

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

CASE NUMBER: SPC-2015-0036A **PC DATE:** January 12, 2016

PROJECT NAME: Austin Eastciders Tap Room

ADDRESS OF APPLICATION: 979 Springdale Road

APPLICANT: 3423 Holdings, LLC (Peter Barlin) (512) 413-5896
507 Calles Street
Austin, TX 78702

AGENT: Moya Khabele (512) 947-8772
810 E 13th St
Austin, TX 78702

AREA: 9.4 acre site; 8205 sq ft food preparation (including brewery);
1,792 sq. ft. tasting area

COUNCIL DISTRICT: 3

WATERSHED: Boggy Creek (Urban)

WATERSHED ORDINANCE: Comprehensive Watershed Ordinance

T.I.A.: N/A

CAPITOL VIEW: N/A

PROPOSED DEVELOPMENT:

The applicant is requesting a conditional use permit to allow a tasting room (on-site consumption) for the brewery on this site (a conditional use per 25-2-865). The proposed tasting room is 1,792 square feet. No additional construction to the site is proposed with this site plan.

EXISTING ZONING: This lot is zoned PUD-NP, with a base zoning equivalent to LI. The use is conditional per Ordinance No. 20140417-082 Part 1 (B) The sale of beer or ale produced onsite for onsite consumption: (2) is a conditional use, if the brewery is less than 540 feet from any single family residential use.

SUMMARY STAFF RECOMMENDATION:

Staff recommends approval of the conditional use permit for the proposed tasting room. This site plan complies with all Land Development Code requirements.

CASE MANAGER: Donna Galati Phone: 512-974-2733
donna.galati@austintexas.gov

PROJECT INFORMATION: 9.4 acres

EXIST. ZONING: PUD-NP

ALLOWED F.A.R.: 1:1

EXISTING F.A.R.: 0.42:1

MAX. BLDG. COVERAGE: 75%

EXISTING BLDG. CVRG: 171,138 sq. ft. 42%

MAX. IMPERVIOUS CVRG.: 80%

EXISTING IMPERVIOUS CVRG: 80%

REQUIRED PARKING: 192

PROVIDED PARKING: 194

PROPOSED ACCESS: Springdale Road, Airport Blvd.

SUMMARY COMMENTS ON SITE PLAN:

Land Use: On-site consumption is a conditional use per the Brew-Pub Ordinance (as stated in the Existing Zoning information). The tasting room is located in an existing building.

Staff recommends approval of the conditional use permit request.

Environmental: There were no Environmental review comments. No construction is proposed with this Land Use application.

Transportation: All Transportation comments have been cleared. Access to the site will be from Springdale Road.

SURROUNDING CONDITIONS:

Zoning/ Land Use

Northwest: Sprindale Rd then SF-3-NP, (single family)

Northeast: Airport Blvd, then GR-MU-CO-NP (auto sales)

South: Railroad ROW, then P-NP (vacant) single family

West: W/LO-NP, single family

NEIGHBORHOOD ORGNIZATIONS:

African American Cultural Heritage District

Austin Heritage Tree Foundation

Austin Independent School District

Austin Neighborhoods Council

Cristo Rey Neighborhood Association

Del Valle Community Coalition

East Austin Conservancy

East MLK Combined Neighborhood Association

East MLK Combined Neighborhood Contact Team

El Concilio Mexican – American Neighborhoods

Friends of Emma Barrientos MACC

FRS Property Owners Association

Gardens Neighborhood Assn. (The)

Govalle/Johnston Terrace Plan TM of Neigh.

Govalle Neighbors

Guadalupe Neighborhood Development Corporation

M.E.T.S.A. Neighborhood Assn.

Preservation Austin

Reissig Group

SEL Texas
Sierra Club, Austin Regional Group
The Real Estate Council of Austin, Inc.

CONDITIONAL USE PERMIT

D. 25-5-145. 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.

§ 25-5-146 CONDITIONS OF APPROVAL.

(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.

CONDITIONAL USE PERMIT REVIEW AND EVALUTATION CRITERA

A. 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:

B.

1. Comply with the requirements of this title;

Staff Response: This site plan request is within the square footage limit allowed (less than 33% of the total square footage of the use). This site plan complies with all other regulations and requirements of the Land Development Code.

2. Comply with the objectives and purposes of the zoning district;

Staff Response: The proposed on-site consumption is a conditional use within the LI base zoning district, per the Brew-Pub Ordinance.

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: Yes.

4. Provide adequate and convenient off-street parking and loading facilities; and

Staff Response: Adequate parking and loading facilities are provided on-site.

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.

C. In addition, a conditional use site plan may not:

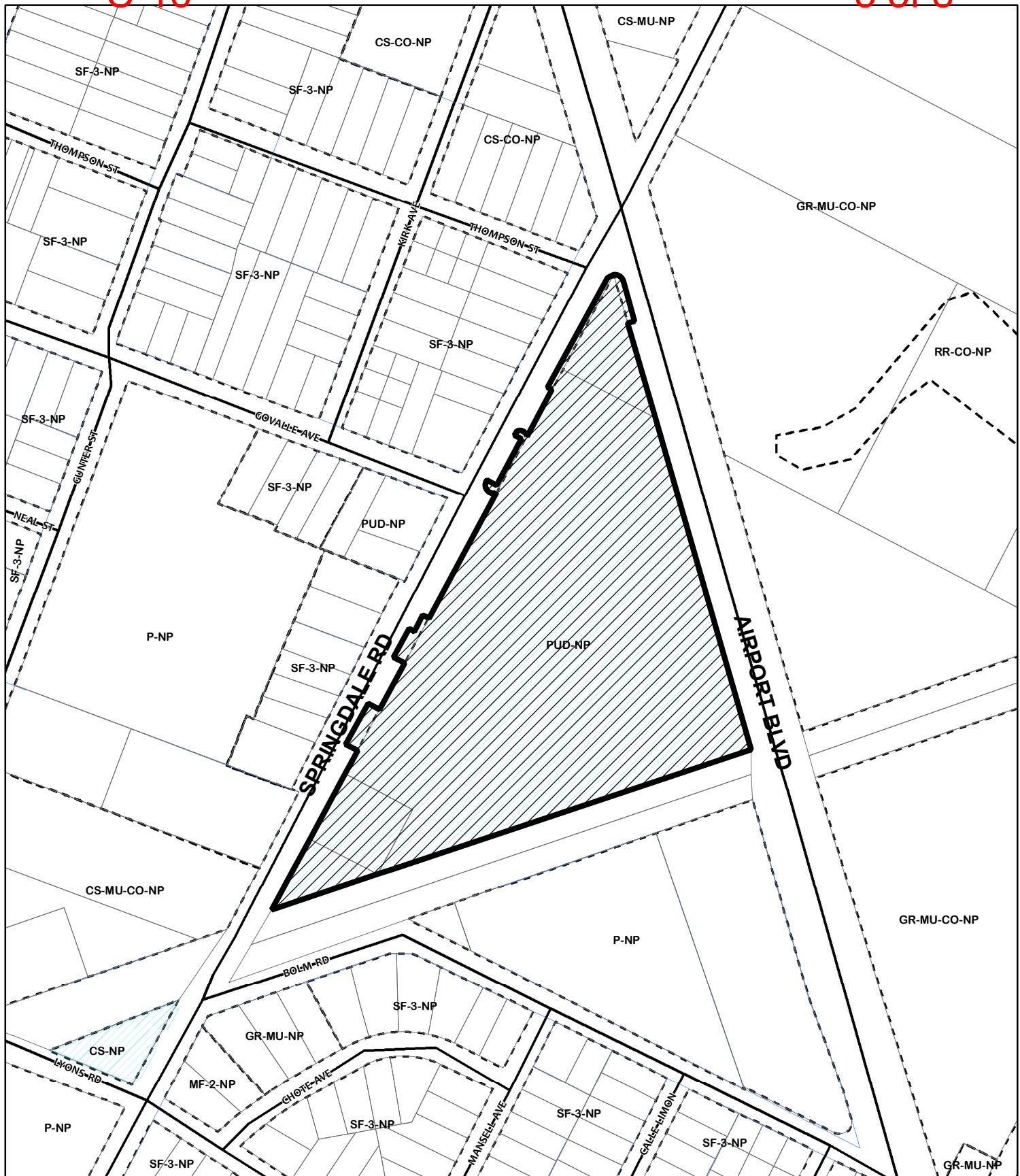
- 7. More adversely affect an adjoining site than would a permitted use;**

Staff Response: No

- 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 and lighting will comply with the Land Development Code.



 **SUBJECT TRACT**

 **ZONING BOUNDARY**

0 125 250 500 Feet

CASE#: SPC-2015-0036A
 ADDRESS: 979 Springdale Rd, Unit 130
 CASE NAME: Austin East Ciders Tap Room
 MANAGER: Donna Galati

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.



OPERATOR: D. Galati

Notes:

- a) All improvements shall be made in accordance with the released site plan. Any additional improvements will require site plan amendment and approval of the Development Review Department.
- b) Approval of this Site Plan does not include Building and Fire Code approval nor building permit approval.
- c) All signs must comply with requirements of the Land Development Code (Chapter 25-10).
- d) Additional electric easements may be required at a later date.
- e) Water and wastewater service will be provided by the City of Austin
- f) All existing structures shown to be removed will require a demolition permit from the City of Austin Planning and Development Review Department.
- g) A development permit must be issued prior to an application for building permit for non-consolidated or Planning Commission approved site plans.
- h) For driveway construction: The owner is responsible for all costs for relocation of, or damage to utilities.
- i) For construction within the right-of-way, a ROW excavation permit is required.

Accessible routes shall be located so that users are not required to wheel or walk behind parked vehicles (except the one they operate or in which they are a passenger) or in traffic lanes. [IBC 1104.1, 1106.6]

Slopes on accessible routes may not exceed 1:20 unless designed as a ramp. [ANSI 403.3]

Accessible parking spaces must be located on a surface with a slope not exceeding 1:50. [ANSI 502.5]

Accessible routes must have a cross-slope no greater than 1:50. [ANSI 403.3]

Accessible routes shall be located so that users are not required to wheel or walk behind parked vehicles (except the one they operate or in which they are a passenger) or in traffic lanes. [IBC 1104.1, 1106.6]

The minimum clear width of an accessible route is 36 in. If the accessible route is less than 60 in. wide and longer than 200 ft., passing spaces at least 60 in. by 60 in. must be located every 200 ft. [ANSI 403.5, Table 403.5]

Accessible routes shall be located so that users are not required to wheel or walk behind parked vehicles (except the one they operate or in which they are a passenger) or in traffic lanes. [IBC 1104.1, 1106.6]

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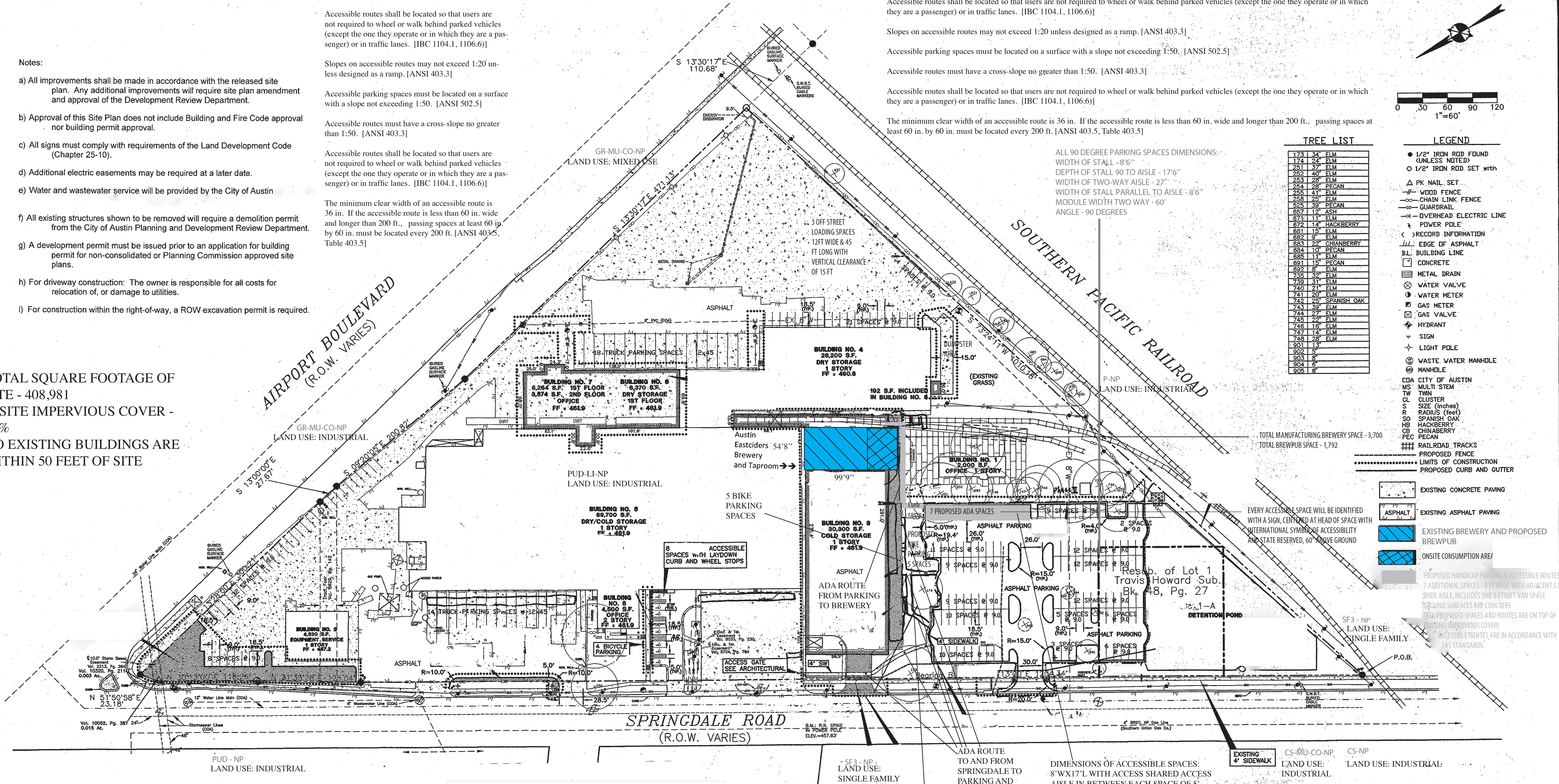
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TOTAL SQUARE FOOTAGE OF SITE - 408,981
% SITE IMPERVIOUS COVER - 80%
NO EXISTING BUILDINGS ARE WITHIN 50 FEET OF SITE



TREE LIST

| | | |
|-----|-----|-------------|
| 173 | 34' | ELM |
| 174 | 24' | ELM |
| 251 | 37' | ELM |
| 252 | 40' | ELM |
| 253 | 28' | ELM |
| 254 | 41' | ELM |
| 255 | 25' | ELM |
| 256 | 39' | PECAN |
| 657 | 12' | ASH |
| 671 | 11' | ELM |
| 672 | 14' | HACKBERRY |
| 681 | 10' | ELM |
| 682 | 9' | ELM |
| 683 | 22' | CHAMBERY |
| 684 | 10' | PECAN |
| 685 | 11' | ELM |
| 691 | 15' | PECAN |
| 692 | 8' | ELM |
| 735 | 32' | ELM |
| 736 | 31' | ELM |
| 740 | 31' | ELM |
| 741 | 20' | ELM |
| 742 | 25' | SPANISH OAK |
| 743 | 30' | ELM |
| 745 | 22' | ELM |
| 746 | 18' | ELM |
| 747 | 14' | ELM |
| 748 | 28' | ELM |
| 802 | 5' | ELM |
| 803 | 8' | ELM |
| 804 | 8' | ELM |
| 805 | 8' | ELM |

LEGEND

- 1/2" IRON ROD FOUND (UNLESS NOTED)
- 1/2" IRON ROD SET WITH
- PK. NAIL SET
- WOOD FENCE
- CHAIN LINK FENCE
- GUARDRAIL
- OVERHEAD ELECTRIC LINE
- POWDER POLE
- RECORD INFORMATION
- EDGE OF ASPHALT
- B.L. BUILDING LINE
- CONCRETE
- METAL DRAIN
- WATER VALVE
- WATER METER
- GAS METER
- GAS VALVE
- HYDRANT
- SIGN
- LIGHT POLE
- WASTE WATER MANHOLE
- MANHOLE
- CDA CITY OF AUSTIN
- MS MULTI STEM
- TW THIN
- CL CLUSTER
- S SIZE (inches)
- R RADIUS (feet)
 SO SPANISH OAK | HB HACKBERRY | CB CHAMBERY | PECAN |- RAILROAD TRACKS
- PROPOSED FENCE
- LIMITS OF CONSTRUCTION
- PROPOSED CURB AND GUTTER

EXISTING CONCRETE PAVING

EXISTING ASPHALT PAVING

EXISTING BREWERY AND PROPOSED BREWPUB

ONSITE CONSUMPTION AREA

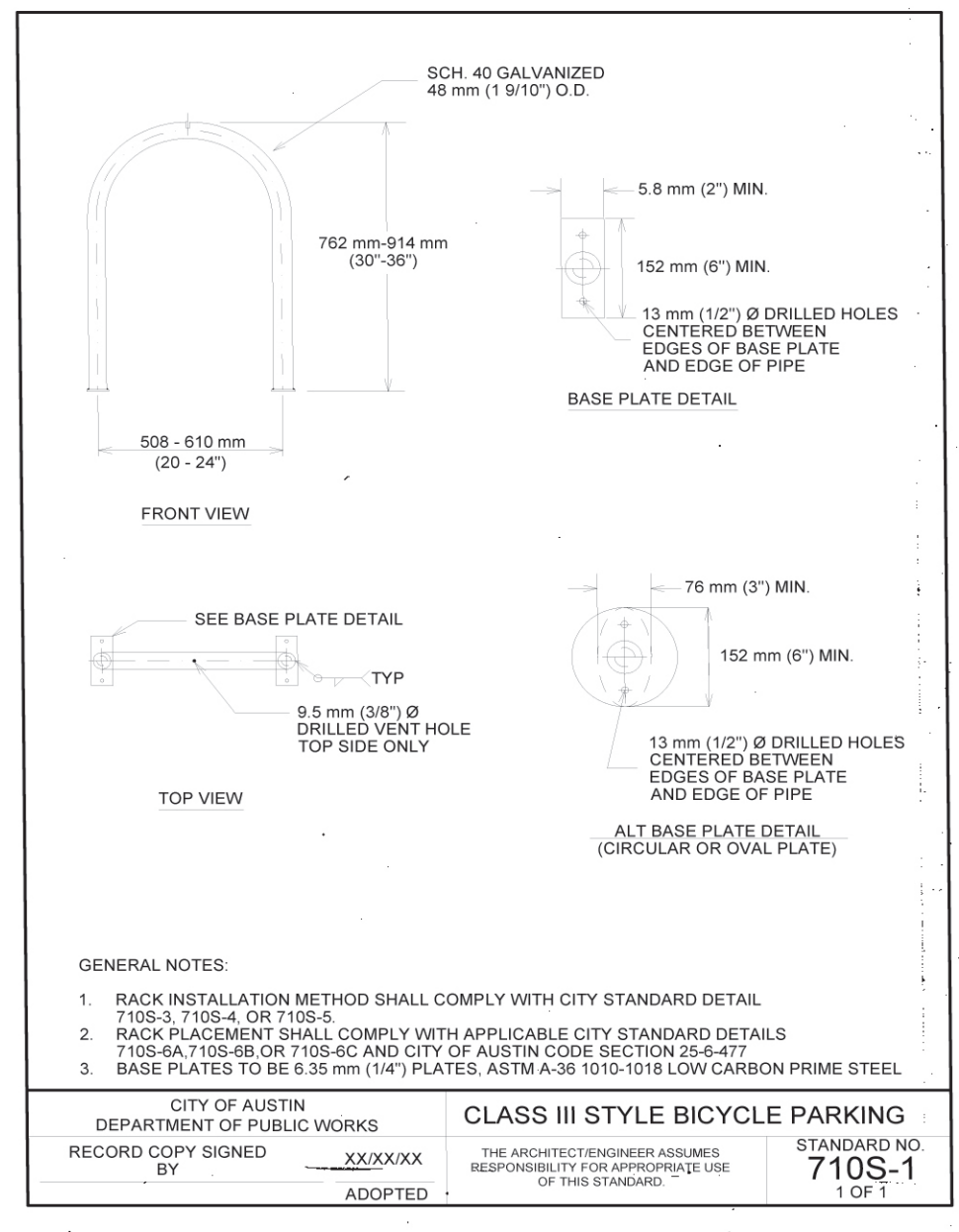
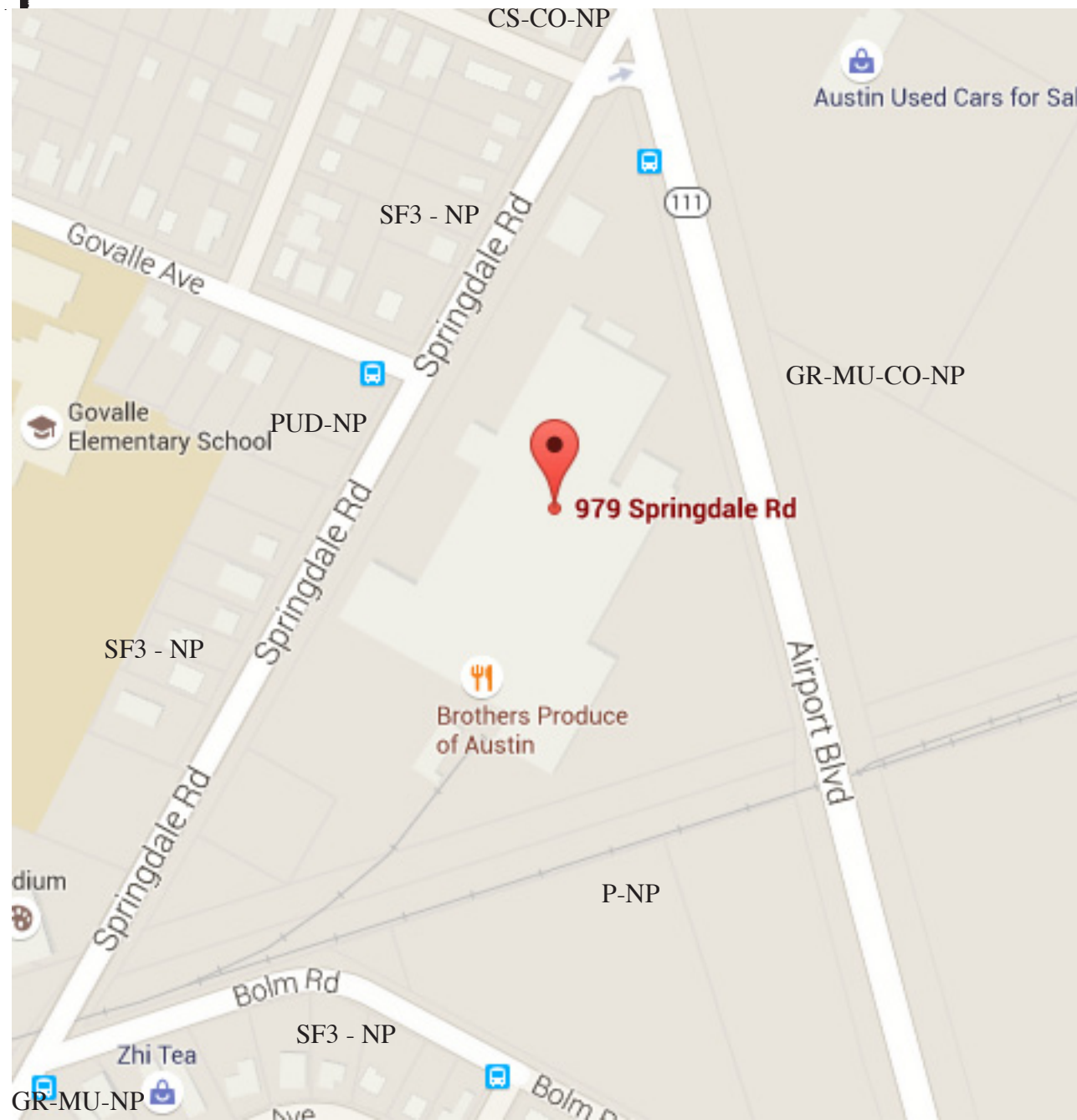
PROPOSED HANDICAP PARKING & ACCESSIBLE ROUTES

7 ADDITIONAL SPACES - 8 FT WIDE WITH ADJACENT 5' WIDE AISLE, INCLUDES ONE 8 FT X 8 FT VAN SPACE

GROUND SURFACES ARE CONCRETE

PROPOSED SPACES AND ROUTES ARE ON TOP OF EXISTING IMPERVIOUS COVER

ACCESSIBLE ROUTES ARE IN ACCORDANCE WITH T&E STANDARDS



Gross square footage:

| | |
|-----------------------|---------------|
| Building 1 - | 2,200 |
| Building 2 - | 4,530 |
| Building 3 - | 30,300 |
| Building 4 - | 26,200 |
| Building 5 - | 89,700 |
| Building 6 - | 6,370 |
| Building 7 - | 8,264 & 3,574 |
| Total - | 171,138 |
| FLOOR TO AREA RATIO - | .42 |

Proposed Parking/Use Table

| Use | Building SF | Parking Ratio | Required Parking | Provided Parking |
|-------------------------------------|-------------|-----------------------------|------------------|------------------|
| Office | 2,000 | 1/275 | 7 | |
| Warehouse | 169,779 | 1/1000 | 170 | |
| Food Preparation (includes brewery) | 8205 | 1/1000 | 8 | |
| Tasting area (for brewery) | 1792 | 1/275 | 7 | |
| | | 33% of total square footage | | |
| Total | 170,438 | | 192 | 194 |

BIKE PARKING 5

TOTAL PARKING AVAILABLE

| | |
|-------------------------|-----|
| STANDARD | 53 |
| COMPACT | 128 |
| ADA BIKE PARKING | 15 |
| TOTAL | 194 |
| TOTAL WITH BIKE PARKING | 199 |

SITE PLAN

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/devservices.

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-2015-0036A

Contact: Donna Galati, 512-974-2733 or Elsa Garza, 512-974-2308

Public Hearing: Planning Commission, Jan 12, 2016

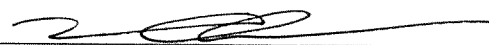
KEVIN COLLINS

Your Name (please print)

| | |
|-------------------------------------|---------------|
| <input checked="" type="checkbox"/> | I am in favor |
| <input type="checkbox"/> | I object |

716 SPRINGDALE RD. #4 STE 102

Your address(es) affected by this application



Signature

12/16/15

Date

Daytime Telephone: 512 444-6655

Comments:

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

City of Austin

Development Services Department – 4th floor

Donna Galati

P. O. Box 1088

Austin, TX 78767-8810

INFORMACION DE AUDIENCIA PÚBLICA

Aunque solicitantes y/o su(s) agente(s) se les requiere atender la audiencia publica, usted no esta bajo requisito de atender. De todos modos, si usted atiende la audiencia publica, tendrá la oportunidad de hablar a FAVOR o EN CONTRA al propuesto desarrollo o cambio. Usted también puede contactar a una organización de protección al medio ambiente o organización de vecinos que ha expresado interés en la aplicación teniendo implicaciones a su propiedad.

Durante la audiencia publica, la comisión podría postergar o continuar audiencia del caso en una fecha futura, o recomendar aprobar o negar la aplicación. Si la comisión anuncia fecha y hora especifica para postergar o continuar discusión, y no se extiende más de 60 días, no tendrá obligación de otra notificación publica.

La decisión de la Comisión puede ser apelada por una persona con pie de recurso o por una persona que ha sido identificado como una parte interesada. El organismo obteniendo la audiencia publica determinara si una persona esta legitimada para apelar una decisión.

Una enmienda de la ordenanza de zonificación puede incluir una superposición condicional que incluiría las condiciones aprobadas por la Comisión de Uso de la Tierra o el Ayuntamiento. Si la aprobación final es por la acción del Consejo de la Ciudad, no hay apelación de la acción de la Comisión de Uso de la Tierra.

Una parte interesada, se define como una persona que es el solicitante o el titular de registro de la propiedad en cuestión o que se comunica el interés de una junta o comisión por:

- la entrega de una declaración por escrito a la junta o comisión, antes o durante la audiencia pública que generalmente se identifica los temas de interés (que puede ser entregado al contacto que aparece en un anuncio), o
- que aparecen y hablan por el registro en la audiencia pública, y
- ocupa una residencia principal que se encuentra dentro de 500 pies de la propiedad en cuestión o el desarrollo propuesto,
- es el registro dueño de la propiedad dentro de 500 pies de la propiedad en cuestión o desarrollo propuesto,
- es un funcionario de medio ambiente o la organización de la vecindad que tiene un interés o cuyos límites declarados son de 500 pies de la propiedad en cuestión o el desarrollo propuesto.

Un aviso de apelación debe ser presentada con el director del departamento responsable, a más tardar 14 días después de la decisión. Un formulario de apelación puede estar disponible en el departamento responsable.

Para obtener información adicional sobre el proceso de desarrollo de la ciudad de Austin, visite nuestro sitio Web: www.austintexas.gov/devservices.

Comentarios escritos deberán ser sometidos a la comisión (o a la persona designada en la noticia oficial) antes o durante la audiencia publica. Sus comentarios deben incluir el nombre de la comisión, la fecha de la audiencia publica, el número de caso, y el nombre de la persona designada en la noticia oficial.

Numero de caso: SPC-2015-0036A

Persona designada: Donna Galati, 512-974-2733, o

Elsa Garza, 512-974-2308

Audiencia Pública: Planning Commission, Jan 12, 2016

Su Nombre (en letra de molde)

Su domicilio(s) afectado(s) por esta solicitud

Firma

Fecha

Comentarios: _____

Si usted usa esta forma para proveer comentarios, puede retornarlos a:
City of Austin / Development Services Department, 4th Fl
Donna Galati
P. O. Box 1088
Austin, TX 78767-8810