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

**CASE NUMBER:** SPC-2013-0417A    **PLANNING COMMISSION DATE:** 08/12/2014

**PROJECT NAME:**    Riverside Liquor

**PROPOSED USE:**    Liquor Sales - Retail

**ADDRESS OF APPLICATION:**    6100 E Riverside

**AREA:**                    1,537 square feet, part of 0.71-acre tract

**APPLICANT:**            Sufian Emmar  
Riverside SBB, Inc  
2623 Jones Rd  
Austin, TX 78745

**AGENT:**                 Jim Bennett  
Jim Bennett Consulting  
11505 Ridge Drive  
Austin, TX 78748  
(512) 784-4961

**CASE MANAGER:** Christine Barton-Holmes, LEED AP    Telephone: 974-2788  
[christine.barton-holmes@austintexas.gov](mailto:christine.barton-holmes@austintexas.gov)

**EXISTING ZONING:** ERC-MU. The applicant is requesting a conditional use permit for a change of use to allow liquor sales in an existing commercial retail building.

**PROPOSED DEVELOPMENT:**

Utilization of 1,537 square foot tenant space for liquor sales within an existing 9,996 sq. ft. building.

**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.

**PREVIOUS PLANNING COMMISSION ACTION:**    NA. SP-2009-0228C for the retail center was administratively approved in 2010.

**AREA STUDY:** Montopolis NPA

**WATERSHED:** Country Club East

**APPLICABLE WATERSHED ORDINANCE:** Current/ Comprehensive watershed ordinance

**CAPITOL VIEW:** Not in View Corridor

**T.I.A.:** Not Required

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**PROJECT INFORMATION:**

**ZONING:** ERC-MU

**MAX. FLOOR TO AREA RATIO:** 2:1%

**MAX. IMPERV. CVRG.:** 95%

**MAX HEIGHT:** 60'

**REQUIRED PARKING:** 30

**EXIST. USE:** Retail/Restaurant

**LIMITS OF CONSTRUCTION:** NA

**PROPOSED FAR:** NA

**PROPOSED IMP. CVRG:** NA

**PROPOSED HEIGHT:** NA – existing single-story building

**PROVIDED PARKING:** 37

**PROPOSED USE:** Liquor Sales

**SUMMARY COMMENTS ON SITE PLAN:**

**Land Use:** The applicant is requesting a conditional use permit to allow alcohol sales in an existing retail center. No construction is proposed on site. Parking, which is existing, is located along the side and rear of the building. The site plan will comply with all requirements of the Land Development Code and neighborhood agreement prior to its release. Staff recommends approval of the conditional use permit and variance request.

**Environmental:** The site is in the Country Club East watershed, which is within the Desired Development Zone. There is no increase in impervious coverage and no known Critical Environmental Features are located within the limits of construction.

**Transportation:** Current vehicular access is available from East Riverside and from Clubview Ave. Parking is existing and available on site.

**SURROUNDING CONDITIONS:** Zoning/ Land use

**North:** SF-3-NP and ERC (Single family and mobile homes, and multifamily)

**East:** ERC (Commercial, single family, then parking and meeting/assembly)

**South:** ERC (E. Riverside Drive, then undeveloped)

**West:** ERC (Clubview Avenue, then commercial, and undeveloped)

<u>Street</u>	<u>R.O.W.</u>	<u>Surfacing</u>	<u>Classification</u>
E. Riverside Dr	120'	80'	Major arterial
Clubview Ave	70'	43'	Local City Street

**NEIGHBORHOOD ORGANIZATIONS:**

Austex

Austin Heritage Tree Foundation

Austin Independent School District

Austin Monorail Project

Austin Neighborhoods Council

Bike Austin

Carson Ridge Neighborhood Association

Crossing Garden Home Owners' Association

Del Valle Community Coalition

Del Valle Independent School District

El Concilio Coalition of Mexican American Neighborhood Associations

Homeless Neighborhood Association

Montopolis Area Neighborhood Alliance

Montopolis Community Alliance

Montopolis Neighborhood Association – El Concilio

Montopolis Neighborhood Association 2008

Montopolis Neighborhood Plan Contact Team

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Pleasant Valley  
PODER  
Preservation Austin  
Real Estate Council of Austin, Inc  
SEL Texas  
Sierra Club, Austin Regional Group  
Super Duper Neighborhood Objectors and Appealers Organization

### **CONDITIONAL USE PERMIT REVIEW AND EVALUATION CRITERIA**

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 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 application complies with the requirements of this title.
2. **Comply with the objectives and purposes of the zoning district;** Staff response: This application complies with the objectives and purposes of the zoning district.
3. **Have building height, bulk, scale, setback, open space, landscaping, drainage, access, traffic circulation, and use that are compatible with the use of an abutting site;** Staff response: This application is compatible with the abutting sites in all of these cases. This application falls within the regulations of the Permitted Use Table of the ERC (Article 2, Table 2.1) regarding liquor sales as a conditional use.
4. **Provide adequate and convenient off-street parking and loading facilities;** Staff response: Adequate parking and loading facilities have been provided.
5. **Reasonably protect persons and property from erosion, flood, fire, noises, glare, and similar adverse effects;** Staff response: The proposed project does not contribute to any of these adverse effects.
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 district.

#### **A Conditional Use Site Plan May Not:**

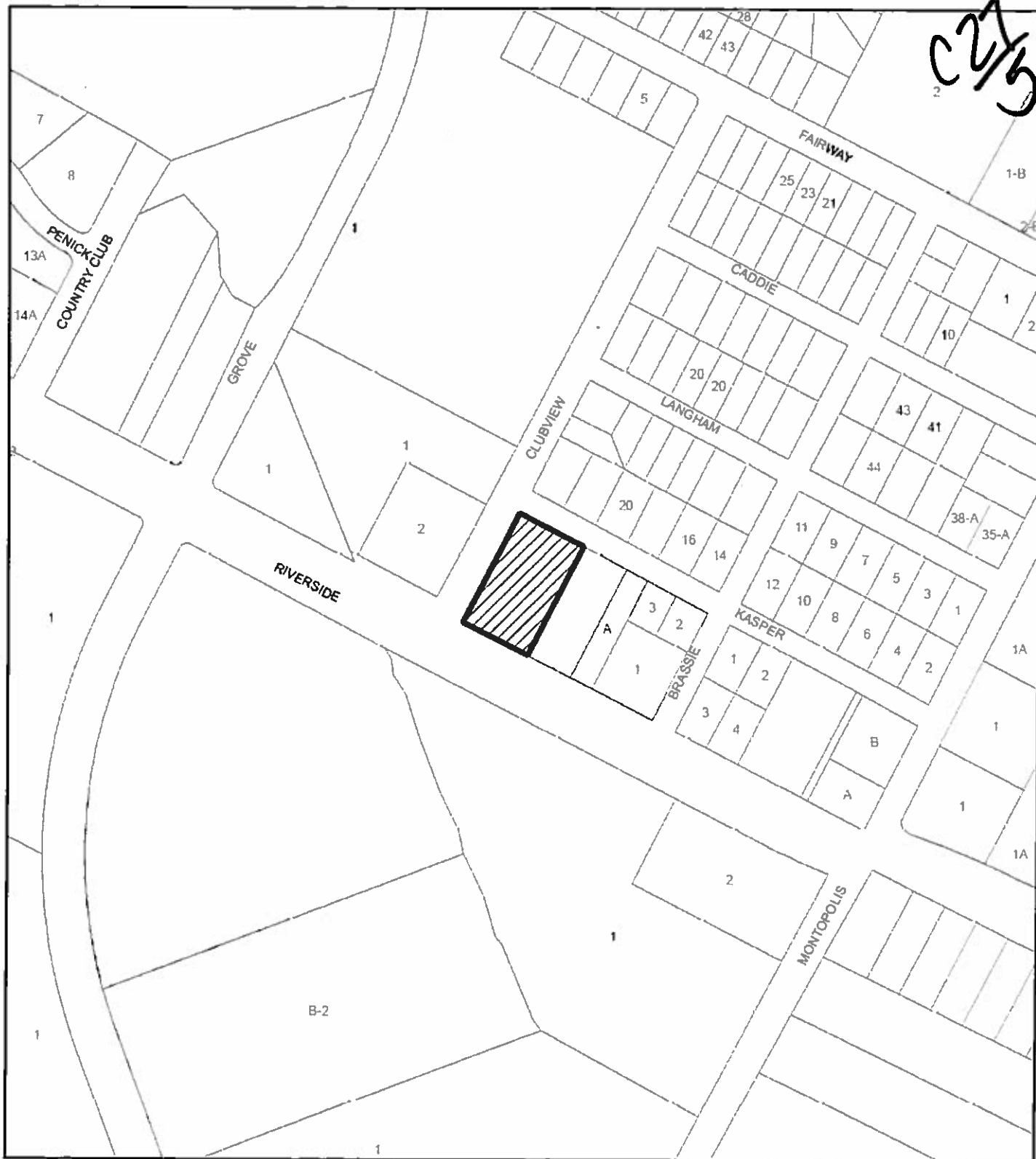
1. **More adversely affect an adjoining site than would a permitted use;** Staff response: The site plan will conform with all regulations and standards established by the Land Development Code. This proposed site plan does not more adversely affect an adjoining site than would a permitted use.
2. **Adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area;** Staff response: Access is

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limited into the site, and surrounding vehicular circulation in the area of the project is not anticipated to have any detriment to safety or convenience.

3. **Adversely affects an adjacent property or traffic control through the location, lighting, or type of signs;** Staff response: No signage or lighting is proposed that would affect adjacent properties or traffic control.

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Subject Tract



Base Map

CASE#: SPC-2013-0417A  
ADDRESS: 6100 E. Riverside Dr.



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.

**RIVERSIDE LIQUOR**  
**CLUBVIEW MARKET**

100L 1" x 200L  
 CRD: L13, L19  
 MAJOR: M18, P16

C81-2007-0232

[illegible][illegible]

100

COVER SHEET

281

SPC-2013-0417A



## SITE NOTES

[illegible]

FOR CITY USE ONLY:

[illegible]

**Forming the University Planning and Development Studies Department**

**ATTENDING FOR** \_\_\_\_\_

**QUESTIONS, COMMENTS:** \_\_\_\_\_

**CORRECTIONS:** \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip \_\_\_\_\_

OF ALL DATA, EFFORTS TO IMPROVE THE QUALITY OF THE APPLICATIONS ARE THE MOST IMPORTANT. THE QUALITY OF THE APPLICATIONS IS THE MOST IMPORTANT. THE QUALITY OF THE APPLICATIONS IS THE MOST IMPORTANT.

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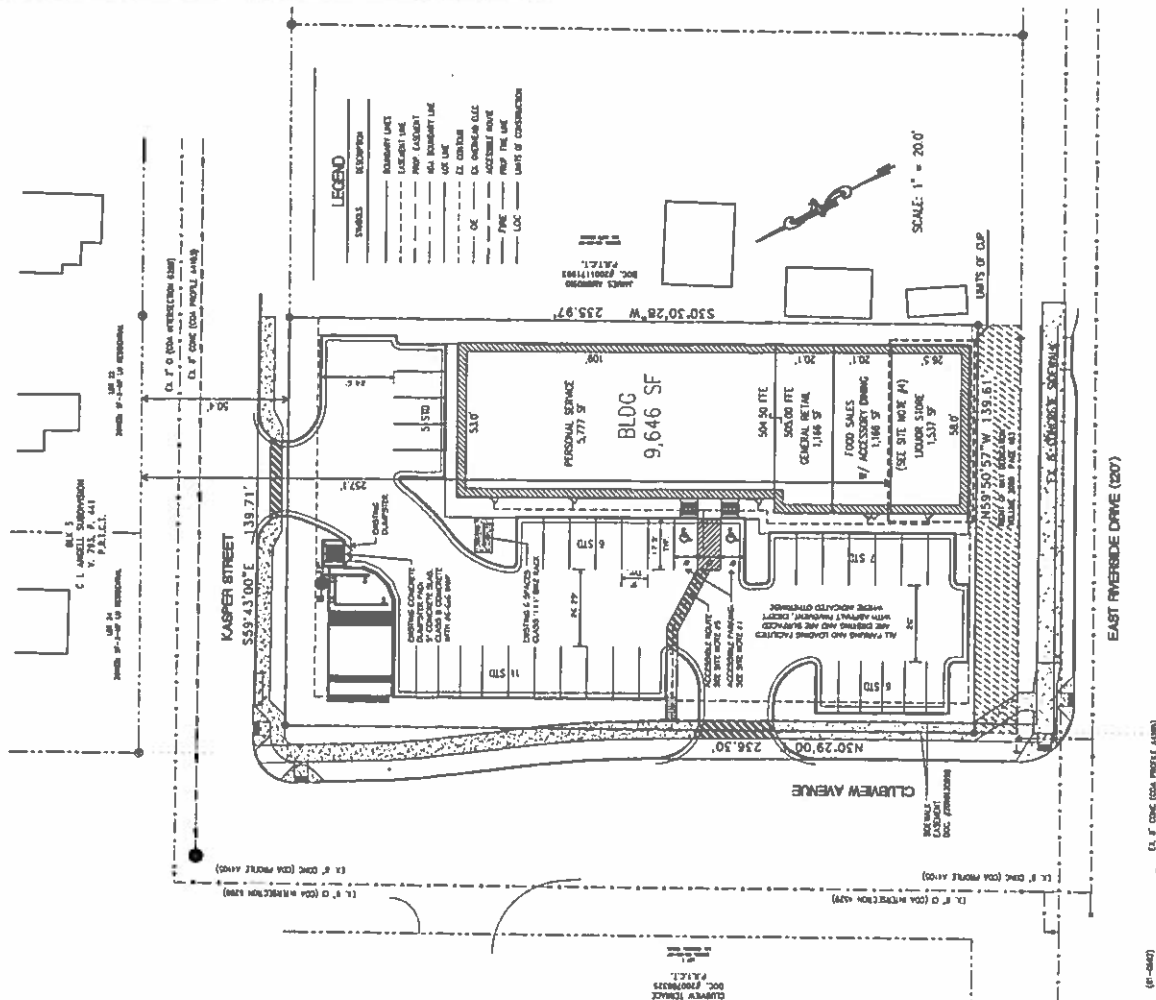
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BUILDING SUMMARY	
ZONE	GROUP
NUMBER OF STORES	1
MEAN FLOOR ELEVATION	VEER
HEIGHT	2.8 65' ALLOWED
BUILDING COVERAGE	30% 70% ALLOWED
PARTICULAR COVER	75% 80% ALLOWED
P.A.	0.3:1 (1) ALLOWED

PARKING SPACE REQUIREMENTS			NUMBER OF SPACES REQUIRED
LAND USE	AREA	PER SQUARE FOOT	
PERSONAL SERVICES	5,777	1.275	81
GENERAL RETAIL	1,666	1.275	4
PODOLANIS W/ ACCOMMODATING DRIVING	1,666	1.275	4
LOCAL STORAGE	1,537	1.275	6

11	REQUIRED	9.646	1.275
7	10% REDUCTION (ARITHM COND)		
28	ADJUSTED TOTAL REQUIRED		
<hr/>			
25	STANDARD		
7	INTEGRAL		
37	TOTAL SPACES PROVIDED		

### COMPATIBILITY STANDARDS NOTES:

[illegible][illegible]

**SITE PLAN**

ALL IMPROVEMENTS ARE EXISTING

## INTERESTED PARTY INFORMATION

Interested parties are specifically defined in section 25-1-131 of the City Code. To view the Code on-line, go to this link:  
[http://www.amlegal.com/austin\\_tx/](http://www.amlegal.com/austin_tx/)

Besides the applicant or owner listed in an application, a person can become an interested party if they communicate an interest to the City through the case manager and if they satisfy at least one of the following criteria: 1) they occupy a primary residence that is within 500 feet of the site of the proposed development; 2) they are the record owner of property within 500 feet of the site of the proposed development; or 3) they are an officer of an environmental or neighborhood organization that has an interest in the site of the proposed development or whose declared boundaries are within 500 feet of the site of the proposed development.

If a person satisfies the criteria to become an interested party, they must communicate an interest by either delivering a written statement to the Land Use Commission conducting the hearing or appearing and speaking for the record at the public hearing. A person may also provide a written statement to the Case Manager or by making telephone contact with the Case Manager. The communication must: 1) generally identify the issues of concern; 2) include the person's name, telephone phone number, and mailing address; and 3) if the communication is by telephone, be confirmed in writing.

Written comments concerning the site plan application may be submitted to the case manager on this form. Comments on a separate form should include the case number and the contact person listed on the notice.

Case Number: SPC-2013-0417A

Contact: Amanda Couch, 512-974-2881 or  
Cindy Casillas, 512-974-3437

☐ I meet the requirements for and request to be an interested party  
Note: All contact information is mandatory.

Name (please print) Julia Sparr

1881 Grove Blvd and (Grove Place Apts) and

1515 Grove Blvd (SafePlace)

Address(es) affected by this application (Street, City, ZIP Code)

P.O. Box 19454, Austin, TX 78751

Mailing address (Street, City, ZIP Code)

Julia Sparr

Signature

11/24/2013

Date

Comments:

Mail comment forms to:

City of Austin

Planning and Development Review Department

Attn: Amanda Couch

P. O. Box 1088

Austin, TX 78767-1088

December 26, 2013

To: Amanda Couch and Cindy Casillas

Re: Comments concerning Case SPC-2013-0417A, Riverside Liquor

SafePlace, formed in 1998 through a merger of the Rape Crisis Center (founded in 1974) and the Center for Battered Women founded in 1977), is the only integrated organization fighting sexual and domestic violence in Austin. Women make up the majority of adults subjected to these types of violence. Almost 40% of adult Texas women have experienced violence from an intimate partner in their lifetimes.

Women who have experienced intimate partner violence need shelter for a period long enough for them and their children to recover at least partially from the often shattering traumatic effects of such violence. When they are well enough to leave a secure shelter they often need a supportive living arrangement while they undergo counselling and education to permit them to live independent of the offending partner. All of these services and more are available at SafePlace's main facility at the Northeast corner of Grove Boulevard and Fairway Street (105 bed shelter; 40 units of supportive housing serving an additional 90 women and children). However, many families need access to affordable housing for several years to achieve economic independence and self-sufficiency. To meet this need in part, SafePlace developed Grove Place Apartments (184 units; 146 "affordable"), which occupy two thirds of the block bounded by Riverside Drive, Grove Boulevard, Fairway Street and Clubview Avenue. Riverside Liquor is located facing Clubview Avenue at Riverside Drive, less than 500 feet from the Southeast corner of Grove Place. In summary, SafePlace has invested in extensive real estate in the neighborhood adjoining the Riverside Liquor location to facilitate the arduous and sometimes lengthy process of helping victims become healthy and self-sufficient survivors.

The process of becoming a survivor involves healing, overcoming fear of recurrence and acquiring the ability to take control of the survivor's and her children's lives. Alcohol abuse is highly correlated with intimate partner abuse. Here are some relevant facts:

- Alcohol abuse can't be proven to cause intimate partner violence.
- However, regular alcohol abuse is one of the leading risk factors for partner violence (between spouses or partners).
- When there is a battering incident coupled with alcohol abuse, the battering often is more severe and results in greater injury to the victim or victims. See the graphic below.
- The Department of Justice found in 2002 that 36 percent of victims in domestic violence programs also had problems with substance abuse.
- According to a majority of domestic violence program directors (51 percent), a woman's use of alcohol can be a barrier to her being able to leave a violent relationship with a spouse or partner.

These facts imply that alcohol abuse by an offender is highly associated with the experience of abuse and therefore is associated with the trauma and fear of recurrence. Moreover, women who suffer abuse often are or become abusers of alcohol and/or other substances. Among other things this may contribute to returning to an offender. Therefore, to become healthy and self-sufficient survivors (and parents), victims not only have to overcome the severe effects of being physically abused, but they often need to conquer addiction to alcohol as well.

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Thus, I, the staff and the Board of SafePlace feel very strongly that having a liquor store within easy walking distance of Grove Place Apartments and the SafePlace shelter and supportive housing compound, may undermine the effectiveness of our real estate resources in facilitating recovery of victims of domestic violence in Austin. As an NGO, SafePlace delivers incredibly important services to what would otherwise be a cruelly underserved segment of our City's population. SafePlace brings in much of its funding from State and Federal grants. Thus, we feel that the City should do what it can to support the effectiveness of SafePlace's investment in housing for recovering victims of domestic violence by not granting the application to add liquor sales to the retail center at 6100 E. Riverside Drive.

Julia Spann, Executive Director



SafePlace: Domestic Violence and Sexual Assault Survival Center and Grove Place Partners, Inc.

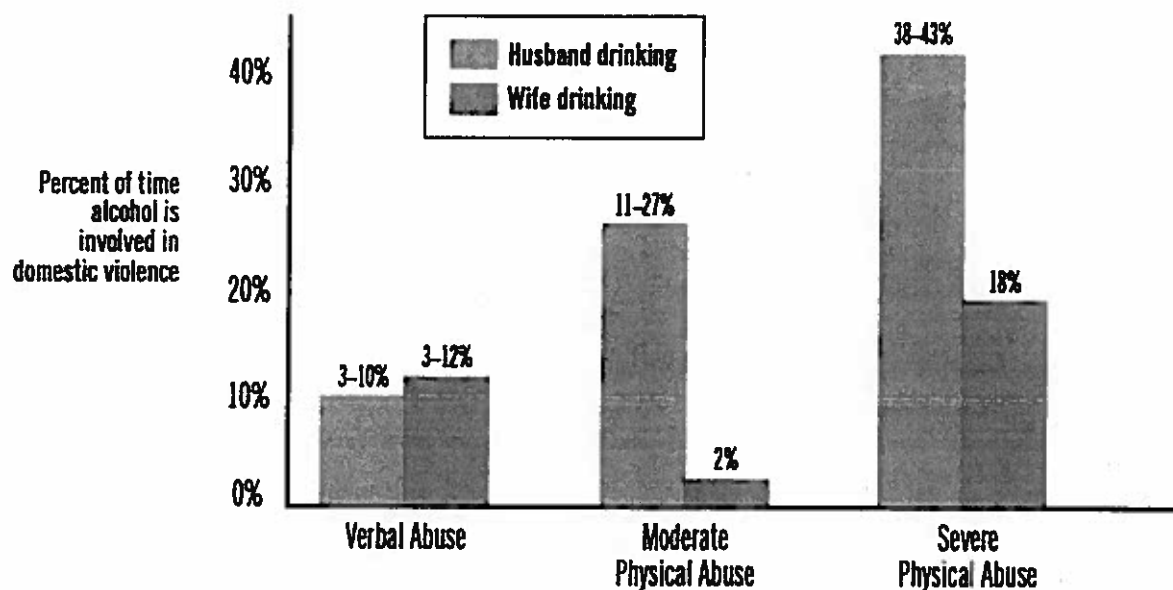
1515 A Grove Blvd, Austin, TX 78741

Mail at PO Box 19454, Austin, TX 78760

(512) 356-1556

[jspann@safeplace.org](mailto:jspann@safeplace.org)

### Relationship Between Alcohol Use and Domestic Violence



SOURCE: Leonard, K.E., and Quigley, B.M. (1999). Drinking and marital aggression in newlyweds: An event-based analysis of drinking and the occurrence of husband marital aggression. *Journal of Studies on Alcohol*, 60, 541. Range reflects both husband's and wife's report.

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Contact: Amanda Couch, 512-974-2881 or

Cindy Casillas, 512-974-3437

☒ I meet the requirements for and request to be an interested party  
Note: All contact information is mandatory.

Name (please print)

512 788 5393  
Telephone number

6100 Langham A/B Austin 78741  
Address(es) affected by this application (Street, City, ZIP Code)

2450 Stafford Dr, Austin 78746  
Mailing address (Street, City, ZIP Code)

Signature

Date

12/15/13

Comments: Adding liquor sales to a location  
so near a marginal residential area will  
only serve to result in additional unwanted  
behavior is our working class neighborhood.  
I strongly oppose retail liquor sales  
in this neighborhood vicinity.

Mail comment forms to:

City of Austin

Planning and Development Review Department

Attn: Amanda Couch

P. O. Box 1088

Austin, TX 78767-1088