

A G E N D A



Recommendation for Council Action

Austin City Council	Item ID	23893	Agenda Number	68.
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Meeting Date:	5/9/2013	Department:	Planning and Development Review
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Subject

Conduct a public hearing and consider an appeal by Ian Inglis, President of the Austin City Lofts Neighborhood Association, regarding the decision to issue an outdoor music venue permit for Tiniest Bar in Texas, at 817 West 5th Street.

Amount and Source of Funding

Fiscal Note

Purchasing Language:	
Prior Council Action:	
For More Information:	Viktor Auzenne, (512) 974-2941; Bryan Walker, (512) 974-2686.
Boards and Commission Action:	
MBE / WBE:	
Related Items:	

Additional Backup Information

On February 25, 2013 the Planning and Development Review Department approved an Outdoor Music Venue (OMV) permit for a venue known as Tiniest Bar In Texas, located at 817 W 5th St.

On March 9, 2013 Ian Inglis, President of the Austin City Lofts Neighborhood Association, a registered neighborhood organization within 600 feet of the venue, appealed approval of the permit on the basis that the venue is in close proximity to several large multi-family buildings, a repeated violator of previously issued permits and has violated the sound ordinance by playing recorded music without a permit.

Chapter 9-2-54(B) and 9-2-56 of the City Code provides that an interested party may appeal a decision if they are:

- The applicant;
- The notice owner of a single-family use located within 600 feet of the proposed outdoor music venue;
- The notice owner of a multi-family use located adjacent to the venue (for new permits only); or

- A registered neighborhood organization whose declared boundaries are within 600 feet of the proposed venue.

Staff recommends denial of the appeal due the following reasons and conditions placed on the permit:

- Hours for which permit is issued are consistent with those established by City Code and a condition on Tiniest Bar in Texas's site plan agreed upon by Tiniest Bar in Texas and the Austin City Lofts Neighborhood Association.
- Venue has a good record of compliance with several temporary sound permits obtained since 2010.
- Construction of stage structure has mitigated previous negative impacts.