

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2012-0141 North Loop Pub

**P. C. DATE:** 01-22-2013

**ADDRESS:** 100 East North Loop Boulevard

**AREA:** 0.015 acres

**APPLICANT:** Terrell Timmerman

**AGENT:** Bleyl Interests, Inc. (Vince Huebinger)

**NEIGHBORHOOD PLAN AREA:** North Loop

**CAPITOL VIEW:** No

**T.I.A.:** No

**HILL COUNTRY ROADWAY:** No

**WATERSHED:** Waller Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**ZONING FROM:** GR-CO-NP

**ZONING TO:** CS-1-CO-NP

### **SUMMARY STAFF RECOMMENDATION:**

Staff recommends CS-1-CO-NP – Commercial–Liquor Sales – Conditional Overlay-Neighborhood Plan for Tract 1 and CS-1-CO-NP – Commercial–Liquor Sales – Conditional Overlay-Neighborhood Plan for Tract 2. The Conditional Overlay would prohibit the following uses: Automotive rental, Automotive repair, Automotive sales, Funeral services, Exterminating services, Medical Office (exceeding 5,000 s. f.) Pawn shop services, Residential treatment and Service station.

### **PLANNING COMMISSION RECOMMENDATION:**

The motion to approve staff's recommendation for CS-1-CO-NP district zoning for Tract 1 and for Tract 2, was approved on the consent agenda by Commissioner James Nortey's motion, Commissioner Richard Hatfield seconded the motion on a vote of 8-0; Commissioner Jean Stevens.

### **DEPARTMENT COMMENTS:**

One of the Neighborhood Planning Goals for the North Loop Neighborhood Planning Area is to "encourage well-designed neighborhood development that provides the needs of everyday life (shopping, employment, educational, spiritual, recreational, etc.) in locations that are readily and safely accessible within walking distance from where people live." The "existing neighborhood character" in the North Loop Neighborhood Planning Area is defined by a strong neighborhood feel; a place where people know each other; somewhere that is characterized by unique businesses instead of chains; the funky and eclectic nature of local businesses; a place that is pedestrian oriented and is good to walk and bike around; an area where new development complements and reflects the 1940s style of the existing residential stock; and the diversity of residents. One of the stated goals of the North Loop Neighborhood Planning Area is to "encourage development of a diversity of neighborhood-oriented businesses. Encourage a balanced and diverse mix of independently owned, neighborhood businesses including green grocer, restaurants, coffee shops, bakery, pub, hardware store." This case was originally reviewed and recommended for approval by the Planning Commission on February 10<sup>th</sup>, 2009 and subsequently approved by the City Council on April 23<sup>rd</sup>, 2009. Since that time, the North Loop Pub has become a successful venture and the owner wishes to expand the business. The zone change request is for an additional 417 square feet of climate controlled area and a 240 square foot patio in the back courtyard. The North Loop Neighborhood Planning Team has submitted a letter of support for the zone change request.

**BASIS FOR RECOMMENDATION:**

1. *The proposed zoning should be consistent with the goals and objectives of the City Council.*

Granting CS-1-NP would be in keeping with the adopted North Loop Neighborhood Plan.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
Site	GR-CO-NP	Retail/Vacant
North	SF-3-NP	Single Family Residential
South	CS-1-CO-NP	Pub
East	CS-CO-NP	Retail
West	GR-CO-NP	Retail

**CASE HISTORIES:**

C14-96-0034	From SF-3 & LO to MF-3	Approved MF-3-CO [Vote: 7-0]	Approved MF-3-CO [Vote: 7-0]
C14-04-0015	From SF-3 to SF-5	Approved SF-5-CO [Vote: 7-0]	Approved SF-5-CO [Vote: 7-0]

**NEIGHBORHOOD ORGANIZATION:**

- Austin Neighborhoods Council
- North Loop IBIZ District
- North Austin Neighborhood Alliance
- Northfield Neighborhood Assn.

**SCHOOLS:**

- Ridgetop Elementary School
- Lamar Middle School
- McCallum High School

**SITE PLAN:**

1. A cocktail lounge in the CS-1 zoning district will require a Conditional Use Site Plan Permit, which will require approval by the Planning Commission. Staff will review the CUP under LDC Section 25-5-145 and 25-5-146.

2. The site is subject to compatibility standards. Along the north, south, east and west property lines, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.

- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
  - No parking or driveways are allowed within 25 feet of the property line.
  - In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- Additional design regulations will be enforced at the time a site plan is submitted.

3. Any new development, which proposes modifications to the building is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

### **TRANSPORTATION:**

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Daily Traffic
East North Loop	70'	40'	Arterial	6510 (TxDOT,

No additional right-of-way is needed at this time.

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day [LDC, 25-6-117].

There are existing sidewalks along East North Loop Boulevard.

East North Loop Boulevard is classified in the Bicycle Plan as a Priority 1 bike route.

Capital Metro bus service (route no. 7) is available along East North Loop Boulevard.

FYI: A site plan will be required for the proposed change of use to cocktail lounge. During the site plan process compliance with parking regulations will be reviewed.

### **ENVIRONMENTAL:**

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Waller Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

According to flood plain maps, there is no flood plain within the project area.

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

**CITY COUNCIL DATE:** February 28<sup>th</sup>, 2013

**ACTION:**

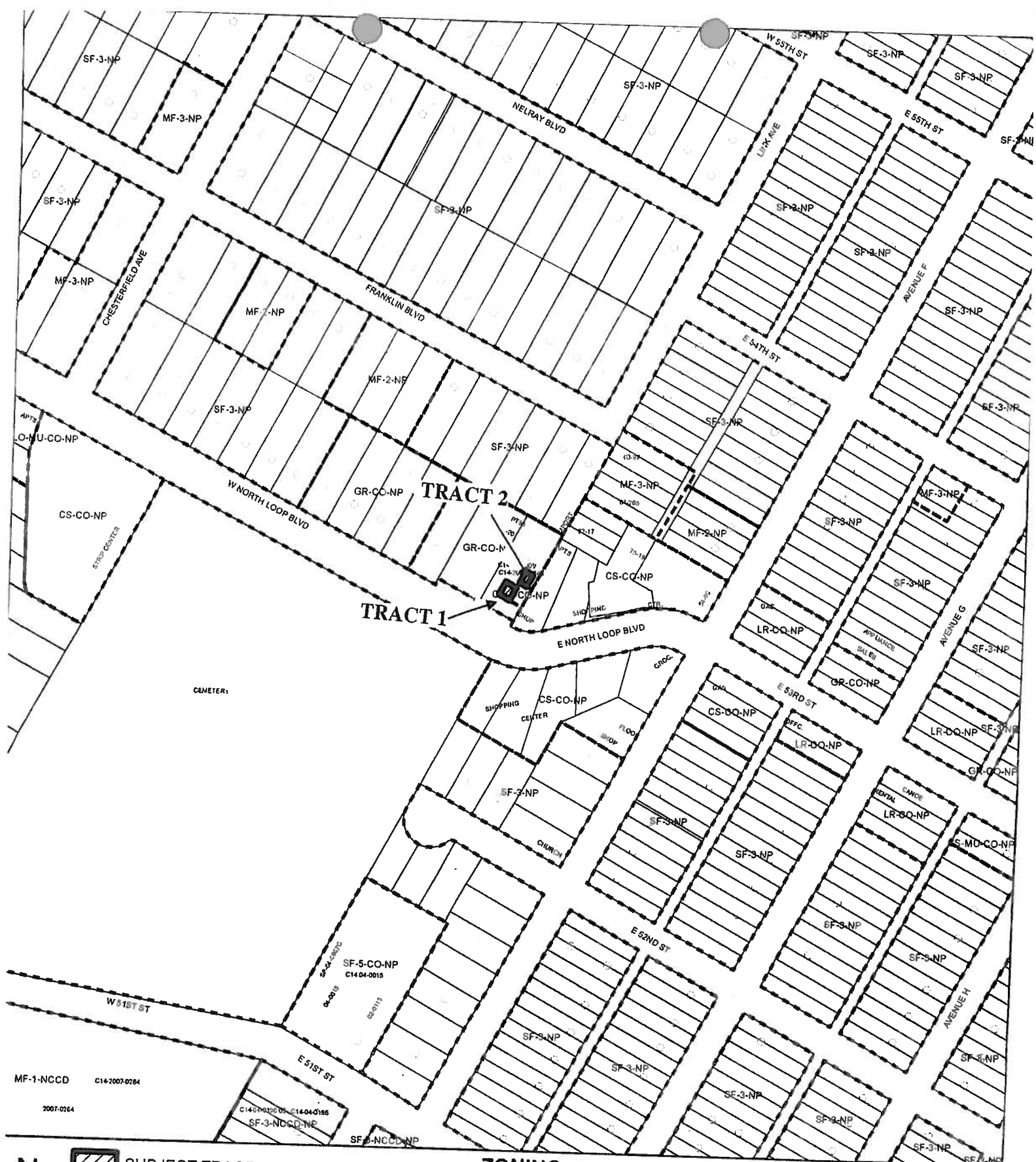
**ORDINANCE READINGS:** 1ST 2ND 3RD





**ORDINANCE NUMBER:**

**CASE MANAGER:** Clark Patterson

**PHONE:** 974-7691

**Clark.patterson@ci.austin.tx.us**




  
 SUBJECT TRACT
   
 PENDING CASE
   
 ZONING BOUNDARY

**ZONING**
  
 ZONING CASE#: C14-2012-0141

1" = 200'

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 and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness



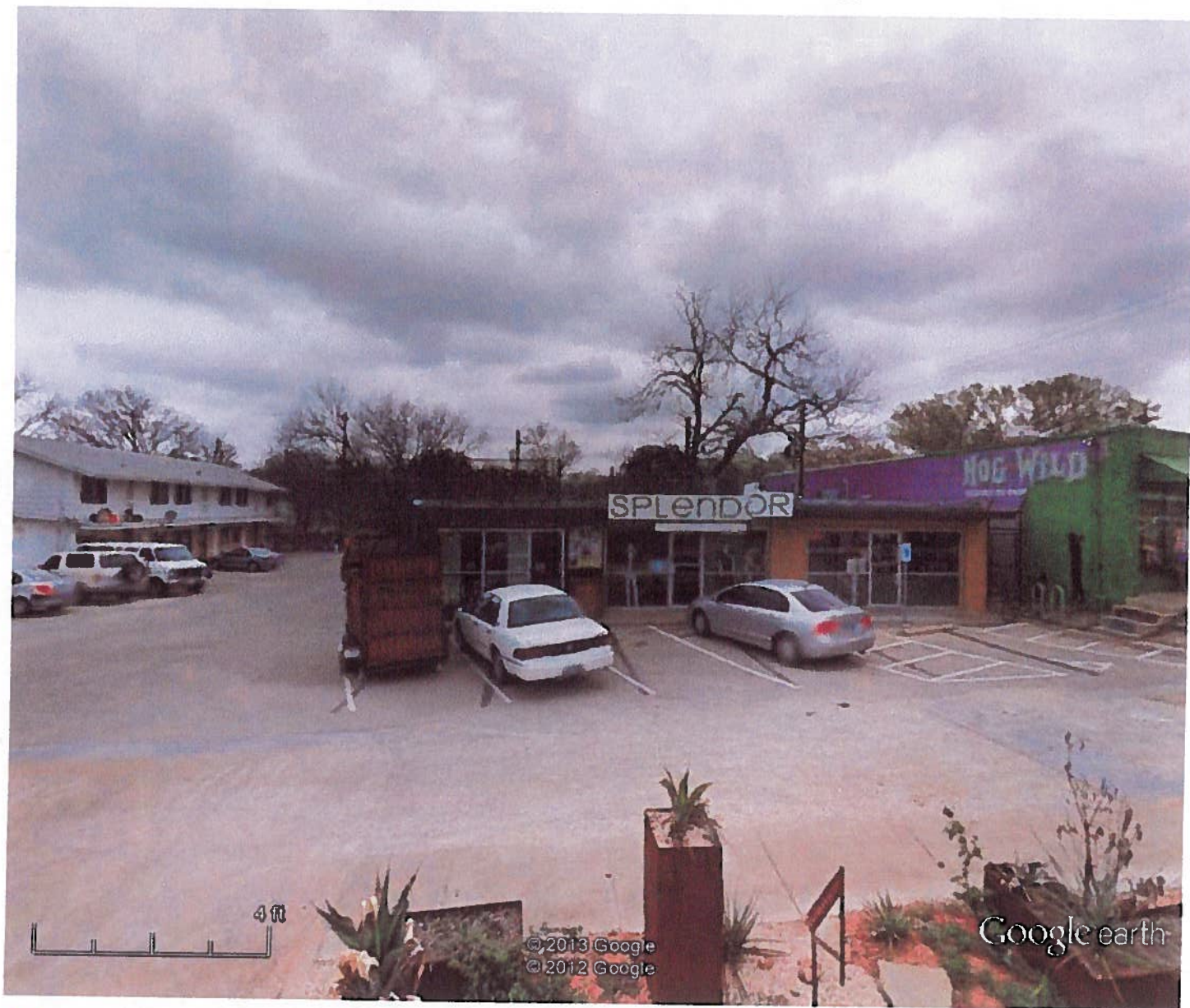




TRACT 2  
OUTDOOR  
DECK

TRACT 1  
PUB  
EXPANSION





Google earth

feet 9  
meters 3



# **NORTH LOOP NEIGHBORHOOD PLANNING TEAM**

## **SUPPORTING A VISION FOR NORTH-CENTRAL AUSTIN**

November 11, 2012

To whom it may concern:

The North Loop Neighborhood Planning Team has been discussing a proposal by Pam Pritchard, owner of the Tigress pub at 100 W. North Loop Blvd. Unit G. Ms. Pritchard has indicated that she would like to expand her business to include a portion of the unit next to the one she currently occupies. Allowing alcohol sales and consumption in that area would involve a zoning change for that space to match the zoning she currently has in Unit G.

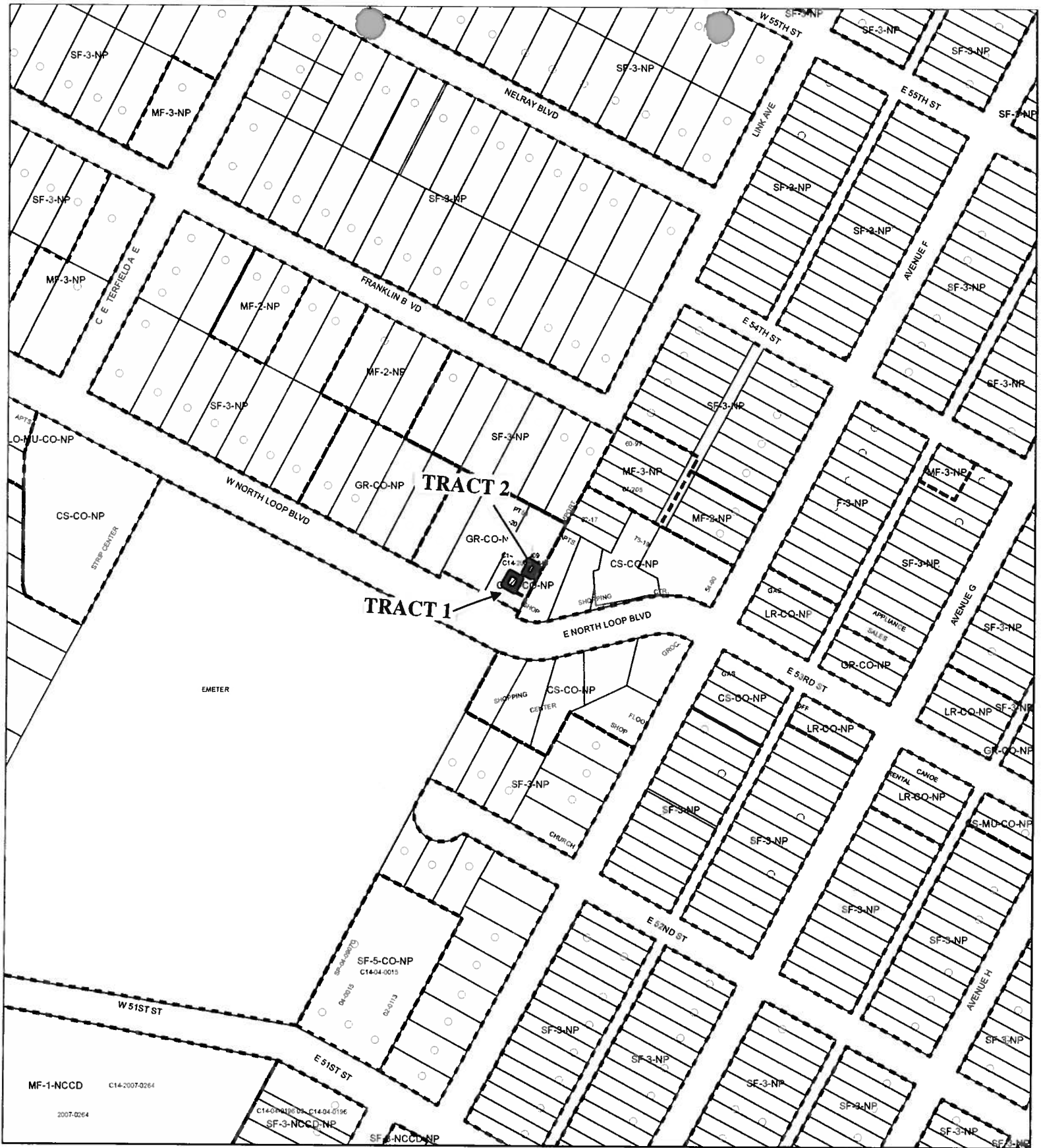
At this time, Ms. Pritchard is only asking for support from the North Loop Neighborhood Planning Team to submit an application for a zoning change. The planning team has discussed this request and has voted (Oct. 28, 2012) to support Ms. Pritchard's request to apply for a zoning change for this property.

We are encouraging Ms. Pritchard to go through a public process for a zoning change for her business at her earliest convenience, and we look forward to working with Ms. Pritchard to ensure that her business continues to be successful and beneficial to the quality of life in our neighborhood.

Sincerely,




Sebastian Wren  
Chair – NLNPT





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## PUBLIC HEARING INFORMATION

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During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. 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.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

[www.austintexas.gov](http://www.austintexas.gov)

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 board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2012-0141

Contact: Clark Patterson, 512-974-7691

Public Hearing: Jan 22, 2013, Planning Commission  
Feb 28, 2013, City Council

*Denise Davsett*

Your Name (please print)

*1902, 1902 1/2 & 1904 David St.*

Your address(es) affected by this application

*[Signature]*

Signature

Date

Daytime Telephone: *650-233-9692*

Comments:

*Not appropriate to allow commercial liquor sales in a residential area. Will impact quality of area in terms of traffic and strangers moving through. Plenty of other spots to sell liquor without impacting established older neighborhood of family churches.*

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

City of Austin

Planning & Development Review Department

Clark Patterson

P. O. Box 1088

Austin, TX 78767-8810

☐ I am in favor  
☒ I object



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Public Hearing: Jan 22, 2013, Planning Commission  
Feb 28, 2013, City Council

Your Name (please print)

101 NELRAY BLVD  
ROBERT D. HERNANDEZ SR.

Your address(es) affected by this application

Robert D. Hernandez Sr.

Signature

Date

Daytime Telephone: 512-452-7301

Comments:

When I move here to 101 Nelray Blvd in 1957 it was a very quiet area and neighborhood, but now there are houses all around us. It is very noisy. Crime is coming in! we do not need a Commercial-Stripes Store in our neighborhood area.  
Robert D. Hernandez Sr.  
101 Nelray Blvd  
Austin, TX 78751-1222

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City of Austin

Planning & Development Review Department

Clark Patterson

P. O. Box 1088

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Public Hearing: Jan 22, 2013, Planning Commission  
Feb 28, 2013, City Council

NORBERT D. HERNANDEZ JR.

Your Name (please print)

5400 LINK AVE

Your address(es) affected by this application

Signature

Daytime Telephone: 512-452-7301

Date

01-16-13

Comments:

☐ I am in favor  
☒ I object

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

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P. O. Box 1088  
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