C5/1

PLANNING COMMISISON SITE PLAN
CONDITIONAL USE PERMIT REVIEW SHEET

CASE NUMBER: SPC-2013-0420A **PC DATE:** March 11th, 2014

PROJECT NAME: 88 Rainey

ADDRESS OF APPLICATION: 88 Rainey St.

APPLICANT: 88 Rainey Street, LLC

AGENT: Bowman Consulting Group (Jim Herbert, 512-327-1180)

AREA: 5,757 SF (Total Site Area)

WATERSHED: Waller Creek and Lady Bird Lake (urban)
WATERSHED ORDINANCE: Comprehensive Watershed Ordinance (urban)
C.I.P. STATUS: N/A
T.I.A.: N/A
CAPITOL VIEW: N/A

PROPOSED DEVELOPMENT:

The applicant is requesting a 5,757 SF Conditional Use Permit (CUP) for a cocktail lounge. This includes the lot in its entirety.

EXISTING ZONING: CBD

NEIGHBORHOOD ORGNIZATIONS:
The Real Estate Council of Austin, INC.
Homeless Neighborhood Association
El Concilio Coalition of Mexican American NA
Austin Heritage Tree Foundation
Super Duper Neighborhood Objectors and Appealers Organization
Austin Neighborhood Council
Downtown Austin Neighborhood Association
Greater East Austin NA
Downtown Austin Neighborhood Coalition
Rainey Neighbors Association

SUMMARY STAFF RECOMMENDATION:

Staff recommends approval of the Conditional Use Permit. This project is in compliance with all Land Development Code requirements.

DEPARTMENT COMMENTS:

25-2-692 requires that a cocktail lounge is a conditional use within the Rainey Street subdistrict of the Waterfront Overlay.

CASE MANAGER: Amanda Couch Telephone: 974-2881

C5/2

Amanda.couch@austintexas.gov

PROJECT INFORMATION: 5,757 SF CUP & Total Site Area
EXIST. ZONING: CBD
ALLOWED F.A.R.: 8:1 | **EXISTING F.A.R.:** .23:1
MAX. BLDG. COVERAGE: 100% | **EXISTING BLDG. CVRG:** 23.3%
MAX. (CS-1) IMPERVIOUS CVRG.: 100% | **EXISTING IMPERVIOUS CVRG**: 44.2%
REQUIRED PARKING: 0 | **PROVIDED PARKING:** 0

Proposed Access: Rainey St.

SUMMARY COMMENTS ON SITE PLAN:

Land Use: This use is allowed under this zoning and all requirements of the Land Development Code, including Compatibility Standards have been met.

Environmental: No comments.

Transportation: This CUP is within the CBD, and therefore has no parking requirements.

SURROUNDING CONDITIONS:
Zoning/ Land Use

North:	CBD (Cocktail Lounge)
East:	CBD (Cocktail Lounge)
South:	CBD (Cocktail Lounge)
West:	CBD (Mixed Use)

CONDITIONAL USE PERMIT
D. ***25-5-145.*** A site plan may not adversely affect the public health, safety, or welfare, or materially injure property. If the Land Use Commission determines that a site plan has an adverse effect or causes a material injury under this subsection, the Land Use Commission shall identify the adverse effect or material injury.

§ 25-5-146 CONDITIONS OF APPROVAL.

(A) To make a determination required for approval under Section 25-5-145 (Evaluation Of Conditional Use Site Plan), the Land Use Commission may require that a conditional use site plan comply with a condition of approval that includes a requirement for:

(1) a special yard, open space, buffer, fence, wall, or screen;
(2) landscaping or erosion;
(3) a street improvement or dedication, vehicular ingress & egress, or traffic circulation;
(4) signs;
(5) characteristics of operation, including hours;
(6) a development schedule; or
(7) other measures that the Land Use Commission determines are required for compatibility with surrounding uses or the preservation of public health, safety, or welfare.

C7/3

CONDITIONAL USE PERMIT REVIEW AND EVALUTATION CRITERA

A. The following evaluation is included to provide staff position on each point of the conditional use permit criteria. Section 25-5-145 of the Land Development Code states: "The Planning Commission shall determine whether the proposed development or use of a conditional use site plan complies with the requirements of this section. A conditional use site plan must:

B.

1. **Comply with the requirements of this title;**
   Staff Response: This site plan complies with all regulations and requirements of the Land Development Code.

2. **Comply with the objectives and purposes of the zoning district;**
   Staff Response: The proposed use is allowed under zoning district and is required to get a conditional use due to the fact that it is within 540 ft. of SF-5 or more restrictive.

3. **Have building height, bulk, scale, setback, open space, landscaping, drainage, access, traffic circulation, and use that is compatible with the use of an abutting site;**
   Staff Response: Yes.

4. **Provide adequate and convenient off-street parking and loading facilities; and**
   Staff Response: The site plan complies with off-street parking and loading facility requirements.

5. **Reasonably protect persons and property from erosion, flood, fire, noise, glare, and similar adverse effects.**
   Staff Response: The site plan will comply with all requirements of the Land Development Code including Compatibility Standards, and reasonably protects the health, safety, and welfare of persons and property.

6. **For conditional use located within the East Austin Overlay district, comply with the goals and objectives of a neighborhood plan adopted by the City Council for the area in which the use is proposed.** Staff response: The proposed project is not in the East Austin Overlay.

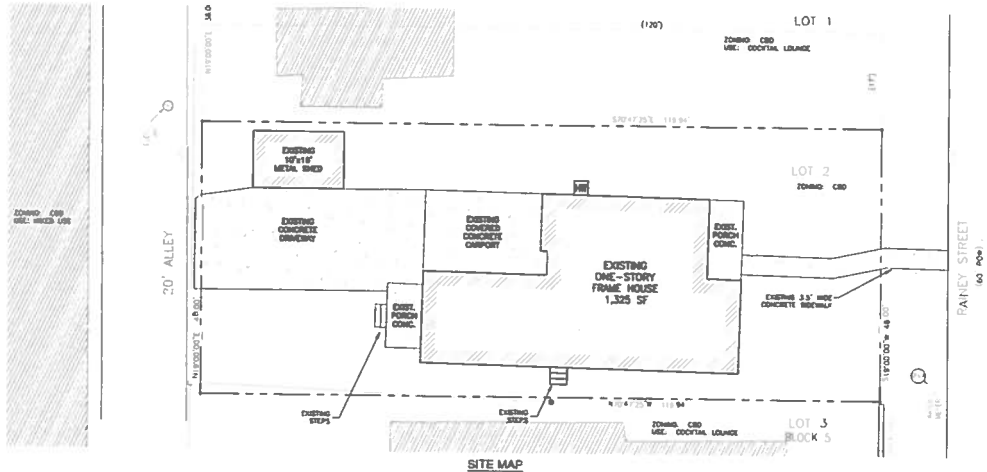
C. In addition, a conditional use site plan may not:

7. **More adversely affect an adjoining site than would a permitted use;**
   Staff Response: No

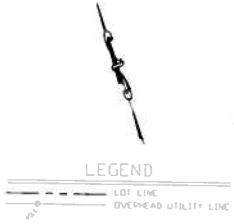
8. **Adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area; or**
   Staff Response: The site plan does not adversely affect the safety and convenience of vehicular and pedestrian circulation.

9. **Adversely affect an adjacent property or traffic control through the location, lighting, or type of a sign.** Staff Response: All signs and lighting will comply with the Land Development Code.

C14



SITE MAP
SCALE 1"=10'



STANDARD SITE PLANS NOTES:

ORDINANCE REQUIREMENTS

1. ALL IMPROVEMENTS SHALL BE MADE IN ACCORDANCE WITH THE RELEASED SITE PLAN. ANY ADDITIONAL IMPROVEMENTS WILL REQUIRE A SITE PLAN AMENDMENT AND APPROVAL FROM THE PLANNING AND DEVELOPMENT REVIEW DEPARTMENT.
2. APPROVAL OF THIS SITE PLAN DOES NOT INCLUDE BUILDING CODE APPROVAL, FIRE CODE APPROVAL, OR BUILDING, DEMOLITION, OR RELOCATION PERMITS APPROVAL. A CITY DEMOLITION OR RELOCATION PERMIT CAN ONLY BE ISSUED ONCE THE HISTORIC REVIEW PROCESS IS COMPLETED.
3. ALL SIGNS MUST COMPLY WITH THE REQUIREMENTS OF THE SIGN AND LAND DEVELOPMENT CODE.
4. THE OWNER IS RESPONSIBLE FOR ALL COSTS OF RELOCATION OF, OR DAMAGE TO, UTILITIES.
5. ADDITIONAL ELECTRIC EASEMENTS MAY BE REQUIRED AT A LATER DATE.
6. A DEVELOPMENT PERMIT MUST BE ISSUED PRIOR TO AN APPLICATION FOR BUILDING PERMIT FOR NON-CONSOLIDATED OR PLANNING COMMISSION APPROVED SITE PLANS.

COMPATIBILITY

1. HIGHLY REFLECTIVE MATERIALS WILL NOT BE USED. MATERIALS MAY NOT EXCEED 20% REFLECTIVITY. THIS REQUIREMENT SHALL NOT APPLY TO SOLAR PANELS OR TO COPPER OR PAINTED METAL ROOFS.
2. THE NOISE LEVEL OF MECHANICAL EQUIPMENT WILL NOT EXCEED 70 DBA AT THE PROPERTY LINE ADJACENT TO RESIDENTIAL USES.
3. ALL EXTERIOR LIGHTING SHALL BE HOODED OR SHIELDED FROM THE VIEW OF ADJACENT RESIDENTIAL USES.
4. EXTERIOR LIGHTING ABOVE THE SECOND FLOOR IS PROHIBITED WHEN ADJACENT TO RESIDENTIAL PROPERTY.
5. ALL DUMPSTERS AND ANY PERMANENTLY PLACED REFUSE RECEPTACLES WILL BE LOCATED AT A MINIMUM OF TWENTY (20) FEET FROM A PROPERTY USED OR ZONED AS SF-5 OR MORE RESTRICTIVE.

FIRE DEPARTMENT

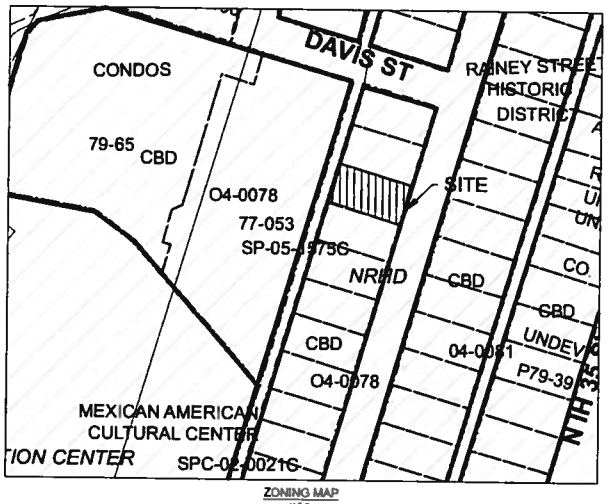
1. THE AUSTIN FIRE DEPARTMENT REQUIRES ASPHALT OR CONCRETE PAVEMENT PRIOR TO CONSTRUCTION AS AN "ALL-WEATHER DRIVING SURFACE."
2. HYDRANTS MUST BE INSTALLED WITH THE CENTER OF THE FOUR-INCH OPENING AT LEAST 18 INCHES ABOVE FINISHED GRADE. THE FOUR-INCH OPENING MUST FACE THE DRIVEWAY OR STREET WITH THREE- TO SIX-FOOT SETBACKS FROM THE CURBLINES(S). NO OBSTRUCTION IS ALLOWED WITHIN THREE FEET OF ANY HYDRANT AND THE FOUR-INCH OPENING MUST BE TOTALLY UNOBSTRUCTED FROM THE STREET.
3. TIMING OF INSTALLATION: WHEN FIRE PROTECTION FACILITIES ARE INSTALLED BY THE DEVELOPER, SUCH FACILITIES SHALL INCLUDE ALL SURFACE ACCESS ROADS WHICH SHALL BE INSTALLED AND MADE SERVICEABLE PRIOR TO AND DURING THE TIME OF CONSTRUCTION. WHERE ALTERNATIVE METHODS OF PROTECTION, AS APPROVED BY THE FIRE CHIEF, ARE PROVIDED, THE ABOVE MAY BE MODIFIED OR WAIVED.
4. ALL PERVIOUS/DECORATIVE PAVING SHALL BE ENGINEERED AND INSTALLED FOR 80,000 LB. LIVE-VEHICLE LOADS. ANY PERVIOUS/DECORATIVE PAVING WITHIN 100 FEET OF ANY BUILDING MUST BE APPROVED BY THE FIRE DEPARTMENT.
5. COMMERCIAL DUMPSTERS AND CONTAINERS WITH AN INDIVIDUAL CAPACITY OF 1.5 CUBIC YARDS OR GREATER SHALL NOT BE STORED OR PLACED WITHIN TEN FEET OF OPENINGS, COMBUSTIBLE WALLS, OR COMBUSTIBLE EAVE LINES.
6. FIRE LANES DESIGNATED ON SITE PLAN SHALL BE REGISTERED WITH CITY OF AUSTIN FIRE MARSHALL'S OFFICE AND INSPECTED FOR FINAL APPROVAL.
7. VERTICAL CLEARANCE REQUIRED FOR FIRE APPARATUS IS 14 FEET FOR FULL WIDTH OF ACCESS DRIVE.

AMERICANS WITH DISABILITIES ACT

THE CITY OF AUSTIN HAS REVIEWED THIS PLAN FOR COMPLIANCE WITH CITY DEVELOPMENT REGULATIONS ONLY. THE APPLICANT, PROPERTY OWNER, AND OCCUPANT OF THE PREMISES ARE RESPONSIBLE FOR DETERMINING WHETHER THE PLAN COMPLIES WITH ALL OTHER LAWS, REGULATIONS, AND RESTRICTIONS WHICH MAY BE APPLICABLE TO THE PROPERTY AND ITS USE.

SITE SUMMARY

SITE AREA CBD ZONING =	5,757 SF	(0.132 AC.)	
EXISTING PAVEMENT =	1,136 SF	(0.027 AC.)	19.7%
EXISTING BUILDING COVERAGE) =	1,342 SF	(0.030 AC.)	23.3%
EXIST. RAMP, WALKS, ETC.	128 SF	(0.003 AC.)	2.2%
TOTAL IMPERVIOUS COVER =	2,633 SF	(0.060 AC.)	44.2%
ALLOWABLE IMPERVIOUS COVER =	5,757 SF	(0.132 AC.)	100.0%
PROPOSED FLOOR AREA RATIO =	0.23:1		
ALLOWABLE FLOOR AREA RATIO =	8:1		
BUILDING HEIGHT =	1 STORY (13'-8")		



ZONING MAP
N.T.S.

SURVEY INFO:

SURVEY MAP OF THE SOUTH 49 FEET OF LOT 2, BLOCK 5, DRISKILL'S AND RAINEY'S SUBDIVISION OF PART OF OUTLOTS 72 AND 73 DIVISION E, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1 PAGE 22 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN TRACT OF LAND AS CONVEYED TO ARTHUR F. OSBORN BY WARRANTY DEED RECORDED IN VOLUME 8502 PAGE 798 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

SURVEYED ON MARCH 28, 2013

SURVEYED BY:

HOLT CARSON
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5166
HOLT CARSON INC.
1904 FORTVIEW ROAD
AUSTIN, TEXAS 78704
(512) 443-0860

LAND USE NOTES:

1. THE PROPOSED USE IS COCKTAIL LOUNGE
2. THE PROPOSED USE INCLUDES A LATE-HOURS PERMIT. THIS SITE MEETS THE REQUIREMENTS OF COA LDC 25-5-145, "CONDITIONS OF APPROVAL," SECTION (B)(1), BECAUSE IT IS SEPARATED FROM ALL PROPERTY USED OR ZONED TOWNHOUSE AND CONDOMINIUM RESIDENCE (SF-6) DISTRICT, OR MORE RESTRICTIVE, BY MORE THAN 200 FEET.
3. ALL SITE IMPROVEMENTS ARE EXISTING - NO CONSTRUCTION IS PROPOSED WITH THIS PLAN.
4. THE HOURS OF OPERATION FOR THE COCKTAIL LOUNGE ARE SUNDAY THRU SATURDAY, 11 A.M. TO 2 A.M.
5. THE WATER METER IS EXISTING - WATER AND WASTEWATER SERVICE IS PROVIDED BY AUSTIN WATER UTILITY. THERE ARE NO PROPOSED CHANGES FOR THE WATER SERVICE OR EXISTING SITE PLUMBING. THERE IS AN EXISTING WASTEWATER CLEANOUT AT THE PROPERTY LINE.
6. THE EXISTING LIGHTING WILL BE USED. THERE IS NO NEW LIGHTING OR NEW ELECTRICAL WORK PROPOSED.
7. TRASH PICKUP PROVIDED BY A PRIVATE SERVICE. NO DUMPSTERS ARE PROPOSED.

THESE PLANS ARE COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND IN COMPLIANCE WITH THE CITY OF AUSTIN DEVELOPMENT CODE.

SITE PLAN RELEASE Sheet 2 of 2

FILE NUMBER: SPC-2013-0420A EXPIRATION DATE: _____
CASE MANAGER: _____ APPLICATION DATE: _____
APPROVED ADMINISTRATIVELY ON _____
APPROVED BY PLANNING COMMISSION ON _____
APPROVED BY CITY COUNCIL ON _____
under Section _____ of Chapter _____ of the Austin City Code.

CITY OF AUSTIN PLANNING AND DEVELOPMENT REVIEW
DATE OF RELEASE _____ Zoning _____
Rev. 1 _____ Correction 1 _____
Rev. 2 _____ Correction 2 _____
Rev. 3 _____ Correction 3 _____

SPC-2013-0420A

Bowman CONSULTING
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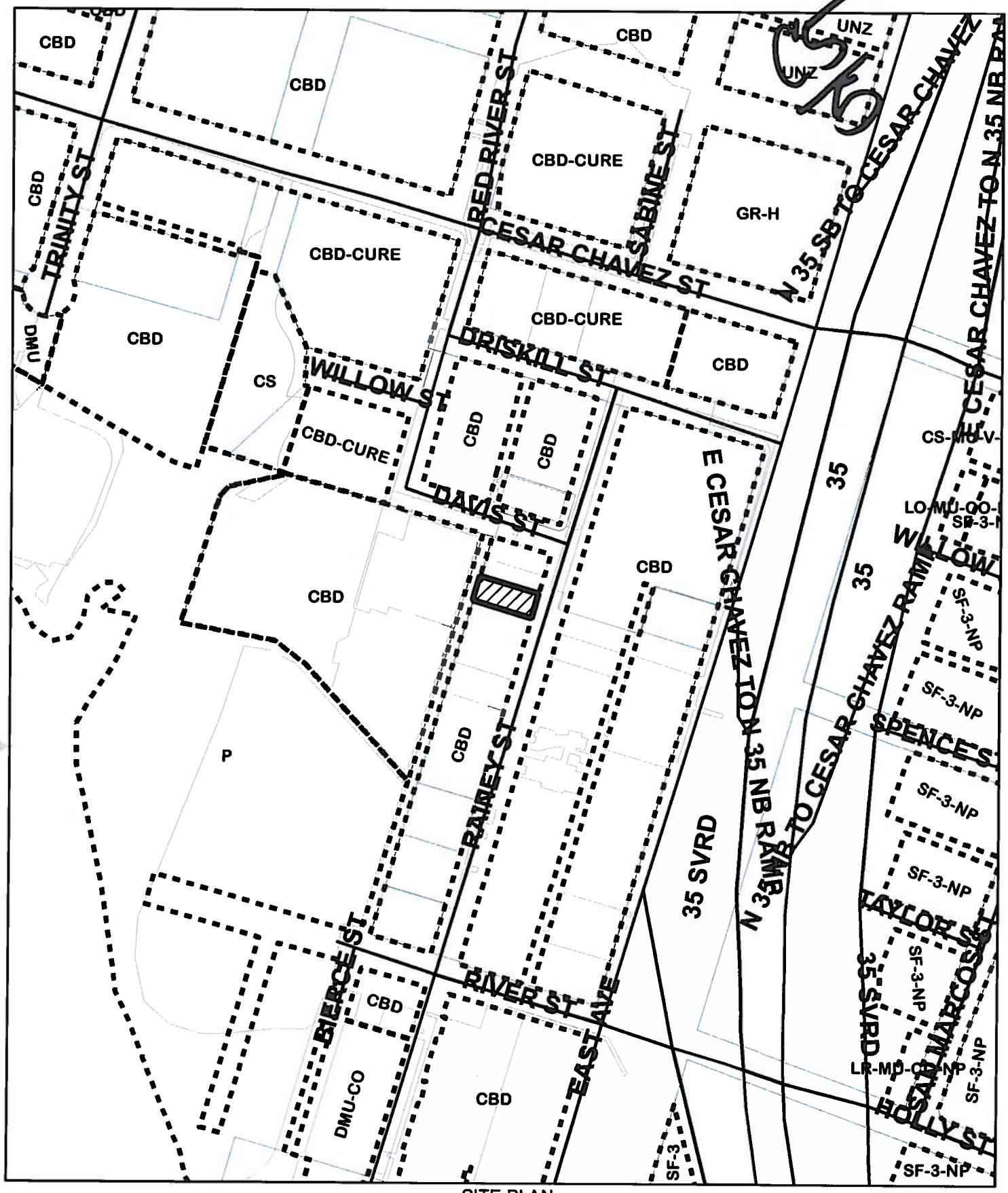
SITE PLAN
88 RAINEY STREET
88 RAINEY ST., AUSTIN, TEXAS 78701

STATE OF TEXAS
JAMES E. HUBER III
93638
05/28/14

PLAN STATUS	
DATE	DESCRIPTION
JH	BJ	JH
DESIGN	DRAWN	CHKD
SCALE	1"
JOB No.	003988-01-001
DATE	November 5, 2013
FILE No.	003988-01-001_01 Site Plan

SHEET 2 OF 2



N

SUBJECT TRACT

ZONING BOUNDARY

0 120 240 480 Feet

SITE PLAN

CASE#: SPC-2013-0420A

ADDRESS: 88 Rainey Street

CASE NAME: 88 Rainey

MANAGER: Amanda Couch (974-2881)

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.