

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

CASE NUMBER: SPC-2017-0266A **PC DATE:** June 26, 2018
PROJECT NAME: Flatiron

ADDRESS: 10727 Domain Drive
COUNCIL DISTRICT: 1
NEIGHBORHOOD PLAN: North Burnet

APPLICANT: Austin Flatiron, LP, John A. Kiltz (512) 236-0004
 9600 N. Mopac Expy., #250
 Austin, TX 78759

AGENT: Land Use Solutions, LLC, Michele Haussmann (512) 507-5267
 1001 Congress Avenue, Ste. 250
 Austin, TX 78701

CASE MANAGER: Rosemary Avila (512) 974-2784
rosemary.avila@austintexas.gov

AREA: 4.696 acre site; 1,428 footprint for the cocktail lounge use
WATERSHED: Shoal 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 for a cocktail lounge use to be located in a residential use building (currently under construction under a separate site development permit). The proposed cocktail lounge area is 1,428 square feet to be located on the 1st floor. The cocktail lounge will be for resident use only (private lounge), there will be no signage, marketing, or identification of the lounge outside of the building. No construction is proposed with this land use only site plan.

STAFF RECOMMENDATION:

Staff recommends approval of the conditional use permit request. The site plan will comply with all requirements of the Land Development Code requirements. The site plan for the multi-family development (SP-2014-0396CF.2) will need a correction to the plans to include the cocktail lounge if this conditional use permit is approved.

PROJECT INFORMATION: 1,428 sq ft cocktail lounge use; 4.696 acre site

EXIST. ZONING: NBG-NP (Commercial Mixed Use)

(Amounts shown below are from the approved consolidated site plan SP-2014-0396C.F2- calculations have not changed with this site plan)

ALLOWED F.A.R.: 3:1	APPROVED F.A.R.: 2.7:1
MAX. BLDG. COVERAGE: 80%	APPROVED BLDG. CVRG: 58%
MAX. IMPERVIOUS CVRG: 80%	APPROVED IMPERVIOUS CVRG: 80%

REQUIRED PARKING: 342

APPROVED PARKING: 504

PROPOSED ACCESS: Newman Drive (private drive) and Domain Parkway (private drive)

SUMMARY COMMENTS ON SITE PLAN:

Land Use: The lot is zoned NBG-NP (North Burnet Gateway - Commercial Mixed Use – Gateway Zone Subdistrict in a Neighborhood Plan). The multifamily building was approved under SP-2014-0396CF.2. Cocktail lounge use is a conditional use in the regulating plan. Staff recommends approval of the conditional use permit request.

Environmental: The site is located in the Shoal Creek Watershed and subject to the Urban Watershed regulations. There were no Environmental review comments. No construction is proposed with this land use only application.

Transportation: All parking spaces are located on-site. All Transportation comments have been cleared.

SURROUNDING CONDITIONS:

Zoning/ Land Use

- North:** MI-PDA / undeveloped
- East:** NBG-NP/ Industrial
- South:** Domain Drive then NBG-NP/ Commercial
- West:** Newman Drive then MI-PDA / Hotel

NEIGHBORHOOD ORGNIZATIONS:

- Austin Independent School District
- Bike Austin
- Friends of Austin Neighborhoods
- Homeless Neighborhood Association
- Neighborhood Empowerment Foundation
- North Burnet Gateway Neighborhood Assoc.
- North Growth Corridor Alliance
- SEL Texas
- Sierra Club, Austin Regional Group

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 complies with all regulations and requirements of the Land Development Code.
 - 2. Comply with the objectives and purposes of the zoning district;**
Staff Response: The proposed cocktail lounge use is a conditional use within the North Burnet Gateway regulating plan.
 - 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: The site plan complies with all requirements of the Land Development Code.
 - 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.
- C. In addition, a conditional use site plan may not:**
- 6. More adversely affect an adjoining site than would a permitted use;**
Staff Response: A cocktail lounge would not more adversely affect an adjoining use than would a permitted use, the proposed use will be for residents use only.
 - 7. 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.
 - 8. 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.



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Michele Hausmann
PRINCIPAL

July 18, 2017

Mr. Greg Guernsey, Director
Planning and Development Review Department
505 Barton Springs Road, 5th Floor
Austin, Texas 78704

VIA Hand Delivery

Re: Conditional Use Permit - Proposed Conditional Use Permit for a private cocktail lounge in project known as Flatiron located at 10727 Domain Drive in the City of Austin, Travis County, Texas (the "Property")

Dear Mr. Guernsey:

As representatives of the owner of the above stated Property, Austin Flatiron, LP ("Owner"), we respectfully submit the enclosed Land Use Commission Site Plan submittal package. The Owner is requesting review and approval of a Conditional Use Permit ("CUP") application to allow a 1,428 square foot private cocktail lounge in the multifamily project known as the Flatiron in The Domain ("Project"). The proposed private cocktail lounge is located on the first floor of the building and may only be used by residents of the Project and is not open to the public. The same private cocktail lounge use was approved in The Kenzie in The Domain through a rezoning of the property (C14-2014-0062 and SP-2011-0293C), and through a CUP for The Catherine (SPC-2015-0162AS).

The Property is currently zoned NBG-NP. Cocktail Lounge is a conditional use in NBG-NP zoning district. A site plan for the construction of the Project is approved (IBM 45 Multifamily, SP-2014-0396CF.2). No new building area will be added nor will any demolition occur as part of this request.

A Traffic Impact Analysis has been waived since the private cocktail lounge is only for the residents of the Project and, therefore, will not generate additional

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traffic. Additionally, since the private cocktail lounge is for residents only, no additional parking is required. Both of these issues were confirmed by the City staff during the review of the private cocktail lounge use in The Kenzie and The Catherine projects.

Since the request is a land use element site plan and the Project has an approved site plan on file, a sealed engineer's summary letter and sealed site plan pages are not required as part of the submittal package. In addition, the only site plan pages required to be submitted with the CUP application are the approved site plan land use sheet with the location of the private cocktail lounge bubbled in red and an updated cover sheet noting the requested cocktail lounge use.

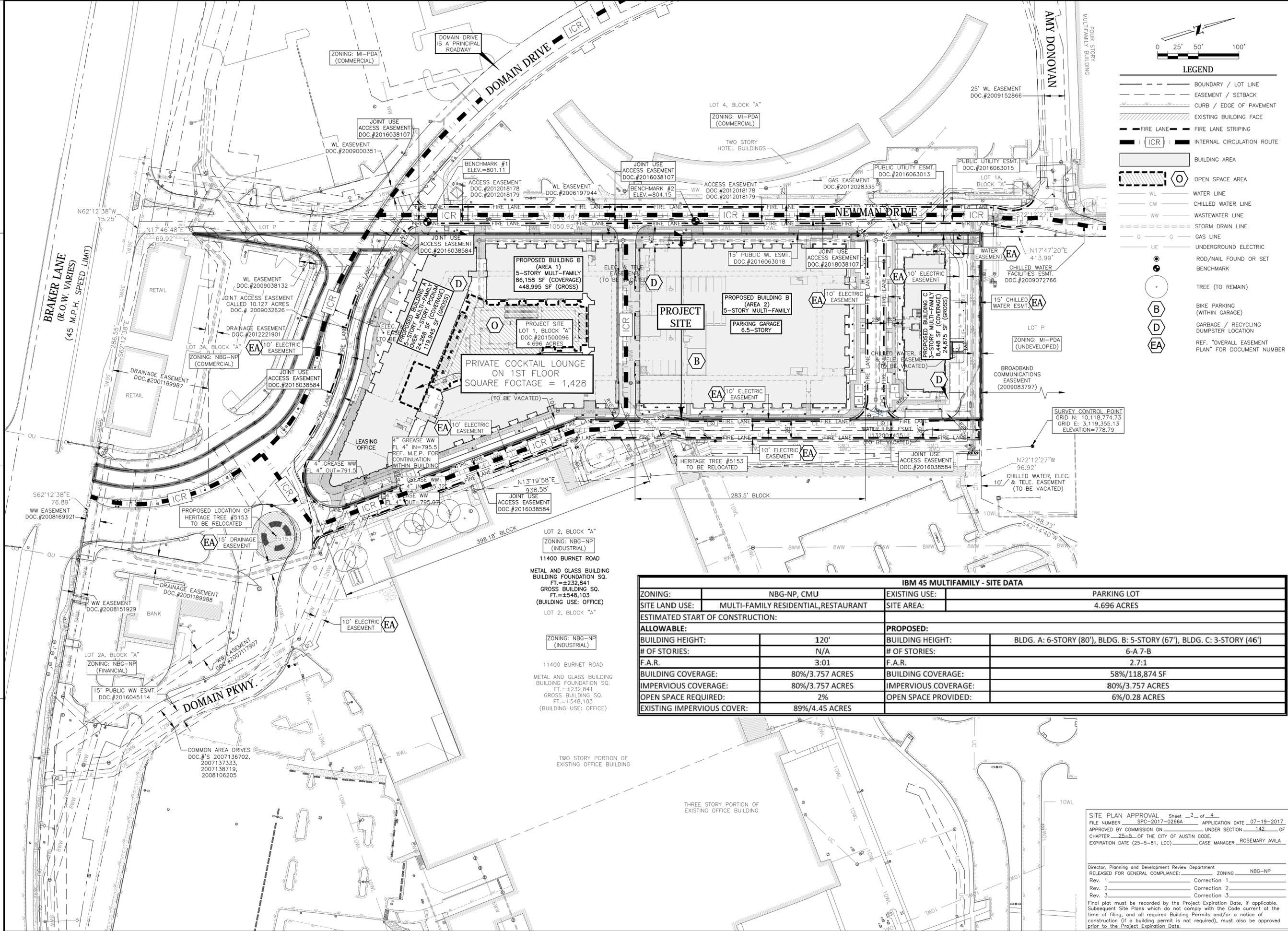
Similar to The Catherine multifamily project constructed by the same developer (SPC-2015-0162AS), we understand that a correction to the site plan will be required after approval of the CUP to note that the cocktail lounge use was approved by the Planning Commission, is a private cocktail lounge for residents only and is located on the 1st floor of the building that is proposed.

Please do not hesitate to contact me if you have any questions. Thank you for your time and assistance with this application.

Very truly yours,

Michele Haussmann

CC: Jerry Rusthoven, City of Austin, *via electronic mail*
Sherri Sirwaitis, City of Austin, *via electronic mail*
Stephen Meek, Street Lights Residential, *via electronic mail*



LEGEND

- BOUNDARY / LOT LINE
- EASEMENT / SETBACK
- CURB / EDGE OF PAVEMENT
- EXISTING BUILDING FACE
- FIRE LANE
- FIRE LANE STRIPING
- INTERNAL CIRCULATION ROUTE
- BUILDING AREA
- OPEN SPACE AREA
- WATER LINE
- CHILLED WATER LINE
- WASTEWATER LINE
- STORM DRAIN LINE
- GAS LINE
- UNDERGROUND ELECTRIC
- ROD/NAIL FOUND OR SET BENCHMARK
- TREE (TO REMAIN)
- BIKE PARKING (WITHIN GARAGE)
- GARBAGE / RECYCLING DUMPSTER LOCATION
- REF. "OVERALL EASEMENT PLAN" FOR DOCUMENT NUMBER

IBM 45 MULTIFAMILY - SITE DATA			
ZONING:	NBG-NP, CMU	EXISTING USE:	PARKING LOT
SITE LAND USE:	MULTI-FAMILY RESIDENTIAL, RESTAURANT	SITE AREA:	4.696 ACRES
ESTIMATED START OF CONSTRUCTION:			
ALLOWABLE:		PROPOSED:	
BUILDING HEIGHT:	120'	BUILDING HEIGHT:	BLDG. A: 6-STORY (80'), BLDG. B: 5-STORY (67'), BLDG. C: 3-STORY (46')
# OF STORIES:	N/A	# OF STORIES:	6-A 7-B
F.A.R.:	3:01	F.A.R.:	2.7:1
BUILDING COVERAGE:	80%/3.757 ACRES	BUILDING COVERAGE:	58%/118,874 SF
IMPERVIOUS COVERAGE:	80%/3.757 ACRES	IMPERVIOUS COVERAGE:	80%/3.757 ACRES
OPEN SPACE REQUIRED:	2%	OPEN SPACE PROVIDED:	6%/0.28 ACRES
EXISTING IMPERVIOUS COVER:	89%/4.45 ACRES		

SITE PLAN APPROVAL Sheet 2 of 4
 FILE NUMBER SPC-2017-0266A APPLICATION DATE 07-19-2017
 APPROVED BY COMMISSION ON UNDER SECTION 142 OF CHAPTER 255 OF THE CITY OF AUSTIN CODE.
 EXPIRATION DATE (25-5-81, LDC) CASE MANAGER ROSEMARY AVILA

Director, Planning and Development Review Department
 RELEASED FOR GENERAL COMPLIANCE: ZONING NBG-NP
 Rev. 1 Correction 1
 Rev. 2 Correction 2
 Rev. 3 Correction 3

Final plat must be recorded by the Project Expiration Date, if applicable. Subsequent Site Plans which do not comply with the Code current at the time of filing, and all required Building Permits and/or a notice of construction (if a building permit is not required), must also be approved prior to the Project Expiration Date.

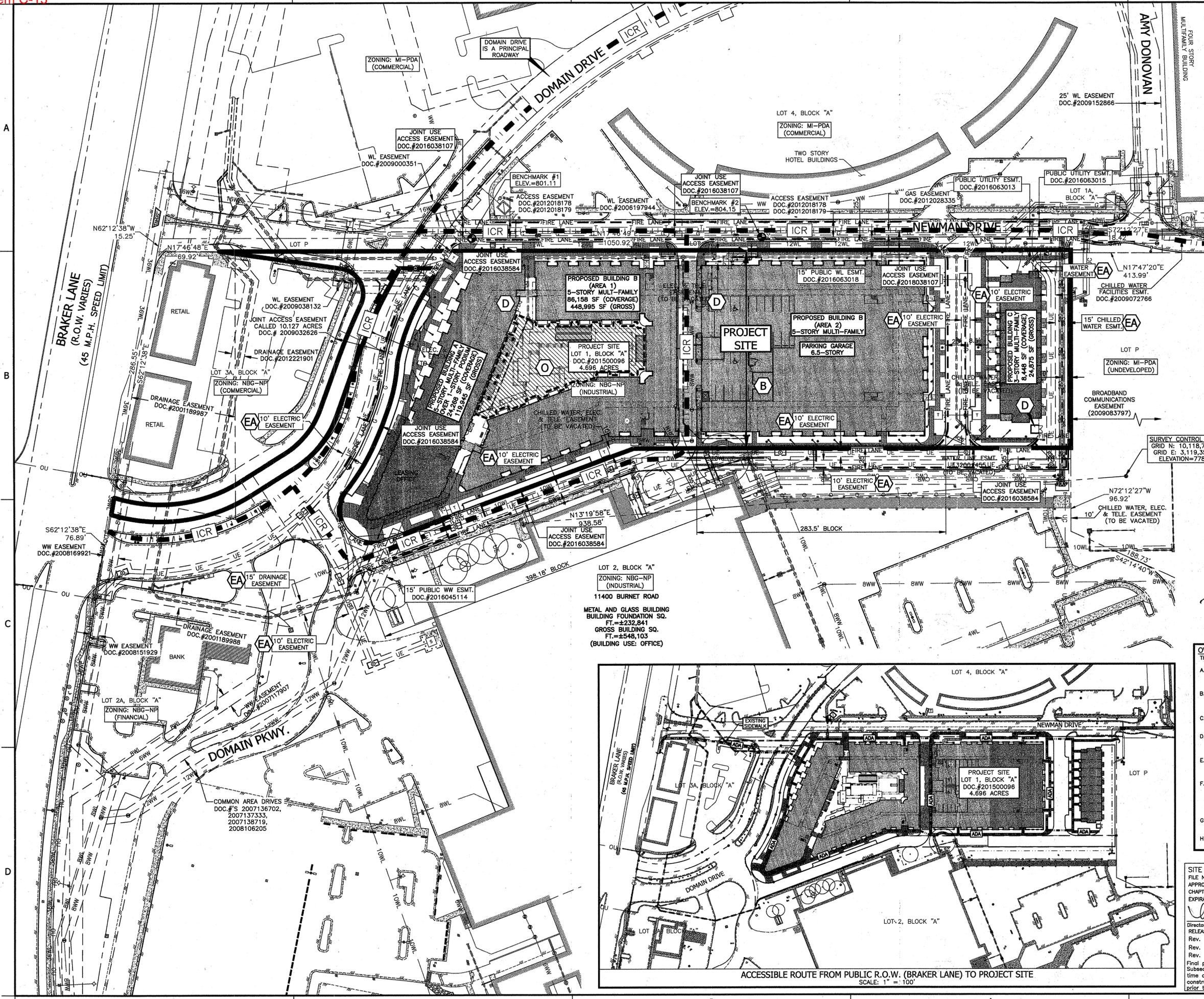
WWM BIG RED DOG CONSULTING
 512.669.5560
 2021 E. 5TH ST., #200 (OFFICE) • 815-A BRAZOS ST., #319 (MAIL)
 AUSTIN, TEXAS 78702 (OFFICE) • 78701 (MAIL)

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FLATIRON
 10727 DOMAIN DRIVE
 AUSTIN, TRAVIS COUNTY, TEXAS 78758

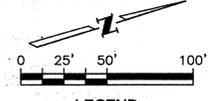
OVERALL SITE PLAN

SHEET
C-002
 2 OF 4
 SPC-2017-0266A



LEGEND

- BOUNDARY / LOT LINE
- EASEMENT / SETBACK
- CURB / EDGE OF PAVEMENT
- EXISTING BUILDING FACE
- FIRE LANE
- FIRE LANE STRIPING
- ICR
- INTERNAL CIRCULATION ROUTE
- BUILDING AREA
- OPEN SPACE AREA
- WL WATER LINE
- CW CHILLED WATER LINE
- WW WASTEWATER LINE
- SD STORM DRAIN LINE
- G GAS LINE
- UE UNDERGROUND ELECTRIC
- ROD/NAIL FOUND OR SET
- BENCHMARK
- TREE (TO REMAIN)
- B BIKE PARKING (WITHIN GARAGE)
- D GARBAGE / RECYCLING DUMPSTER LOCATION
- EA REF. "OVERALL EASEMENT PLAN" FOR DOCUMENT NUMBER

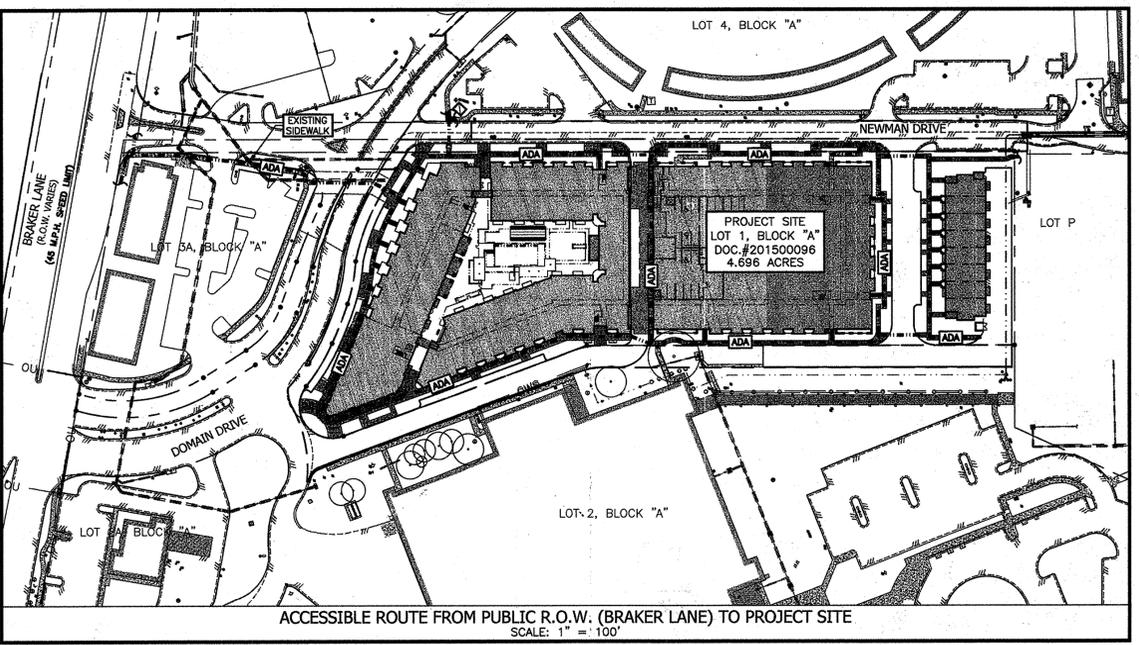


AUSTIN FIRE DEPARTMENT
 JUN 08 2016
Jan A. Keen
 APPROVED

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 WWW.BIGREDDOG.COM
 TEXAS REG. NO. 1-15984
 512.669.5560
 DIANA H. WANG
 103817
 LICENSED PROFESSIONAL ENGINEER
 6-6-16

REVIEWED
 JUN 07 2016
Britt Lane
 Austin Water Utility

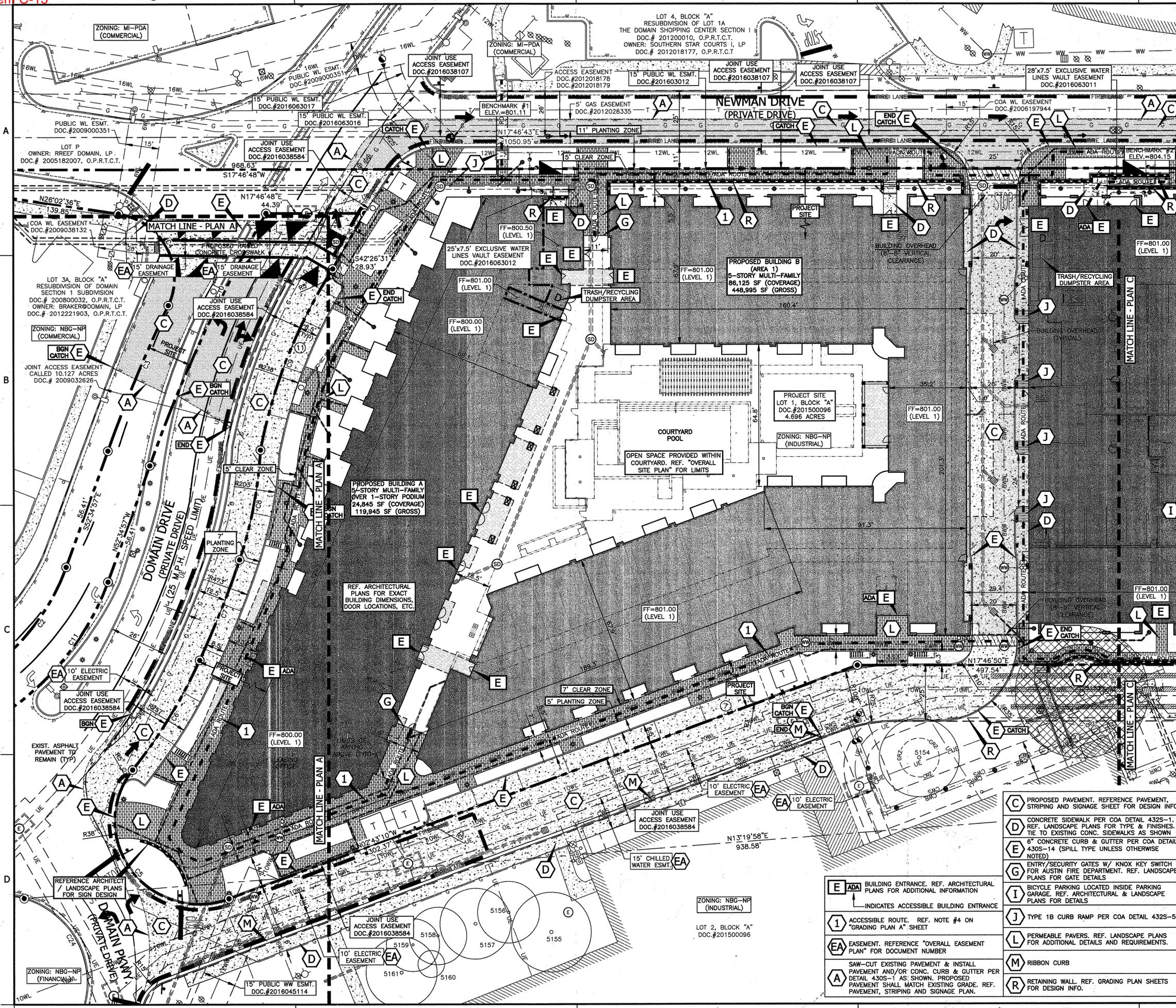
- OVERALL SHEET NOTES:**
 THIS SHEET IS FOR REFERENCE ONLY:
- REFERENCE "COVER SHEET", "EXISTING CONDITIONS PLAN" AND "PLAT" SHEETS (C-001 TO C-002 AND C-100 TO C-103) FOR ADDITIONAL SITE INFORMATION.
 - REFERENCE ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS, DOOR/PATIO LOCATIONS AND DESIGN WITHIN COURTYARDS, BREEZEWAYS, PARKING GARAGE, ETC.
 - REFERENCE "PRIVATE OPEN SPACE" PLAN FOR OPEN SPACE CALCULATIONS.
 - REFERENCE "SITE PLAN NOTES & CALCULATIONS" SHEET FOR BUILDING, SITE & PARKING DATA, AND ADDITIONAL SITE PLAN NOTES.
 - REFERENCE "SITE PLAN A" TO "SITE PLAN C" SHEETS FOR MORE DETAILED INFORMATION ON PROPOSED SITE IMPROVEMENTS.
 - SOLID WASTE COLLECTION AREAS AND MECHANICAL EQUIPMENT LOCATED ON A ROOFTOP BUT NOT INCLUDING SOLAR PANELS, SHALL BE SCREENED FROM THE VIEW OF A PERSON STANDING ON THE PROPERTY LINE ON THE FAR SIDE OF A STREET (FIG. 4-20, SECTION 4.7.2.A).
 - REFERENCE UTILITY PLAN SHEETS (C100 TO C103) FOR LOCATION OF ALL UNDERGROUND UTILITIES.
 - REFER TO "OVERALL EASEMENT PLAN" SHEET FOR ALL EASEMENT DOCUMENT NUMBERS.



SITE PLAN APPROVAL Sheet 18 of 108
 FILE NUMBER: SP-2014-0396C-F-2 APPLICATION DATE: 11-20-2014
 APPROVED BY COMMISSION ON UNDER SECTION 112 OF CHAPTER 225 OF THE CITY OF AUSTIN CODE.
 EXPIRATION DATE (25-5-81, LDC) 2019-19 CASE MANAGER: NIKKI HOELTER
 Director, Planning and Development Review Department
 RELEASED FOR GENERAL COMPLIANCE: 11-19-16 ZONING: NBG-NP
 Rev. 1 Correction 1
 Rev. 2 Correction 2
 Rev. 3 Correction 3
 Final plat must be recorded by the Project Expiration Date, if applicable. Subsequent Site Plans which do not comply with the Code current at the time of filing, and all required Building Permits and/or a notice of construction (if a building permit is not required), must also be approved prior to the Project Expiration Date.

IBM 45 MULTIFAMILY
 10727 DOMAIN DRIVE
 AUSTIN, TRAVIS COUNTY, TEXAS 78758
 OVERALL SITE PLAN

SHEET
CS100
 18 of 106
 SP-2014-0396C-F.2



LEGEND

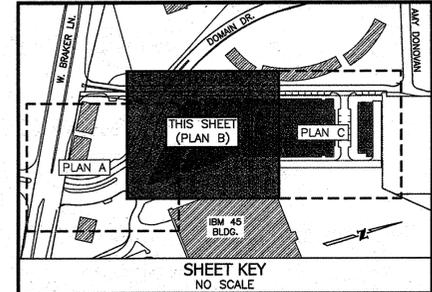
- BOUNDARY / LOT LINE
- EASEMENT
- CURB / EDGE OF PAVEMENT
- ACCESSIBLE ROUTE / BUILDING ENTRANCE
- FIRE LANE STRIPING
- BUILDING AREA
- CONCRETE SIDEWALK
- PERVIOUS PAVEMENT SIDEWALK
- FENCE / RAILING
- RETAINING WALL
- WASTEWATER LINE
- WATER LINE
- CHILLED WATER LINE
- GAS LINE
- UNDERGROUND ELECTRIC
- STORM DRAIN LINE
- SIGN
- GROUND / POLE LIGHT
- ELECTRIC PULL BOX
- ELECTRIC MANHOLE
- ELEC/TELE. METER OR RISER
- GAS METER
- TRANSFORMER PAD
- WASTEWATER MANHOLE
- CLEAN-OUT
- WATER METER VAULT
- WATER VALVE
- POST INDICATOR VALVE
- FIRE HYDRANT
- CHILLED WATER MANHOLE
- STORM DRAINAGE INLET
- STORM DRAIN MANHOLE
- DUMPSTER / RECYCLING
- ROD / NAIL FOUND OR SET
- BENCHMARK
- TREE W/ TAG NUMBER
- SHADING INDICATES HERITAGE TREE

REVIEWED
 JUN 09 2016
Britt Jones
 Austin Water Utility

AUSTIN FIRE DEPARTMENT
 JUN 08 2016
Jim Akins
 APPROVED

NOTE:
 REFERENCE "SITE PLAN A" FOR
 ADDITIONAL NOTES & INFORMATION.

CAUTION:
 CONTRACTOR TO VERIFY ALL EXISTING UTILITIES
 VERTICALLY AND HORIZONTALLY PRIOR TO
 CONSTRUCTION. CONTRACTOR TO NOTIFY THE
 ENGINEER IMMEDIATELY OF ANY DISCREPANCIES.



- C** PROPOSED PAVEMENT, REFERENCE PAVEMENT, STRIPING AND SIGNAGE SHEET FOR DESIGN INFO.
- D** CONCRETE SIDEWALK PER COA DETAIL 432S-1. REF. LANDSCAPE PLANS FOR TYPE & FINISHES. TIE TO EXISTING CONC. SIDEWALKS AS SHOWN.
- E** 6" CONCRETE CURB & GUTTER PER COA DETAIL 430S-14 (SPILL TYPE UNLESS OTHERWISE NOTED)
- G** ENTRY/SECURITY GATES W/ KNOX KEY SWITCH FOR AUSTIN FIRE DEPARTMENT. REF. LANDSCAPE PLANS FOR GATE DETAILS
- I** BICYCLE PARKING LOCATED INSIDE PARKING GARAGE. REF. ARCHITECTURAL & LANDSCAPE PLANS FOR DETAILS
- J** TYPE 1B CURB RAMP PER COA DETAIL 432S-5B
- L** PERMEABLE PAVERS. REF. LANDSCAPE PLANS FOR ADDITIONAL DETAILS AND REQUIREMENTS.
- M** RIBBON CURB
- R** RETAINING WALL. REF. GRADING PLAN SHEETS FOR DESIGN INFO.

- E ADA** BUILDING ENTRANCE. REF. ARCHITECTURAL PLANS FOR ADDITIONAL INFORMATION
- INDICATES ACCESSIBLE BUILDING ENTRANCE
- 1** ACCESSIBLE ROUTE. REF. NOTE #4 ON "GRADING PLAN A" SHEET
- EA** EASEMENT. REFERENCE "OVERALL EASEMENT PLAN" FOR DOCUMENT NUMBER
- SAW-CUT EXISTING PAVEMENT & INSTALL PAVEMENT AND/OR CONC. CURB & GUTTER PER DETAIL 430S-1 AS SHOWN. PROPOSED PAVEMENT SHALL MATCH EXISTING GRADE. REF. PAVEMENT, STRIPING AND SIGNAGE PLAN.

SITE PLAN APPROVAL Sheet 20 of 108
 FILE NUMBER: SP-2014-0396CF-1 APPLICATION DATE: 11-20-2014
 APPROVED BY COMMISSION ON UNDER SECTION 11-2 OF CHAPTER 15-2 OF THE CITY OF AUSTIN CODE.
 EXPIRATION DATE (25-5-81, LDC) 10-11 CASE MANAGER: NIKKI HOELTER

Director, Planning and Development Review Department
 RELEASED FOR GENERAL COMPLIANCE: 10-11 ZONING: NBG-NP

Rev. 1 Correction 1
 Rev. 2 Correction 2
 Rev. 3 Correction 3

Final plan must be recorded by the Project Expiration Date, if applicable. Subsequent Site Plans which do not comply with the Code current at the time of filing, and all required Building Permits and/or a notice of construction (if a building permit is not required), must also be approved prior to the Project Expiration Date.

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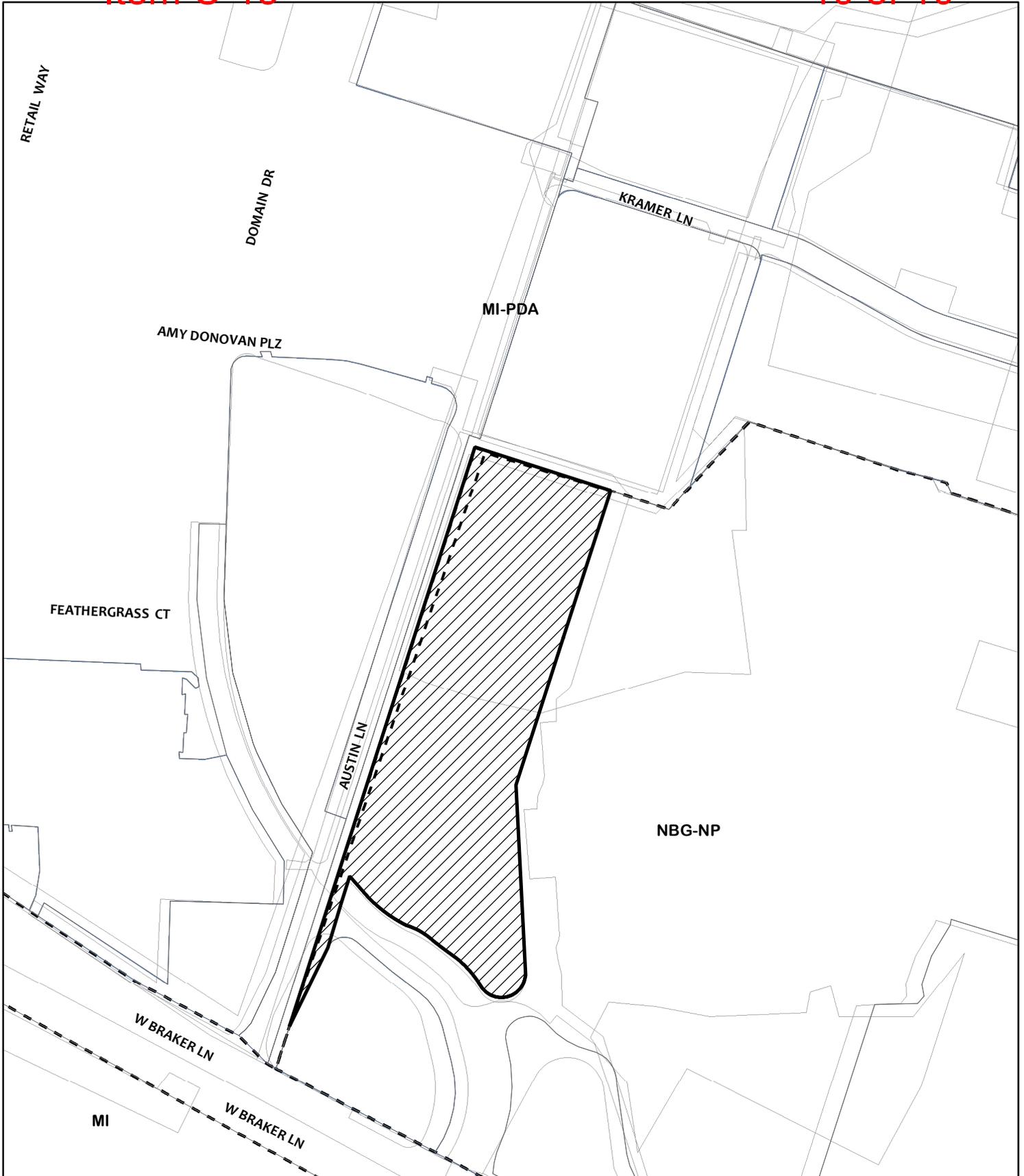
DIANA H. WANG
 103817
 LICENSED PROFESSIONAL ENGINEER

IBM 45 MULTIFAMILY
 10727 DOMAIN DRIVE
 AUSTIN, TRAVIS COUNTY, TEXAS 78758

SITE PLAN B

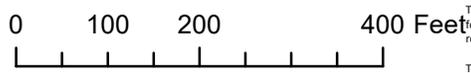
SHEET
CS102
 20 OF 106
 SP-2014-0396CF.2

306.001-CS101 - 103 6/7/2016 9:20 AM



 SUBJECT TRACT
 ZONING BOUNDARY

CASE#: SPC-2017-0266A
 ADDRESS: 10727 Domain Drive
 CASE NAME: Flatiron
 MANAGER: Rosemary Avila



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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.