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

CASE NUMBER: SPC-2014-0265AT **PLANNING COMMISSION DATE:** 03/24/2015

PROJECT NAME: Radio Coffee & Beer

PROPOSED USE: Cocktail lounge

ADDRESS OF APPLICATION: 4204 Manchaca Road

AREA: 3,471 square feet, part of 0.92-acre tract

APPLICANT: Greg Wilson
Telvending Corp
1617 Watchhill Rd
Austin, TX 78703
(512) 422-1155

AGENT: Paul W. Linehan
1010 Land Creek Cove, Suite 100
Austin, TX 78746
(512)328-6050

CASE MANAGER: Christine Barton-Holmes, LEED AP Telephone: 974-2788
christine.barton-holmes@austintexas.gov

EXISTING ZONING: CS-1-MU- CO. The applicant is requesting a conditional use permit for a cocktail lounge within an existing restaurant and outdoor seating area, and a variance for parking within 200' of residential uses.

PROPOSED DEVELOPMENT:

No construction is proposed with this plan; all uses will take place in existing structures.

DESCRIPTION OF VARIANCE:

Waiver request is as follows: LDC Section 25-5-146(B) As a condition of approval for a conditional use site plan, a parking area for a cocktail lounge or a restaurant with a late-hours permit must be separated from a property used or zoned townhouse and condominium residence (SF-6) district or more restrictive by not less than 200 feet unless:

- (1) The lounge or restaurant is located within an enclosed shopping center; or
- (2) The Land Use Commission grants a variance from this requirement when the Land Use Commission approves the site plan.

SUMMARY STAFF RECOMMENDATION: Staff does not recommend approval of the Conditional Use Permit and variance request. The site plan will not comply with all transportation-related requirements of the Land Development Code prior to its release.

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PREVIOUS PLANNING COMMISSION ACTION: C14-2014-0103 – change in zoning from LR-MU-CO to CS-1-MU-CO; approved by Council 7-0 on October 16, 2014.

AREA STUDY: South Lamar Combined NPA (Suspended)

WATERSHED: West Bouldin Creek

APPLICABLE WATERSHED ORDINANCE: Current/ Comprehensive watershed ordinance

CAPITOL VIEW: Not in View Corridor

T.I.A.: Not Required

PROJECT INFORMATION:

ZONING: CS-1-MU-CO

MAX. BLDG. COVERAGE: 75%

MAX. IMPERV. CVRG.: 90%

MAX HEIGHT: 60'

COCKTAIL LOUNGE AREA: 3,471 sq ft

PROPOSED BLDG. CVRG: Existing

PROPOSED IMP. CVRG: Existing

PROPOSED HEIGHT: NA – existing single-story building

REQUIRED PARKING: 48

PROVIDED PARKING: 49

EXIST. USE: Beer/coffee shop

PROPOSED USE: Cocktail lounge

SUMMARY COMMENTS ON SITE PLAN:

Land Use: The applicant is requesting a Conditional Use Permit to allow a 1,950-square foot cocktail lounge with 1,556 square feet of outdoor seating and circulation areas totaling 3,471 square feet, and parking within 200' of residential uses, including off-site parking. The site plan will not comply with all transportation requirements of the Land Development Code prior to its release. Staff does not recommend approval of the conditional use permit and variance request.

Environmental: The site is in the West Bouldin Creek 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 Manchaca Road and Fort View Road. A portion of the parking is provided on-site, with the remaining required parking provided on an existing site 500' away. The minimum parking requirement has been met. Driveway spacing, size, and layout standards have not been met.

SURROUNDING CONDITIONS: Zoning/ Land use

North: LO-MU, SF-3, then LO (Single-family, then Gathright Cv, then office)

East: CS, then GR-MU, then LR (Commercial, then office and single-family)

South: LR-MU-CO, then CS-1 and CS (Commercial, then Fort View Rd, then commercial)

West: SF-3 (Single-family)

<u>Street</u>	<u>R.O.W.</u>	<u>Surfacing</u>	<u>Classification</u>
Manchaca Rd	Varies	60'	Major arterial
Fort View Rd	50'	30'	Local Street

NEIGHBORHOOD ORGANIZATIONS:

Austin Heritage Tree Foundation

Austin Independent School District

Austin Neighborhoods Council

Bike Austin

Friends of the Emma Barrientos MACC

Go!Austin/Vamos!Austin

Homeless Neighborhood Association
Perry Grid 614
Preservation Austin
Real Estate Council of Austin, Inc
Save Our Springs Alliance
SEL Texas
Sierra Club, Austin Regional Group
South Central Coalition
South Lamar Neighborhood Association
Super Duper Neighborhood Objectors and Appealers Organization

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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 not compatible with the abutting sites as it pertains to traffic circulation.
- 4. Provide adequate and convenient off-street parking and loading facilities;** Staff response: Adequate parking and has been provided. Loading facilities are not provided and are not required.
- 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 driveways, sidewalks, and on-site maneuvering are currently substandard and the increase in intensity of use will exacerbate an already un-safe traffic circulation configuration.

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- 2. Adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area;** Staff response: The current driveway facilities, sidewalk facilities, and on-site maneuvering adversely affect safety and convenience of vehicular and pedestrian circulation.

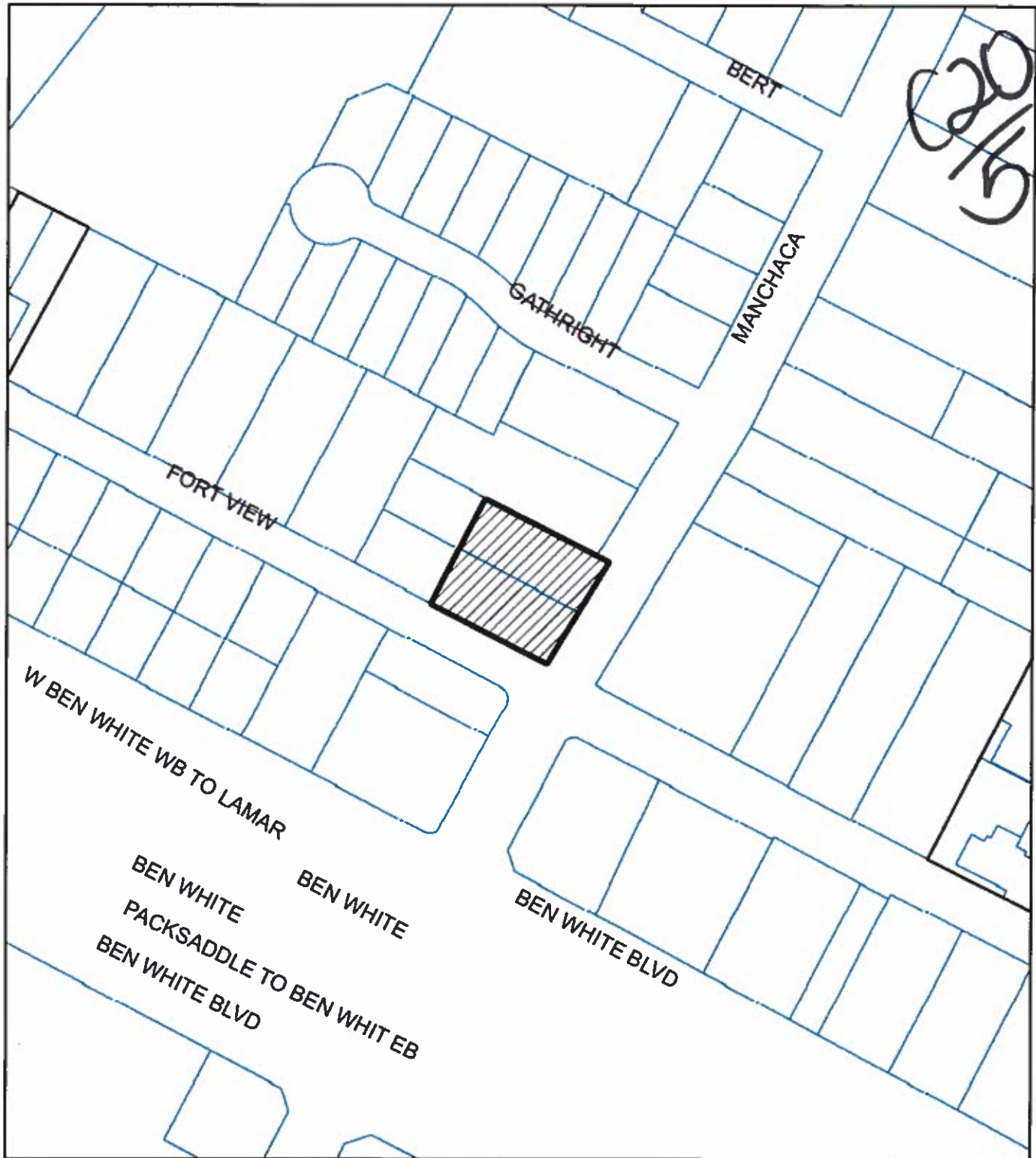
There are currently three driveways accessing the site from Fort View, two for the current Radio Coffee & Beer facility and one to a residence on site, and one driveway accessing the site from Manchaca Road. The driveways do not meet City standards regarding driveway separation from adjacent driveways, driveway separation from right-of-way intersections, and frontage requirements to have driveways on major roadways (TCM Table 5-2, TCM 5.3.1.J, LDC, 25-6-381(A)). Additionally, while the driveway widths meet TCM standards, they are wider than staff typically encourages in order to facilitate a pedestrian oriented space and adhere to the Complete Streets Policy.

There is currently an existing 4' sidewalk at the back of curb on Manchaca Road and no sidewalk exists on Fort View Road. The lack of sidewalks along Fort View Road and the substandard sidewalk along Manchaca, with no protective barrier for pedestrians, adversely affects the safety of pedestrians traveling from all directions towards Radio Coffee & Beer (TCM, table 1-7).

There are numerous issues with on-site maneuvering which include, but are not limited to, drive aisle widths and throat lengths. The current drive aisle width is 16.5', 10.5' under the required two way drive aisle width (TCM, Table 5-2). Secondly, the minimum throat length for the driveway on Manchaca Road is 50'. Parking currently encroaches in the throat length, creating a significant conflict between vehicles reversing out of the parking spot and vehicles entering the site and pedestrians using the sidewalk (TCM, Table 5-2)

- 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-2014-0265AT
LOCATION: 4204 Manchaca Rd



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.

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-2014-0265AT
 Contact: Christine Barton-Holmes, 512-974-2788 or
 Cindy Casillas, 512-974-3437
 Public Hearing: March 17, 2015, Zoning and Platting Commission

Timothy P. Vogt
 Your Name (please print)

I am in favor
 I object

2019-A Gathright Cove
 Your address(es) affected by this application

[Handwritten Signature]
 Signature

3-11-2015
 Date

Daytime Telephone: 512 619-7012

Comments: *I don't understand this case since Radio is already operating as a coffee/beer garden and employees' patrons are already parking less than 200' from residential uses. Radio coffee & Beer has caused parking problems east of Manchaca Rd. on Fortview and on Gathright and has had a great & significantly adverse effect on traffic on Manchaca Rd.*

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

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Case Number: **SPC-2014-0265AT**
 Contact: **Christine Barton-Holmes, 512-974-2788** or
Cindy Casillas, 512-974-3437
 Public Hearing: **March 17, 2015, Zoning and Platting Commission**

Christina A. Green
 Your Name (please print)

I am in favor
 Object

2014A 6th right Cove
 Your address(es) affected by this application

Christina A. Green
 Signature

3/6/15
 Date

Daytime Telephone: 512 320-3771

Comments: YTD much overflor parking on my previously quiet street. More deteriorated people on my street. More traffic. Same vehicles in and out of Keller, in front of me. No garden happening there and some people killing grass

If you use this form to comment, it may be returned to: on down,
 City of Austin
 Planning and Development Review - 4th floor
 Christine Barton-Holmes
 P. O. Box 1088
 Austin, TX 78767-8810
on street address

Don't want drunk people on my street.

PUBLIC HEARING INFORMATION

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Case Number: SPC-2014-0265AT

Contact: Christine Barton-Holmes, 512-974-2788 or

Cindy Casillas, 512-974-3437

Public Hearing: March 17, 2015, Zoning and Platting Commission

Russell E. Thomas
Your Name (please print)

I am in favor
 I object

4017 Victory Dr #103
Your address(es) affected by this application

[Signature]
Signature

March 7
Date

Daytime Telephone: 512-633-0584

Comments: My concern is that loud, outdoor music will be allowed. Music i.e. food music and beer go together and my evenings at home would be spoiled

If you use this form to comment, it may be returned to:

City of Austin
Planning and Development Review - 4th Floor
Christine Barton-Holmes
P. O. Box 1088
Austin, TX 78767-8810

Ms. Christine Barton-Holmes

Case Manager: **SPC-2014-0265AT**

Planning and Development Review Department, COA

Dear Ms. Barton-Holmes:

Please include this letter immediately among the documents to be considered by officials regarding the case noted above.

If zoning has any meaning in the first place for Austin residents who have established homes for the purpose of having one dependable place for peace, quiet, and privacy, and safety, then rezoning at 4204 Manchaca Road will not be allowed. I write with my emphatic objection to this proposed development. Our neighborhood on the short street of Gathright Cove is comprised in the main of older people, either retired or near retirement. All of us mind our own business; our lifestyle requires a tranquil environment.

Yet already:

there is an almost continuous background noise of traffic on Ben White, two blocks away;

there are occasional roaring airliners overhead;

police helicopters often circle, creating a huge disturbance sometimes for hours;

sirens wail frequently at any/all hours nearly every day and night; and

trash pickups for the newly built Radio Bar crash like falling planes frequently, around 4:00 a.m. Each of these removals is on an industrial scale, far beyond any consideration for or compatibility with normal human life.

The added noise of yet more regular trash pickups in the middle of the night for the development proposed will further rob our peace and quiet nightly, as will the unregulated noise of development itself, an inescapable occurrence almost anywhere in this city for decades. Development in this city is an endless process that maintains an atmosphere polluted with dust, exhaust, and particulates from building materials, a toxic "air" for us to breathe.

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Worse, new commerce next to us will further inflate property values; this factor will drive up rents even further. Older citizens with low, either fixed or decreasing income (like me) – **some of us will then be homeless**. I speak without exaggeration. **Please do not destroy us in the Sunset of our lives with this rezoning and its certain, disastrous results.**

Further, parking on this street along up to half its length on both sides has begun to occur frequently as a result of the city's recent rezoning to accommodate The Radio Bar. This invasion also impinges on our peace and quiet, and privacy, and parking space. It turns Gathright Cove into a one-lane street and creates a hazard, especially at the turn onto and from Manchaca Road. This new bar has insufficient parking space; thus any added commercial development adjacent to or near it is also sure to have insufficient parking as well and is sure to impinge further on residents. If the Code-Enforcement Department can unceasingly attempt to drive a sacred and revered enterprise like Casa de Luz out of its long-held site for "insufficient parking space", then this proposal by The Radio Bar must not be allowed at all.

Further, the more readily available alcohol is made, the more chaos befalls a sedate neighborhood. Please do not infuse more alcohol into our neighborhood. There is already an excess of crime, homelessness, mental illness, and traffic accidents in our neighborhood. Alcohol sales exacerbate all these social ills and degrade neighborhoods.

Austin is rapidly becoming **an uninhabitable wasteland**. Yet I call on you, the Planning Commission and the Council to act on your highest impulses and thus to reject this rezoning proposal. Please just leave us in peace, such as we have left to us. Commerce, where commerce is already excessive, cannot improve the quality of life for us. Commerce itself cannot flourish without a flourishing citizenry.

James Burleson
James Burleson

Associate Professor

3.8.15

512 444 3458 after 1:00 p.m.

2010 A Gathright Cove Austin 78704

Cc: Planning Commission, City Council

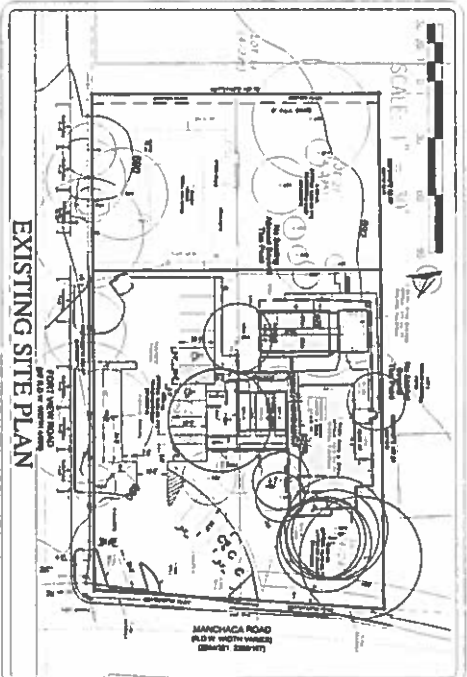
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RADIO COFFEE & BEER

4204 Manchaca Road, 78704
 CONDITIONAL USE SITE PLAN

INDEX TO SHEETS

1. COVER
2. SITE PLAN
3. SITE PLAN NOTES AND CALCULATIONS
4. OFFSITE PARKING SITE PLAN



NO CONSTRUCTION SHALL OCCUR WITH THIS PERMIT

Initial Submittal: July 7, 2014
 Re-Submittal: December 30, 2014
 Re-Submittal: February 23, 2015

REVISIONS/CORRECTIONS

NO.	DESCRIPTION	DATE	BY	CHKD BY	DATE	CHKD BY
1	REVISIONS	02/23/15	...	...	...	...
2	REVISIONS	...	...	...	...	...
3	REVISIONS	...	...	...	...	...
4	REVISIONS	...	...	...	...	...
5	REVISIONS	...	...	...	...	...

- GENERAL NOTES:**
 Legal Description: Parcel of Lots 20 and 21, E.A. Sonn Subdivision, as recorded in Volume 4, Page 295 of the public records of Travis County, Texas.
 FEMA Designation: FEMA Map 4434X 003401
 NOT in 100 yr. Floodplain
 Work Order: Creek, Washed, Suburban
 City of Austin, Travis County
1. WATERED DRAINAGE: THIS PROJECT IS LOCATED IN THE WATERED DRAINAGE WASHED AREA CLASSIFIED AS AN IMPROVED WATERED AREA. SUBJECT TO THE REQUIREMENTS OF THE DRAINAGE DISTRICT, THE PROJECT SHALL BE DESIGNED TO MAINTAIN THE EXISTING DRAINAGE PATTERNS AND TO PREVENT ANY ADVERSE EFFECTS ON THE DRAINAGE DISTRICT.
 2. THE PROJECT IS NOT LOCATED WITHIN THE 100-YEAR FLOODPLAIN ZONE.
 3. THE PROJECT IS LOCATED WITHIN THE FLOODPLAIN CITY LIMITS OF AUSTIN AND IS SUBJECT TO THE FLOODPLAIN CITY LIMITS OF AUSTIN.
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 10. APPROVAL OF THESE PLANS BY THE CITY OF AUSTIN DOES NOT CONSTITUTE AN ENDORSEMENT OR GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE APPLICANT IS RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON.
 11. THE CITY OF AUSTIN IS NOT RESPONSIBLE FOR THE DESIGN OR CONSTRUCTION OF THE PROJECT. THE CITY OF AUSTIN IS NOT RESPONSIBLE FOR THE DESIGN OR CONSTRUCTION OF THE PROJECT.
 12. THE PROJECT IS LOCATED WITHIN THE 100-YEAR FLOODPLAIN ZONE AND IS SUBJECT TO THE REQUIREMENTS OF THE FLOODPLAIN CITY LIMITS OF AUSTIN.
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 15. THE PROJECT IS LOCATED WITHIN THE 100-YEAR FLOODPLAIN ZONE AND IS SUBJECT TO THE REQUIREMENTS OF THE FLOODPLAIN CITY LIMITS OF AUSTIN.

FOR PREPARED BY: JEFFREY L. ANDERSON
 LAND STRATEGIES INC.
 4204 MANCHACA ROAD, SUITE 100
 AUSTIN, TEXAS 78704
 PHONE: (512) 336-6172
 FAX: (512) 336-6172



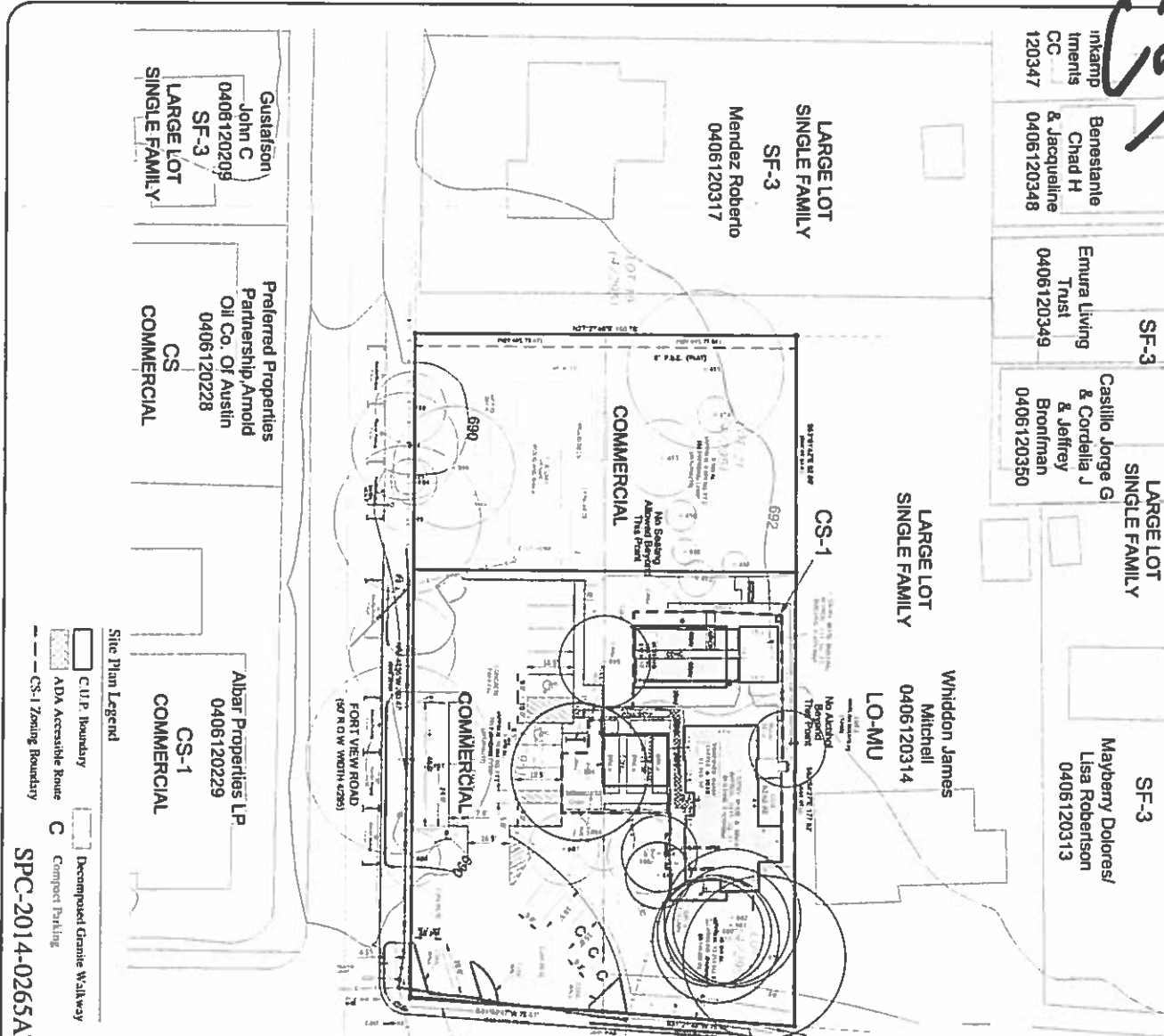
DATE: 02/23/15
 PROJECT: RADIO COFFEE & BEER
 SHEET: 1 OF 4
 SCALE: AS SHOWN

SPC-2014-0265AT

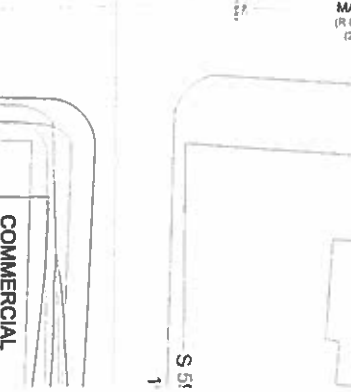
SITE PLAN RELEASE

Prepared by:	Jeffrey L. Anderson
Checked by:	...
Approved by:	...
Date:	02/23/15

2/2



- Site Plan Legend**
- CULP Boundary
 - ADA Accessible Route
 - CS-1 Zoning Boundary
 - Decomposed Granite Walkway
 - Compact Parking
- COMMERCIAL**
- 1. UTILITY TRENCH
 - 2. UTILITY POLE
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MANHACA ROAD
(R.O.W. WIDTH VARIED)
(2254321 2268157)

LR Texas
Investments LP
0406100101
COMMERCIAL

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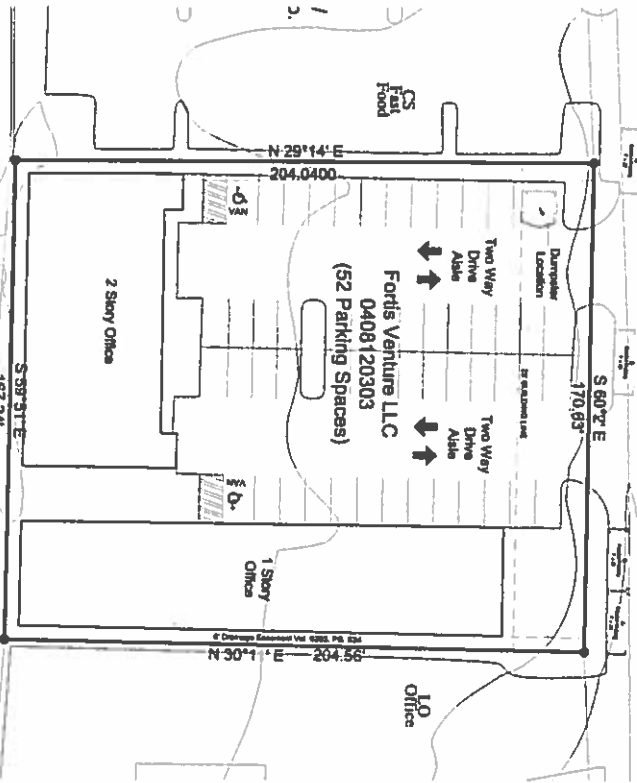
TABLE 1

448 - 50' x 100' Lot 15'	888 - 100' x 100' Lot 15'
449 - 50' x 100' Lot 15'	889 - 100' x 100' Lot 15'
450 - 50' x 100' Lot 15'	890 - 100' x 100' Lot 15'
451 - 50' x 100' Lot 15'	891 - 100' x 100' Lot 15'
452 - 50' x 100' Lot 15'	892 - 100' x 100' Lot 15'
453 - 50' x 100' Lot 15'	893 - 100' x 100' Lot 15'
454 - 50' x 100' Lot 15'	894 - 100' x 100' Lot 15'
455 - 50' x 100' Lot 15'	895 - 100' x 100' Lot 15'
456 - 50' x 100' Lot 15'	896 - 100' x 100' Lot 15'
457 - 50' x 100' Lot 15'	897 - 100' x 100' Lot 15'
458 - 50' x 100' Lot 15'	898 - 100' x 100' Lot 15'
459 - 50' x 100' Lot 15'	899 - 100' x 100' Lot 15'
460 - 50' x 100' Lot 15'	900 - 100' x 100' Lot 15'

GR-MU
General Office
Residence

S 59°57'20" E
354.3900

Fortview Rd.



U.S. 290/ Hwy 71 Frontage Road

SUMMARY		
Use	No. of Spaces	s.f. (approx.)
General Office/Daycare	1 Story	±5,257 s.f.
General Office	2 Story	±9,020 s.f.
Total		±14,277 s.f.



FORT VIEW CENTER

1825 Fort View Road, 78704

Off Site Parking Site Plan

Legal Description: Lots 1 & 2 of the Nation and Jones addition, as recorded in Volume 77, Page 169 of the Plat Records of Travis County, Texas.

This Site Plan Reflects Proposed Offsite Parking for:
RADIO COFFEE & BEER
4204 Manchaca Road, 78704

Legal Description: Portion of Lots 20 and 21, E.A. Sims Subdivision, as recorded in Volume 4, Page 295 of the plat records of Travis County, Texas.



Initial Submittal: December 23, 2014
Re-Submittal: January 20, 2015
Re-Submittal: February 23, 2015



SPC-2014-0265AT

UNDER REPRESENTATION BY ANS BRN
LAND STRATEGIES INC.
CONTACT: PAUL LINDSEY
600 LANDCREEK CIRCLE, SUITE 100
AUSTIN, TEXAS 78746
PH: (512) 443-1100
FAX: (512) 443-1101

RADIO COFFEE & BEER
Off Site Parking Site Plan



SITE PLAN BELIEVE
I, the undersigned, being a duly Licensed Professional Engineer in the State of Texas, do hereby certify that I am the author of the foregoing site plan and that I am a duly Licensed Professional Engineer in the State of Texas, No. 12512.

LAND STRATEGIES INC.
32
610 LAND CREEK CIRCLE, SUITE 100
AUSTIN, TX 78746
PH: (512) 443-1100
FAX: (512) 443-1101
www.LandStrat.com