

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

CASE NUMBER: SPC-2023-0280A

PLANNING COMMISSION DATE: 1/23/2024

COUNCIL DISTRICT: 9

PROJECT NAME: Axis

PROPOSED USE: Restaurant with Late Hours

ADDRESS OF APPLICATION: 519 W 37th Street

AREA: 1,225 square feet, part of .287-acre tract

APPLICANT: Arturo Veliz
720 Airport Blvd. #1165
Austin, TX 78702

AGENT: LBE Ventures Group LLC
519 west 37th Street
Austin, TX 78705

CASE MANAGER: Clarissa Davis Telephone: 974-1423
Clarissa.Davis@austintexas.gov

EXISTING ZONING: CS-NCCD-NP The applicant is requesting a Conditional Use Permit for Late Hours for an existing restaurant within an existing building. Restaurants with Late Hours are a conditional use.

PROPOSED DEVELOPMENT:

No construction is proposed with this plan; all uses will take place in existing structures. The restaurant's current hours are Monday- Friday 4pm – 11pm, Saturday 12pm – 1am, and Sunday 12pm-12am. They are requesting to be open until 2 a.m.

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

PREVIOUS PLANNING COMMISSION ACTION: N/A

AREA STUDY: North University Neighborhood

WATERSHED: Walnut Creek (Urban)

APPLICABLE WATERSHED ORDINANCE: Current/ Comprehensive watershed ordinance

CAPITOL VIEW: Not in View Corridor

T.I.A.: Not Required

PROJECT INFORMATION:**ZONING:** CS-NCCD-NP**MAX. BLDG. COVERAGE:** 95%**MAX. IMPERV. CVRG.:** 95%**MAX HEIGHT:** 60'**REQUIRED PARKING:** 13**EXIST. USE:** Restaurant**RESTAURANT AREA:** 1,225 sq ft**EXISTING BLDG. CVRG:** 28%**EXISTING IMP. CVRG:** 72**PROPOSED HEIGHT:** n/a**PROVIDED PARKING:** 13**PROPOSED USE:** Restaurant w/Late Hours**SUMMARY COMMENTS ON SITE PLAN:**

Land Use: The applicant is requesting Late Hours for an existing restaurant. There is no construction proposed with this site plan, and it will comply with all requirements of the Land Development Code prior to its release. There are Commercial adjacent to the property. Staff recommends approval of the conditional use permit.

Environmental: The site is in the Walnut Creek 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 W. 37th Steet. All parking exists and is provided onsite.

SURROUNDING CONDITIONS: Zoning/ Land use**North:** CS-NCCD-NP (Commercial Retail)**East:** LO-NCCD-NP (Commercial/ Single-Family)**South:** CS-NCCD-NP (Commercial)**West:** CS-CO-NP (Commercial)

<u>Street</u>	<u>R.O.W.</u>	<u>Surfacing</u>	<u>Classification</u>
W 37 th . Street	20'	20'	Level 1

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District, Austin Lost and Found Pets, Austin Neighborhoods Council, CANPAC (Central Austin Neigh Plan Area Committee), Central Austin Community Development Corporation, Friends of Austin Neighborhoods, Friends of Sparky Park, Homeless Neighborhood Association, My Guadalupe, Neighborhood Empowerment Foundation, North University Neighborhood Association, North University Neighborhood Association Development Review Committee, Preservation Austin, SELTexas, Sierra Club, Austin Regional Group.

CONDITIONAL USE PERMIT REVIEW AND EVALUATION CRITERIA

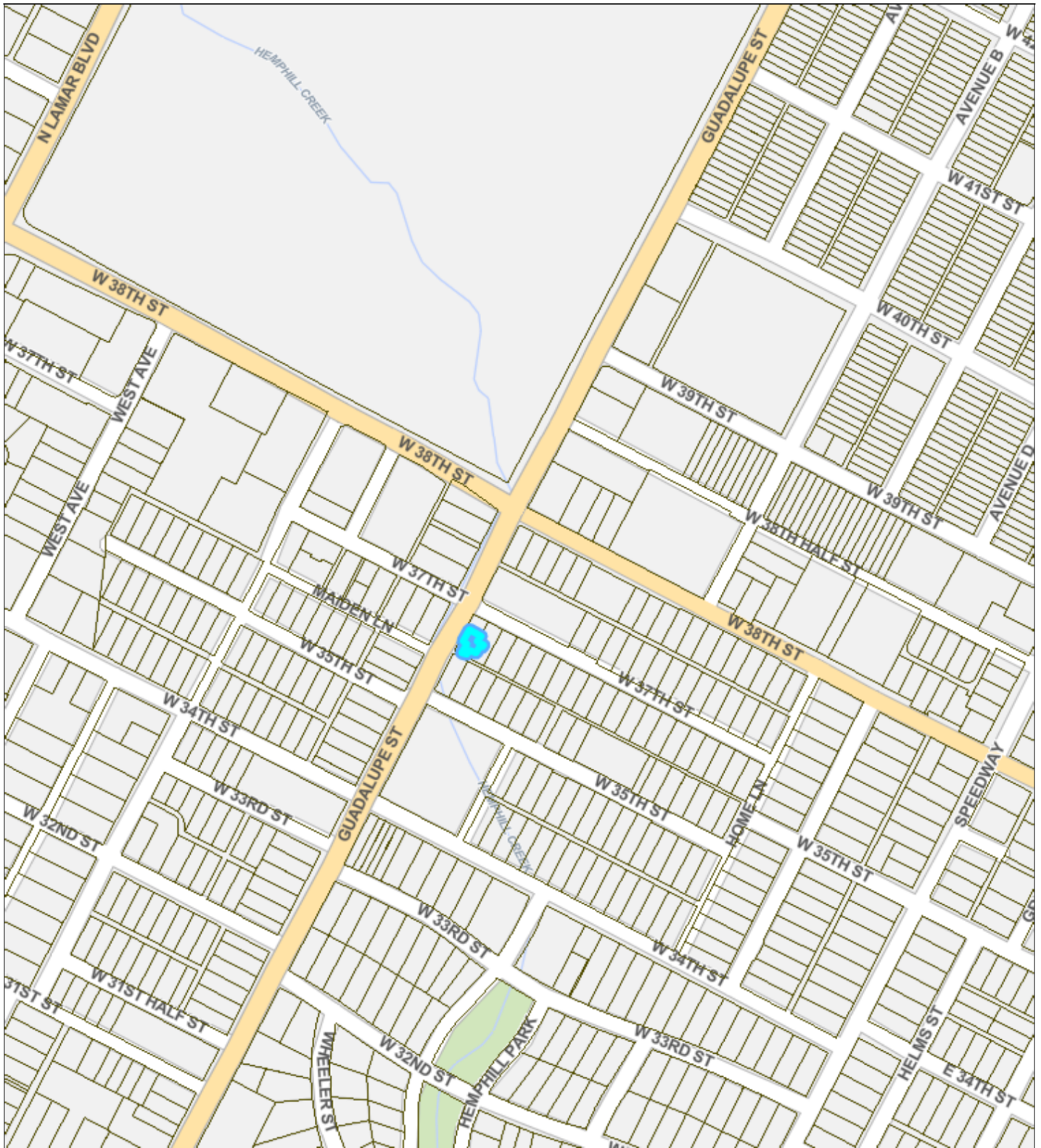
The following evaluation is included to provide staff position on each point of the conditional use permit criteria. Section 25-5-145 of the Land Development Code states: “The Commission shall determine whether the proposed development or use of a conditional use site plan complies with the requirements 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: This application is compatible with the abutting 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 use has been in place for many years and is surrounded by commercial and single-family use. 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.



Lot Lines

Lot Line



1: 4800

SPC-2023-0280A

519 W 37TH STREET



1/11/2024

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CONDITIONAL USE PERMIT

AXIS BAR

519 W. 37TH STREET
AUSTIN, TEXAS 78705
JULY 19, 2023

BUSINESS OWNER



LBE VENTURES, LLC
519 WEST 37TH STREET
AUSTIN, TEXAS 78705
CONTACT: MARTIN VELIZ
EMAIL: MartinVeliz3@gmail.com
Phone#: (210) 860-7780
www.axisgquad.com

LEGAL DESCRIPTION:

LOT 1 & 2 BLK 1 OLT 77 DIV D LAKEVIEW ADDN, BOOK 2, PAGE NUMBER 199, PLAT RECORDS OF TRAVIS COUNTY, TEXAS

PROPERTY LOCATION:

519 WEST 37TH STREET, AUSTIN, TEXAS 78705

ZONING:

CS-NCCD-NP

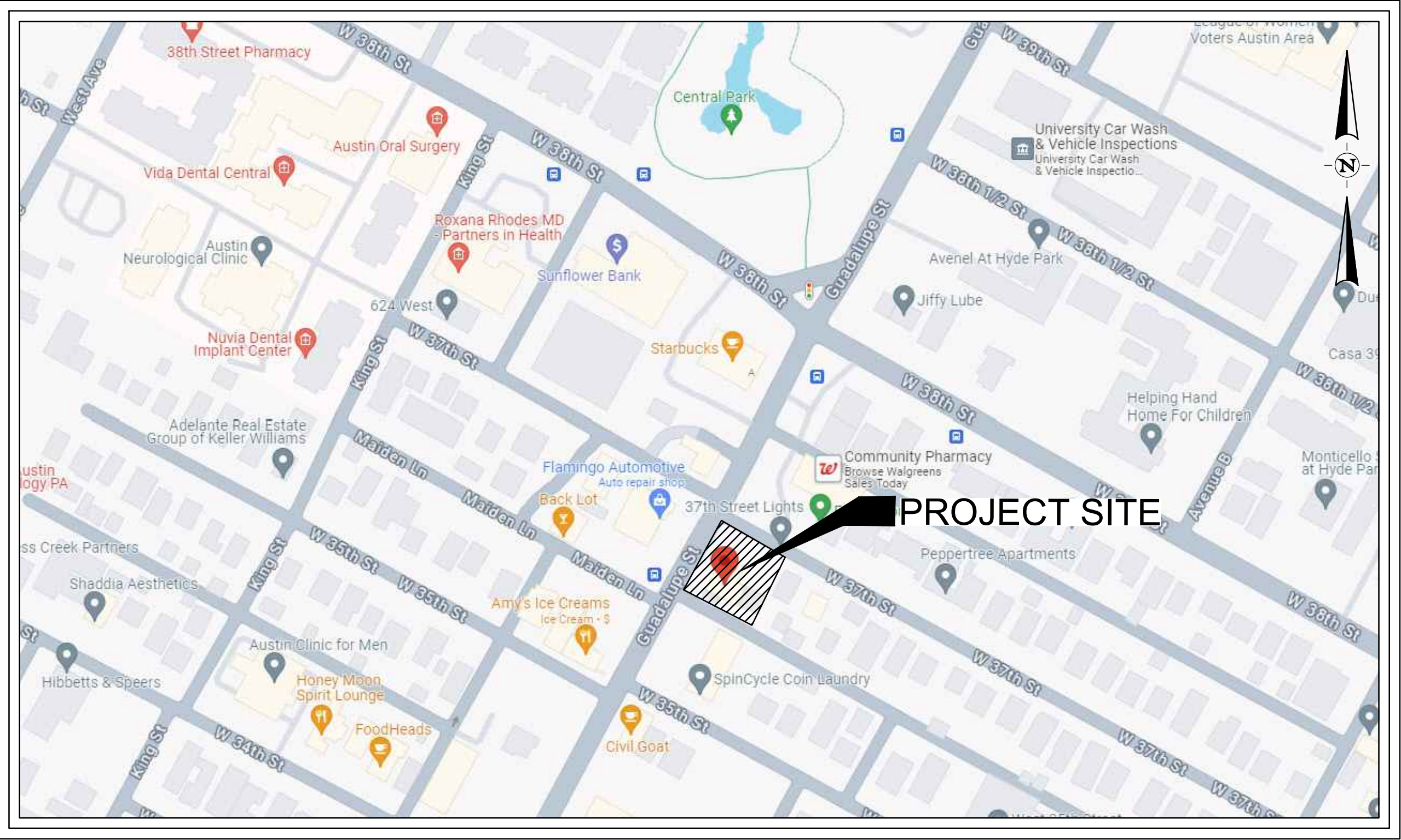
LAND USE SUMMARY:

1. RESTAURANT/BAR
2. MINI-LUBE / TUNE-UP

GENERAL PERMIT PROGRAM CORRECTIONS RECORD

FOR USE BY GENERAL PERMIT OFFICE ONLY

NO	DESCRIPTION	BY	CORRECT (C) ADD (D) VOID (V) SHEET NO.'s	TOTAL # SHEETS IN CORRECTION PLAN SET	GENERAL PERMIT PROGRAM APPROVAL	APPROVAL DATE



LOCATION MAP

NOT TO SCALE

WATERSHED STATUS - THIS PROJECT IS LOCATED IN THE WALLER CREEK, IS CLASSIFIED AS URBAN

THIS SITE IS NOT OVER THE EDWARD'S AQUIFER RECHARGE ZONE

NO PORTION OF THE SITE LIES WITHIN THE 100 YEAR FLOOD PLAIN, ACCORDING TO THE FLOOD INSURANCE RATE MAP, PANEL NO. 48453C0165E, DATED JUNE 1993 FOR TRAVIS COUNTY, TEXAS.

THERE ARE NO CRITICAL ENVIRONMENTAL FEATURES WITHIN 150 FEET OF THE SITE.

THE PROJECT COMPLIES WITH WATERSHED PROTECTION REGULATIONS AS STATED IN THE LDC.

THE PROPOSED SITE LIES INSIDE THE CITY OF AUSTIN LIMITS AND IS SUBJECT TO TRANSPORTATION REQUIREMENTS REGARDING PARKING, DRIVEWAYS, AND INTERNAL CIRCULATION.

CASE NUMBER# SPC-2023-0280A

DATE: JULY 19, 2023

SHEET INDEX

SHEET NUMBER	DESCRIPTION
1	COVERSHEET
2	SITE PLAN / IMPERVIOUS COVER
3	ZONING MAP

APPROVED BY:

DATE:

DEPT DEVELOPMENT SVCS

PERMIT NUMBER

DATE:

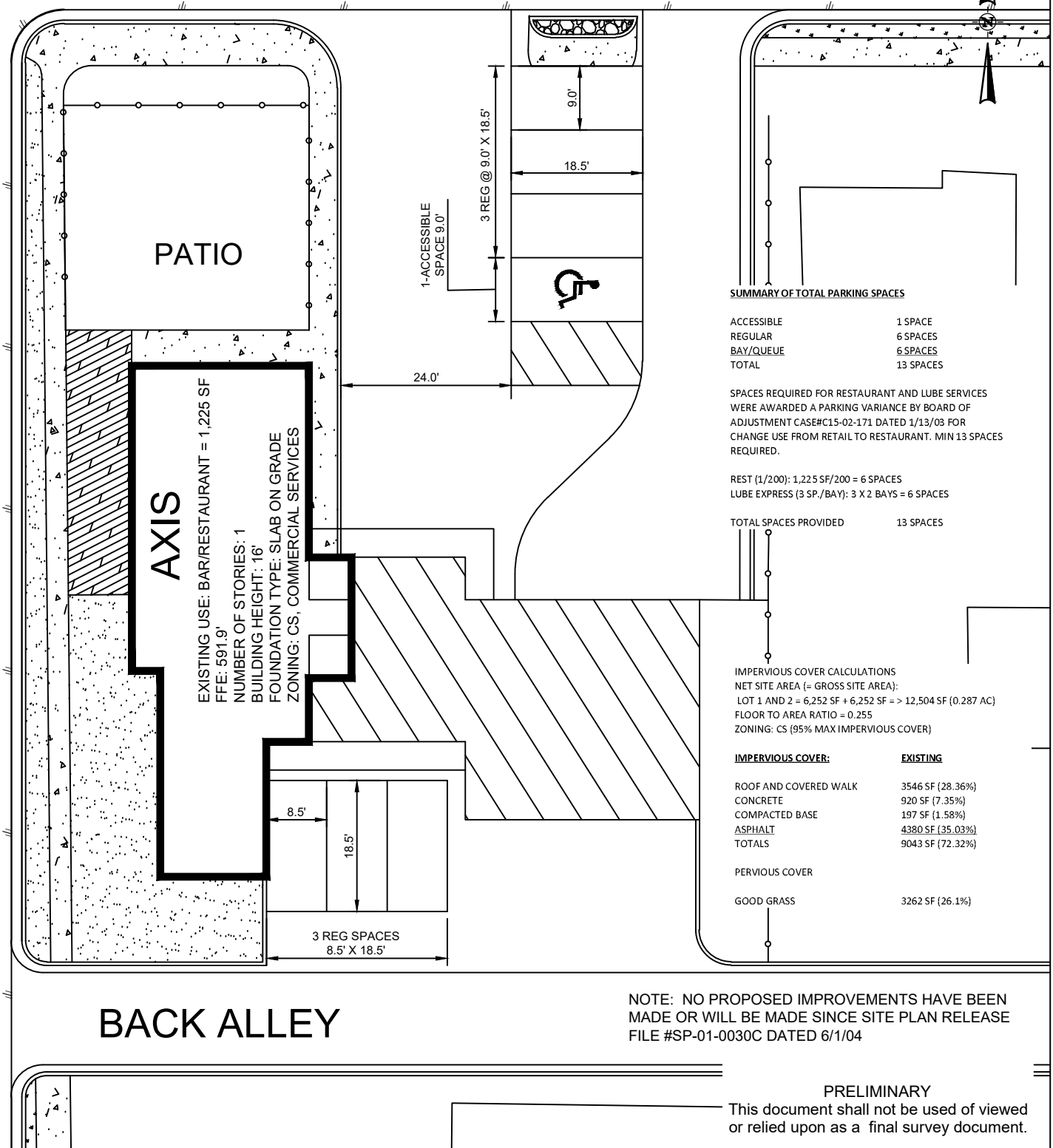


Know what's below.
Call before you dig.

THE INFORMATION SHOWN ON THESE DRAWINGS INDICATING SIZE, TYPE AND LOCATION OF UNDERGROUND, SURFACE, AND AERIAL UTILITIES IS NOT GUARANTEED TO BE EXACT OR COMPLETE. THE CONTRACTOR SHALL CONTACT THE "TEXAS 811" SYSTEM AT 1-800-344-8377 (DIG TESS) 48 HOURS PRIOR TO BEGINNING ANY EXCAVATION FOR EXISTING UTILITY LOCATIONS. THE CONTRACTOR SHALL ALSO BE FULLY RESPONSIBLE FOR FIELD VERIFYING LOCATIONS AND ELEVATIONS OF ALL EXISTING UTILITIES AFFECTED BY CONSTRUCTION FOR THIS PROJECT IN ORDER TO AVOID DAMAGING THOSE UTILITIES, AND SHALL IMMEDIATELY ARRANGE FOR REPAIR AND RESTORATION OF CONTRACTOR-DAMAGED UTILITIES TO THE UTILITY COMPANY'S APPROVAL AT THE EXPENSE OF THE CONTRACTOR.

W. 37TH ST.

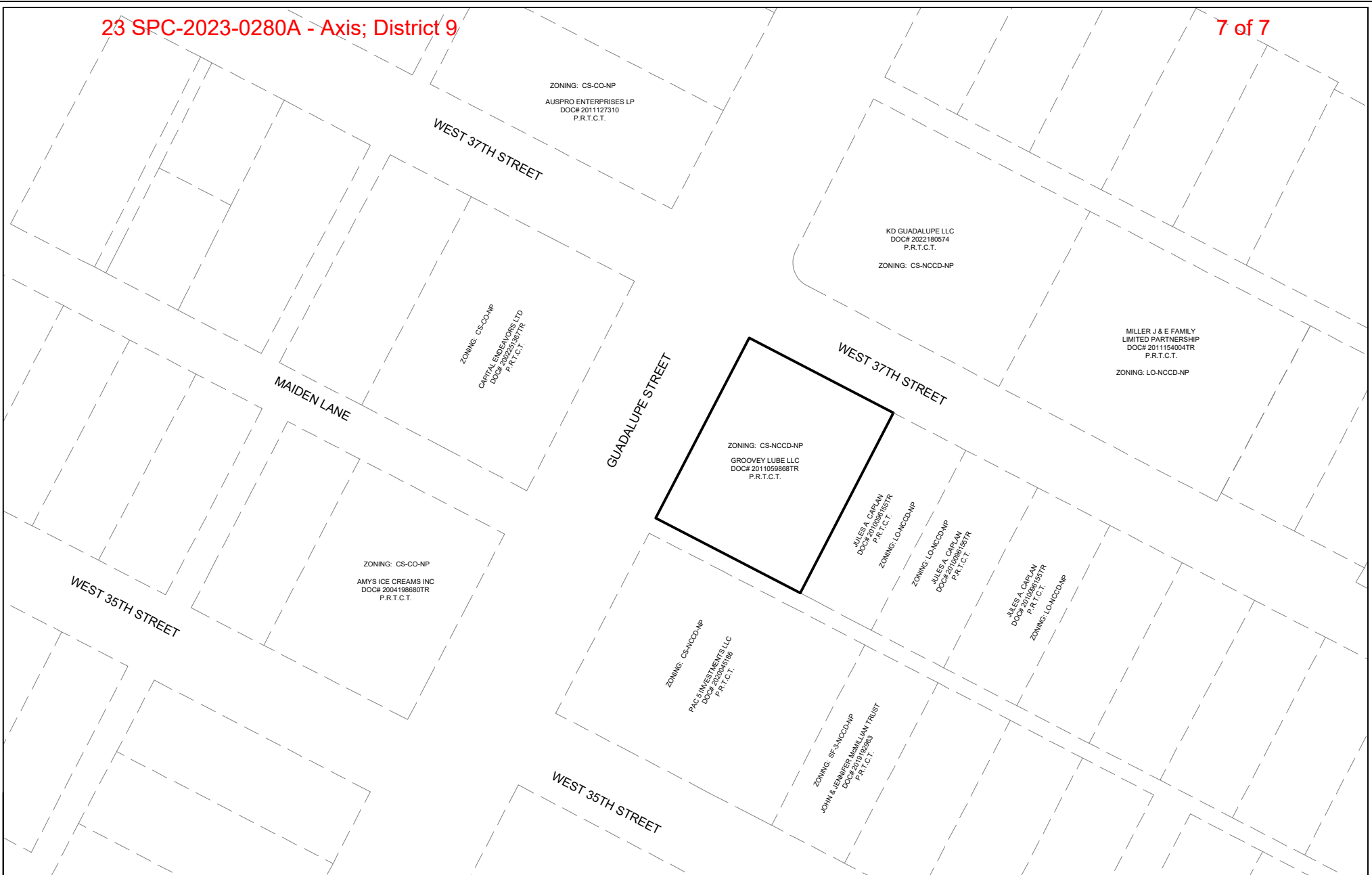
GUADALUPE STREET



LBE VENTURES GROUP, LLC
DBA - AXIS

509 WEST 37TH STREET,
AUSTIN, TEXAS 78705

Issued: 07/19/2023
Scale: 1" = 40'
Drawn By: JSG
AVO: MISCELLANEOUS
LOCATION AND SITE PLAN



Revision		
No.	Date	Description

ZONING MAP

INCLUDING ALL ADJOINER PROPERTIES

07/19/2023	
Scale:	1" = 80'
Drawn By:	JSG
SHEET 3 OF 3	