

**Galati, Donna**

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**From:** Susan Benz [benz@benzresourcegroup.com]  
**Sent:** Monday, March 21, 2011 1:55 PM  
**To:** sully.jumpnet@sbcglobal.net; danette.chimenti@gmail.com; kbtovo@earthlink.net; Mandy Dealey; dave.anderson.07@gmail.com; mnrgatfield@yahoo.com; alfonsohernandez@gmail.com; vskirk@att.net; jay\_reddy@dell.com  
**Cc:** Galati, Donna; Jeff Thompson; Molly O'Halloran; Cristina Valdes  
**Subject:** The Dram Shop, 907 East Sixth St  
**Attachments:** ECCNPT cocktail lounge policy.pdf; ATT167192.htm

Dear Planning Commission Members,

I am writing as the Sector 8 Resident Representative of the East Cesar Chavez Neighborhood Planning Team about a project that will be coming before you for a conditional use permit.

Brandon Testa, developer for The Dram Shop, (SPC-2011-0034AT) has come before our planning team several times to ask for support for his conditional use permit to build a cocktail lounge on an existing parking lot. Each time our planning team has voted unanimously against this proposal.

We feel that building a cocktail lounge and mini-kitchen on this existing parking lot is not the highest and best use of the property in that location. This property is mid-block near IH35 with greater FAR allowances than most in our neighborhood. This is a prime area for future development of a high-rise multi use, office or other commercial property.

In January of 2010, the Chair of our planning team sent the attached letter to the City Council outlining our team's position on the creation of new cocktail lounges in our neighborhood. This letter is attached for your reference.

We have explained to Mr. Testa our policy and each time he has returned with an altered plan asking our approval. We appreciate his entrepreneurial spirit, however, he continues to seek the cocktail lounge conditional use permit rather than developing a use that fits our Neighborhood Plan. The most recent iteration of his plan is to build a small kitchen so that a group of yet-to-be-identified chefs could rotate each three months of preparing portable food items. He confirmed that his project is a cocktail lounge and that he would not be operating or be responsible for the kitchen portion of the project.

While we support existing cocktail lounges and new businesses within the CS-1 zoning, we find no support for additional cocktail lounges in either the East Cesar Chavez Neighborhood Plan or the Saltillo Plaza TOD Station Area Regulating Plan.

If you would like to discuss this further, please do not hesitate to call or email me.

Thank you for your efforts,

Sincerely,

Susan Benz

3/22/2011

January 19, 2010

**Re: Cocktail Lounge Policy in the East Cesar Chavez Neighborhood**

To Austin City Council, Planning and Zoning, and all concerned:

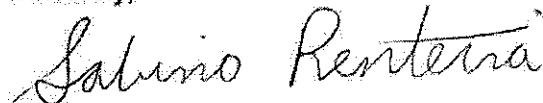
Numerous requests for new "cocktail lounge" conditional use permits within the East Cesar Chavez Neighborhood have given us, the East Cesar Chavez Neighborhood Planning Team, occasion to discuss this issue during the past several monthly Team meetings. We would like to take this opportunity to clarify our position regarding new cocktail lounges.

While we support existing CS-1 zoning and new businesses in existing CS-1 zoning, we are opposed to conditional use permits that create new cocktail lounges, for the following reasons:

- The ECC Neighborhood Plan envisions a mix of "businesses which serve neighborhood residents and residents that support local businesses". We do not want to become a drinking destination for the city.
- Many existing businesses in the ECC Neighborhood serve the neighborhood's and city's demand for cocktail lounges. We do not support making exceptions to existing zoning in order to create additional cocktail lounges.
- The ECC Neighborhood Plan and the Plaza Saltillo TOD Station Area Plan both envision, and the Team supports, dense mixed use including residential, commercial and civic elements. Cocktail lounges in addition to the existing CS-1 businesses are counter to this desired mix.
- We have found no support in "The East Cesar Chavez Neighborhood Plan" (1999) nor in the Regulating Plan for the Plaza Saltillo TOD for an increase in cocktail lounges. We work to maintain the vision that our neighborhood and the City created together and adopted as our Neighborhood Plan.

Thank you for the opportunity for us to clarify our opposition to conditional use permits for new cocktail lounges. We look forward to hearing from you with any questions or concerns.

Sincerely,



Sabino Renteria

Chair  
East Cesar Chavez Neighborhood Planning Team

1511 Haskell St.

## PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

A zoning ordinance amendment may include a conditional overlay which would include conditions approved by the Land Use Commission or the City Council. If final approval is by a City Council's action, there is no appeal of the Land Use Commission's action.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact listed on a notice*); or
- appearing and speaking for the record at the public hearing;

- and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development).

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: SPC-2011-0034AT  
Contact: Donna Galati, (512) 974-2733  
Elsa Garza, (512) 974-2308  
Public Hearing: Planning Commission

**Item C-3**

H. MICHAEL GUJARDO

Your Name (please print)

1111 E. 8TH AUSTIN TX 78703-3224

Your address(es) affected by this application

*Be Mark Garza* 7/15/11

Signature

Date

Daytime Telephone: 464-3032

Comments: *As a member of Guadalupe*

*Neighborhood, I will not support*

*any application for a site plan for a*

*proposed liquor establishment at*

*this location.*

*Too much noise traffic and*

*unwelcome auto & foot traffic in*

*our neighborhood - on E 8th.*

*STREET. I OBJECT!*

If you use this form to comment, it may be returned to:

City of Austin  
Planning and Development Review - 4<sup>th</sup> floor  
Donna Galati  
P. O. Box 1088  
Austin, TX 78767-8810