	0
TOTAL	14,500		187	0

PROPOSED PARKING TABLE

LOCATION	SPACES	ADJACENT	TOTAL
AT 1300 S LAMAR BLVD	12	0	12
AT 1300 S LAMAR BLVD	3	0	3
TOTAL PROPOSED	15	0	15
ADJACENT	0	0	0
TOTAL	15	0	15

PARKING SUMMARY FOR THE

PROPOSED	ADJACENT	TOTAL
15	0	15
0	0	0
15	0	15

DATE: 2013-03-21
BY: [Signature]
FOR: [Signature]

Handwritten note: C12/a

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

A zoning ordinance amendment may include a conditional overlay which would include conditions approved by the Land Use Commission or the City Council. If final approval is by a City Council's action, there is no appeal of the Land Use Commission's action.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (it may be delivered to the contact listed on a notice); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/development.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: SPC-2013-0209AT
 Contact: Nikki Hoelter, 512-974-2863 or Cindy Castillas, 512-974-3437
 Public Hearing: Planning Commission, April 22, 2014

Your Name (please print) N. Geetha Geetha I am in favor I object

Your address(es) affected by this application 1318 Sanna Drive #1708 Date 4-12-2014

Daytime Telephone: 512-858-6999

Comments: WE ARE ENOUGH SOCCER CLUBS
WE ARE NOW GOING TO TAKE ALL THE
HOMELESS STREETS AND WE ARE GOING TO
GET A NEW MARKET BEHIND MARKET
STANDSTAY WITH US AND BEHIND
AT COMPLEX EARLY STRUCTURE
ON EVERYDAY EVERY STATE APPROVED
THEY WILL HAVE MANY PUBLIC ITARANCE
ALSO FINISHED THE DESTROY AT
BUS STOP ACTIVE EVERYDAY IT TAKES

If you use this form to comment, it may be returned to:
 City of Austin
 Planning and Development Review - 4th floor
 Nikki Hoelter
 P. O. Box 1088
 Austin, TX 78767-8810

As to the above home
will be better for security
for the area
we don't need
any more
of pink water
by 100%
our own
for the



NOTICE OF PUBLIC HEARING SITE PLAN CONDITIONAL USE PERMIT

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Este aviso le informa de una audiencia pública tratando de un propuesto desarrollo o cambio dentro de una distancia de 500 pies de su propiedad. Si usted desea recibir información en español, por favor llame al (512) 974-2193.

Mailing Date: 04/11/2014

Case Number: SPC-2013-0209AT

The City of Austin has sent this letter to inform you that we have received an application for a site plan that requires approval by a Land Use Commission (either the Planning Commission or the Zoning and Platting Commission). We are notifying you because City Ordinance requires that all property owners within 500 feet, residents who have a City utility account address within 500 feet, and registered environmental or neighborhood organizations whose declared boundaries are within 500 feet be notified when the City receives an application.

Applicant:	UTE Consultants, Inc., Joan Ternus, (512) 789-5018
Owner:	Lantzch Family Trust, (Thomas P. Lantzch)/1300 Lamar Plaza LLC (Scott Trainer)
Project Name:	1300 Plaza II
Project Address:	1300 S. Lamar Blvd.

Project Description: Request approval of a conditional use permit for a cocktail lounge.

This application is scheduled to be heard by the Planning Commission on April 22, 2014. The meeting will be held at City Hall Council Chambers, 301 West 2nd Street beginning at 6:00 p.m.

You can find more information on this site plan by inserting the case number at the following Web site: https://www.ci.austin.tx.us/devreview/a_queryfolder_permits.jsp. For additional information about the project please contact the applicant, Joan Ternus, (512) 789-5018. For information about the permitting process, please contact the case manager, Nikki Hoelter, at 512-974-2863 or via e-mail at nikki.hoelter@austintexas.gov or Cindy Casillas at 512-974-3437 or via email, cindy.casillas@austintexas.gov and refer to the case number located on this notice. The case manager's office is located at One Texas Center, 4th Floor, 505 Barton Springs Road, Austin, Texas. You may examine the site plan at One Texas Center between the hours of 7:45 a.m. and 4:45 p.m., Monday through Friday.

For additional information on the City of Austin's land development process, please visit our web site www.austintexas.gov/development.

*If they still build this lounge maybe
I'll go there once in a while for cocktails
maybe I'll see Tom Cruise there?
Anyway we have plenty of social
hopping spots nearby don't need to be
crowded in with more, I work by me*