

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

CASE NUMBER: SPC-2018-0104A **PLANNING COMMISSION DATE:** 06/12/2018

COUNCIL DISTRICT: 3

PROJECT NAME: Chicon Late Hours Restaurant

PROPOSED USE: Restaurant with Late Hours

ADDRESS OF APPLICATION: 1914 E 6th St

AREA: 3,240 square feet, part of .0871-acre tract

APPLICANT: MPVI, LLC
3555 Lost Creek Blvd
Austin, TX 78735

AGENT: Katherine Loayza
Jackson Walker LLP
100 Congress Avenue, Ste. 1100
Austin, TX 78701

CASE MANAGER: Christine Barton-Holmes, CNUa, LEED AP Telephone: 974-2788
christine.barton-holmes@austintexas.gov

EXISTING ZONING: TOD-NP The applicant is requesting a Conditional Use Permit for Late Hours for an existing restaurant within an existing building. Restaurants with Late Hours are a conditional use.

PROPOSED DEVELOPMENT:

No construction is proposed with this plan; all uses will take place in existing structures. The restaurant's current evening hours are 5-10 Monday-Thursday and 5-11 Friday and Saturday. They are requesting to be open until 2 a.m.

SUMMARY STAFF RECOMMENDATION: Staff recommends approval of the Conditional Use Permit. The site plan complies with all requirements of the Land Development Code prior to its release.

PREVIOUS PLANNING COMMISSION ACTION: NA

AREA STUDY: Holly

WATERSHED: Lady Bird Lake (Urban)

APPLICABLE WATERSHED ORDINANCE: Current/ Comprehensive watershed ordinance

CAPITOL VIEW: Not in View Corridor

T.I.A.: Not Required

PROJECT INFORMATION:**ZONING:** TOD-NP**MAX. BLDG. COVERAGE:** 95%**MAX. IMPERV. CVRG.:** 95%
existing)**MAX HEIGHT:** 60'**REQUIRED PARKING:** 45**EXIST. USE:** Restaurant**RESTAURANT AREA:** 3,240 sq ft**EXISTING BLDG. CVRG:** 6,015 (15.9%)**EXISTING IMP. CVRG:** 37,969 sf (100%)**PROPOSED HEIGHT:** 1 story**PROVIDED PARKING:** 68**PROPOSED USE:** Restaurant w/Late Hours**SUMMARY COMMENTS ON SITE PLAN:**

Land Use: The applicant is requesting Late Hours for an existing restaurant. There is no construction proposed with this site plan, and it will comply with all requirements of the Land Development Code prior to its release. There are no compatibility-triggering uses nearby. The restaurant shares the building with another restaurant that closes at 5 pm, and a retail use that closes at 5 during the week, 2 pm on Saturday. Staff recommends approval of the conditional use permit.

Environmental: The site is in the Lady Bird Lake watershed, which is an Urban Watershed. There is no increase in impervious coverage and no known Critical Environmental Features are located onsite.

Transportation: Current vehicular access is available from East 6th Street. All parking exists and is provided onsite.

SURROUNDING CONDITIONS: Zoning/ Land use**North:** TOD-NP (Commercial and office)**East:** CS-MU-CO-NP (Commercial and office)**South:** TOD-NP (Office and industrial)**West:** TOD-NP (Cocktail lounge/restaurants)

Street	R.O.W.	Surfacing	Classification
East 6 th St	55'	40'	City Collector

NEIGHBORHOOD ORGANIZATIONS:

African American Cultural Heritage District Business Association
 Austin Independent School District
 A.N.T. Artists and Neighbors Together
 Austin Neighborhoods Council
 Barrio Unido Neighborhood Association
 Bike Austin
 Black Improvement Association
 Blackshear – Prospect Hill
 Central Austin Concerned Architects
 Claim Your Destiny Foundation
 Del Valle Community Coalition
 East Austin Conservancy
 East Cesar Chavez Neighborhood Association
 El Concilio Mexican-American Neighborhoods
 Friends of Austin Neighborhoods
 Greater East Austin Neighborhood Association
 Guadalupe Neighborhood Development Association

Holly Neighborhood Coalition
Homeless Neighborhood Association
Neighborhood Empowerment Foundation
Neighbors United for Progress
Organization of Central East Austin Neighborhoods
Preservation Austin
SEL Texas
Sierra Club, Austin Regional Group
Tejana Bilingual Community
Tejano Town
United East Austin Coalition

CONDITIONAL USE PERMIT REVIEW AND EVALUATION CRITERIA

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 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:

1. **Comply with the requirements of this title;** Staff response: This application complies with the requirements of this title.
2. **Comply with the objectives and purposes of the zoning district;** Staff response: This application complies with the objectives and purposes of the zoning district.
3. **Have building height, bulk, scale, setback, open space, landscaping, drainage, access, traffic circulation, and use that are compatible with the use of an abutting site;** Staff response: This application is compatible with the abutting sites.
4. **Provide adequate and convenient off-street parking and loading facilities;** Staff response: Adequate parking and loading has been provided.
5. **Reasonably protect persons and property from erosion, flood, fire, noises, glare, and similar adverse effects;** Staff response: The proposed project does not contribute to any of these adverse effects.
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 district.

A Conditional Use Site Plan May Not:

1. **More adversely affect an adjoining site than would a permitted use;** Staff response: The use has been in place for many years and is surrounded by office and commercial uses. It will not more adversely impact adjoining sites than would a permitted use.
2. **Adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area;** Staff response: Safety and convenience of vehicular and pedestrian circulation will not be adversely impacted.
3. **Adversely affects an adjacent property or traffic control through the location, lighting, or type of signs;** Staff response: No signage or lighting is proposed that would affect adjacent properties or traffic control.

1914 E. 6th St. Chicon Restaurant

Late Hours Permit **With No Site Work** Site Plan

GEODATA:

Address:

Watershed:

Pressure Zone:

MAPSCO Grid:

MAPSCO Page:

FEMA Map:

Legal Lot:

Zoning:

TCEQ Recharge Zone:

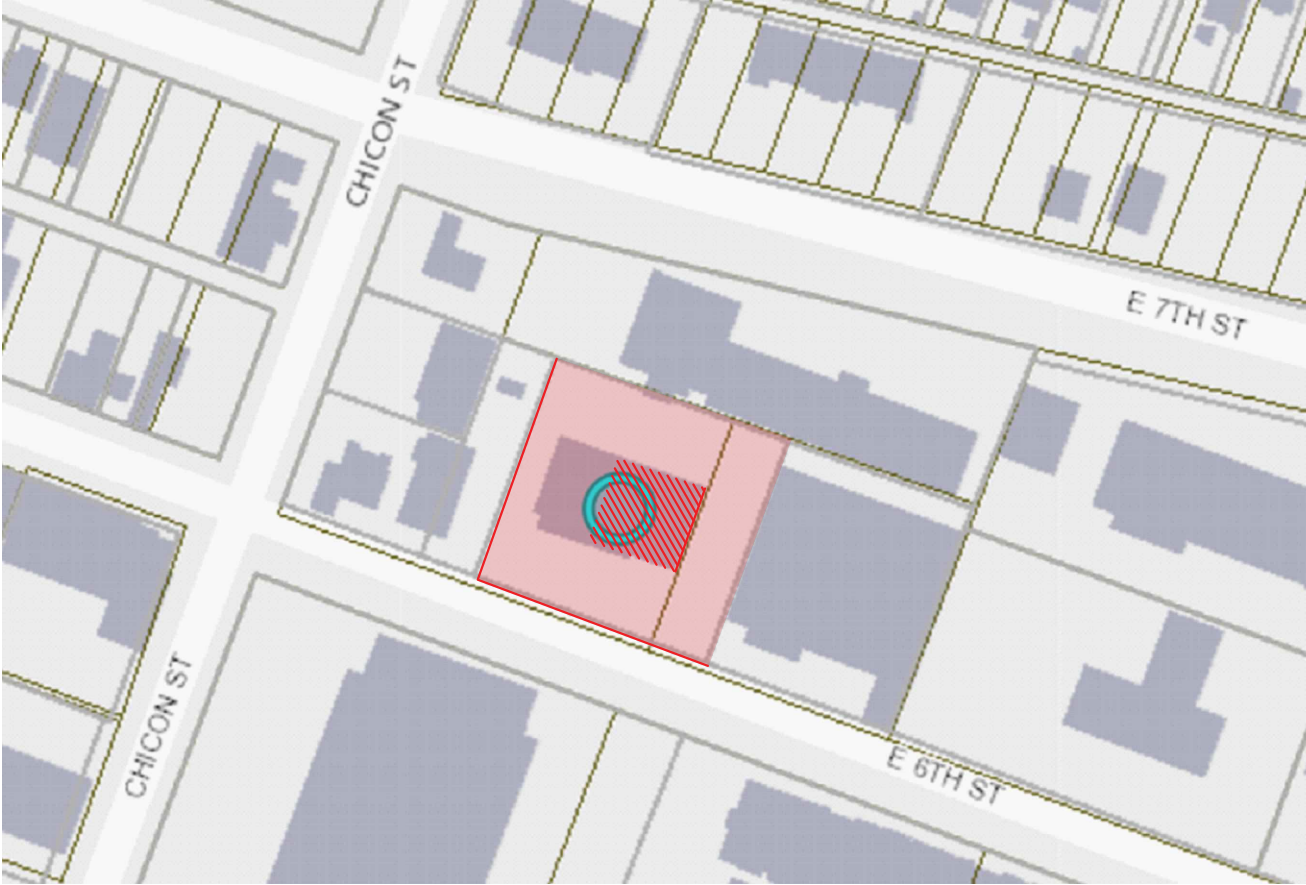
COA Recharge Zone:

Submittal Date:

Related Cases:

TCAD ID:

1914 East 6TH Street
Lady Bird Lake- URBAN
Central North (CN)
K22
585Y
Zone X, 48453C0465H, 09.26.08
0.871 acres of Lot 1 & Lot 2, Outlot 7,
Division 'A' , H &TC RR Addition, as conveyed to William
Stringer and wife Cheri Stringer by deed recorded in Document
No. 2012.106907 of the Official Records of Travis County, Texas.
TOD Ord.#: 20130425-106
NO
NO
March 6, 2018
C14-2008-0029, C14-01-0166.002a, SP-2013-0124T, C8I-2013-0144
0203090408, 0203090407



INDEX	
Sheet 1	Cover Sheet
Sheet 2	Site Plan
Sheet 3	Details

Submittal:

Submitted for Approval: March 6, 2018

Site Plan/ Development Permit Number: SPC-2018-0104A

Reviewed by: Development Services Department

Owner:

MPVI, LLC

3555 Lost Creek Blvd.

Austin, Texas 78735

512.535.1647

Tenant:

ATX Wiseheart LLC,

dba Chicon

1914 E 6th St, Suite C

Austin, TX, 78702-2268

Parking:

Kirk Taylor

PARC, LLC

1678 Beauchamp Rd.

Henley, TX 78620

512.423.5811

Notes:

1. Release of this application does not constitute a verification of all data, information and calculations supplied by the applicant. The submitting professional is solely responsible for the completeness, accuracy and adequacy of his/her submittal, whether or not the application is reviewed for code compliance by City Engineers.

2. All Responsibility for the adequacy of these plans remains with the Architect who prepared them. In approving these plans, the City of Austin must rely upon the adequacy of the work of the Design Architect.

3. Watershed Status- This Project is located in the Lake Lady Bird Watershed and its classified as URBAN as per the date of this permit.

4. No portion of this site lies within the 100 year floodplain according to the Flood Insurance Rate Map for Travis County, Texas and incorporated areas, Community No. 4800624, Panel No. 48453C0465H, effective date 09.26.08.

5. This Site is not located over the Edwards Aquifer Recharge Zone.

6. 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.

7. Approval of these plans by the City of Austin indicates compliance with applicable City regulations only. Approval by other governmental entities may be required prior to the start of construction. The applicant is responsible for determining what additional approvals may be necessary.

8. The site is composed of 2 lots/tracts. It has been approved as one cohesive development. If portions of the lots/tracts are sold, application for subdivision and site plan approval may be required.

Unified Development Agreement: 2013187140

9. This shared parking facility is under common ownership. There is only one owner of the property.

10. If the car sharing service ends, the property owner and/or management company shall notify the Director of the Planning and Development Review Department with a report identifying the deficiency in parking spaces as a result of the program ending, and the plans to bring the Land Development Code Section 25-1-412, the Director may suspend a released site plan until the requirements are met.

11. Compliance with the Commercial and Multi-Family Recycling Ordinance is mandatory for multi-family complexes and businesses and office buildings

REVISIONS/CORRECTIONS

No.	DESCRIPTION	Revise (R) Add (A) Void (V) Sheet No.'s	Total # Sheets in Plan Set	Net Change Imp. Cover	Total Site Imp.Cover (sq. ft.) %	City of Austin Approval / Date	Date Imaged

Site Plan Approval

File Number: SPC-2018-0104A

APPROVED BY COMMISSION ON:

under Section 112 of Chapter 25-5 of the City of Austin Code.

EXPIRATION DATE (25-5-01, LDO)

PROJECT EXPIRATION DATE (ORD #870905-A)

Director Development Services Department.

RELEASED FOR GENERAL COMPLIANCE :

Rev. 1

Rev. 2

Rev. 3

Final plat must be recorded by th eproject expiration date, if applicable, subsequent site plans which do not comply with the code current at the time of filing, and all required building permits and/or a notice of construction (if a building permit is not required), must also be approved prior to the project expiration date.

Site Plan Release

Sheet 1 of 3

Application Date: 3/6/18

Case Manager:

DWP2

DDZ

Zoning: TOD Ord. # 20130425

Correction 1

Correction 2

Correction 3

Parking

Access +

Revenue

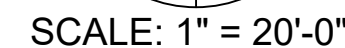
Consultants

1914

East Sixth St.

Sht. 1 of 3

SPC-2018-0104A



EAST SIXTH STREET (50' ROW)

42' inside Turn Radius per City of Austin, Texas Transportation Criteria Manual, APPENDIX E: TURNING MOVEMENT TEMPLATES;SU Design Vehicle, 42' Turning Radius Typ.



Distribution

Commercial Land Use

50 x 193 F.T. OF
LOT 2, OUTLOT 7
H & T TERR ADDITION
JAMES C. DAYWOOD, TRUSTEE
DOCUMENT NO. 2003292407

Beer Dist.

Commercial Land Use

CS-CO-MU-NP

Commercial Land Use

Beer Dist.

Office
Land Use

BLOCK A
D MARTINEZ SUBDIV
ENT NO. 200200182

CS-MUL-V-CP-NP

CS-MU-CO-NP

Industrial Land Use

Civic
Land Use

COA Office

Industrial Land Use

CS-CO-MU-NP

Multifamily Land Use

SITE INFORMATION:
0.871 acres/ 37,941 sq. ft.

ADDRESS	1914 E 6th St.
Building Height:	1 story
Foundation Type:	Slab on Grade
Land Use:	General Restaurant and Retail
Floor Area Ratio:	No Change

EXISTING SITE COVERAGE	1914 E 6th St.
Building	6,015 15.9%
Paving & Sidewalk	29,799 78.5%
Impervious (95% max)	35,814 94.3%
Pervious	2,155 5.7%
TOTAL SITE	37,969 100.0%

PROPOSED SITE COVERAGE 1914 E 6th St.		
Building	6,015	15.9%
Paving & Sidewalk	29,778	78.5%
Impervious (95% max)	35,793	94.3%
Pervious	2,176	5.7%
TOTAL SITE	37,969	100.0%

Zoning: Plaza Saltillo TOD Ord #: 20130425-106

PARKING TABLE:			
Area (SF)	USE	Rate	Sp
2,030	RESTAURANT<25K	1/100	20
1,300	RETAIL	1/275	5
3,240	INDOOR RESTAURANT>2.5k	1/75	43
520	OUTDOOR SEATING	1/75	7
Subtotal 1914 East 6th St.			75
CAR2GO Reduction 50% max			-30
REQUIRED 1914 East 6th St.			45

SPACES PROVIDED	STD 63	CMPT	ADA 3	CAR2GO 2	TOTAL 68
BICYCLE	Required 5	Provided 5			

HOURS OF OPERATION

WEEKDAYS	
Retail	8A-5P M-F
Counter Cafe	6A-5P M-F
CHICON	5P-2A

WEEKENDS
Retail 9A-2P SAT
Counter Cafe 6a-5p S&S
CHICON 10A-2P: 5P-2A S&S

Site Plan Approval Sheet 2 of 2
File Number: **SPC-2018-0104A** Application Date: 3/6/18
APPROVED BY COMMISSION ON: _____
under Section 112 of Chapter 25-5 of the City of Austin Code.
EXPIRATION DATE (25-5-81, LDC) _____ **Case Manager:** _____
PROJECT EXPIRATION DATE (ORD #370905-A) _____ **DWPZ** _____ **DDZ** _____

Director Development Services Department.

RELEASED FOR GENERAL COMPLIANCE : _____ Zoning: TOO Ord # 20130425-106

Rev. 1 _____ Correction 1 _____

Rev. 2 _____ Correction 2 _____

Rev. 3 _____ Correction 3 _____

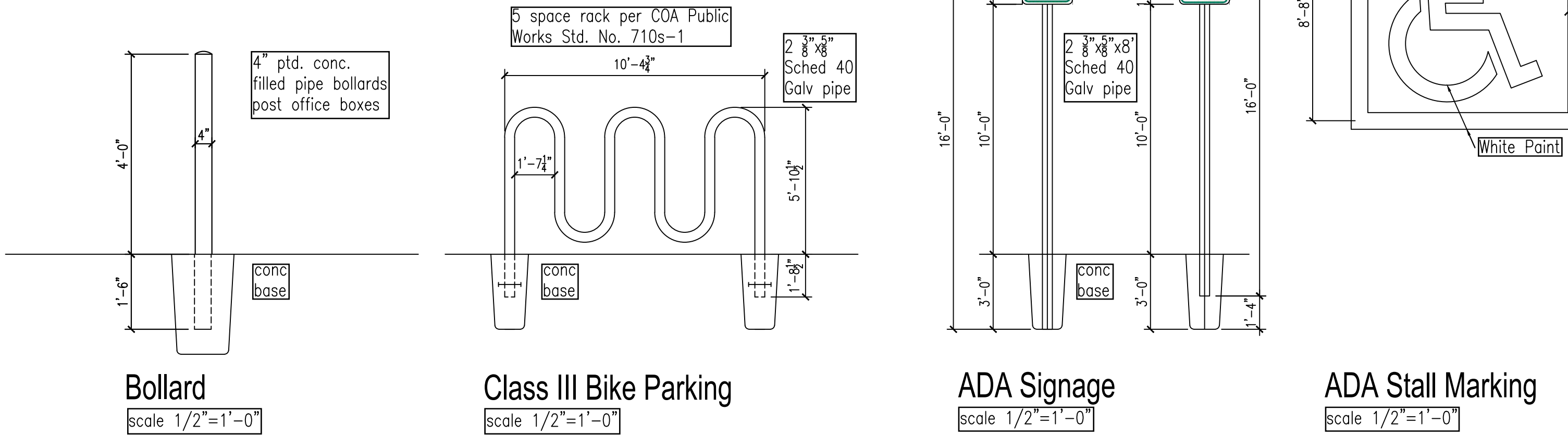
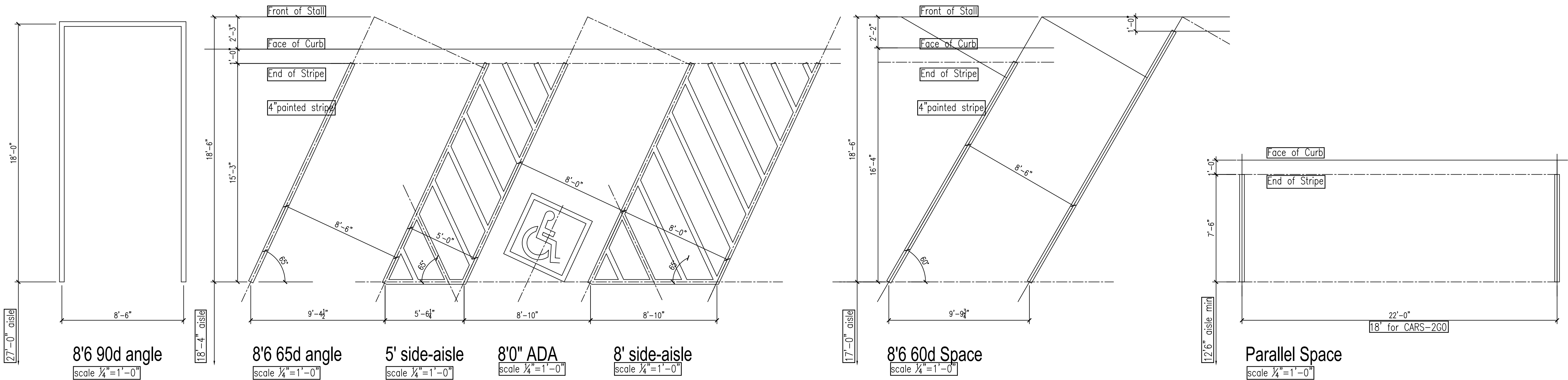
Final plan must be recorded by the project expiration date, if applicable, subsequent site plans which do not comply with the code current at the time of filing, and all required building permit and/or a notice of construction (if a building permit is not required), must also be approved prior to the project expiration date.

- **P**arking
- **A**ccess +
- **R**evenue
- **C**onsultants

1914
East Sixth St.

Sht. 2 of 3

SPC-2018-0104A



- Site Plan Notes:
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 and fire code approval nor building permit approval.
 3. All signs must comply with the requirements of the Sign and Land Development Code (Section 25-10)
 4. Additional Electric Easements may be required at a later date.
 5. Water and Wastewater service will be provided by the City of Austin.
 6. A Development Permit must be issued prior to an application for a building permit for non-consolidated or planning commission approved site plans.
 7. No construction within the R.O.W. or driveway construction is required.
 8. Parking space and aisle dimensions meet and exceed Transportation Manual: Table 9-1 dimensions for one-way traffic, interpolated as follows:

Angel	1-way Side		
	Width	Depth	Aisle
60 8'6"	18'6"	17'0"	
65 8'6"	18'6"	18'4"	
70 8'6"	18'6"	19'8"	
75 8'6"	18'6"	21'0"	
90 8'6"	17'6"	27'0"	
0 22'0"	8'6"	12'6"	
ADA	8'0"	18'6"	18'4" 5'0"
VAN	8'0"	18'6"	18'4" 8'0"

9. See details for typical stall striping standards. ADA and Van accessible parking angle = 65 degrees. Stall depth is measured perpendicular to curbs. Stalls may overhang curbs 2'6" max.
10. Cross slopes at accessible spaces may not exceed 2%.
11. Slopes on accessible routes may not exceed 1:20, unless designed as a ramp. Cross slopes on accessible routes may not exceed 1:50 ((TAS 4.3.7).
12. No off-site parking is required.
13. 5 space bike rack required per COA 25-6-447 Appendix A.

- COMPATIBILITY NOTES
1. All exterior lighting shall be hooded or shielded from the view of adjacent residential uses (Section 25-2-1064).
 2. Dumpsters and permanently placed refuse receptacles must be located a minimum of twenty (20) feet from a property used or zoned a SF-5 or more restrictive (Section 25-2-1067).
 3. The use of highly reflective surfaces, such as reflective glass and reflective metal roofs, whose pitch is greater than 7:12 (rise: run) is prohibited (25-2-1067).
 4. The noise level of mechanical equipment may not exceed 70.D.B.A. at a property line adjacent to residential uses.(Section 25-2-1067).

Site Plan Approval

File Number: SPC-2018-0104A

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under Section 112 of Chapter 25-5 of the City of Austin Code.

EXPIRATION DATE (25-5-01, LDO)

PROJECT EXPIRATION DATE (ORD #979905-A)

Site Plan Release

Application Date: 3/6/18

Case Manager:

DWP2

DD2

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Sheet 3 of 3

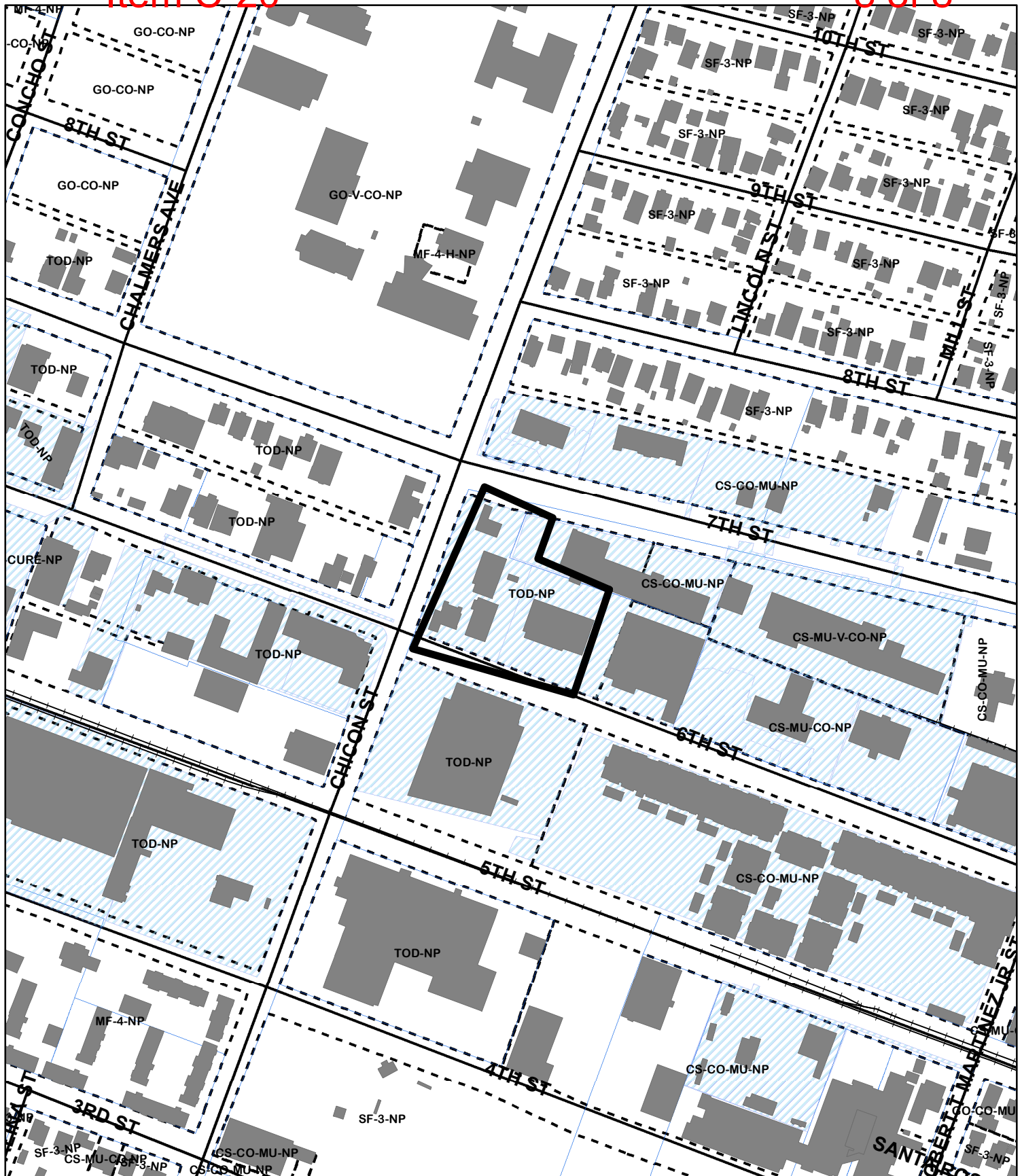
Zoning: TOD Ord. # 20130425

Correction 1

Correction 2

Correction 3





SITE PLAN

CASE#: SPC-2018-0104C

ADDRESS: 1914 E 6th St

CASE NAME: Chicon Late Hours Restaurant

MANAGER: Christine Barton-Holmes



SUBJECT TRACT

ZONING BOUNDARY

0 120 240 480 Feet

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 the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

OPERATOR: Christine Barton-Holmes