

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

CASE NUMBER: SPC-2018-0286A

PC DATE: 10/23/2018

PROJECT NAME: Cascade Merchant Company dba Boxcar Brew & Brew

ADDRESS OF APPLICATION: 10025 Burnet Road

AREA: 1,333 sf (footprint of enclosed cocktail lounge structure) / 1,064 sf (footprint of cocktail lounge outdoor covered seating area contiguous to enclosed structure)

APPLICANT/ Burnet Road Properties LLC (Marc Siemes) (512) 297-4655
4211 Bellvue Avenue
Austin, TX 78756

AGENT: Cascade Merchant Co dba Boxcar Brew & Brew (Mark Harris)
4507 Spanish Oak Terrace (512) 212-4114
Austin, TX 78731

CASE MANAGER: Anaiah Johnson Phone: (512) 974-2932
Anaiah.Johnson@austintexas.gov

PROPOSED USE: Restaurant (Limited) (existing to remain) & Cocktail Lounge (proposed)

EXISTING ZONING: NBG-NP

NEIGHBORHOOD PLAN: North Burnet / Gateway

PROPOSED DEVELOPMENT: The applicant is requesting a conditional use permit for a cocktail lounge in an existing 1,215 sf structure with a proposed 118 sf addition (to fill in the corners of the building) and a proposed 1,064 sf outdoor covered seating area (as a covered porch extension from the existing building), for a total of 2,397 sf. The hours of operation will be Monday – Saturday 7am to 12am and Sunday 7am to 10pm. No construction will occur with this permit but will be permitted as a correction to an existing site plan (Case No. 87-02-2686).

SUMMARY STAFF RECOMMENDATION: The site plan will comply with all requirements of the Land Development Code and North Burnet / Gateway Regulating Plan prior to release. Staff recommends approval of the CUP.

PROJECT INFORMATION

Gross Site Area	2,397 sf (cocktail lounge) / 38,130 sf (gross site area)
Existing Zoning	NBG-NP
Watershed	Little Walnut Creek
Watershed Ordinance	Current Code
Traffic Impact Analysis	Not applicable
Capitol View Corridor	Not applicable
Proposed Access	Burnet Road (existing driveway)
Proposed Impervious Cover	30,660 sf / 80%
Proposed Building Coverage	3,225 sf / 8%
Height	1 story, 13'-10"
Parking required: 21 car / 5 bike	Parking proposed: 30 car / 6 bike

EXISTING ZONING AND LAND USES

	ZONING	LAND USES
<i>Site</i>	NBG-NP	Restaurant (Limited) (existing) / Cocktail Lounge (proposed)
<i>North</i>	NBG-NP	Business Support Services
<i>South</i>	NBG-NP	Consumer Repair Services
<i>East</i>	NBG-NP	General Retail Sales (General)
<i>West</i>	Burnet Road then P	Research Facility (JJ Pickle Research Campus)

CONDITIONAL USE PERMIT REVIEW AND EVALUATION CRITERIA

The following evaluation is included to provide staff evaluation 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. The Commercial Mixed Use subdistrict of the NBG-NP zoning district allows for high density residential, high rise office and entertainment complexes, destination retail, and large scale civic uses, with the Cocktail Lounge land use being a Conditional Use within the subdistrict.
- 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: Yes, there are no SF-5 or more restrictive zoning districts or permitted land uses abutting the site.
- 4. Provide adequate and convenient off-street parking and loading facilities;** Staff response: Adequate parking and loading facilities have 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 the listed 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. The site is located in the North Burnet / Gateway Neighborhood Plan Area and Transit Oriented District.

A Conditional Use Site Plan May Not:

- 1. More adversely affect an adjoining site than would a permitted use;** Staff response: The proposed site plan does not appear to more adversely affect an adjoining site 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: The cocktail lounge land use will be located on an already developed site (previously Restaurant (Limited) land use), and is not anticipated to affect pedestrian or vehicular circulation.
3. **Adversely affects an adjacent property or traffic control through the location, lighting, or type of signs;** Staff response: The site will comply with all applicable sign regulations in the Land Development Code and/or NBG Regulating Plan.

COMMISSION ACTION:

The Commission may either; approve, approve with conditions or deny the conditional use site plan permit.

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 and 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.

SUMMARY COMMENTS ON SITE PLAN:

Land Use: The applicant is requesting a conditional use permit for a cocktail lounge within an existing building and proposed to make two additions to the building – one addition of 118 sf of enclosed space to fill in the corners of the building, and one addition of a 1,064 sf awning for covered outdoor seating (the original structural configuration included a larger awning). The previous land use of the building was Restaurant (Limited) (Sonic Drive-In).

The parking requirements for this use will not require that additional motor vehicle parking be provided beyond what already exists on the site. 6 bicycle parking spaces will be added through a correction to the existing site plan.

The site plan for the overall project was approved in 1987 (Case No. 87-02-2686), for a 1,215 sf Sonic Drive-In (with a 5,774 sf covered awning) and an 828 sf Fajita Junction (both Restaurant (Limited) land uses) development with a parking and associated improvements. The Fajita Junction structure is currently used as Gringa's Street Tacos (a Restaurant (Limited) land use). The Sonic Drive-In structure is currently unused.

Once approved, a correction will be done to the 1987 site plan to reference the conditional use site plan permit and associated improvements.

The site plan will comply with all requirements of the Land Development Code and NBG Regulating Plan prior to its release.

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
Austin Neighborhoods Council
Bike Austin
Friends of Austin Neighborhoods
Homeless Neighborhood Association
Neighborhood Empowerment Foundation
North Burnet / Gateway Neighborhood Association
North Burnet / Gateway Neighborhood Plan Staff Liaison
North Growth Corridor Alliance
SEL Texas
Shoal Creek Conservancy
Sierra Club, Austin Regional Group

Burnet Road
(120' R.O.W.)

All site conditions are existing

zoning: NBG
Use B

Tree Schedule:
1001 - 21"Ø Live Oak
1002 - 25"Ø Live Oak
1003 - 22"Ø Live Oak
1004 - 16"Ø Live Oak
1005 - 21"Ø Live Oak
1006 - 20"Ø Live Oak

North

Site Table:
Zoning NGB-NP
0.875 acres (38,130 square feet)
FAR 5% (A=1215, B=828, total building 2,043 / 38,130)
Existing impervious cover 80% (30,450 s.f. / 38,130 s.f.)
Proposed impervious cover 80% (30,660 s.f./ 38,130 s.f.) delta 210 s.f. (.005%)
Proposed building coverage 118 s.f.
Total Building coverage 8.45% (3,225 s.f. / 38,130 s.f.)
Existing awning, 5,774 s.f (demo)
Proposed awning 1,064 s.f..

Building Table:
Building pad A:
Boxcar Brew & Brew - proposed use A-2 cocktail lounge
1215 s.f. existing enclosed space
118 s.f. proposed enclosed space
1,064 s.f. proposed awning
2,397 s.f. total building
1 story, building height 13'-10"
Finish floor elevation 784.7'

Building pad B:
Gringa's Street Tacos, existing A-2 restaurant
828 square feet
1 story, building height 14'-4"
Finish floor elevation 784.7'
828 square feet

Parking Table
Boxcar Brew & Brew, Use A-2 cocktail lounge/coffee
1,333 s.f. 1 per 100 13 spaces min.

Gringa's Street Tacos, Use A-2 restaurant
828 s.f. 1 per 100 8 spaces min.

Minimum required parking spaces = 21

Parking spaces provided
28 - 9'x18' standard spaces
2 - 18'x18 accessible spaces
30 - parking spaces total

min. bicycle parking 5 space - 6 provided

Hours of operation:
Monday thru Saturday 7:00 AM to Midnight
Sunday 7:00 Am to 10:00 PM

A Commercial Remodel & Addition for
Boxcar Brew & Brew
10025 Burnet Road, Austin, TX 78758

Michael Andrew Barber
Architects

P.O.Box 476 Blanco, p.512.201.3572
www.mabarch.net, mabarchitects@gmail.com

EXP. 02/28/2019



DRAWN BY: MB
REVISION: 0
DATE: 06/06/2018

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Proposed Site Plan - No Site Construction

Accessibility notes:

1. 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.

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

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

Site Plan release notes:

Exhibit not intended for construction purposes

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

zoning: NBG
Use B

Site Plan - Conditional Use Overlay Exhibit

Scale: 1" = 10'

Site Plan Approval

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File Number: SP 2018-0286A

Application Date: June 29, 2018

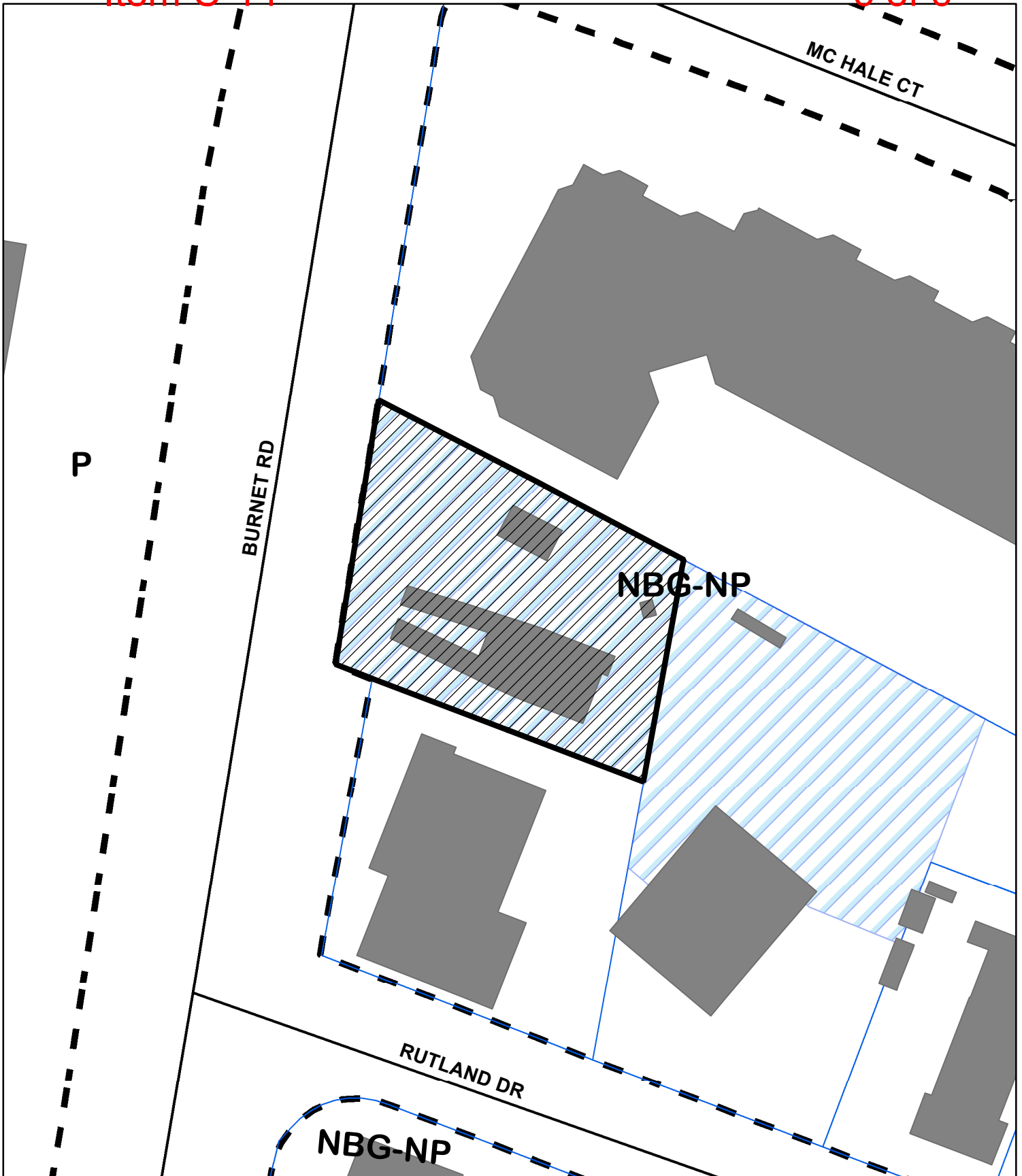
Approved by Commission on _____ under section _____ of chapter _____ of the City of Austin Code. Expiration Date (25-5-81, LDC) _____ case manager _____.

Director Development Services Department
Released for general compliance _____ zoning _____
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.

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SITE PLAN

CASE#: SPC-2018-0286A

ADDRESS: 10025 BURNET RD

CASE NAME: Cascade Merchant Company dba Boxcar Brew & Brew

MANAGER: Anaiah Johnson



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OPERATOR: Christine Barton-Holmes