

AGENDA



Recommendation for Council Action

Austin City Council		Item ID	31306	Agenda Number	56.
Meeting Date:	3/27/2014			Department:	Planning and Development Review
Subject					
Conduct a public hearing and consider an appeal by Kareem Hajjar regarding the Planning Commission’s denial of a conditional use site plan (Weather Up, SPC-2013-0405A) with a late-hours permit and parking variance for an existing restaurant located at 1808 East Cesar Chavez St.					
Amount and Source of Funding					
Fiscal Note					
Purchasing Language:					
Prior Council Action:					
For More Information:	Andrew Linseisen, Planning and Development Review, (512) 974-2239; Brad Jackson, Planning and Development Review, (512) 974-3410.				
Boards and Commission Action:	February 11, 2014 – Not approved by the Planning Commission on a 3-3-3 vote due to indecisiveness on the motion with Commissioners Hatfield, Chimenti and Smith voting against.				
MBE / WBE:					
Related Items:					

Additional Backup Information

The applicant, Kareem Hajjar, is appealing the Planning Commission's denial of the Conditional Use Site Plan for Weather Up located at 1808 East Cesar Chavez St.

The applicant requested a conditional use permit to allow alcohol sales with a late hours permit at an existing restaurant totaling 956 square feet, and a variance from LDC 25-5-146(B) to allow parking within 200' of residential uses. The restaurant has an additional approximate 900 square feet of outdoor patio space. The second floor has 639 square feet used as a residential apartment. All of the site improvements are existing and no development is proposed. The site was zoned CS-MU-CO-NP by Ordinance No. 20001214-20 on December 14, 2000. The site was issued a Conditional Use Permit for a Restaurant (General) use on April 23, 2003 through SPC-02-0039A. The zoning ordinance lists Restaurant (General) as a conditional use of the property.

The restaurant is directly adjacent to a single-family use property, and there are seven other single-family use

properties within 200' of the restaurant's parking lot. The closest parking space is approximately 35 feet from the adjacent single-family use. On-street parking is not permitted along East Cesar Chavez or Chicon Street adjacent to the site. The nearest on-street parking is located along 2nd Street 300 feet north of the restaurant.

Staff recommends approval of the appeal, and of the conditional use permit and variance request.