

## AGENDA



Thursday, February 10, 2011

**Public Hearings and Possible Actions  
RECOMMENDATION FOR COUNCIL ACTION****Item No. 47**

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**Subject:** Conduct a public hearing and consider an appeal by Camille Perry on a decision to approve an Outdoor Music Venue Permit for Irie Bean Coffee Bar, located at 2310 S. Lamar Blvd., Unit 102.

**For More Information:** Clara Hilling, 974-2696; Sylvia Arzola, 974-6448.

**Prior Council Action:** January 13, 2011- Council postponed to January 27, 2011. January 27, 2011- Council postponed to February 10, 2011.

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On August 19, 2010, the Planning and Development Review Department approved an Outdoor Music Venue Permit (OMV) for a venue known as Irie Bean Coffee Bar at 2310 S. Lamar Blvd.

Ms. Camille Perry has appealed approval of the permit based on the following:

1. prior record of violations;
2. amount of opposition;
3. sound mitigation installed has not been tested;
4. proximity of venue to single family homes.

Chapter 9-2-25(B) and 9-2-27 of the City Code provides that an interested party may appeal a decision if they are:

1. the applicant;
2. the notice owner of a single-family use located within 600 feet of the proposed outdoor music venue;
3. the notice owner of a multi-family use located adjacent to the venue (for new permits only);
4. a registered neighborhood organization with declared boundaries and within 600 feet of the proposed venue.

Staff recommends denial of the appeal due to the following:

1. hours were adjusted per agreement with Zilker Neighborhood Association;
2. decibel level is restricted to 70db;
3. venue is located over 220 feet from multi-family zoned property and over 400 feet from single family zoned property.