

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

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CASE NUMBER: SPC-2013-0209AT(R1) **PLANNING COMMISSION**
HEARING DATE: January 27, 2015

PROJECT NAME: 1300 Lamar 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: Brad Jackson Phone: 974-3410
Brad.jackson@austintexas.gov

NEIGHBORHOOD PLAN: Zilker

PROPOSED DEVELOPMENT:

The applicant is requesting a revision to an approved conditional use permit for a cocktail lounge. The cocktail lounge will have a 400 square foot roof top deck. The site plan revision under review includes a liquor store; however it's a permitted use with 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 9 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 notice for this Site Plan Conditional Use Permit contained an error that over-estimated the square footage requested for Cocktail Lounge use. The total Cocktail Lounge use proposed in this revision is 2,280 square feet and not 2,515 square feet as stated in the notice. Please see summary table on next page for existing and proposed permitted uses.

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

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Summary of Proposed Revision:

Use	Currently Approved	Total Proposed	Difference
Cocktail Lounge	1,568	1,880	+312
Rooftop deck/stairs	435	400	-35
Total Cocktail Lounge	2,003	2,280	+277
Liquor Store (Not in CUP)	2,626	2,314	-312
Offsite Parking Req.	5	9	+4

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 9 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.

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	22**

**includes the 9 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. 9 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.

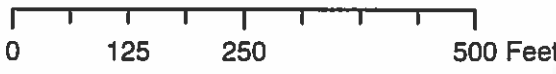
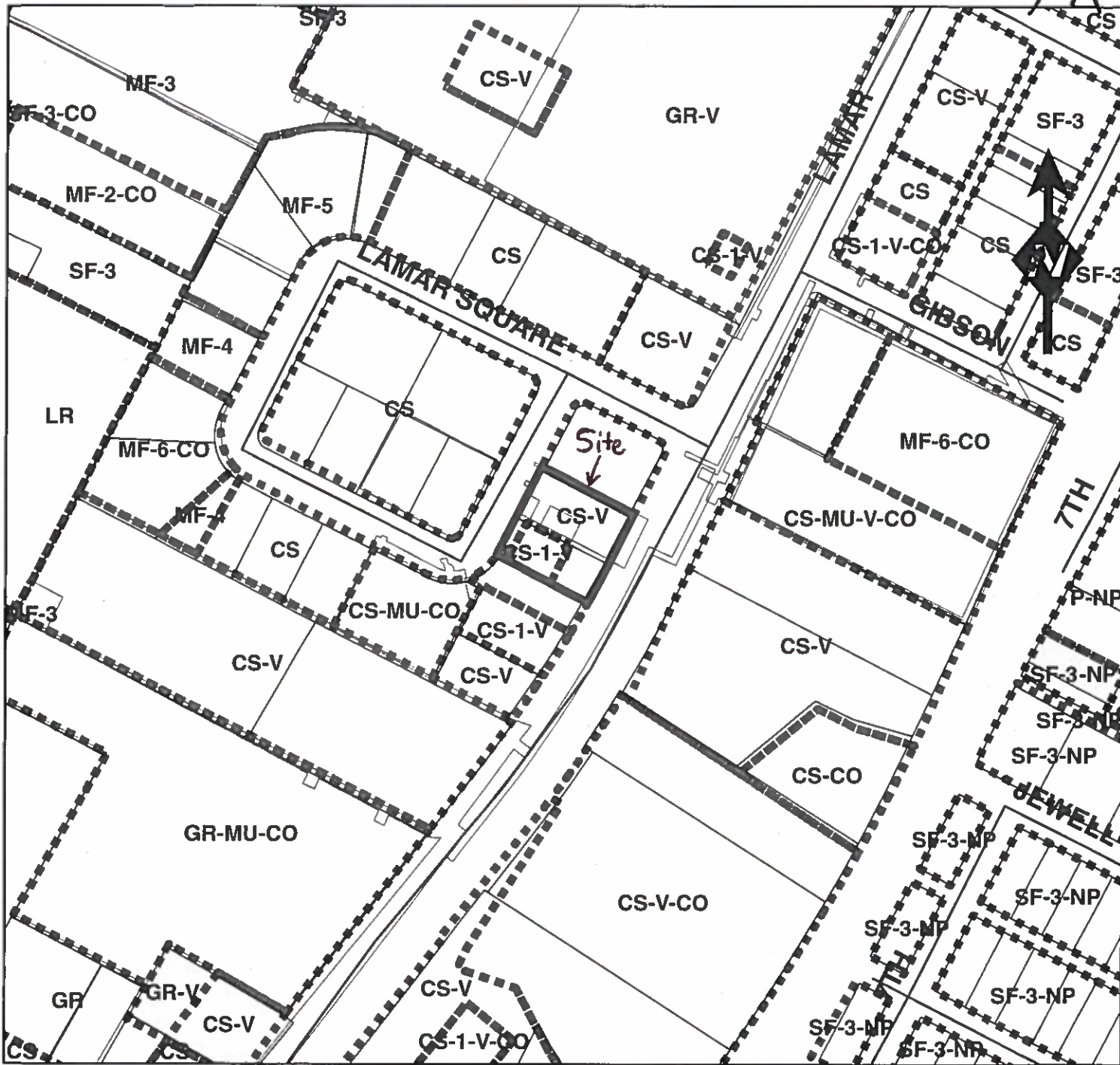
In addition, Sec. 25-5-146 (CONDITIONS OF APPROVAL) states:

(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.

SITE PLAN CONDITIONAL USE PERMIT

CLD/A



Legend

-  Site Plan Case
-  EXTERNAL.tcad_parcel
-  Zoning
-  Street Address Centerline
-  Lakes

1300 LAMAR PLAZA II
 CASE NO.: SP-2013-0209AT(R1)
 ADDRESS: 1300 S. LAMAR
 CASE MANAGER: BRAD JACKSON





NO.	REVISION	DATE
1	ISSUE FOR PERMITTING	04/15/14
2	ISSUE FOR PERMITTING	04/15/14
3	ISSUE FOR PERMITTING	04/15/14

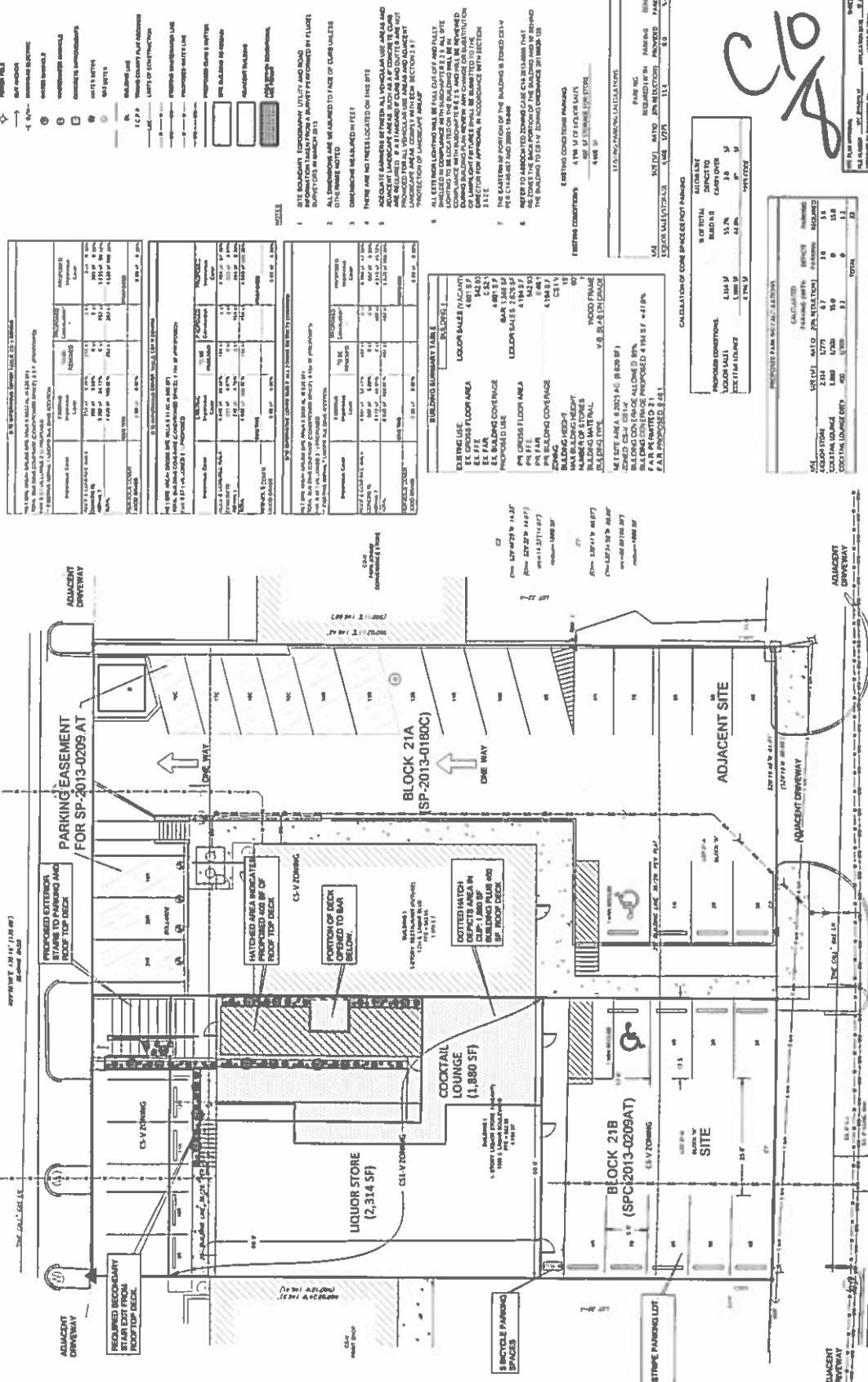
1300 LAMAR PLAZA II
1300 SOUTH LAMAR BOULEVARD
AUSTIN, TEXAS

DEVELOPMENT
SITE PLAN & DIMENSIONAL CONTROL PLAN

SHEET
3
OF 4

MINOR SITE CONSTRUCTION SHOWN ON THIS SITE PLAN IS AUTHORIZED BY SITE PLAN EXEMPTION DA-2014-0817.

LAMAR SQUARE DRIVE
ADJACENT DRIVEWAY
ADJACENT DRIVEWAY
ADJACENT DRIVEWAY



LEGEND

- 1/4" BOUNDARY
- 1/8" BOUNDARY
- 1/2" BOUNDARY
- 1" BOUNDARY
- 2" BOUNDARY
- 4" BOUNDARY
- 6" BOUNDARY
- 8" BOUNDARY
- 10" BOUNDARY
- 12" BOUNDARY
- 15" BOUNDARY
- 20" BOUNDARY
- 24" BOUNDARY
- 30" BOUNDARY
- 36" BOUNDARY
- 42" BOUNDARY
- 48" BOUNDARY
- 54" BOUNDARY
- 60" BOUNDARY
- 66" BOUNDARY
- 72" BOUNDARY
- 78" BOUNDARY
- 84" BOUNDARY
- 90" BOUNDARY
- 96" BOUNDARY
- 102" BOUNDARY
- 108" BOUNDARY
- 114" BOUNDARY
- 120" BOUNDARY
- 126" BOUNDARY
- 132" BOUNDARY
- 138" BOUNDARY
- 144" BOUNDARY
- 150" BOUNDARY
- 156" BOUNDARY
- 162" BOUNDARY
- 168" BOUNDARY
- 174" BOUNDARY
- 180" BOUNDARY

EXISTING CONDITIONS

NO.	DESCRIPTION	AREA (SF)	REMARKS
1	EXISTING CONCRETE DRIVEWAY	1,200	AS SHOWN ON EXISTING SITE PLAN
2	EXISTING ASPHALT DRIVEWAY	800	AS SHOWN ON EXISTING SITE PLAN
3	EXISTING PAVEMENT DRIVEWAY	500	AS SHOWN ON EXISTING SITE PLAN
4	EXISTING GRASS DRIVEWAY	300	AS SHOWN ON EXISTING SITE PLAN
5	EXISTING SAND DRIVEWAY	100	AS SHOWN ON EXISTING SITE PLAN
6	EXISTING GRAVEL DRIVEWAY	200	AS SHOWN ON EXISTING SITE PLAN
7	EXISTING DIRT DRIVEWAY	100	AS SHOWN ON EXISTING SITE PLAN

PROPOSED PARKING TABLE

TYPE	NO.	AREA (SF)	REMARKS
TOTAL	STREET	100	
	LOT	100	
TOTAL	STREET	100	
	LOT	100	

PROPOSED PARKING TABLE

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TOTAL	STREET	100	
	LOT	100	
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	LOT	100	

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NO.	DATE	REVISIONS

1300 SOUTH LAMAR BOULEVARD
AUSTIN, TEXAS

1300 LAMAR PLAZA II

SITE DEVELOPMENT

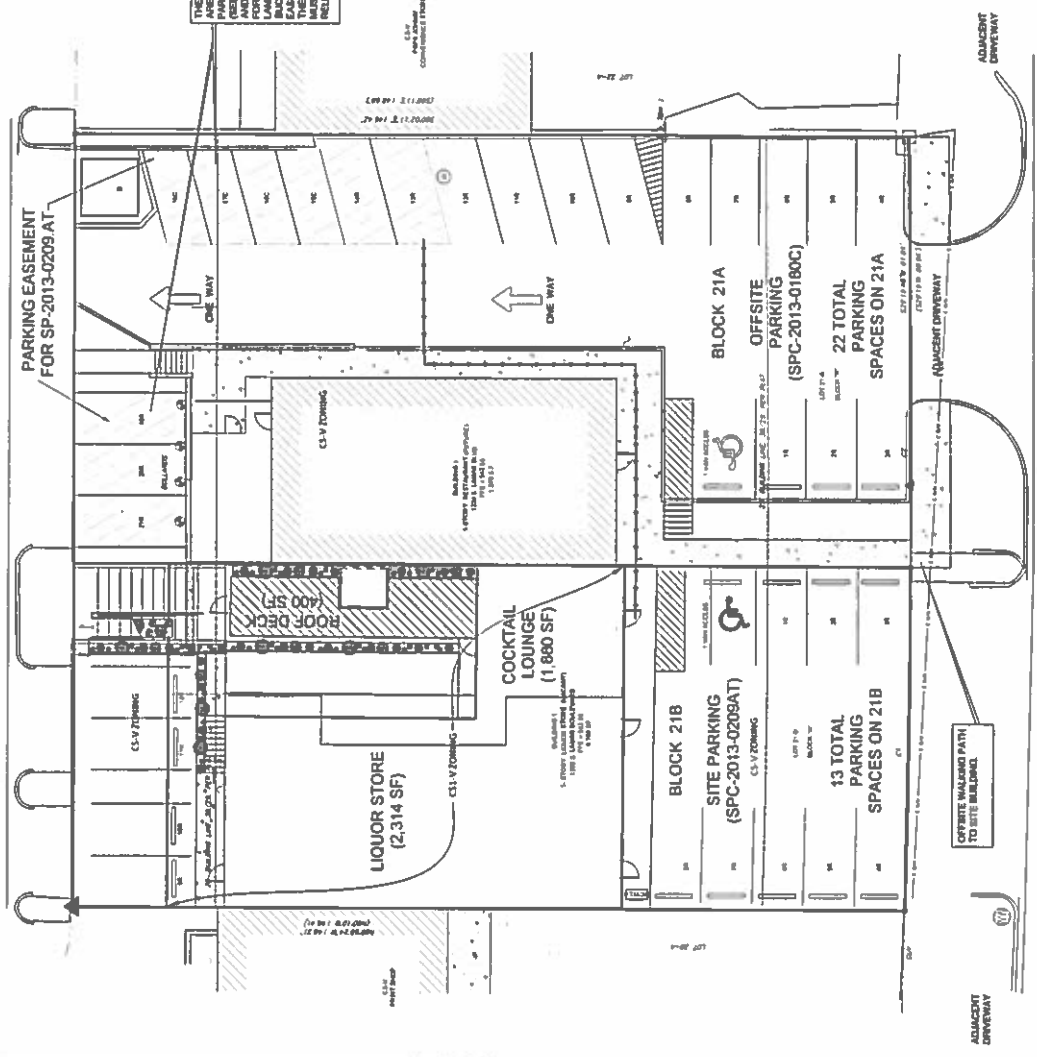
OFFSITE PARKING PLAN

SHEET

4

4 OF 4

**MINOR SITE CONSTRUCTION SHOWN ON THIS
SITE PLAN IS AUTHORIZED BY SITE PLAN
EXEMPTION DA-2014-0817**



THESE SPACES ON SPACES PARALLEL ADJACENT TO THE LAMAR PLAZA II UNTIL THE CITY OF AUSTIN MUST APPROVE THE RELEASE OF EASEMENT.

SITE BLOCK 218 ADJACENT TO LAMAR BOULEVARD (SPC-2013-0208AT)

USE	AREA (SQ. FT.)	PERMITTED USES (PER SPC-2013-0208AT)	PERMITTED USES (PER SPC-2013-0208AT)
LIQUOR STORE	2,314	1,880	1,880
COCKTAIL LOUNGE	1,880	1,880	1,880
ROOF DECK	1,400	1,400	1,400
TOTAL	5,594	5,160	5,160

OFFSITE BLOCK 21A ADJACENT TO LAMAR BOULEVARD (SPC-2013-0180C)

USE	AREA (SQ. FT.)	PERMITTED USES (PER SPC-2013-0180C)	PERMITTED USES (PER SPC-2013-0180C)
OFFSITE PARKING	11,000	11,000	11,000
TOTAL	11,000	11,000	11,000

PROPOSED PARKING TABLE

TYPE	REQUIREMENT	PROVIDED	DEFICIENT	REMARKS
PARKING	11,000	11,000	0	MEETS REQUIREMENT
BIKE	10	10	0	MEETS REQUIREMENT
ACCESSIBLE	2	2	0	MEETS REQUIREMENT
TOTAL	11,010	11,010	0	MEETS REQUIREMENT

TYPE	REQUIREMENT	PROVIDED	DEFICIENT	REMARKS
PARKING	22	22	0	MEETS REQUIREMENT
BIKE	2	2	0	MEETS REQUIREMENT
ACCESSIBLE	1	1	0	MEETS REQUIREMENT
TOTAL	25	25	0	MEETS REQUIREMENT

C/O

DATE: 12/20/13 BY: J.A.J.T.
 DATE: 12/20/13 BY: J.A.J.T.
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