PLANNING COMMISISON SITE PLAN CONDITIONAL USE PERMIT REVIEW SHEET

CASE NUMBER:

SPC-2014-0060A

PC DATE: May 27, 2014

PROJECT NAME:

94 Rainey Street (Cocktail Lounge)

ADDRESS OF APPLICATION: 94 Rainey Street

APPLICANT:

Figueroa Enterprises, Inc. (Armando Figueroa)

AGENT:

Bowman Consulting (Jim Herbert)

AREA:

0.184 acres

WATERSHED:

Waller Creek and Lady Bird Lake (Urban) Comprehensive Watershed Ordinance (Urban)

T.I.A.: N/A

CAPITOL VIEW: N/A

PROPOSED DEVELOPMENT:

WATERSHED ORDINANCE:

The applicant is requesting a conditional use permit for a one-story 1,825 square foot cocktail lounge. Remodeling and addition of the existing buildings is associated with this site plan. This site is located within the Rainey Street subdistrict of the Waterfront Overlay; therefore, a conditional use permit is required.

EXISTING ZONING: The property on which the proposed cocktail lounge will be located is zoned

NEIGHBORHOOD ORGNIZATIONS:

Downtown Austin Neighborhood Coalition

Austin Independent School District

Beyond2ndNature

Rainey District Property Owners

Greater East Austin Neighborhood Association

Austin Heritage Tree Foundation

Sierra Club, Austin Regional Group

SEL Texas

Friends of Emma Barrientos MACC

Bike Austin

City of Austin Downtown Commission

Save Town Lake.Org

Tejano Town

Rainey Neighbors Association

Downtown Austin Neighborhood Association (DANA)

Preservation Austin

Austin Parks Foundation

Austin Neighborhoods Council

Waller Creek Conservancy

El Concilio

Friends of Rainey Street Historic District

The Real Estate Council of Austin, Inc.

Super Duper Neighborhood Objectors and Appealers Organization

Homeless Neighborhood Association Austin Monorail Project Waterfront Planning Advisory Board



SUMMARY STAFF RECOMMENDATION:

Staff recommends approval of the conditional use permit. The site plan will comply with all requirements of the Land Development Code prior to its release.

DEPARTMENT COMMENTS:

The proposed cocktail lounge is a conditional use in the Rainey Street Waterfront Overlay subdistrict as per LDC Section 25-2-692(K).

CASE MANAGER: Michael Simmons-Smith Telephone: 974-1225

michael.simmons-smith@austintexas.gov2

PROJECT INFORMATION: 0.184 acres

EXIST. ZONING: CBD

MAX. BLDG. COVERAGE: 100% PROPOSED BLDG. CVRG: 22.8%

MAX. IMPERVIOUS CVRG.: 100% PROPOSED IMPERVIOUS CVRG: 49.9%

REQUIRED PARKING: none PROVIDED PARKING: none

SURROUNDING CONDITIONS:

Zoning/ Land Use

North: CBD (cocktail lounge)
East: CBD (mixed use)
South: CBD (cocktail lounge)
West: CBD (mixed use)

CONDITIONAL USE PERMIT REVIEW AND EVALUTATION CRITERA

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:

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 the Rainey Street subdistrict.

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 CBD zoning district.

4. Provide adequate and convenient off-street parking;

Staff Response: No off-street parking is required in the CBD zoning district.

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, 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.

In addition, a conditional use site plan may not:

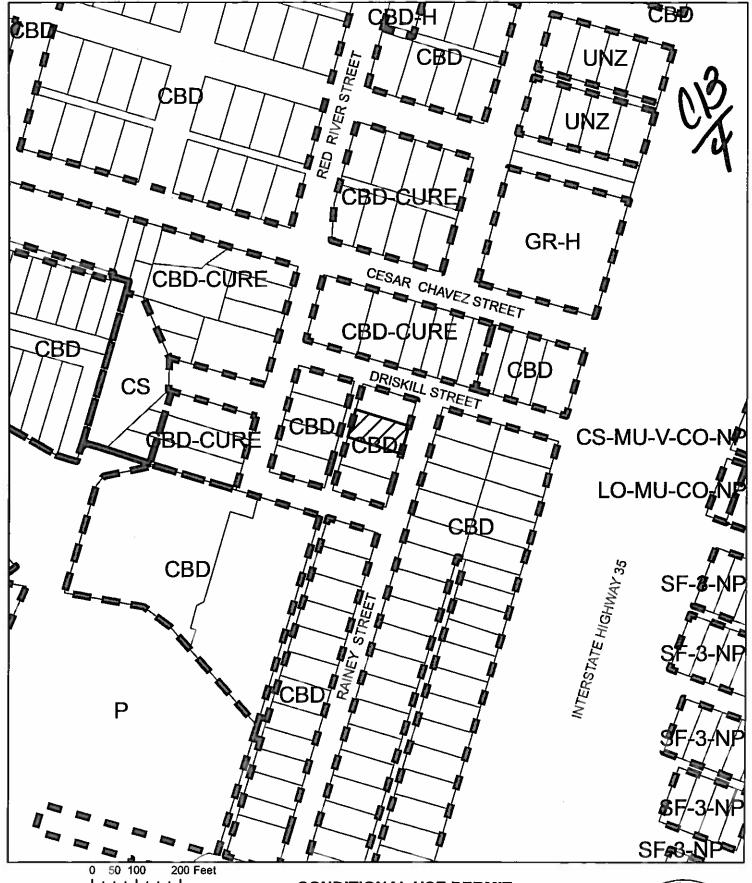
7. More adversely affect an adjoining site than would a permitted use;

A cocktail lounge will have no more impact on adjoining properties than other permitted uses in the CBD zoning district which could operate with similar or later hours than the proposed cocktail lounge.

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 will comply with the Land Development Code.



CONDITIONAL USE PERMIT

CASE NO.: SPC-2014-0060A ADDRESS: 94 RAINEY STREET CASE MANAGER: MICHAEL SIMMONS-SMITH





Bowmar 94 RAINEY ST., AUSTIN, TEXAS 78701 94 RAINEY STREET SITE PLAN SLPWY MAY DY 107 B. DOX 3. DRSALL'S RECORDES ON VOLLARS FOR STORY OF BAT RECORDES OF TRANSCOLLETY TEXAS BATHER WEST STORY OF BATHER STORY BATHER WEST STORY OF STORY #4-2012 per color per per 2202022 S PERPOPERTY AND THE PARTY - HO CONSTRUCTOR S PROPROSED WITH THE PLAN A Find would write a Costing - marge and managed and sectionally school of a section with relative feed and no proposal country feed and no proposal country feed and feed and proposal country feed and I ALS STATE WAS THE THE STATE OF THE THE STATE OF THE STA The Spreak Bet Lud. and That's Lud's Or dead. Strict. Abandon to the Monder of Employed A Richard Letter by the Author words insulational Richard Strict ways St. addictive a premain seminoristy (Product of #1333.007) 9 FULVE PARCHE MATERIAL TO SERVICESS OFF THE COMMON TO SERVICE SERVICESS OFF THE COMMON TO SERVICE SERVICESS OFF THE COMMON TO SERVICE SERVICESS. DETECTION OF SERVICE SERVICESS OFF THE SERVICE SERVICESS OFF THE SERVICE SER 1001121 5. The Exprises scormes will be used. There is no indicate of new Electricia, work interests. AND AND CONTRACT OF COLORS TO INCIDENCE OF UNITARITY OF UNITARITY OF UNITARITY CONTRACT. 6. TAXSH PICLUP PROVIDED BY A PRIVATE SERVICE QUAPSIDES ARE PROPESSED. (A) 57 to 10,000 Authority and ECOLOMOSE RIVERS and CONTRACT AND CONTR THE PROPOSED USE IS COCKTAL LOUNCE PLAN RELEASE SLAVEYED BY SLAWEY BAFO 731972 Tur 24087A 083 3ump5 5-0 45ms 180 | MVINEX SLIKEL (QO, E'O'R:) | (2 SO, M ← [-'. 2S'2.) | (COIL.] | (2 SO, M ← [-'. 2S'2.) | (COIL. MIN) | (COIL. May 24 persons 9 2007 1-STORY WOOD FRAME PIER & BEAM 127.95 BAING BARNS | Self-act 00 | Dept. | Act 00 | Self-act 00 707 Market Contract Contr CBD-CURE DRISKILLST 1-STORY WOOD FRAME PIER & BEAM 69°59'40" (H 70° W 8 S DAVISE S 70°01'32" 0.28 4.0 4.15 MP PHEST CONES WILLOW ST! 77.053 04-0078 DE-2794 N 20°01 14" E 62.50 RETTY 08 ALL MENDYPHERITS SHALL BE MACE NA ACCORDANCE ATTH THE RELEASES STE ALL MAN AND TOTAL THE MASS AND TELECOMEST AS IT THE MANAGED SHAP THE ARMAN AND TOTAL SHAPPING AND TELECOMEST REPORT AND TELECOMEST AS A THE ARMAN AND TELECOMEST AND THE HOSE LEVEL OF MEDIANICAL EQUIPMENT WILL NOT EXCEED TO DIA AT THE RECIPENTY UNE RELACENT TO RESIDENTIAL MEDIA. ALT POPACIAINS CONTINUE PAYAGE SHALL BE ENCHREDIED AND METALLED FOR RECORD TO FAVOR WITHOUT OF STREET, AND METALLED FOR S Authory of CF Their SITE REAM DOES NOT REQUISE BUILDING CODE AMENDYAL OF CODE AMENDYAL OF BUILDING CENTERFOR OF REQUISION REPORTS AMENDALL A CITY DEMOCRATION OF REQUISION PARKET CAN ONLY BE ISSUED. ONCE THE WISTORIC REVIEW PROCESS IS COMPAUTED. THE OWNER IS RESPONSIBLE FOR ML DOST'S OF RELOCATION OF DAMAGE. UTUINES EXTERIOR LIGHTED MEDIC THE SECOND PLOOR IS PROMETED WHEN ADJACED TO RESEDENTIAL PROPERTY. And Control of Security Control section (Security Control of Security Control of Secur AQUACIDM RESIDENTA, LIBS HOODED OR SHELDED PROKING VEW OF ALL DAMPTERS AND ANY BENAMABITY VIR. ALSO REPUBLING RECEPTACLES WAL COCATED AT A MARKAN OF THE PROPERTY PROPER INDICATED BY TOCATED AS IN A WARRING RESTRICTIVE. THE NUTTH HIRE DIPARTHENT RECURRES ASPINALT OR CONCRETE PAYENENT PROPERTY OF CONCRETE PAYENENT ANSTH WIS DESIGNATED ON STE PLAN SHALL BE RESISTENSED WITH DIT OF ALSTHY FINE WARRHALS OFFICE WID INSPIRAL SOURCE WID NATIONAL. ALL BONG MLGT COMPLY WITH THE RECLIRED/RBHTS OF THE BION AND LAND DEVELORMENT CODE. LLAT IN ADMINISTRATION OF REQUESTION OF REGUESTION OF REQUESTION OF REPORT OF REQUESTION OF REQUESTION OF REPORT OF RE ADDITIONAL BLECTRIC EASIDIDIFIES MAY SE REQUIRED AT A LATER DATE. MERICANS WITH DISABILITIES ACT TANDARD SITE PLANS HOTES CHOMMACE RECOMMENDENTS THE DEPARTMENT

COMPATIBILITY



March 23, 2014

To Whom It May Concern:

The Rainey Neighbors Association represents 856 condo/apartment residences on and around Rainey Street that include the Villas on Town Lake, the Towers on Town Lake, Milago, The Shore and Windsor on the Lake. The 320 unit SkyHouse Austin is in the process of joining the Rainey Neighbors Association and at that time we will represent 1,176 residences.

We support the move of Lustre Pearl from 97 Rainey to 94 Rainey. Although we strongly support the conditional use permit for cocktail lounges in our neighborhood in order to prevent it becoming a de facto "entertainment district." we view this particular permit in a different light. Lustre Pearl was the first bar on Rainey Street and has a history of being a good neighbor. Christian Hawkins who is the General Manager of Lustre Pearl, Clive Bar, Bar 96 and the new Container Bar, all of which are in our neighborhood, has made it a point of communicating with and responding to issues and concerns we have concerning these bars.

We look forward to the city's plan to improve the streets, sidewalks and lighting in our neighborhood this summer. This improvement in infrastructure is long overdue with the dozen or so bars, growing number of restaurants, new hotels and a neighborhood population that will soon approach 2,000 residents.

Please let us know if there is any additional information we need to provide to you.

Sincerely,

Bonita White, President

Bout White

Rainey Neighbors Association

Bonita White Villas On Town Lake

Kathryn McMahon Milago

Andre Suissa The Shore

Lindy Cobb Windsor on the Lake

Don Grillo Towers of Town Lake

Rusty Tally Milago

Clif Steed The Shore

Doug Kissner Towers of Town Lake

Phyllis Fletcher Villas On Town Lake

