

**PLANNING COMMISSION SITE PLAN  
CONDITIONAL USE PERMIT REVIEW SHEET**

**CASE NUMBER:** SPC-2016-0079A **COMMISSION DATE:** October 11, 2016

**PROJECT NAME:** Home Slice North

**ADDRESS:** 501 E. 53<sup>rd</sup> Street

**APPLICANT:** 501 E. 53<sup>rd</sup> Street, LLC (Janet Belz)  
PO Box 4529, Austin, TX 78765

**AGENT:** The Drenner Group (Amanda Swor) (512) 807-2904  
200 Lee Barton Drive, Ste 100, Austin, TX 78704

**AREA:** 0.51 acre site / 2,953 square feet conditional use

**COUNCIL DISTRICT:** 9

**WATERSHED:** Waller Creek Watershed

**WATERSHED ORDINANCE:** Comprehensive Watershed Ordinance

**C.I.P. STATUS:** N/A

**T.I.A.:** N/A

**CAPITOL VIEW:** N/A

**PROPOSED DEVELOPMENT:**

The applicant is requesting approval of a conditional use permit for food preparation (a commissary kitchen) to support onsite and other restaurant locations. Food preparation area of 2,953 square feet is proposed within existing building (total of 6,863 square feet). No construction is proposed as part of this site plan.

**EXISTING ZONING:** The site is zoned GR-CO-NP. Food Preparation is a Conditional Use in the GR zoning district [LDC 25-2-491]. The conditional overlay calls out this site as Tract 58, and lists conditional and prohibited uses, none of which are proposed with this site plan.

**STAFF RECOMMENDATION:**

Staff recommends approval of the Conditional Use Permit for the proposed food preparation use. This site plan will comply with all Land Development Code requirements.

**CASE MANAGER:** Scott Grantham  
scott.grantham@austintexas.gov  
512-974-2942

**PROJECT INFORMATION:** 0.51 acres

**ALLOWED F.A.R.:** 1:1

**MAX. BLDG. COVERAGE:** 75%

**MAX. IMPERVIOUS CVRG:** 90%

**REQUIRED PARKING:** 30

**PROPOSED ACCESS:** Existing driveway on 53<sup>rd</sup> Street

**EXIST. ZONING:** GR-CO-NP

**EXISTING F.A.R.:** 0.31:1

**EXISTING BLDG. CVRG:** 31%

**EXISTING IMPERVIOUS CVRG:** 82%

**PROVIDED PARKING:** 30

**SUMMARY COMMENTS ON SITE PLAN:**

**Land Use:** The proposed food preparation use is conditional in the GR zoning district.

**Environmental:** All environmental comments have been cleared.

**Transportation:** All transportation comments have been cleared.

**SURROUNDING CONDITIONS:****Zoning/ Land Use**

**North:** East 53<sup>rd</sup> Street, then LO-CO-NP (Office)  
**East:** Alley, then SF-3-NP (Single Family)  
**South:** SF-3-NP (Single Family)  
**West:** Duval Street, then SF-3-NP (Single Family)

**NEIGHBORHOOD ORGNIZATIONS:**

Homeless Neighborhood Association  
Friends of Austin Neighborhoods  
Bike Austin  
Austin Heritage Tree Foundation  
North Austin Neighborhood Alliance  
Austin Neighborhoods Council  
North Loop Ibiz District  
Central Austin Community Development Corporation  
Preservation Austin  
Sierra Club, Austin Regional Group  
Seltexas  
Austin Independent School District  
Northfield Neighborhood Assn  
Sustainable Neighborhoods

**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.

**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 Land Use 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 will comply with all regulations and requirements of the Land Development Code prior to site plan release and approval.

**2. Comply with the objectives and purposes of the zoning district;**

Staff Response: The Community Commercial (GR) district is the designation for an office or other commercial use that serves neighborhood and community needs and is accessible from major traffic ways. As demonstrated on the site plan, the proposed food preparation use is aligned with the objectives of this zoning district.

**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: The existing building is 7.5 feet away from the south property line. Because the building was constructed prior to the 1984 adoption of compatibility standards, and the level of non-compliance is not proposed to increase through this site plan, the building has existing, non-complying status and may continue to exist in its present form. Other than the setback requirement, the proposed development complies with the site development regulations of the GR zoning district.

**4. Provide adequate and convenient off-street parking and loading facilities; and**

Staff Response: The site plan will comply 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 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: The site plan does not adversely affect an adjoining site more than a permitted use would.

**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.

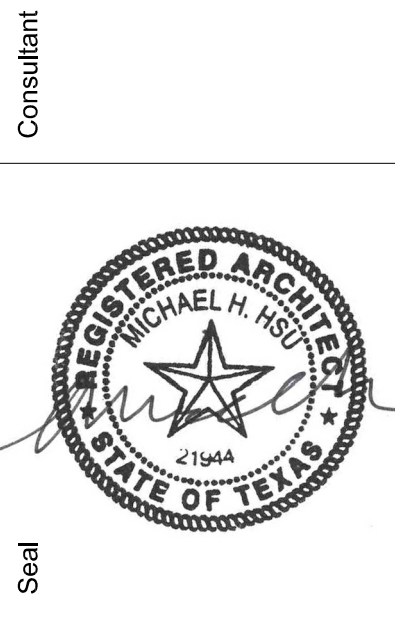
**9. Adversely affect an adjacent property or traffic control through the location, lighting, or type of a sign.**

Staff Response: Any proposed signage will comply with the requirements of the Land Development Code. Compatibility notes on the plans regulate lighting, and the applicant will demonstrate compliance with lighting requirements prior to release of the site plan.





Design Team  
**Michael Hsu**  
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Project  
**Home Slice North**  
501 E. 53rd St.  
Austin, TX 78751  
Set  
Conditional Use Permit

Issue:  
☐ Conditional Use Permit 2016 Feb 12

Drawing Title

Site Plan

Sheet  
**2**  
of 3

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- Car Sharing Notes
1. This project was approved for parking reductions for providing a car-sharing service. One car sharing vehicle is being provided by the owner/property manager.
  2. The car sharing service shall offer use of vehicle(s) 24 hours and 7 days a week on an hourly basis to its members (employees and staff).
  3. A car-share program must provide insurance for its members and enable advanced booking of its vehicles.
  4. Proof of insurance and vehicle title documents and/or vehicle lease agreements for the car sharing vehicle(s) must be provided upon request by City of Austin inspectors.
  5. Annual reporting of the car sharing service use is required. The report form must be submitted to the Director of the Development Services Department, once a year, starting one year after the certificate of occupancy for the use is issued.
  6. Signage indicating the availability of the service shall be posted on the building at a location that is clearly visible to the members and patrons that benefit from the car-sharing service.
  7. The Car-Sharing proposal is filed in the Site Plan master file.
  8. In accordance with Land Development Code section 25-1-412, the Director may suspend a released site plan until the requirements are met.
  9. In the event that the car sharing service ends, the property owner and/or property management company shall notify the Director of the Development Services Department with a report identifying the deficiency in parking spaces as a result of the program ending, and the plans to bring the use into compliance with parking requirements. There are several options to bring the property back into compliance, including:
    - Provide or go into contract with another comparable car sharing service.
    - Entering into a shared parking agreement with nearby property owner.
    - Constructing additional parking spaces on-site or off-site.
    - Requesting a parking variance from the Board of Adjustment.

site plan notes

1. No construction is proposed with this site plan. Refer to DA-2014-0971 for approved documents.
2. Each compact parking space/aisle will be signed "small car only".

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 Development Services 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.

**NOTE: AEC Note regarding Subchapter E sidewalks along 53rd Street: Approved shade street trees shall be planted at an average spacing no greater than 30 feet on center along 53rd Street by the North Loop Neighborhood Association. Should the Neighborhood Association not plant the trees, the owner shall plant the trees by separate permit and obtain a license agreement from the City of Austin Real Estate Services Department.**

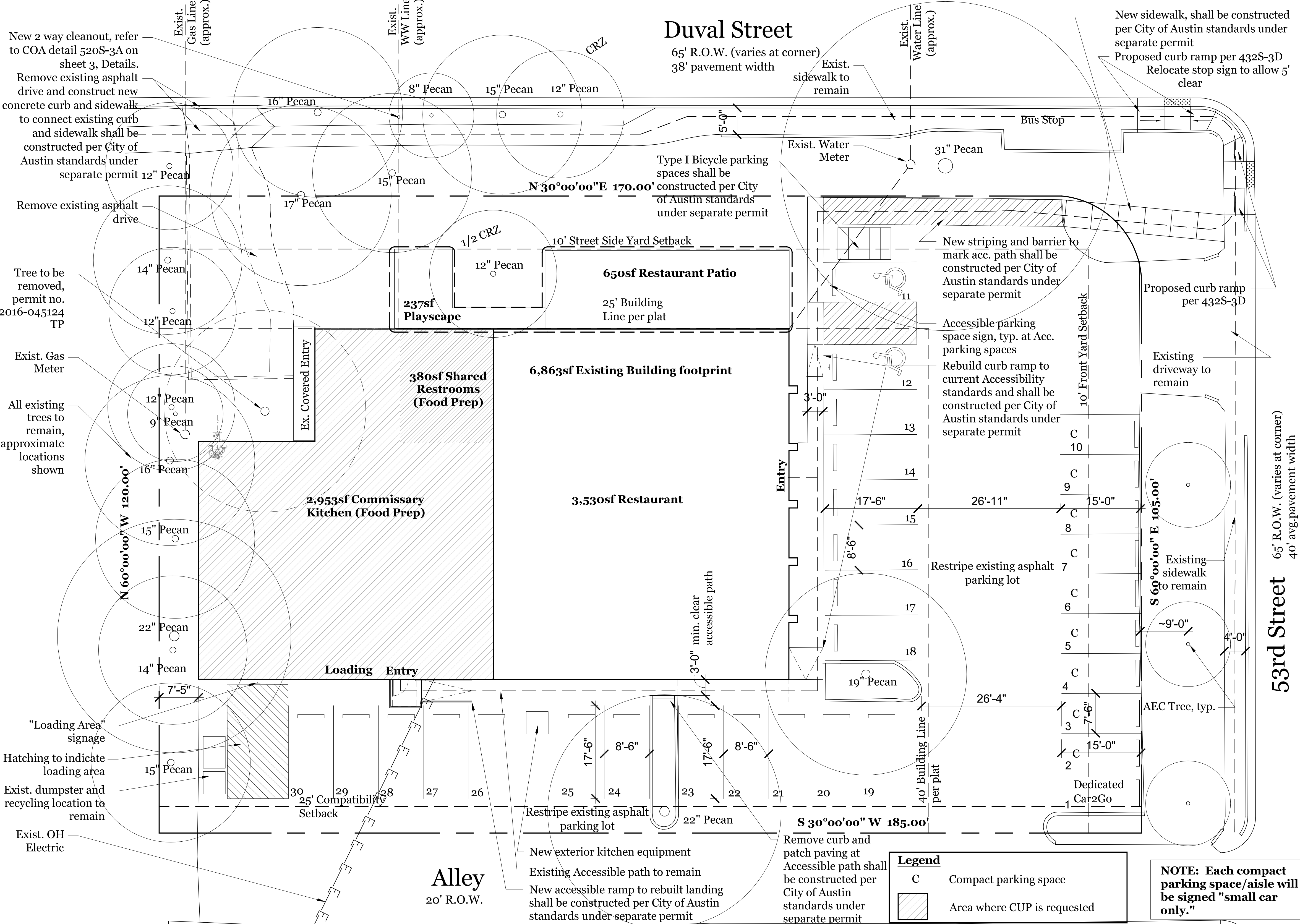
Fire Department

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 curbline(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

Approval of these plans by the City of Austin indicates compliance with applicable City regulations only. Compliance with accessibility standards such as the 2010 Standards for Accessible Design or the 2012 Texas Accessibility Standards was not verified. The applicant is responsible for compliance with all applicable accessibility standards.

**NOTE: No construction is proposed with this site plan. Perpendicular curb ramps shall be improved per City of Austin standards under separate permit**



**Legend**

- C Compact parking space
- [Hatched Box] Area where CUP is requested

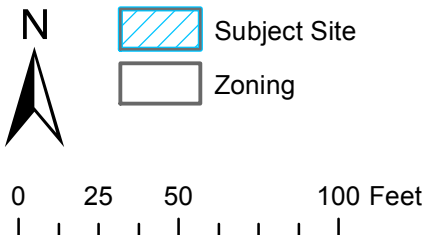
**NOTE: Each compact parking space/aisle will be signed "small car only."**


North  
Scale: 1"=10'-0"

**Parking Reduction Note: One (1) shower and changing facility available to both genders shall be provided within the building under a separate permit.**

This project is a change of use to Restaurant and Food Prep in an existing building. Food Prep is a conditional use. Building footprint to remain with facade improvements and new patio addition. Restripe existing parking lots and rebuild accessible ramp.	
<b>parking requirements</b>	
<b>Required Parking Ratios:</b> 1 space per 1000 square foot of warehouse/food prep 1 space per 75 square foot of restaurant >2,500 sf	
<b>Parking Tabulations</b> Restaurant: 4,180 SF 55-73 spaces Warehouse/food prep: 3,333 SF 3-33 spaces Total Area Parked: 7,513 SF 59-06 spaces	
City center reduction (20%) = (11.81 spaces)	
Car sharing reduction per 25-6-478 (F)(3) (20 spaces/max. 20%) = (11.81 spaces)	
Shower and changing facility reduction per 25-6-478 (D) (max. 10%) = ( 5.91 spaces) Required Spaces = 29.53 spaces	
<b>Total Spaces Provided: 30 spaces</b> 18 regular 9 compact per 25-6-475 2 accessible (1 van) 1 Car2Go	
<b>Total Bike Spaces Required: 5 spaces (Type I)</b> <b>Total Bike Spaces Provided: 5 spaces (Type I)</b>	
<b>project team</b>	
<b>architect</b> Michael Hsu Office of Architecture contact: Ken Johnson 4910 Burnet Road Austin, TX 78756 512.706.4303 johnson@hsuoffice.com	<b>owner</b> Home Slice contact: Joseph Strickland 1421 South Congress Austin, TX 78704 512.444.7437
<b>site / project data</b>	
<b>Site Data</b> Address: 501 E. 53rd Street Legal description: Lot A Glynn Addn Subdivision: Glynn Addition, Travis County Plat Volume 68 Page 43 Zoning: GR-CO-NP Land Use: Restaurant/Food Prep Neighborhood: North Loop FEMA Floodplain: None Listed Watershed: Waller Creek, subject to Urban Watershed Regulations Principal street: 53rd street (Urban Roadway) Site Plan Exemption: DA-2014-0971 Related case numbers: C14-72-049, C14-02-0009, C8S-74-30 Setbacks: Front - 10'; Street Side - 10'; Interior Side - 0'; Rear - 0'	
<b>drawing index</b> 1 Cover Sheet and Code Analysis 2 Site Plan 3 Details	
<b>approvals</b>	
submittal date	
approved by:	
for director watershed protection and development review department	
date	
development permit no. date	
<b>SPC-2016-0079A</b>	





 Subject Site  
 Zoning

Case Name: Home Slice North  
 Case Number: SPC-2016-0079A  
 Address: 501 E 53rd Street  
 Case Manager: Scott Grantham



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