

## A G E N D A



## Recommendation for Council Action

Austin City Council	Item ID	67801	Agenda Number	79.
---------------------	---------	-------	---------------	-----

Meeting Date:	3/2/2017	Department:	Development Services
---------------	----------	-------------	----------------------

## Subject

Conduct a public hearing to consider an appeal by Gavino Fernandez, Jr., Gloria Moreno, and Leon Hernandez regarding the Planning Commission's approval of a Conditional Use Permit with parking variance [LDC 25-5-146(B)] for the Tamale House, located at 1706 E. 5th Street. (District 3)

## Amount and Source of Funding

## Fiscal Note

Purchasing Language:	
Prior Council Action:	
For More Information:	Rosemary Avila, (512) 974-2784; Andrew Linseisen, (512) 974-2239
Council Committee, Boards and Commission Action:	January 10, 2017 – Approved by the Planning Commission on a 13-0 vote, no conditions were placed on the approval.
MBE / WBE:	
Related Items:	

## Additional Backup Information

With Site Development Permit SPC-2016-0160A, the applicant requested a conditional use permit to allow extended hours for a cocktail lounge use within the existing Tamale House restaurant located at 1706 E. 5th Street. The applicant also requested a variance to allow a parking area for a cocktail lounge permit that is less than 200 feet from a single family use [LDC 25-5-146(B)]. On January 10, 2017, the Planning Commission unanimously approved both the conditional use site development permit and the parking variance.

Gavino Fernandez, Jr., Gloria Moreno, and Leon Hernandez, interested parties to the site development permit, are appealing the Planning Commission's decision to approve the conditional use permit to allow the late hours permit for cocktail lounge use with the parking variance.

Staff recommends denial of the appeal, and approval of the conditional use permit and parking variance.