

C13
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**PLANNING COMMISSION SITE PLAN
CONDITIONAL USE PERMIT REVIEW SHEET**

CASE NUMBER: SPC-2014-0265AT **PLANNING COMMISSION DATE:** 04/28/2015

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. SPC-2014-0265AT was postponed to the April 14, 2015 hearing at the applicant’s request, and postponed to the April 28, 2015 hearing at staff’s request.

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 recommends approval of the conditional use permit and variance request, subject to the following conditions:

1. Compliance with the Sidewalk Ordinance under LDC 25-6-352 on Fort View;
2. Installing a raised median on the Manchaca driveway to create a right-in/right-out only, location and dimensions of raised median to be reviewed and approved by Austin Transportation Department and Development Services Department;
3. Closing the driveway on Fort View closest to the intersection with Manchaca; and
4. Removing parking closest to the Manchaca entrance to increase the throat length.

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

C13/3

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

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:

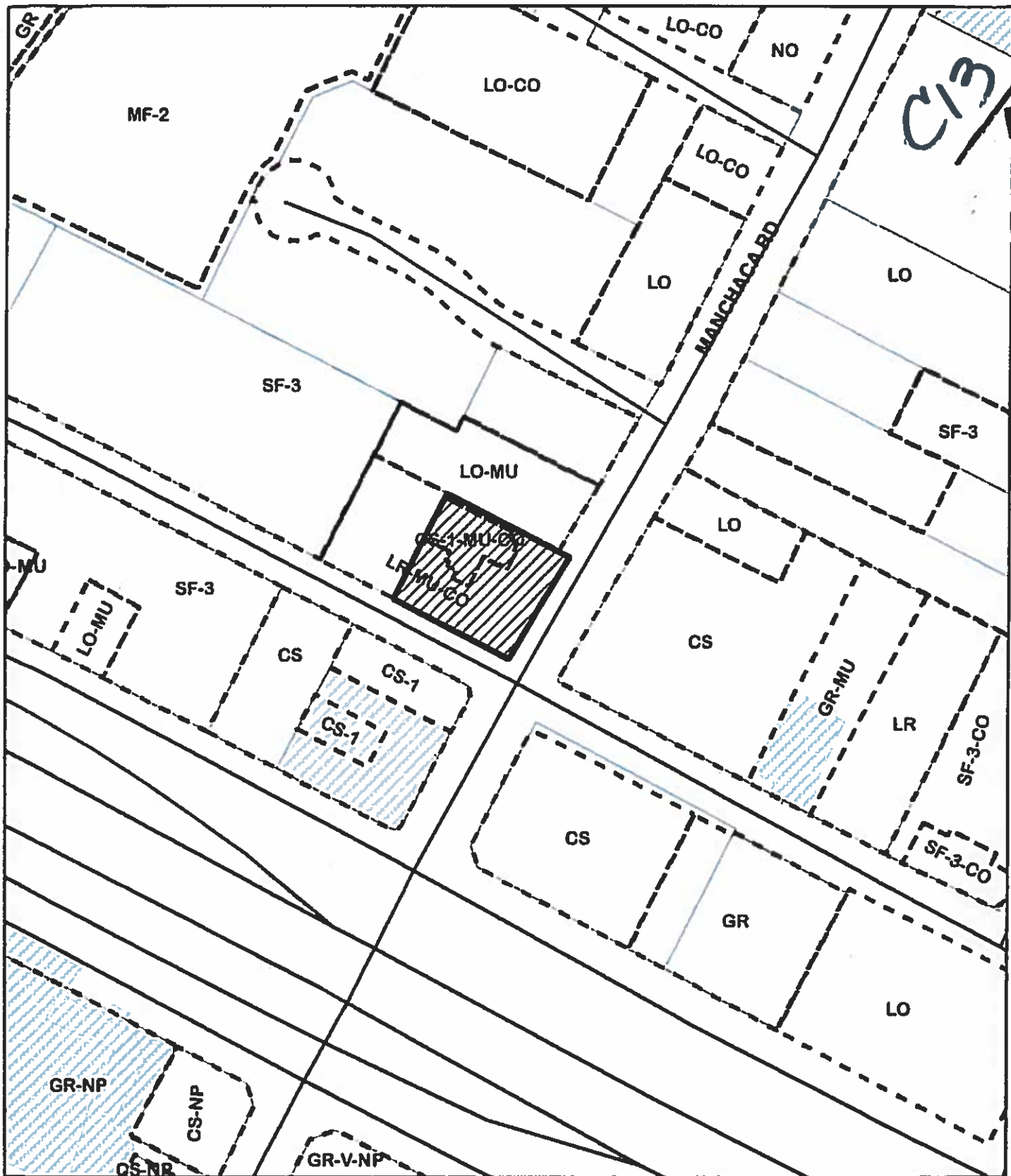
1. **Comply with the requirements of this title;** Staff response: This application complies with the requirements of this title.
2. **Comply with the objectives and purposes of the zoning district;** Staff response: This application complies with the objectives and purposes of the zoning district.
3. **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.

C13/4

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.
2. **Adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area;** Staff response: If conditions of staff recommendation are met, the safety or convenience of vehicular or pedestrian circulation will not be adversely affected.
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.

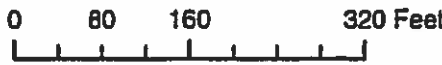


SITE PLAN

CASE#: SPC-2014-0265AT
ADDRESS: 4204 Manchaca Rd
CASE NAME: Radio Coffee & Beer
MANAGER: Christine Barton-Holmes



 **SUBJECT TRACT**
 **ZONING BOUNDARY**



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 bound areas.
 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.



OPERATOR: Donna Galati

RADIO COFFEE & BEER

4204 Manchaca Road, 78704
CONDITIONAL USE SITE PLAN

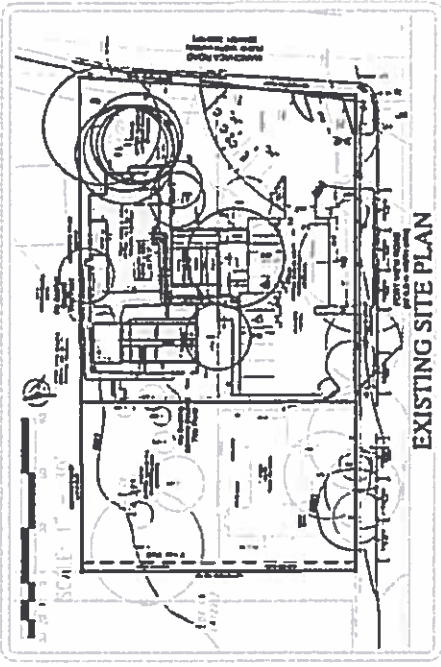
INDEX TO SHEETS

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

GENERAL NOTES:
 1. LEGAL DESCRIPTION: Portions of Lots 20 and 21, P.A. Seven Subdivision, as recorded in Map 106-100-00-0000-000-000, Travis County, Texas.
 2. THE CITY OF AUSTIN HAS REVIEWED THIS SITE PLAN AND HAS DETERMINED THAT THE PROPOSED DEVELOPMENT IS IN ACCORDANCE WITH THE CITY OF AUSTIN DEVELOPMENT CODE.
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MATTHEW D. RASMUSSEN
 ENGINEER
 10000 RIVERSIDE DRIVE, SUITE 100
 AUSTIN, TEXAS 78741
 TEL: 512-452-1234
 FAX: 512-452-1234



NO CONSTRUCTION SHALL OCCUR WITH THIS PERMIT

Initial Submittal: July 7, 2014
 Re-Submittal: December 30, 2014
 Re-Submittal: January 20, 2015
 Re-Submittal: February 23, 2015

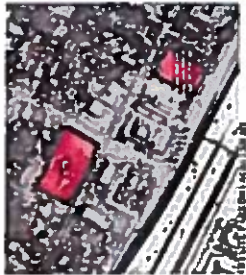
REVISIONS/CORRECTIONS

No.	DESCRIPTION	DATE	BY	DATE	BY	DATE	BY	DATE	BY	DATE	BY
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SPC-2014-0265AT

Handwritten marks: 'C13' and '7' with a large 'X' over them.

LINE	MARK	BEARING	DISTANCE	AREA	PERCENTAGE
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NOTES:
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THE PLAN RELEASE
 This plan was prepared by the undersigned and is a true and correct copy of the original plan on file in the office of the undersigned. It is hereby certified that the same are correct and true to the original plan on file in the office of the undersigned.

LARGE LOT SINGLE FAMILY
 LO
 Barbelia Raquel A &
 Christopher J Harvt
 0408100102

LR Texas Investments LP
 0408100101
 CS COMMERCIAL

SF-3
 Mayberry Dolores/
 Lisa Robertson
 0406120313

Whiddon James
 Mitchell
 0406120314
 LO-MU

LARGE LOT SINGLE FAMILY
 CS-1
 COMMERCIAL

LARGE LOT SINGLE FAMILY
 Castillo Jorge G
 & Corbelis J
 & Jeffrey
 Bronfman
 0406120350

SF-3
 Emura Living
 Trust
 0406120349

Bonestante
 Chad H
 & Jacqueline
 0406120348

LARGE LOT SINGLE FAMILY
 SF-3
 Mendez Roberto
 0408120317

Preferred Properties
 Partnership, Arnold
 Oil Co. Of Austin
 0406120228
 CS COMMERCIAL

Gustafson
 John C
 0406120209
 SF-3
LARGE LOT SINGLE FAMILY

Albar Properties LP
 0406120229
 CS-1 COMMERCIAL

- Site Plan Legend
- CLIP Boundary
 - ADA Accessible Route
 - CS-1 Zoning Boundary
 - Demolished Granite Walkway
 - Compact Parking

SPC-2014-0265AT

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GENERAL NOTES AND ORDINANCE REQUIREMENTS

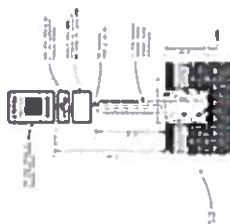
1. All construction shall be in accordance with the ordinance on page. Any additional requirements shall be noted on the drawings.
2. Approval of this plan by the Planning Commission is required for all construction in the City of Las Vegas.
3. All construction shall be in accordance with the ordinance on page.
4. The City of Las Vegas requires that all construction be in accordance with the ordinance on page.
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FIRE DEPARTMENT

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AMERICANS WITH DISABILITIES ACT

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TRANSPORTATION NOTES

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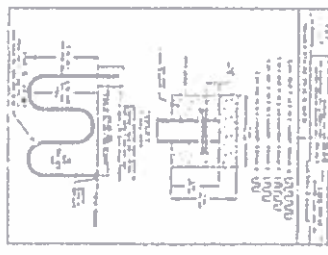


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DEVELOPER INFORMATION

Company: [Name]
Address: [Address]
City: [City]
State: [State]
Zip: [Zip]
Phone: [Phone]
Fax: [Fax]
E-mail: [Email]
Website: [Website]

Item	Description	Quantity	Unit	Notes
1	Asphalt Parking	1000	Sq. Yards	
2	Grass	500	Sq. Yards	
3	Concrete	100	Cu. Yards	
4	Rebar	1000	Lbs.	
5	Formwork	1000	Sq. Yards	
6	Excavation	1000	Cu. Yards	
7	Backfill	1000	Cu. Yards	
8	Compaction	1000	Sq. Yards	
9	Grading	1000	Sq. Yards	
10	Site Preparation	1000	Sq. Yards	



SITE PLAN RELEASE

DATE: [Date]
 TIME: [Time]
 BY: [Name]
 TITLE: [Title]
 DEPARTMENT: [Department]

SPC-2014-0265AT

C13
9/13

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 28 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

Notes:

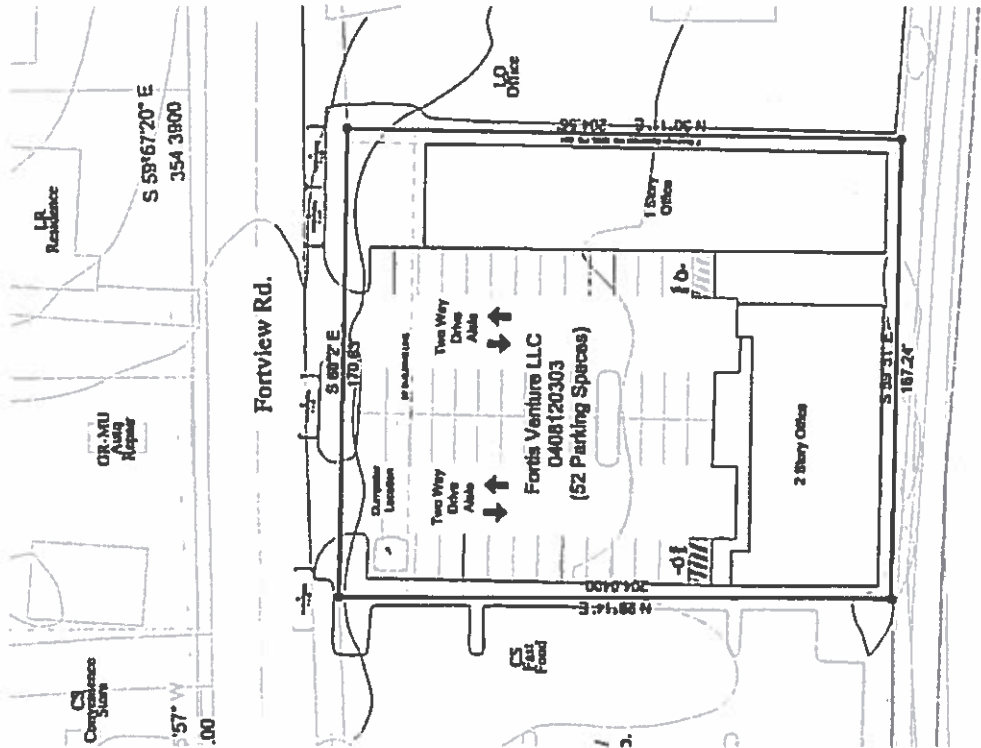
- Each compact parking space must be identified by a sign stating "small car only" and signs posted on the site directing motorists to such spaces, if applicable.
- Signage shall be provided indicating off-site parking as follows: one sign shall be provided as the off-site parking indicating the property or use which it serves, and one sign shall be provided on the site of the use served indicating the location of the off-site parking. LDC, 25-6-50.

3. Days and hours of operation for the proposed use from which spaces are being leased are as follows:

- 23 Spaces Monday - Friday:
5:00 a.m. - 6:00 p.m.
- 52 Spaces Monday - Friday:
6:00 p.m. - 2:00 a.m.
- 52 Spaces Saturday, Sunday:
6:00 a.m. - 2:00 a.m.

Radio Coffee & Beer Hours
 Monday - Sunday:
 6:30 a.m. - 12:00 a.m.

Off-Site Parking Hours
 Monday - Friday:
 8:00 a.m. - 6:00 p.m.



SUMMARY		
Use	No. of Spaces	s.f. (approx.)
General Office/Daycare	1 Story	45,237 s.f.
General Office	2 Story	39,020 s.f.
Total		84,257 s.f.

U.S. 290/Hwy 71 Frontage Road



SCALE: 1" = 20'

FOR THE REPUBLIC OF TEXAS
 COUNTY CLERK
 TRAVIS COUNTY, TEXAS
 4204 MANCHACA ROAD
 AUSTIN, TEXAS 78704
 PHONE: (512) 473-4600
 FAX: (512) 473-4601



SITE PLAN RELEASE

THIS IS TO CERTIFY THAT THE ABOVE DESCRIBED SITE PLAN HAS BEEN REVIEWED AND FOUND TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE TRAVIS COUNTY SUBDIVISION ACT AND THE TRAVIS COUNTY ZONING ORDINANCES.

DATE OF RELEASE: _____

COUNTY CLERK: _____

10/13

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;
- 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
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Case Number: **SPC-2014-0265AT**
 Contact: **Christine Barton-Holmes, 512-974-2788** or
Cindy Castillas, 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

[Signature]
 Signature

Daytime Telephone: 512 619-7012 Date 3-11-2015

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/west 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

1/13

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 Planning Commission

Cynthia A. Green
 Your Name (please print)

2014A Southright Cove
 Your address(es) affected by this application

Cynthia A. Green
 Signature

512 326-3711
 Daytime Telephone

3/6/15
 Date

Comments: I am in favor of object
 I am much overflowing parking on my previously quiet street. More historicized the whole on my street. More traffic during weekends in and out of Kador, in front of me. No. There is already a beer garden happening there and mostly people like the gas.

If you use this form to comment, it may be returned to: on 4th
 City of Austin
 Planning and Development Review - 4th Floor
 Christine Barton-Holmes
 P. O. Box 1088
 Austin, TX 78767-8810
 drunk people almost on street already.
 No. No! No.

Don't want drunk people on my street.

9/2

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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 Planning Commission

Russell E. Thomas

Your Name (please print)

4017 Victory Dr #103

Your address(es) affected by this application

Russell E. Thomas

Signature

March 7

Date

Daytime Telephone: 512-633-0584

Comments: My concern is that

loud, outdoor music will be allowed. Music, i.e. go together and beer evenings at home could 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

13/13

013
/14

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.

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.

03/15

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 Burlison
James Burlison

Associate Professor

3.8.15

512 444 3458 after 1:00 p.m.

2010 A Gathright Cove Austin 78704

Cc: Planning Commission, City Council

PUBLIC HEARING INFORMATION

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Case Number: **SPC-2014-0265AT**
 Contact: **Christine Barton-Holmes, 512-974-2788**
Cindy Castillas, 512-974-3437
 Public Hearing: **Planning Commission, Mar 24, 2015**

James Burleson
 Your Name (please print)

I am in favor
 Object

2010 A GARRETT CIRCLE 78704
 Your address(es) affected by this application

James Burleson
 Signature

Date

Daytime Telephone: 512 444 3458 AFTER 11:00 P.M.

Comments: PLEASE READ ATTACHED LETTER

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

Handwritten initials/signature

Ms. Christine Barton-Holmes

Case Manager: SPC-2014-0265AT

Planning and Development Review Department, COA

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013/18

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3-8-15

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