

**STAFF REPORT
OUTDOOR MUSIC VENUE PERMIT**

CASE NUMBER: SO-2010-0183M

NAME AND LOCATION OF BUSINESS: Irie Bean Coffee Bar

ZONING: CS-V

APPLICANT/AGENT: Rafael Robinson

APPELLENT: Camille Perry

REQUEST: Outdoor Music Venue Permit

TIMELINE/SUMMARY OF ACTIONS:

01/26/10 - Application received
05/14/10 - Noticed mailed
05/28/10 - Date to register as interested party
08/19/10 - Application approve
08/27/10 - Email appeal received from Rafael Robinson
08/29/10 - Deadline to appeal decision

STAFF RECOMMENDATION: Denial of appeal for following reasons:

Hours adjusted to be consistent with other venues in the ZNA
Surrounded by commercial properties
70 decibel

HOURS OF OPERATION:

10:00 a.m. to 8:30 p.m. Sunday
10:00 a.m. to 8:30 p.m. Monday
10:00 a.m. to 8:30 p.m. Tuesday
10:00 a.m. to 8:30 p.m. Wednesday
10:00 a.m. to 8:30 p.m. Thursday
10:00 a.m. to 10:00 p.m. Friday
10:00 a.m. to 10:00 p.m. Saturday

LEGAL INTERESTED PARTIES:

Camille Perry - Opposed
Nancy Maclaine – In favor
Ruth Powers – In favor

Lois Bates Jones - Opposed
Lorraine Atherton - Opposed
Ingrid Edisen - Opposed
Rebecca Heston - In favor
Joyce King – In favor
Crosby Marks – In favor with limited hours
Michael Bellamy - Opposed
Craig Boyce – In favor
Edwin Saykally – In favor

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
SITE	CS-V	Coffee Bar
NORTH	CS-V	Motel
SOUTH	CS-V	Service Station
EAST	CS	Car Wash
WEST	CS-V	Motel

COMPLAINTS SINCE PERMIT ISSUED: (Provided by Leander Davila, APD)



City of Austin Planning and Development Review Department
505 Barton Springs Road / P.O. Box 1088 / Austin, Texas 78767-8835

**OUTDOOR MUSIC
VENUE APPEAL**

If you are an applicant and/or property owner or interested party, and you wish to appeal a decision on an Outdoor Music Venue permit, the following form must be completed and filed with the Director of Planning and Development Review Department, City of Austin, at the address shown above. The deadline to file an appeal is 14 days after the decision was issued by the accountable official. If you need assistance, please contact at (512) 974-2686.

CASE NO. SO-2010-0183M

DATE APPEAL FILED August 27, 2010

VENUE NAME Irie Bean

YOUR NAME Camille Perry

SIGNATURE Camille Perry

VENUE ADDRESS 2310 S. Lamar Blvd.
Austin, TX

YOUR ADDRESS 2211 Iva Lane
Austin, TX 78704-4911

CITY CONTACT Clara Hilling

YOUR PHONE NO. () WORK

(?) SECTION OF CODE APPEALED: 9-2-25

(512) 444-0754 HOME

Subsection 9-2-23(B)

INTERESTED PARTY STATUS: Indicate how you qualify as an interested party who may file an appeal by the following criteria: (Check one)

- ☒ I am the notice owner of single family use
- ☐ I am the applicant or agent representing the applicant
- ☐ I am a representative of a neighborhood association and submitted my opposition in writing (date)
- ☐ I am the notice owner of a multifamily use located adjacent to the venue (new permits only)

In addition to the above criteria, I qualify as an interested party by one of the following criteria: (Check one)

- ☒ I am the notice owner of single family use located within 600 feet of the subject site.
- ☐ I am the notice owner of a multifamily use located adjacent to the venue.
- ☐ I am an officer of a neighborhood or environmental organization whose declared boundaries are within 600 feet of the subject site.

DECISION TO BE APPEALED*: (Check one)

- ☒ Approval of an Outdoor Music Venue Permit
- ☐ Denial of an Outdoor Music Venue Permit

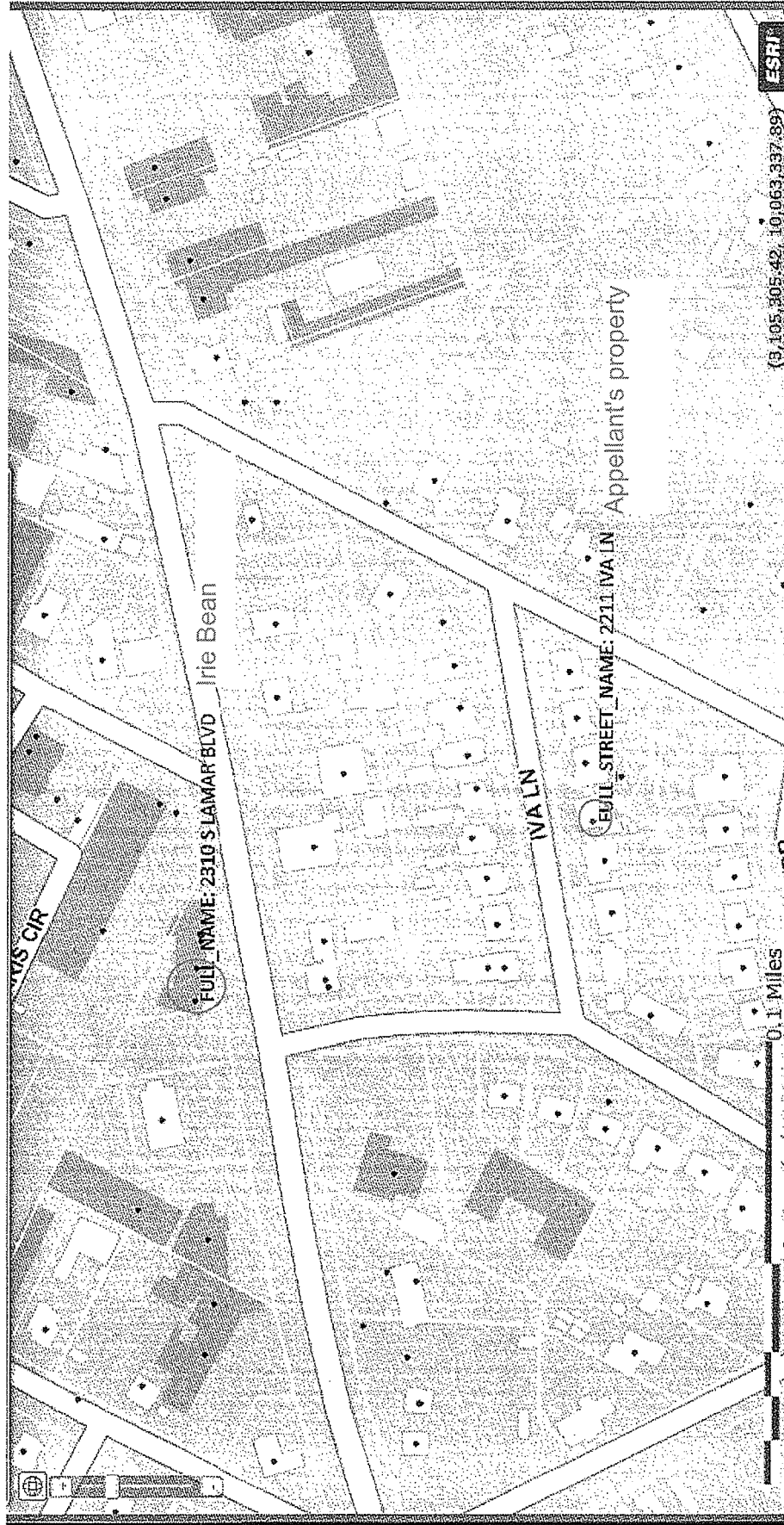
Date of Decision: August 19, 2010

Date of Decision: _____

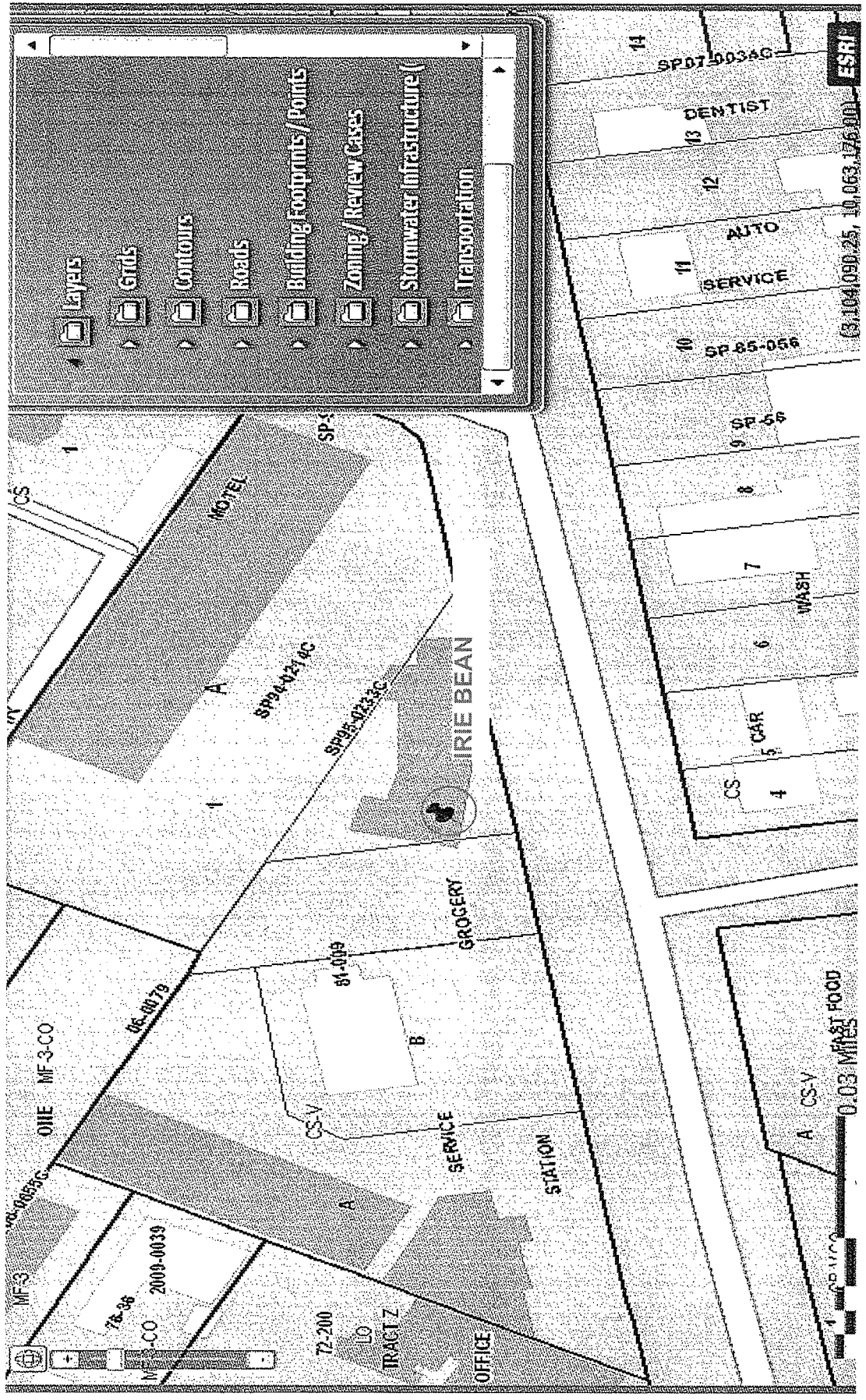
STATEMENT: Please provide the decision being appealed and the specific grounds for the appeal. If specific grounds are not provided appeal will not be considered valid:

- Prior record of violations - both the number and magnitude
- At closure of application notice there were ^{few} more nearby residents opposing the granting of a permit than OK with one. Should have been considered.
- Sound mitigation installed has not been tested on all types of music as requested.
- This place is too close to single family homes in well established neighborhood, etc.
- Also - See letter sent August 20, 2010 (copy attached)

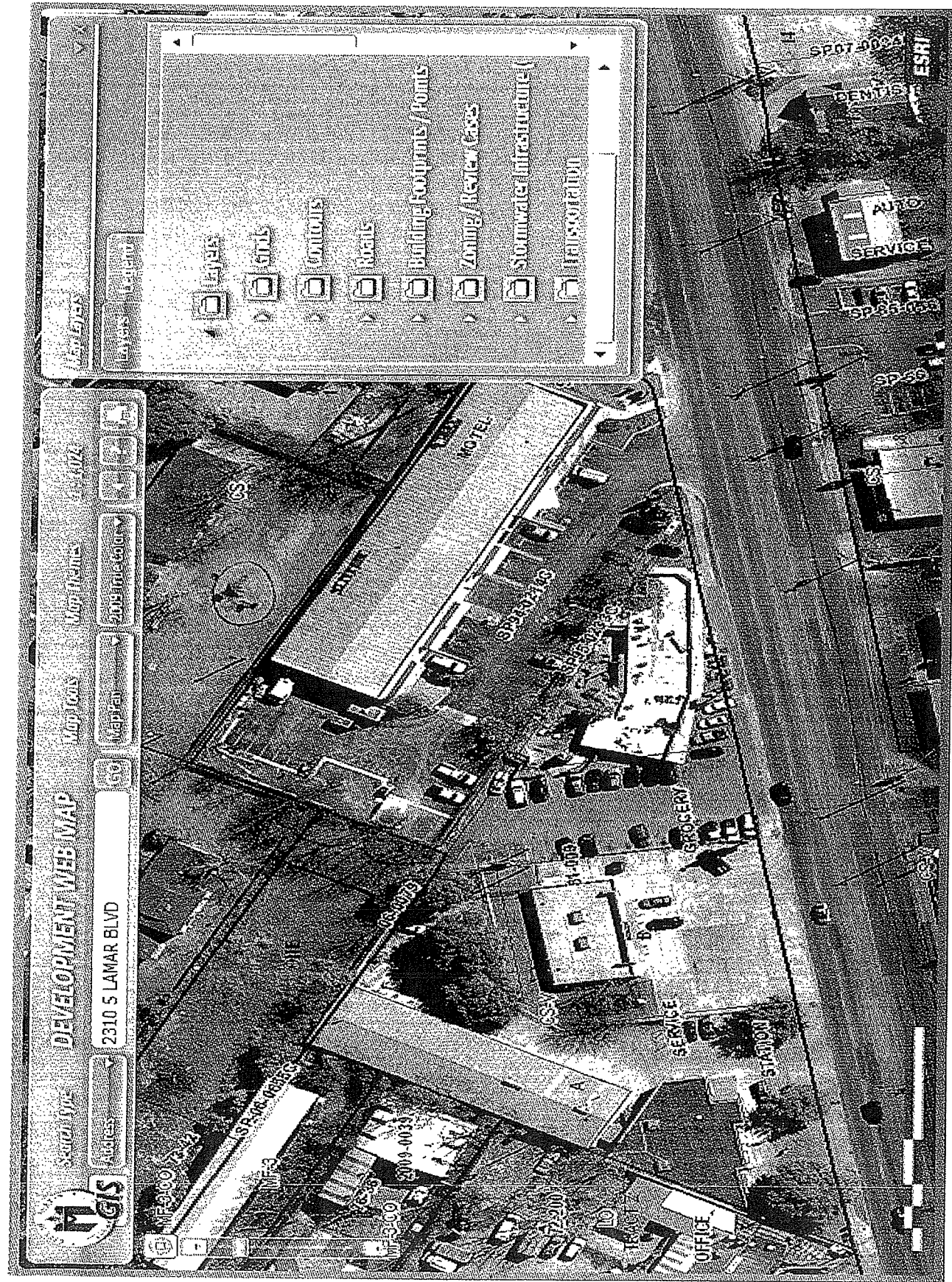
(Attach additional page if necessary.)



Distance between Venue and Appellant's Property



- Layers
- Grids
- Contours
- Roads
- Building Footprints/Points
- Zoning/Review Cases
- Stormwater Infrastructure
- Transportation



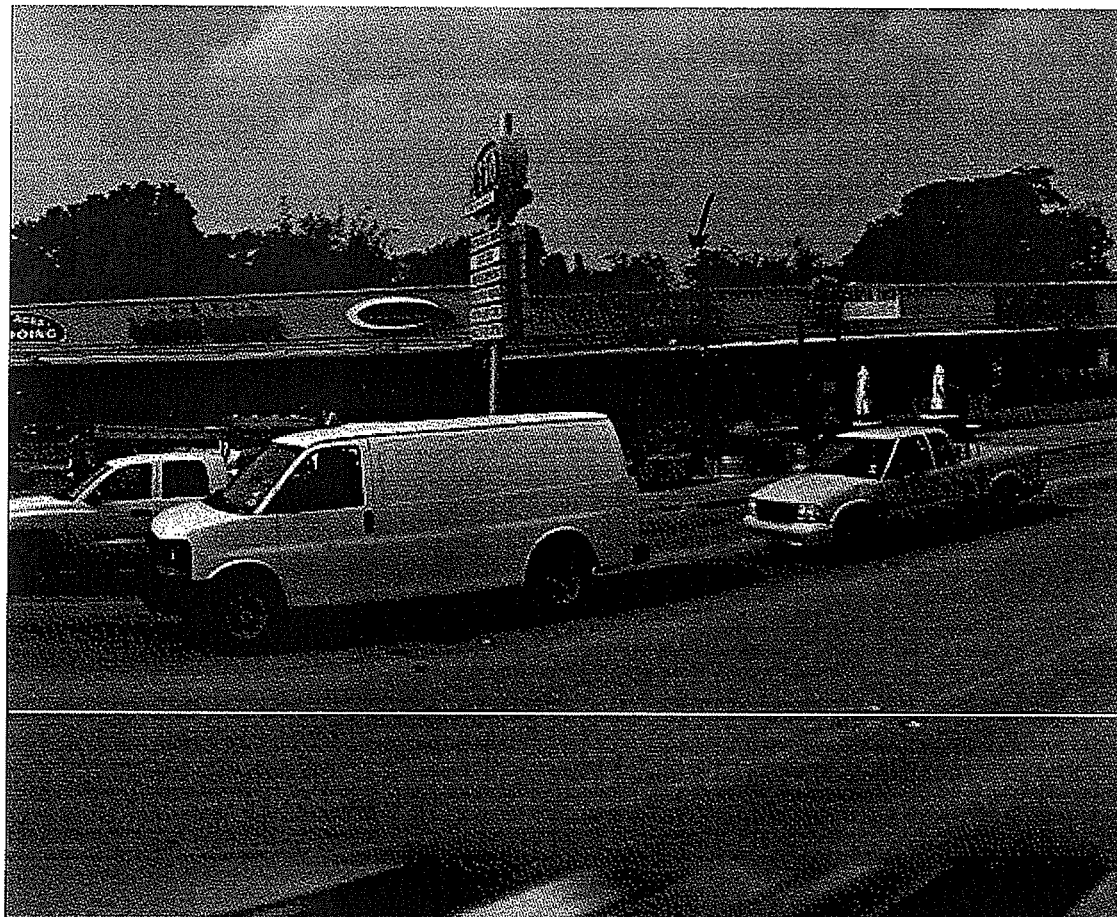
1/13/2011

Google maps

2237 South Lamar Boulevard - Google ...
Address 2237 South Lamar Boulevard

Address is approximate

Save trees. Go green!
Download Google Maps on your
phone at google.com/gmm



AUSTIN POLICE DEPARTMENT STAFF REPORT

OUTDOOR MUSIC VENUE PERMIT

NAME OF BUSINESS: Irie Bean Coffee Bar

LOCATION OF BUSINESS: 2310 South Lamar Boulevard

AREA COMMAND AND DISTRICT: David (South West) 2

REQUEST: Renewal for Outdoor Music Venue Permit

COMPLAINTS RECEIVED: Provided by Leander Davila, APD Constituent Liaison

PERFORMED: 01/12/11

Date Time Complaint Nature Disorderly Conduct / City Ordinance Violation
Summary of Complaint A query of the Austin Police Department database found 37 recorded calls for Disorderly Conduct (DOC) - City Ordinance Violation. Of the 35 calls ran from January 1, 2009 to May 19, 2010, thirty one complaints were related to noise coming from this establishment. Two complaints were linked to the ACL Festival and another two were linked to a party at 2208 South Lamar Blvd. One citation was issued to the establishment for no sound permit. See detailed listing of activity below.

Additional Information: Ran a query in the Austin Police Department database for prior Noise Complaints occurring between January 1, 2009 and January 12, 2011.

This form needs to be emailed to Clara Hilling with Watershed Protection & Development Review. She can also be reached at 974-2686.

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COMPLETED COMPLAINT SEARCH
AUSTIN POLICE DEPARTMENT
Date Report Run : Wed, Jan-12-2011
SEARCH CRITERIA: occ date between TO_DATE('2009-01-01 00:00:00', 'YYYY-MM-DD HH24.MI:SS') and TO_DATE('2011-01-12 00:00:00', 'YYYY-MM-DD HH24.MI:SS')
and case_type='3299' and address='2310 S LAMAR BLVD'

NUMBER OF RECORDS RETURNED: 37

OFF DATE	TIME	COMP.#	TYPE OF CALL-INITIAL/FINAL	LOCATION	REPORT	CLEARED BY
Jan-21-2009	22:12:35	212237	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2009-212237	NO REPORT
Feb-13-2009	21:07:05	442336	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2009-442336	NO REPORT
Feb-19-2009	22:09:09	502208	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2009-502208	NO REPORT
Feb-20-2009	21:34:20	512407	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2009-512407	NO REPORT
Feb-28-2009	20:47:36	592138	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2009-592138	NO REPORT
Feb-28-2009	21:51:36	592292	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2009-592292	NO REPORT
Mar-20-2009	22:32:41	792515	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2009-792515	NO REPORT
Mar-21-2009	22:17:59	802457	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2009-802457	CALL COMPLETE
Mar-26-2009	21:58:01	852082	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2009-852082	NO REPORT
Jul-18-2009	22:54:25	1992423	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2009-1992423	NO REPORT
Sep-26-2009	20:37:38	2692064	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2009-2692064	NO REPORT
Oct-02-2009	10:08:28	2750750	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2009-2750750	NO REPORT
Oct-02-2009	19:56:19	2751982	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2009-2751982	NO REPORT
Oct-04-2009	15:15:13	2771248	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2009-2771248	NO REPORT
Oct-09-2009	20:29:01	2822003	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2009-2822003	UNABLE TO LOCAT
Oct-10-2009	21:09:38	2832086	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2009-2832086	NO REPORT
Oct-31-2009	20:48:23	2831940	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2009-2831940	NO REPORT
Oct-31-2009	21:20:18	3042197	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2009-3042197	NO REPORT
Nov-11-2009	21:44:07	3042252	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2009-3042252	NO REPORT
Dec-16-2009	21:16:58	3152005	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2009-3152005	UNABLE TO LOCAT
Dec-23-2009	22:21:20	3502191	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2009-3502191	NO REPORT
Jan-27-2010	22:31:45	3572194	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2009-3572194	NO REPORT
Mar-03-2010	22:32:26	272176	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2010-272176	UNABLE TO LOCAT
Mar-06-2010	21:59:46	652092	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2010-652092	NO REPORT
Mar-18-2010	21:05:09	652622	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2010-652622	NO REPORT
Mar-20-2010	20:37:22	772215	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2010-772215	NO REPORT
Mar-20-2010	14:49:19	791326	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2010-791326	NO REPORT
Mar-20-2010	15:37:42	791405	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2010-791405	UNABLE TO LOCAT
Apr-07-2010	22:57:20	792304	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2010-792304	NO REPORT
Apr-18-2010	17:40:08	1081599	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2010-1081599	NO REPORT
Apr-24-2010	20:33:11	1141977	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2010-1141977	NO REPORT
Apr-30-2010	21:39:04	1142171	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2010-1142171	NO REPORT
May-08-2010	19:54:02	1202069	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2010-1202069	NO REPORT
Jun-12-2010	20:27:12	1283332	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2010-1283332	NO REPORT
Sep-11-2010	20:47:27	1631999	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2010-1631999	NO REPORT
	20:17:46	2541969	DOC / C.O. Violation	2310 S LAMAR BLVD AUSTIN	2010-2541969	NO REPORT

* END OF COMPLETED COMPLAINT SEARCH REPORT *

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