

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

**CASE NUMBER:** SPC-2023-0406A **PC DATE:** February 27, 2024

**PROJECT NAME:** PINS Mechanical CUP

**ADDRESS:** 4323 South Congress, Building B

**COUNCIL DISTRICT:** 3

**NEIGHBORHOOD PLAN:** East Congress

**APPLICANT:** SE Austin Global Land, LLC and St. Elmo Apartments, LP, LLC  
4901 Keller Springs Road, Suite 101  
Addison, Texas 75001

**AGENT:** Thrower Design, A. Ron Thrower (512) 476-4456  
P.O. Box 41957  
Austin, TX 78704

**CASE MANAGER:** Heather Chaffin (512) 974-2140  
[Heather.chaffin@austintexas.gov](mailto:Heather.chaffin@austintexas.gov)

**AREA:** 9.333 acre site; 3,412 sq. ft. footprint

**WATERSHED:** Williamson Creek (Suburban)

**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 within an existing building. The proposed cocktail lounge area is 3,412 square feet total within an existing building. No construction is proposed with this land use site plan.

**STAFF RECOMMENDATION:**

Staff recommends approval of the conditional use permit. The proposed land use site plan complies with all requirements of the Land Development Code.

**PROJECT INFORMATION:** 3,412 sq. ft. footprint

**EXISTING ZONING:** LI-PDA-NP

**ALLOWED F.A.R.:** 1.5:1

**EXISTING F.A.R.:** 1.25:1

**MAX. BLDG. COVERAGE:** 75%

**EXISTING BLDG. COVER:** 37.89%

**MAX. IMPERVIOUS COVER:** 80%

**EXISTING IMPERVIOUS COVER:** 64.17%

**REQUIRED PARKING:** 612

**PROVIDED PARKING:** 655

**PROPOSED ACCESS:** E. St Elmo Rd and Industrial Blvd

*\*See the attached Site Plan sheet for the calculations of the entire lot.*

**SUMMARY COMMENTS ON SITE PLAN:**

**Land Use:** The property is zoned LI-PDA-NP (Limited Industrial Services-Planned Development Area-Neighborhood Plan). Zoning established by Ordinance No. 20141120-137 establishes Cocktail Lounge as a conditional use. The 9.33 acre site includes multifamily, restaurant, brewery and food sales land uses. The Applicant proposes developing 3,412 square feet of cocktail lounge along with 35,196 square feet of indoor sports and recreation and 9,480 square feet of outdoor sports of recreation in and adjacent to

Building B. Indoor and outdoor sports and recreation are permitted uses per the approved zoning ordinance. There are no schools, churches, or hospitals within 300 feet of the subject site. Staff recommends approval of the conditional use permit request.

**Environmental:** The site is located in the Williamson Creek Watershed and subject to the Suburban Watershed regulations. There were no Environmental review comments. No construction is proposed with this Land Use application.

**Transportation:** All parking spaces are located on-site. All Transportation comments have been cleared. Access to the site is available from Congress Avenue, East St Elmo Road and Industrial Boulevard.

### **SURROUNDING CONDITIONS:**

#### **Zoning/ Land Use**

North: LI-CO-NP, Multifamily

East: LI-CO-NP, Multifamily

South: LI-CO-NP, Vacant/Warehouse

West: LI-CO-NP, Multifamily & Storage

### **NEIGHBORHOOD ORGNIZATIONS:**

Austin Heritage Tree Foundation

Austin Independent School District

Austin Neighborhoods Council

Battle Bend Springs HOA

Bike Austin

Go!Austin/Vamos!Austin (GAVA)-78745

Far South Austin Community Assn.

Friends of Austin Neighborhoods

Greenwood Hills-Colonial Park Neigh. Assn.

Homeless Neighborhood Association

Onion Creek Homeowners Assoc.

Perry Grid 644

Preservation Austin

SEL Texas

Sierra Club, Austin Regional Group

South Congress Combined Neighborhood Plan

South Park Neighbors

Southeast Corner Alliance of Neigh (SCAN)

### **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 LI-PDA-NP zoning district.

**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.

**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.

**C. In addition, a conditional use site plan may not:**

**7. 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.

**8. 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.

**9. 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.

October 5, 2023

Mr. Jose Roig  
Director, Development Services Dept.  
City of Austin  
6310 Wilhelmina Delco Dr.  
Austin, TX 78752

***Via Electronic Delivery***

Re: PINS Mechanical Cocktail Lounge CUP – 4323 Congress Avenue

Dear Mr. Roig:

On behalf of the Owner(s) of the property referenced above, we respectfully submit the enclosed Conditional Use Permit Application. The property is zoned LI-PDA-NP per Ord. No. 20141120-137.

The existing development of the property is per SP-2017-0210C, and per DA-2017-0210C. The requested CUP is for a *Cocktail Lounge* use of less than 5,000 square feet within Building #3. The remainder of Building #3 is proposed for a change of use from *Restaurant, Food Sales, and Brewery* to *Indoor Sports & Recreation* and *Outdoor Sports & Recreation*.

We respectfully request support for the requests made. Please contact our office should you have need for additional information. Thank you for your time and attention to this application.

Kind regards,



Victoria Haase  
[www.throwerdesign.com](http://www.throwerdesign.com)  
512-998-5900 Cell  
512-476-4456 Office

January 24, 2024

Ms. Heather Chaffin  
Planning Officer  
Development Services Dept.  
City of Austin  
6310 Wilhelmina Delco Dr.  
Austin, TX 78752

*Via Electronic Delivery*

Re: PINS Mechanical Cocktail Lounge CUP – 4323 Congress Avenue

Dear Ms. Chaffin:

With this letter, we are formally amending the request of this CUP application, case SPC-2023-0406.

This amendment changes the square feet of Cocktail Lounge from 4,985 square feet, as originally requested, to 3,412 square feet. While not necessarily subject to the CUP process, the square feet for the Indoor Sports and Recreation, Outdoor Sports and Recreation have also changed. For clarity, below are the numbers originally submitted and the numbers, as amended with this letter.

**Initial Request:**

CUP	COCKTAIL LOUNGE	ST. ELMO MKT	4,985 S.F.
	INDOOR SPORTS AND RECREATION	ST. ELMO MKT	36,583 S.F.
	OUTDOOR SPORTS AND RECREATION	ST. ELMO MKT	8,295 S.F.

**Amended Request:**

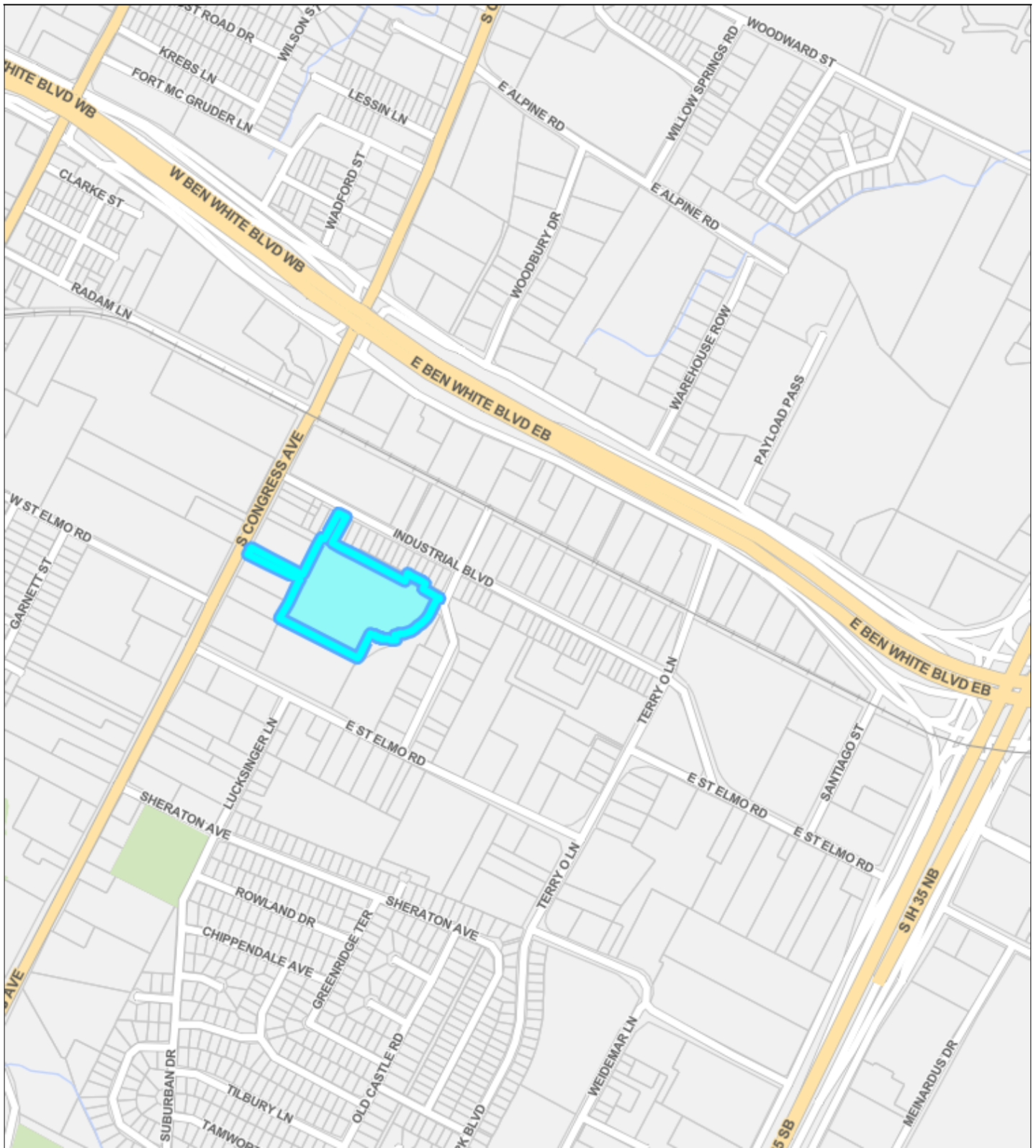
CUP	COCKTAIL LOUNGE	ST. ELMO MKT	3,412 S.F.
	INDOOR SPORTS AND RECREATION	ST. ELMO MKT	35,196 S.F.
	OUTDOOR SPORTS AND RECREATION	ST. ELMO MKT	9,480 S.F.

The numbers of the “Amended Request” above were included in the update documents submitted on January 17, 2024.

Kind regards,



Victoria Haase  
[www.throwerdesign.com](http://www.throwerdesign.com)  
512-998-5900 Cell  
512-476-4456 Office



1: 9600

2/14/2024

## SPC-2023-0406A

4323 S CONGRESS AVE



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey. This product has been produced by the City of Austin for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

SE AUSTIN GLOBAL LAND, LLC  
ST ELMO APTS LP LLC  
4901 KELLER SPRINGS, SUITE 101  
ADDISON, TEXAS 75001  
214-802-9600

LAND PLANNER      THROWER DESIGN  
P.O. BOX 41957  
AUSTIN, TEXAS 78704  
512-476-4456

9.33 ACRES  
LOT 1, SAINT ELMO SUBDIVISION, A RESUBDIVISION OF WILLIAM S. DRAKE  
LOT A AS RECORDED IN DOC#201900114 IN TRAVIS COUNTY, TEXAS.

ZONING	C14-05-0107
FINAL PLAT	C8-2017-0276.A
SITE PLAN	SP-2017-0210C
SP EXEMPTION	DA-2017-0475

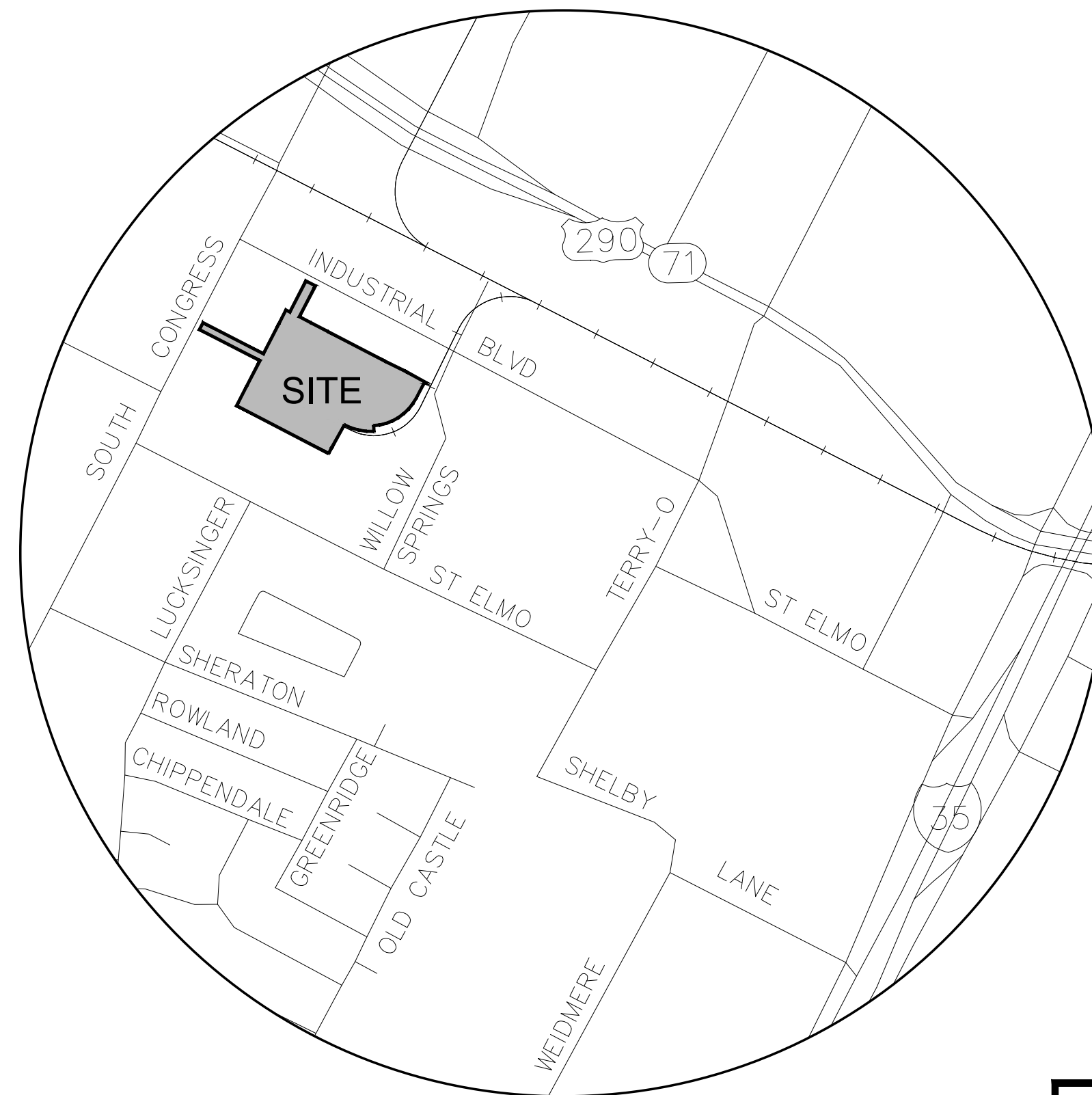
GRID #: H18  
MAPSCO #: 644

THIS SITE IS LOCATED IN THE WILLIAMSON CREEK WATERSHED, WHICH IS CLASSIFIED AS SUBURBAN.

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

NO PORTION OF THIS SITE IS WITHIN THE 100 YEAR FLOODPLAIN AS PER  
FEMA FIRM PANEL 48453C0585H DATED SEPTEMBER 26, 2008, FOR  
TRAVIS COUNTY, TEXAS.

4323 SOUTH CONGRESS AVENUE



LOCATION MAP  
N.T.S.

CONDITIONAL USE PERMIT APPROVED: \_\_\_\_\_, 2024

DEVELOPMENT SERVICES DEPARTMENT (DATE)

*Thrauer Design*  
P.O. BOX #1957     AUSTIN, TEXAS     78704     •     (512) 476-4456  
**LAND PLANNERS**

[illegible]

**PINS MECHANICAL**  
**CONDITIONAL USE PERMIT**  
SAINT ELMO PUBLIC MARKET  
4323 SOUTH CONGRESS AVENUE  
AUSTIN, TEXAS

FILE NUMBER: SPC-2023-0406 APPLICATION DATE: 10/11/23  
APPROVED BY PLANNING COMMISSION ON \_\_\_\_\_ UNDER SECTION 112  
OF CHAPTER 25-5 OF THE CITY OF AUSTIN CODE.  
EXPIRATION DATE (25-5-81, LDC) \_\_\_\_\_ CASE MANAGER HEATHER CHAFFIN  
PROJECT EXPIRATION DATE (ORD. #970905-A) \_\_\_\_\_ DWPZ \_\_\_\_\_ DDZ \_\_\_\_\_

Director, Development Services Department  
RELEASED FOR GENERAL COMPLIANCE: \_\_\_\_\_ ZONING: GR-MU-V-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.

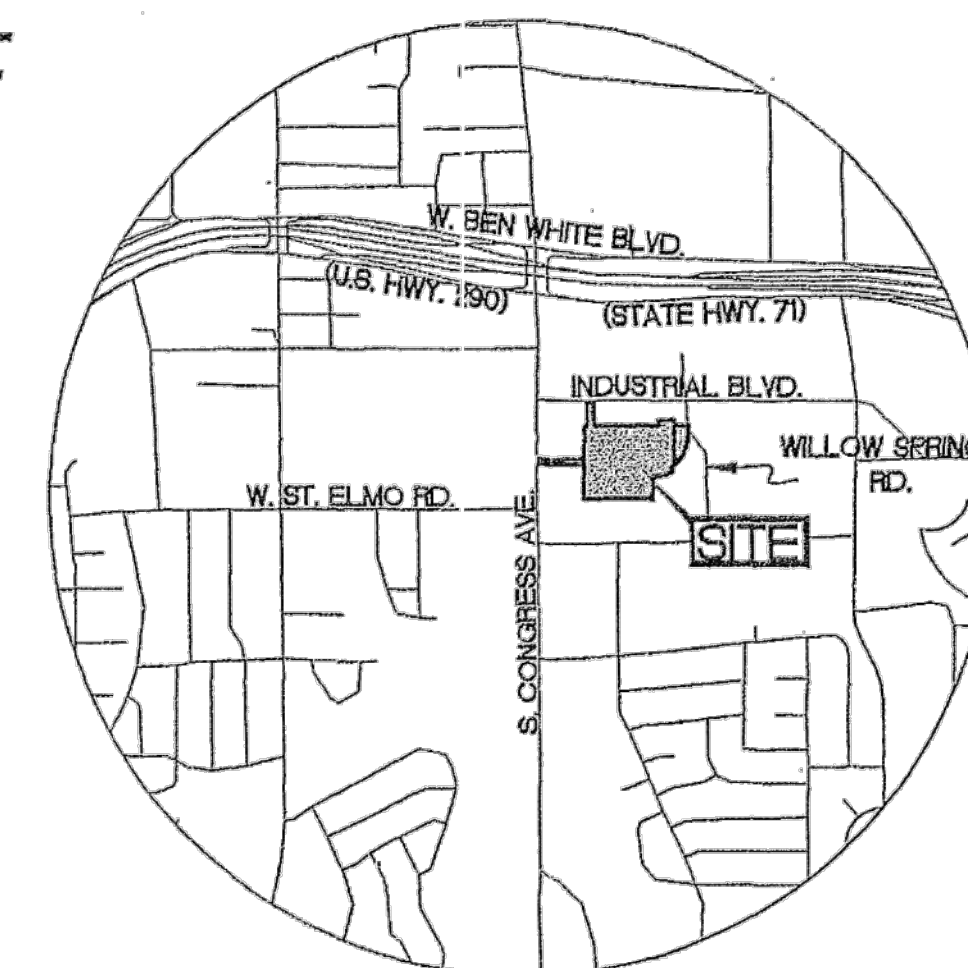


201900114

# SAINT ELMO SUBDIVISION: A RESUBDIVISION OF WILLIAM S. DRAKE LOT A

9.337 ACRES OUT OF THE ISAAC DECKER LEAGUE SURVEY NO. 20, TRAVIS COUNTY, TEXAS

APPROVED BY:  
MM  
JOB NUMBER: 248-001  
ISSUE DATE: 04/09/18  
SHEET: 1 OF 2  
SUBMITTAL DATE: 04/09/18



VICINITY MAP  
NCT TO SCALE

## LEGEND

- 1/2-INCH IRON ROD FOUND
- 1/2-INCH IRON PIPE FOUND
- 1/2-INCH IRON ROD WITH "KBGE" CAP SET
- CALCULATED POINT
- BOUNDARY LINE
- ADJOINER BOUNDARY LINE
- LOT LINE
- EASEMENT LINE

## LINE TABLE

LINE	BEARING	DISTANCE
L1	S62°55'06"E	54.93'
L2	S63°51'22"E	119.83'
L3	N62°57'58"W	9.41'
L4	S03°03'18"E	30.00'
L5	S27°14'34"W	30.42'
L6	N27°44'55"E	31.00'
L7	N26°03'13"E	9.00'
L8	S62°53'26"E	22.04'
L9	S27°19'17"W	40.00'

## EASEMENT LINE TABLE

LINE	BEARING	DISTANCE
L10	S62°50'59"E	349.05'
L11	S27°48'06"W	50.00'
L12	N62°50'59"W	355.11'
L13	N27°32'53"E	10.00'
L14	S62°53'31"E	6.44'
L15	N27°19'17"E	40.00'

## CURVE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	9.49'	180.71'	3°00'31"	S10°30'52"W	9.49'
C2	241.85'	264.99'	52°17'32"	S53°53'34"W	233.54'
C3	29.53'	267.65'	6°19'21"	S84°13'02"W	29.52'
C4	158.09'	297.65'	30°25'50"	N77°22'06"W	156.23'

## ADJOINER TABLE

- ① AAN RENTTOOLS INC. - 0.223 ACRES - DOC. NO. 2006177312
- ② ST. ELMO HEIGHTS, SEC. ONE - VOL. 5, PG. 158
- ③ TWIN OAKS ASSOCIATES LTD - DOC. NO. 2006077189 (0.471 ACRES)
- ④ I. N. R. C. - REMAINING PORTION OF 18.34 ACRES (TRACT 1) - VOL. 1418, PG. 48

BEARING BASIS:  
THE BASIS OF BEARINGS SHOWN HEREON IS THE TEXAS COORDINATE SYSTEM, NAD 83(2012A), CENTRAL ZONE, UTILIZING LEICA SMARTNET CONTROL NETWORK.



KIMBELL | BRUEHL | GARCIA | ESTES  
105 West Riverside Drive, Ste 110, Austin, Texas 78704  
T (512) 439-0400 www.kbge-eng.com  
TBPE No. F-12802  
TBPLS No. 10193943

C8-2017-0276.0A

Thrasher Design  
LAND PLANNERS  
P.O. BOX 41957  
AUSTIN, TEXAS 78704  
(512) 476-4456

PINS MECHANICAL  
CONDITIONAL USE PERMIT  
SAINT ELMO PUBLIC MARKET  
4323 SOUTH CONGRESS AVENUE  
AUSTIN, TEXAS

PLAT

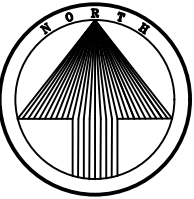
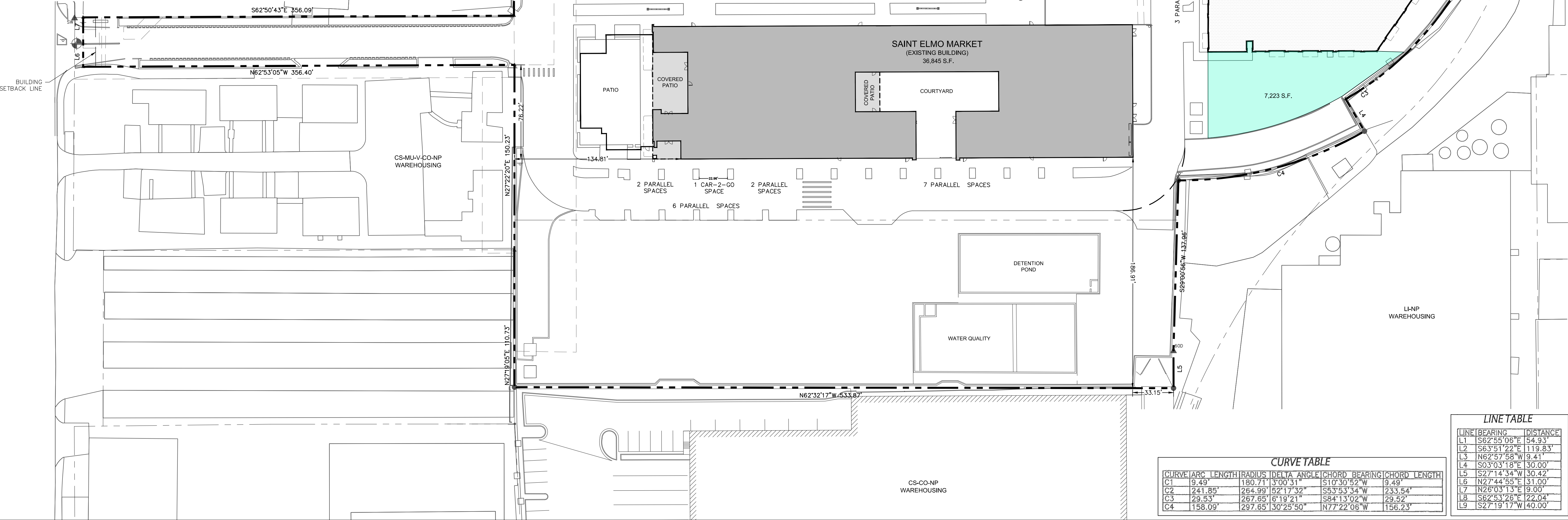
2 of 3

SPC-2023-0406

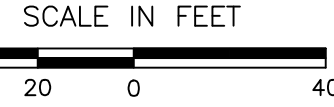


SITE CALCS

SITE AREA	9.333 ACRES =	406,549 S.F.	
IMPERVIOUS COVER			
ALLOWABLE (GR-MU-V-NP)	6.067 ACRES =	264,257 S.F.	65%
EXISTING			
BUILDINGS		154,055 S.F.	
PARKING, DRIVES & WALKS		106,844 S.F.	
		260,899 S.F.	64.17%
PROPOSED			
BUILDINGS		154,055 S.F.	
PARKING, DRIVES & WALKS		106,844 S.F.	
		260,899 S.F.	64.17%
BUILDING INFO	FLOORS	SIZE	COVERAGE
MF BLDG A	6	192,485	23,865 S.F.
MF BLDG B	5	192,728	32,892 S.F.
ST. ELMO MKT	1 + MEZZ	36,845	37,219 S.F.
GARAGE NORTH	6	188,025	32,223 S.F.
		610,083	126,001 S.F.
EXISTING			
USE	BLDGS	UNITS	
MF RESIDENTIAL EFFICIENCY	BLDG A + B	32	UNITS
MF RESIDENTIAL 1 BR	BLDG A + B	255	UNITS
MF RESIDENTIAL 2 BR	BLDG A + B	100	UNITS
FOOD SALES	ST. ELMO MKT	27,266	S.F.
RESTAURANT	ST. ELMO MKT	8,679	S.F.
BREWERY	ST. ELMO MKT	1,655	S.F.
PARKING REQUIRED	UNITS/SF	RATIO	
MF RESIDENTIAL EFFICIENCY	32	1.0	32
MF RESIDENTIAL 1 BR	255	1.5	383
MF RESIDENTIAL 2 BR	100	2.0	200
FOOD SALES	27,266	1/275	99
RESTAURANT	8,679	1/75	116
BREWERY	1,655	1/275	6
			836 SPACES
CAR 2 GO REDUCTION	1	20	20
EXISTING DEFICIENCY			82
			734 SPACES
PROPOSED			
USE	BLDG A + B	32	UNITS
MF RESIDENTIAL EFFICIENCY	BLDG A + B	255	UNITS
MF RESIDENTIAL 1 BR	BLDG A + B	100	UNITS
CUP	COCKTAIL LOUNGE	ST. ELMO MKT	3,412 S.F.
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MF RESIDENTIAL EFFICIENCY	32	1.0	32
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MF RESIDENTIAL 2 BR	100	2.0	200
CUP	COCKTAIL LOUNGE	3,412	1/50
	INDOOR SPORTS AND RECREATION	25,828	1/500
	OUTDOOR SPORTS AND RECREATION	9,480	-
			734 SPACES
CAR 2 GO REDUCTION	2	20	40
EXISTING DEFICIENCY			82
			612 SPACES
*Uninhabitable gaming and accessory indoor spaces have been deducted from the SF			
PROVIDED PARKING			
STANDARD SPACES			526
COMPACT SPACES			109
HANDICAP			18
CAR 2 GO			2
			655 SPACES
BICYCLE SPACES - TYPE III			
REQUIRED @ 5% =			33 SPACES
PROVIDED			84 SPACES
OPEN SPACE			
REQUIRED @ 5% =			20,327 S.F.
PROVIDED			25,681 S.F.



SCALE: 1" = 40'



LEGEND

- PROPERTY LINE
- [Hatched Box] BUILDING SUBJECT TO CUP
- [Green Box] OPEN SPACE

CURVE TABLE					
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	9.49'	180.71'	3°00'31"	S10°30'52"W	9.49'
C2	241.35'	264.99'	52°17'32"	S53°53'34"W	233.54'
C3	29.53'	267.65'	6°19'21"	S84°13'02"W	29.52'
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LINE TABLE		
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L4	S03°03'18"E	30.00'
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L6	N27°44'55"E	31.00'
L7	N25°03'13"E	30.00'
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