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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

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PROJECT INFORMATION:

ZONING: CS-MU-CO-NP
RESTAURANT (GEN) AREA: 1,083 sf
MAX BLDG COVRG: 95%
PROPOSED BLDG CVRG: 3,143 sf / 17.73%
PROPOSED IMPV CVRG: 0.287 ac / 70.51%

MAX HEIGHT: 60' PROPOSED HEIGHT: 30' existing

REQUIRED PARKING: 11.01 **PROVIDED PARKING:** 12

EXISTING USE: Office / Retail **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)

StreetR.O.W.SurfacingClassificationE Cesar Chavez Street60'35'Minor Arterial

NEIGHBORHOOD ORGANIZATIONS:

Austin Heritage Tree Foundation Austin Independent School District
Austin Innercity Alliance Austin Neighborhoods Council

Barrio Unido Neighborhood Association Black Improvement Association Black Improvement Association Capital Metro

Claim Your Destiny Foundation Cristo Rey Neighborhood Association

Del Valle Community Coalition East Austin Conservancy

E Cesar Chavez Neighborhood Association E Cesar Chavez Neighborhood Planning Team

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

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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: 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.

MAURICIO QUINTERO-RANGEL 02-27-18

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/DATE: 02/27/2018 FILE: 1408 E CESAR

DRAWN: A.O. **SHEET**

ZONING DATA

ZONING: CS-MU-NP-CO

EXISTING USE: OFFICE/RETAIL

PROPOSED USE: RESTAURANT 1083 S.F. & PERSONAL SERVICES 2,068 S.F. FLOOR TO AREA RATIO: 0.177 : 1.0

FINISH FLOOR ELEVATION: 467.42 BLDG 1 466.64 BLDG 2

NUMBER OF STORIES:

BUILDING HEIGHT: 30'-0" (MAX. PER ZONING: 60') MAXIMUM ELEVATION ABOVE MSL: 467.42+16

SQUARE FOOTAGE: 3.068 S.F.

GROSS FLOOR AREA: 3,068 S.F.

FOUNDATION TYPE: PIER & BEAM

SITE IMPERVIOUS COVER = 12,461 S.F. (70.30%), MAXIMUM IMPER. COVER ALLOWED: 95% TOTAL BUILDING COVERAGE = 3,143 S.F. (17.73%), MAXIMUM ALLOWED PER ZONING = 95.0%

PARKING TABLE					
USE	AREA	RATIO	SPACES REQUIRED	SPACES PRO	VIDED
RESTAURANT	1,083 SF	100	10.83	ACCESSIBLE	1
PERSONAL SERVICES	2,068 SF	275	7.52	REGULAR	8
20% REDUCTION (URBAN	I CORE)		-3.67	COMPACT	3
20% REDUCTION (CAR S	SHARING)		-3.67	TOTAL	12

TOTAL

11.01

AUSTIN ENERGY NOTES

1. AUSTIN ENERGY HAS THE RIGHT TO PRUNE AND/OR REMOVE TREES, SHRUBBERY AND OTHER OBSTRUCTIONS TO THE EXTENT NECESSARY TO KEEP THE EASEMENTS CLEAR. AUSTIN ENERGY WILL PERFORM ALL TREE WORK IN COMPLIANCE WITH CHAPTER 25-8, SUBCHAPTER B OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE 2. THE OWNER/DEVELOPER OF THIS SUBDIVISION/LOT SHALL PROVIDE AUSTIN ENERGY

WITH ANY EASEMENT AND/OR ACCESS REQUIRED, IN ADDITION TO THOSE INDICATED, FOR THE INSTALLATION AND ONGOING MAINTENANCE OF OVERHEAD AND UNDERGROUND ELECTRIC FACILITIES. THESE EASEMENTS AND/OR ACCESS ARE REQUIRED TO PROVIDE ELECTRIC SERVICE TO THE BUILDING AND WILL NOT BE LOCATED SO AS TO CAUSE THE SITE TO BE OUT OF COMPLIANCE WITH CHAPTER 25-8 OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE.

3. THE OWNER SHALL BE RESPONSIBLE FOR INSTALLATION OF TEMPORARY EROSION CONTROL, REVEGETATION AND TREE PROTECTION. IN ADDITION, THE OWNER SHALL BE RESPONSIBLE FOR ANY INITIAL TREE PRUNING AND TREE REMOVAL THAT IS WITHIN TEN FEET OF THE CENTER LINE OF THE PROPOSED OVERHEAD ELECTRICAL FACILITIES DESIGNED TO PROVIDE ELECTRIC SERVICE TO THIS PROJECT. THE OWNER SHALL INCLUDE AUSTIN ENERGY'S WORK WITHIN THE LIMITS OF CONSTRUCTION FOR THIS PROJECT 4. THE OWNER OF THE PROPERTY IS RESPONSIBLE FOR MAINTAINING CLEARANCES

REQUIRED BY THE NATIONAL ELECTRIC SAFETY CODE, OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) REGULATIONS, CITY OF AUSTIN RULES AND REGULATIONS AND TEXAS STATE LAWS PERTAINING TO CLEARANCES WHEN WORKING IN CLOSE PROXIMITY TO OVERHEAD POWER LINES AND EQUIPMENT. AUSTIN ENERGY WILL NOT RENDER ELECTRIC SERVICE UNLESS REQUIRED CLEARANCES ARE MAINTAINED. ALL COSTS INCURRED BECAMO OF FAILURE TO COMPLY WITH THE REQUIRED CLEARANCES WILL BE CHARGED TO THE

5. ANY RELOCATION OF ELECTRIC FACILITIES SHALL BE AT LANDOWNER'S/DEVELOPER'S EXPENSE.

THIS SITE IS COMPOSED OF TWO LOTS AND HAS BEEN APPROVED AND RECORDED AS ONE COHESIVE DEVELOPMENT AS DOCUMENT NO IF PORTIONS OF THE LOTS ARE SOLD, APPLICATION FOR SUBDIVISION AND SITE PLAN APPROVAL MAY BE REQUIRED.

AS PER LDC SECTION 25-2-585, EXTERIOR LIGHTING ABOVE THE SECOND FLOOR IS PROHIBITED IN THE GO, LR, GR, CS, OR CS-1 ZONING DISTRICTS WHEN ADJACENT TO AN SF-5 OR MORE RESTRICTIVE ZONING DISTRICT (SECTION 25-2-585).

OPEN SPACE MINIMUM REQUIRED = 5% * 17,725 S.F. = 886.25 S.F. OPEN SPACE PROVIDED = 3,041 S.F.

DEMOLITION PERMIT NOTE:

. THE APPLICANT IS RESPONSIBLE FOR REQUESTING RELOCATION AND DEMOLITION PERMITS ONCE THE SITE PLAN IS APPROVED. . THE CITY HISTORIC PRESERVATION OFFICER WILL REVIEW ALL PROPOSED BUILDING DEMOLITIONS AND RELOCATIONS PRIOR TO SITE PLAN APPROVAL. 3. IF A BUILDING MEETS CITY HISTORIC CRITERIA, THE HISTORIC LANDMARK COMMISSION MAY INITIATE A HISTORIC ZONING CASE ON THE PROPERTY. 4. ALL EXISTING STRUCTURES SHOWN TO BE REMOVED WILL REQUIRE A DEMOLITION PERMIT FROM THE CITY OF AUSTIN DEVELOPMENT SERVICES DEPARTMENT.

5. PLEASE CONTACT THE HISTORIC PRESERVATION OFFICER AT 974-6454 FOR ADDITIONAL INFORMATION.

A CIVIL ENGINEER REGISTERED IN TEXAS

MUST CERTIFY A PLAN OR PLAT AS COMPLETE, ACCURATE, AND IN COMPLIANCE WITH THE REQUIREMENTS OF THIS SUBCHAPTER THE DIRECTOR OF WATERSHED PROTECTION DEPARTMENT MAY WAIVE THIS REQUIREMENT AFTER MAKING A DETERMINATION THAT THE PLAN OR PLAT INCLUDES ONLY MINOR ALTERATIONS OR IMPROVEMENTS THAT DO NOT REQUIRE THE SERVICES OF AN ENGINEER.

BICYCLE PARKING TABLE

E. CESAR CHAVEZ ST. IS THE PRINCIPAL ROADWAY AND IS DEFINED AS A URBAN ROADWAY. 2. SCREENING FOR SOLID WASTE COLLECTION AND LOADING AREAS SHALL BE THE SAME

IMPERVIOUS COVER CALCULATION

SITE AREA:	0.41 AC		17725 SF					
SURFACE	EXISTING	%	DEMO	%	PROPOSED	%	TOTAL	%
BLDG COVER	5543	31.27	2400	13.54	0	0.00	3143.00	17.73
WOOD RAMP/DECK	0	0.00	0	0.00	0	0.00	0.00	0.00
PARKING/CONCRETE	7811	44.07	7377	41.62	8921	50.33	9355.00	52.78
	13354.00	75.34	9777.00	55.16	8921.00	50.33	12498.00	70.51

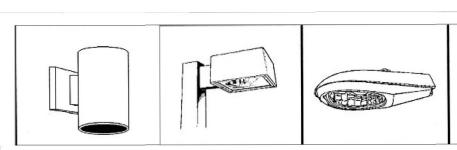


Figure 34: Examples of fully-shielded light fixtures.

SITE PLAN RELESASE 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 b) Approval of this Site Plan does no

ZONING: SF-3-NP

FAMILY OR DUPLEX

USE: SINGLE

||CS-MU-CO-NF

USE: OFFICE

(TYP.)

H.C. SIGN ⊢

LANDING

RAMP

LANDING

PROPOSED

demolition approval or building permit c) All signs must comply with requirements of the Land Development Code (Chapter 25-10).

include Building & Fire Code approval,

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 Development Services 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 R.O.W. excavation permit is required.

ENGINEER'S CERTIFICATION

MAX OF 5% VEHICULAR SPACES OR 5 SPACES = (5% OF 11 = 0.55)THEN 5 SPACES PROVIDED

SUBCHAPTER E COMPLIANCE NOTES

MATERIALS. ALL EXTERIOR LIGHTING WILL BE FULL CUT-OFF AND FULLY SHIELDED IN COMPLIANCE WITH SUBCHAPTER E 2.5. ALL SITE LIGHTING TO BE LOCATED ON THE BUILDING WILL B IN COMPLIANCE WITH SUBCHAPTER E 2.5, AND WILL BE REVIEWED OR SUBSTITUTION OF LAMP/LIGHT FIXTURES

ACCESSIBLE ROUTE & SHADED SIDEWALK

SIDEWALK AS, OR OF EQUAL TO, PRINCIPAL BUILDING DURING BUILDING PLAN REVIEW. ANY CHANGE SHALL BE SUBMITTED TO THE DIRECTOR FOR APPROVAL IN ACCORDANCE WITH SECTION 2.5.2.E., SEE FIGURE 34.

BICYCLE PARKING CLASS PER DETAIL 710S-1

EXISTING

DRIVEWAY

|10' B.S. | SIDEWALK (TYP) PER DETAIL 532S-PROPOSED SIDEWALK EASEMENT BY SEPARATE INSTRUMENT DOC.

COOLER

EXISTING ONE

STORY FRAME

BLDG 1,083 S.F

(RESTAURANT)

FFE=467.42

IENTRY

EX. SIDEWALK PLANTING ZONE — WW ——— WW ——— WWI +——— WW E. CESAR CHAVEZ STREET

(R.O.W. 60') lhours

ZONING: CS-MU-CO-NP SIDEWALK

HYDRANT USE: COMMERCIAL EXISTING 1409 CESAR CHAVEZ ST 1407 CESAR CHAVEZ ST DRIVEWAY

CAPITOL VIEW

ZONING: SF-3-NP

USE: RESIDENTIAL

/İ¢AR TO GC

1DO NOTI

EXISTING ONE STORY

FRAME BLDG 2,068 S.F.

(PERSONAL SERVICES)

FFE = 466.64

ENTER

ENTRY

CORRIDOR

ZONING: CS-MU-CO-NP

(RETAIL/PERSONAL SERVICES)

CONCRETE PAVEMENT

LANDING

USED: OFFICE

CAPITOL VIEW-

STRIPPING

CORRIDOR

EXISTING 6'

TO REMAIN

PRIVACY FENCE

BOUNDARY

DRIVEWAY PROPOSED 4 FEET TALL ORNAMENTAL FENCE & GATES, REFER TO ARCHITECTURAL PLANS FOR DETAILS. ALL GATES TO REMAIN OPEN DURING BUSINESSES ZONING: CS-MU-CO-NP USE: SINGLE FAMILY OR

CONSTRUCT TWO WAY TYPE II

GUTTER SAWCUT FULL DEPTH

DRIVEWAY PER DETAIL

433S-2 DEMO CURB AND

ALONG LIP OF GUTTER

PROPOSED

|RECONSTRUCTED|

EXISTING ONE-WAY

DRIVEWAY TO REMAIN

DUPLEX

EXISTING

DRIVEWAY

GAS — GAS — GAS — GAS — GAS

TIRE \$TOP

(TYP.)

CITY OF AUSTIN SPECIFICATIONS FOR VAN-ACCESSIBLE PARKING. 2. EACH ACCESSIBLE PARKING SPACE MUST BE IDENTIFIED BY A SIGN CENTERED AT A MINIMUM OF FIVE FEET ABOVE THE PARKING SURFACE AT THE HEAD OF THE PARKING SPACE. THE SIGN MUST INCLUDE THE INTERNATIONAL SYMBOL OF ACCESSIBILITY AND STATE "RESERVED" OR EQUIVALENT LANGUAGE AND MUST NOT BE OBSCURED BY A VEHICLE PARKED IN THE ACCESSIBLE SPACE.

3. THE MAXIMUM LONGITUDINAL SLOPE AND CROSS SLOPE FOR THE HANDICAPPED SPACE AND AISLE IS 2%. 4. ALL CURB RAMPS WILL HAVE A DETECTABLE WARNING TEXTURE EXTENDING THE FULL WIDTH OF THE RAMP INCLUDING FLARES. 5. THE SLOPE FOR ACCESSIBLE ROUTES CAN NOT EXCEED 5% ALONG THE HORIZONTAL SLOPE AND 2% FOR THE CROSS-SLOPE.

6. A MINIMUM VERTICAL CLEARANCE OF 114" MUST BE PROVIDED AT ACCESSIBLE PASSENGER LOADING ZONES AND ALONG VEHICLE ACCESS ROUTES TO SUCH AREAS FROM SITE ENTRANCES. A MINIMUM VERTICAL CLEARANCE OF 98" MUST BE PROVIDED FOR VAN-ACCESSIBLE PARKING SPACES AND ALONG THE VEHICULAR THERETO.

EACH COMPACT SPACE MUST BE IDENTIFIED BY A SIGN STATING "SMALL CAR ONLY"

CONNECTIVITY IMPROVEMENTS PER SUBCHAPTER E

INTERNAL UTILITY LINES SHOULD BE LOCATED IN DRIVE AISLES OR INTERNAL CIRCULATION ROUTES, RATHER THAN UNDER PARKING AREAS. 2. PROVIDE SHADED SIDEWALK FROM PRINCIPAL STREET TO MAIN BUILDING ENTRIES.

NOTE

BOUNDARY

|¢S-MU-V-CO-NP

USE: COMMERCIAL

(CAR LOT SALES)

||PAD

FENCE TO BE

✓10" UNKNOV

PORTION OF

EXISING PORCH

ACCESSIBLE

SIDEWALK

DRIVEWAY

LOCATED ≈61'ON THIS/DIRECTION

EX. SIDEWALK

CHAVEZ ST

ROUTE & SHADED

TO BE ENCLOSED

RELOCATED

↓TO PL.

DUMPSTE

BOLLARDS

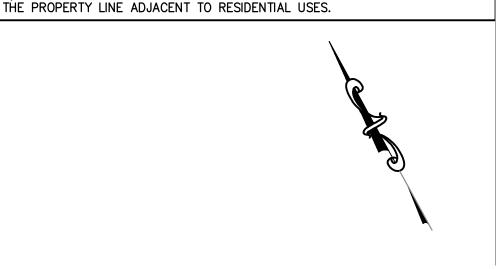
APPROVAL OF THESE PLANS BY THE CITY OF AUSTIN INDICATES COMPLIANCE WITH APPLICABLE CITY REGULATIONS ONLY. COMPLIANCE WITH ACCESSIBILITY STANDARDS SUCH AS THE 2010 STANDARDS FOR ACCESSIBLE DESIGN OR THE 2012 TEXAS ACCESSIBILITY STANDARDS WAS NOT VERIFIED. THE APPLICANT IS RESPONSIBLE FOR COMPLIANCE WITH ALL APPLICABLE ACCESSIBILITY STANDARDS.

COMPATIBILITY STANDARDS NOTES

A) ALL EXTERIOR LIGHTING WILL BE HOODED OR SHIELDED FROM THE VIEW OF ADJACENT RESIDENTIAL PROPERTY. B) ALL DUMPSTERS AND ANY PERMANENTLY PLACED REFUSE RECEPTACLES

WILL BE LOCATED AT A MINIMUM OF TWENTY (20) FEET FROM A PROPERTY USED OR ZONED AS SF-5 OR MORE RESTRICTIVE C) THE USE OF HIGHLY REFLECTIVE SURFACES, SUCH AS REFLECTIVE GLASS

AND REFLECTIVE METAL ROOFS, WHOSE PITCH IS MORE THAN A RUN OF SEVEN (7) TO A RISE OF TWELVE (12), WILL BE PROHIBITED.) THE NOISE LEVEL OF MECHANICAL EQUIPMENT WILL NOT EXCEED 70 DBA AT



GRAPHIC SCALE SCALE IN FEET

1":10' <u>LEGEND</u> PROPERTY LINE — — ADJACENT PROPERTY LINE

OVERHEAD UTILITIES CONTOUR (0.5-FT INTERVAL)

——UE——UE—— UNDERGROUND UTILITIES —— G—— G—— GAS LINE -LOC-LOC-LOC-LIMITS OF CONSTRUCTION WATER METER

POWER POLE WATER METER

ONE WAY ACCESSIBLE ROUTE OPEN SPACE

SITE PLAN RELEASE	Sheet _6 of _25
FILE NUMBER: SPC-2017-0224C	EXPIRATION DATE:
CASE MANAGER: ANAIAH JOHNSON	APPLICATION DATE: JUNE 20, 2017
APPROVED ADMINISTRATIVELY ON:	
APPROVED BY PLANNING COMMISSION ON: _	
APPROVED BY CITY COUNCIL ON:	
under Section 142 of Chapter	25-5 of the Austin City Code.

DEVELOPMENT SERVICES DEPARTMENT Zoning: CS-MU-CO-NP DATE OF RELEASE Correction 1 Correction 2_

Rev. 2 ___ Rev. 3 ___ Correction 3 RELEASE OF THIS APPLICATION DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA. INFORMATION AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD IS SOLELY RESPONSIBLE FOR COMPLETENESS, ACCURACY AND ADEQUACY OF HIS/HER SUBMITTAL, WHETHER OR NOT THE APPLICATION IS REVIEWED FOR CITY COMPLIANCE BY

SPC-2017-0224C

