

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

CASE NUMBER: SPC-2017-0224C **PLANNING COMMISSION DATE:** 04/10/2018

COUNCIL DISTRICT: 3

PROJECT NAME: Ava Development

ADDRESS OF APPLICATION: 1408 and 1410 E Cesar Chavez Street

AREA: 3,143 square feet, part of 0.41-acre tract

APPLICANT: Nicolas Ava
900 Rio Holdings, LLC
900 Rio Grande Street
Austin, TX 78701

AGENT: Mauricio Quintero-Rangel
Servant Engineering & Consulting, PLLC
12000 Manchaca Road, Ste. C
Austin, TX 78748

CASE MANAGER: Anaiah M. Johnson, MPA Telephone: 974-2932
anaiah.johnson@austintexas.gov

PROPOSED DEVELOPMENT:

The applicant is requesting approval of a Conditional Use Permit for a Restaurant (General) land use within an existing building. The conditional overlay for this tract requires a conditional use permit for a Restaurant (General), which would otherwise be a permitted use in the CS base zoning district.

Interior remodeling is proposed in this plan for the building requiring the CUP. All uses will take place in existing structures, and the other building on the site (for which partial demolition and interior remodeling is proposed) is a different land use, not requiring a CUP.

SUMMARY STAFF RECOMMENDATION: Staff recommends approval of the Conditional Use Permit. The site plan will comply with all requirements of the Land Development Code prior to its release.

EXISTING ZONING: CS-MU-CO-NP

PREVIOUS PLANNING COMMISSION ACTION: None

AREA STUDY: East Cesar Chavez

WATERSHED: Lady Bird Lake (Urban)

APPLICABLE WATERSHED ORDINANCE: Current/ Comprehensive watershed ordinance

CAPITOL VIEW: CVC 10 – Pleasant Valley Road at Lakeshore Drive

T.I.A.: Not Required

PROJECT INFORMATION:**ZONING:** CS-MU-CO-NP**MAX BLDG COVRG:** 95%**MAX IMPV COVRG:** 95%**MAX HEIGHT:** 60'**REQUIRED PARKING:** 11.01**EXISTING USE:** Office / Retail**RESTAURANT (GEN) AREA:** 1,083 sf**PROPOSED BLDG COVRG:** 3,143 sf / 17.73%**PROPOSED IMPV COVRG:** 0.287 ac / 70.51%**PROPOSED HEIGHT:** 30' existing**PROVIDED PARKING:** 12**PROPOSED USE:** Restaurant (Gen) / Personal Svcs**SUMMARY COMMENTS ON SITE PLAN:**

Land Use: The applicant is requesting approval of a Conditional Use Permit to allow a change of use of an existing 1,083-sq. ft. office / retail building to a restaurant (general) building. The existing building will be remodeled as a part of this site plan. The site plan will comply with all requirements of the Land Development Code prior to its release. Staff recommends approval of the conditional use permit.

Environmental: The site is in the Lady Bird Lake watershed, which is an Urban Watershed. There is no increase in impervious coverage and no known Critical Environmental Features are located onsite.

Transportation: Current vehicular access is available from E Cesar Chavez Street. One existing driveway will remain as exists, and another will be demolished and rebuilt with this site plan.

SURROUNDING CONDITIONS: Zoning/ Land use**North:** SF-3 (Single-Family Residential)**East:** CS-MU-V-CO-NP (Commercial)**South:** E Cesar Chavez Street, then CS-MU-CO-NP & CS-MU-CO-H-NP (Commercial & Single-Family Residential)**West:** CS-MU-CO-NP (Office)

<u>Street</u>	<u>R.O.W.</u>	<u>Surfacing</u>	<u>Classification</u>
E Cesar Chavez Street	60'	35'	Minor Arterial

NEIGHBORHOOD ORGANIZATIONS:

Austin Heritage Tree Foundation

Austin Innercity Alliance

Barrio Unido Neighborhood Association

Black Improvement Association

Claim Your Destiny Foundation

Del Valle Community Coalition

E Cesar Chavez Neighborhood Association

East Town Lake Citizens Neighborhood Org.

El Concilio Mexican-American Neighborhoods

Friends of Austin Neighborhoods

Guadalupe Neighborhood Development Corp.

Homeless Neighborhood Association

Neighbors United for Progress

Preservation Austin

SEL Texas

Sierra Club, Austin Regional Group

Tejano Town

United East Austin Coalition

Austin Independent School District

Austin Neighborhoods Council

Bike Austin

Capital Metro

Cristo Rey Neighborhood Association

East Austin Conservancy

E Cesar Chavez Neighborhood Planning Team

CONDITIONAL USE PERMIT REVIEW AND EVALUATION CRITERIA

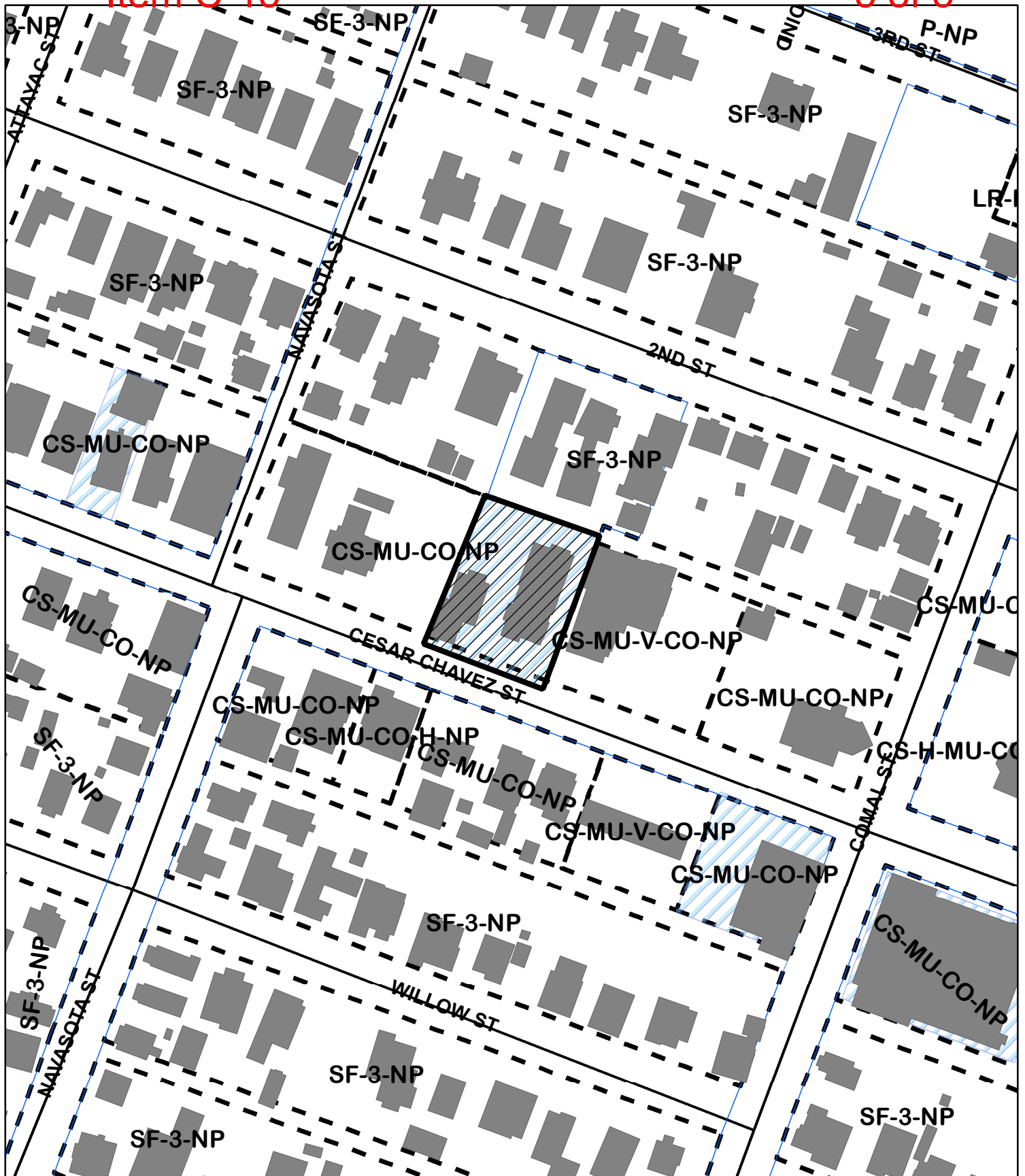
The following evaluation is included to provide staff position on each point of the conditional use permit criteria. Section 25-5-145 of the Land Development Code states: “The Commission shall determine whether the proposed development or use of a conditional use site plan complies with the requirements 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: Compatibility is triggered for this site, and this application is compatible with the abutting/triggering sites.
4. **Provide adequate and convenient off-street parking and loading facilities;** Staff response: Adequate parking and loading has been provided.
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 property has been developed for more than 100 years and has had a non-residential land use for at least the past 30 years (approximate). The property is surrounded by office and commercial land uses on the same block face, and by single-family residential land uses on the opposing block face. It will not more adversely impact adjoining sites than would a permitted use.
2. **Adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area;** Staff response: Safety and convenience of vehicular and pedestrian circulation will not be adversely impacted.
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



 SUBJECT TRACT
 ZONING BOUNDARY

0 60 120 240 Feet

CASE#: SPC-2017-0224C
 ADDRESS: 1408 & 1410 E Cesar Chavez St
 CASE NAME: Ava Development
 MANAGER: Anaiah Johnson



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OPERATOR: Christine Barton-Holmes