

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

**CASE NUMBER:** SPC-2017-0266A **PC DATE:** June 26, 2018  
**PROJECT NAME:** Flatiron

**ADDRESS:** 10727 Domain Drive  
**COUNCIL DISTRICT:** 1  
**NEIGHBORHOOD PLAN:** North Burnet

**APPLICANT:** Austin Flatiron, LP, John A. Kiltz (512) 236-0004  
9600 N. Mopac Expy., #250  
Austin, TX 78759

**AGENT:** Land Use Solutions, LLC, Michele Haussmann (512) 507-5267  
1001 Congress Avenue, Ste. 250  
Austin, TX 78701

**CASE MANAGER:** Rosemary Avila (512) 974-2784  
[rosemary.avila@austintexas.gov](mailto:rosemary.avila@austintexas.gov)

**AREA:** 4.696 acre site; 1,428 footprint for the cocktail lounge use  
**WATERSHED:** Shoal Creek (Urban)  
**WATERSHED ORDINANCE:** Comprehensive Watershed Ordinance  
**T.I.A.:** N/A  
**CAPITOL VIEW:** N/A

**PROPOSED DEVELOPMENT:**

The applicant is requesting a conditional use permit for a cocktail lounge use to be located in a residential use building (currently under construction under a separate site development permit). The proposed cocktail lounge area is 1,428 square feet to be located on the 1<sup>st</sup> floor. The cocktail lounge will be for resident use only (private lounge), there will be no signage, marketing, or identification of the lounge outside of the building. No construction is proposed with this land use only site plan.

**STAFF RECOMMENDATION:**

Staff recommends approval of the conditional use permit request. The site plan will comply with all requirements of the Land Development Code requirements. The site plan for the multi-family development (SP-2014-0396CF.2) will need a correction to the plans to include the cocktail lounge if this conditional use permit is approved.

**PROJECT INFORMATION:** 1,428 sq ft cocktail lounge use; 4.696 acre site

**EXIST. ZONING:** NBG-NP (Commercial Mixed Use)

*(Amounts shown below are from the approved consolidated site plan SP-2014-0396C.F2- calculations have not changed with this site plan)*

**ALLOWED F.A.R.:** 3:1

**APPROVED F.A.R.:** 2.7:1

**MAX. BLDG. COVERAGE:** 80%

**APPROVED BLDG. CVRG:** 58%

**MAX. IMPERVIOUS CVRG:** 80%

**APPROVED IMPERVIOUS CVRG:** 80%

**REQUIRED PARKING:** 342**APPROVED PARKING:** 504**PROPOSED ACCESS:** Newman Drive (private drive) and Domain Parkway (private drive)**SUMMARY COMMENTS ON SITE PLAN:**

**Land Use:** The lot is zoned NBG-NP (North Burnet Gateway - Commercial Mixed Use – Gateway Zone Subdistrict in a Neighborhood Plan). The multifamily building was approved under SP-2014-0396CF.2. Cocktail lounge use is a conditional use in the regulating plan. Staff recommends approval of the conditional use permit request.

**Environmental:** The site is located in the Shoal Creek Watershed and subject to the Urban Watershed regulations. There were no Environmental review comments. No construction is proposed with this land use only application.

**Transportation:** All parking spaces are located on-site. All Transportation comments have been cleared.

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

<b>North:</b>	MI-PDA / undeveloped
<b>East:</b>	NBG-NP/ Industrial
<b>South:</b>	Domain Drive then NBG-NP/ Commercial
<b>West:</b>	Newman Drive then MI-PDA / Hotel

**NEIGHBORHOOD ORGNIZATIONS:**

Austin Independent School District	North Burnet Gateway Neighborhood Assoc.
Bike Austin	North Growth Corridor Alliance
Friends of Austin Neighborhoods	SEL Texas
Homeless Neighborhood Association	Sierra Club, Austin Regional Group
Neighborhood Empowerment Foundation	

**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 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 cocktail lounge use is a conditional use within the North Burnet Gateway regulating plan.
  - 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 site plan complies with all requirements of the Land Development Code.
  - 4. Provide adequate and convenient off-street parking and loading facilities; and**  
Staff Response: Adequate parking and loading facilities are provided on-site.
  - 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.
- C. In addition, a conditional use site plan may not:**
- 6. More adversely affect an adjoining site than would a permitted use;**  
Staff Response: A cocktail lounge would not more adversely affect an adjoining use than would a permitted use, the proposed use will be for residents use only.
  - 7. 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.
  - 8. 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.



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Michele Haussmann  
PRINCIPAL

July 18, 2017

Mr. Greg Guernsey, Director  
Planning and Development Review Department  
505 Barton Springs Road, 5<sup>th</sup> Floor  
Austin, Texas 78704

VIA Hand Delivery

Re: Conditional Use Permit - Proposed Conditional Use Permit for a private cocktail lounge in project known as Flatiron located at 10727 Domain Drive in the City of Austin, Travis County, Texas (the "Property")

Dear Mr. Guernsey:

As representatives of the owner of the above stated Property, Austin Flatiron, LP ("Owner"), we respectfully submit the enclosed Land Use Commission Site Plan submittal package. The Owner is requesting review and approval of a Conditional Use Permit ("CUP") application to allow a 1,428 square foot private cocktail lounge in the multifamily project known as the Flatiron in The Domain ("Project"). The proposed private cocktail lounge is located on the first floor of the building and may only be used by residents of the Project and is not open to the public. The same private cocktail lounge use was approved in The Kenzie in The Domain through a rezoning of the property (C14-2014-0062 and SP-2011-0293C), and through a CUP for The Catherine (SPC-2015-0162AS).

The Property is currently zoned NBG-NP. Cocktail Lounge is a conditional use in NBG-NP zoning district. A site plan for the construction of the Project is approved (IBM 45 Multifamily, SP-2014-0396CF.2). No new building area will be added nor will any demolition occur as part of this request.

A Traffic Impact Analysis has been waived since the private cocktail lounge is only for the residents of the Project and, therefore, will not generate additional

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Austin, Texas 78701  
OFFICE 512.212.4114

10003 NW Military Hwy, Suite 2215  
San Antonio, Texas 78231  
OFFICE 210.812.2222





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traffic. Additionally, since the private cocktail lounge is for residents only, no additional parking is required. Both of these issues were confirmed by the City staff during the review of the private cocktail lounge use in The Kenzie and The Catherine projects.

Since the request is a land use element site plan and the Project has an approved site plan on file, a sealed engineer's summary letter and sealed site plan pages are not required as part of the submittal package. In addition, the only site plan pages required to be submitted with the CUP application are the approved site plan land use sheet with the location of the private cocktail lounge bubbled in red and an updated cover sheet noting the requested cocktail lounge use.

Similar to The Catherine multifamily project constructed by the same developer (SPC-2015-0162AS), we understand that a correction to the site plan will be required after approval of the CUP to note that the cocktail lounge use was approved by the Planning Commission, is a private cocktail lounge for residents only and is located on the 1<sup>st</sup> floor of the building that is proposed.

Please do not hesitate to contact me if you have any questions. Thank you for your time and assistance with this application.

Very truly yours,

Michele Haussmann

CC: Jerry Rusthoven, City of Austin, *via electronic mail*  
Sherri Sirwaitis, City of Austin, *via electronic mail*  
Stephen Meek, Street Lights Residential, *via electronic mail*

OWNER:

AUSTIN FLATIRON LP  
300 CRESCENT CT STE 1113  
DALLAS, TX 75201  
(214) 965-0630  
CONTACT: MICHAEL MASSAD

ENGINEER:

BIG RED DOG, INC.  
2021 EAST 5TH STREET, #200 (OFFICE)  
815-A BRAZOS ST., #319 (MAIL)  
AUSTIN, TX 78702 (OFFICE), 78701 (MAIL)  
(512) 669-5560  
CONTACT: AMIR NAMAKFOROOSH, P.E.

SURVEYOR:

4WARD LAND SURVEYING  
P.O. BOX 90876  
AUSTIN, TEXAS 78709  
(512) 537-2384  
CONTACT: JASON WARD, R.P.L.S. 5811

DEVELOPER:

STREETLIGHTS RESIDENTIAL, LLC  
1601 ELM ST., #4900  
DALLAS, TEXAS 75201  
(214) 922-1182  
CONTACT: GREG NADEAU

ARCHITECT:

WDG ARCHITECTURE DALLAS, PLLC  
2001 BRYAN ST., #3100  
DALLAS, TEXAS 75201  
(214) 969-5311  
CONTACT: GITESH PATEL, RA

LANDSCAPE ARCHITECT:

LINDA TYCHER & ASSOCIATES, INC.  
11411 N. CENTRAL EXPRESSWAY, SUITE V  
DALLAS, TEXAS 75243  
(214) 750-1210  
CONTACT: LINDA TYCHER, LA

FLATIRON

10727 DOMAIN DRIVE

AUSTIN, TRAVIS COUNTY, TEXAS 78758

FIRE DEPARTMENT

BLDG. A: R-2, 5-STORY TYPE IIA OVER 1-STORY TYPE 1A, NFPA13  
BLDG. B: R-2, 5-STORY TYPE IIA, NFPA 13  
BLDG. C: R-2, 3-STORY TYPE VA, NFPA 13R  
PARKING GARAGE: S-2, 6.5-STORY TYPE IA, NOT SPRINKLED

• BUILDING SIZE (LARGEST FIRE AREA, ENCLOSED OR COVERED PORTIONS): 448,995 SF (BLDG. B) (TYPE III-A)

• REQUIRED FIRE FLOW W/ 50% REDUCTION: 3,000 GPM

• STATIC PRESSURE: 89 PSI – HYDRANT #582211

• VELOCITY PRESSURE: 81 PSI, FLOW RATE: 1,258 GPM

• AVAILABLE FIRE FLOW: 6,839 GPM

• WATER FIXTURE UNITS: BLDG. A = 1357.5 WFU'S / 250 GPM  
BLDG. B = 3969.5 WFU'S /±540 GPM  
BLDG. C = 164 WFU'S / 57 GPM

• DRAINAGE FIXTURE UNIT COUNT: 3945

• WATER PRESSURE ZONE: NORTHWEST A (NWA1)

• WASTEWATER: WALNUT CREEK, SHOAL CREEK

TOTAL DEMAND (FIRE + DOMESTIC): 3,000 + 780 = 3,780 GPM

LOTS WITH 65 PSI OR GREATER REQUIRE A PRV, SET TO 65 PSI, TO BE INSTALLED ON THE OWNERS SIDE OF THE WATER METER.

LOCATION MAP - CITY OF AUSTIN

NO SCALE

VICINITY MAP - PROJECT ENLARGEMENT

NO SCALE

POND NOTE:

THIS SITE DRAINS TO THE STORM WATER DETENTION & WATER QUALITY BASIN PREVIOUSLY PERMITTED AND CONSTRUCTED UNDER COA CASE #SP-2007-0199D

PRIOR TO ISSUANCE OF CONCURRENCE LETTER, OWNER SHALL REMOVE GEO-TEXTILE FILTER FABRIC LOCATED ON THE GABION WALL INSIDE THE WATER QUALITY POND.

SUBMITTAL DATE: JULY 19, 2017

LAND USE SUMMARY:

GROSS ACREAGE: 4.696 AC.  
LIMITS OF CONSTRUCTION: PHASE 1 = ±1.14 AC.  
PHASE 2 = ±6.5 AC.

PROJECT SUMMARY:

PHASE 1 OF THIS PROJECT CONSISTS OF THE MODIFICATION TO THE EXISTING CHILLED WATER LINES AND THE CONSTRUCTION OF PRIVATE UNDERGROUND ELECTRIC SERVICE TO THE EXISTING IBM 45 BUILDING TO RE-ROUTE THE CURRENT SERVICE.

PHASE 2 OF THIS PROJECT CONSISTS OF THE CONSTRUCTION OF NEW CHILLED WATER LINES, THREE (3) 6, 5 & 3-STORY MULTIFAMILY RESIDENTIAL BUILDINGS (371 TOTAL UNITS), 3.76 ACRES OF IMPERVIOUS COVER (60%) ON A 4.966 ACRE LOT, AND INCLUDES ASSOCIATED PARKING, DRIVES AND UTILITIES. WATER QUALITY & DETENTION IS PROVIDED BY THE EXISTING POND PERMITTED WITH COA CASE #SP-2007-0199D.

RELATED CASE NUMBERS:

• ZONING CASE: C14-2008-0182

• SUBDIVISION REVIEW CASES: C8-2007-0119.0A, C8-2007-0213.0A, C8-2012-005A.0A

• SITE PLAN REVIEW CASES: SP-06-0364B (BUILDING 45 PARKING LOT IMPROVEMENTS), SP-2007-0199D (WQ & DETENTION POND), SP-06-07780C (WELLS FARGO BANK), SP-2011-02870C (LONE STAR COURT)

• TAX I.D. NUMBER: 0254060107

ZONING:

NBG-NP (NORTH BURNET/GATEWAY DISTRICT), CMU SUBDISTRICT

FLOODPLAIN:

THIS PROPERTY IS LOCATED WITHIN ZONE 'X'. AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON F.I.R.M. PANEL NO.48453C0265J, TRAVIS COUNTY, TEXAS DATED AUGUST 18, 2014.

WATERSHED:

THIS PROJECT IS LOCATED IN THE SHOAL CREEK WATERSHED, WHICH IS CLASSIFIED AS A URBAN WATERSHED, AND SHALL BE DEVELOPED, CONSTRUCTED AND MAINTAINED IN CONFORMANCE WITH TERMS AND CONDITIONS OF THE CITY OF AUSTIN WATERSHED DEVELOPMENT ORDINANCE. THE APPLICABLE WATER QUALITY ORDINANCE IS CHAPTER 25-8. ON-SITE STORM WATER DETENTION SHALL BE PROVIDED.

THIS PROJECT IS NOT LOCATED OVER THE EDWARDS AQUIFER RECHARGE ZONE.

LEGAL DESCRIPTION:

LOT 1, BLOCK "A", FLATIRON DISTRICT, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, RECORDED IN DOCUMENT NO. 201500096, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

BENCHMARKS:

BENCHMARK #1 – SQUARE CUT ON THE EAST SIDE OF THE CONCRETE BASE OF A LIGHT POLE AT THE NORTHEAST CORNER OF THE INTERSECTION OF DOMAIN DRIVE WITH NEWMAN DRIVE, ±5' EAST OF THE BACK OF CURB, AND ±25' WEST OF A DROP INLET. ELEVATION = 801.11'.

BENCHMARK #2 – SQUARE CUT ON THE EAST SIDE OF THE CONCRETE BASE OF A LIGHT POLE ON THE EAST SIDE OF NEWMAN DRIVE, ±360' NORTH OF THE INTERSECTION OF DOMAIN DRIVE WITH NEWMAN DRIVE, ±5' EAST OF THE BACK OF CURB, AND ±115' SOUTHWEST OF A DROP INLET. ELEVATION = 804.16'.

BEARING BASIS:

ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, CENTRAL ZONE, (4203), NAD83. ALL DISTANCES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000100775386.

SURVEY CONTROL:

STATE PLANE GRID CONTROL FOR THIS SURVEY IS BASED ON A 1/2" IRON ROD WITH "4WARD CONTROL" CAP SET, GRID COORDINATES AND ELEVATIONS SHOWN HEREON WERE DERIVED FROM THE TEXAS COOPERATIVE NETWORK ON NOVEMBER 22, 2011.

CIVIL SHEET INDEX		
SHEET NO.	SHEET TITLE	
C-001	1 OF 4	COVER SHEET
C-002	2 OF 4	SITE PLAN
C-003	3 OF 4	OVERALL SITE PLAN FROM SP-2014-0396CF.2 (REFERENCE ONLY)
C-004	4 OF 4	SITE PLAN B FROM SP-2014-0396CF.2 (REFERENCE ONLY)

NOTES:

1. CHANGE IN USE ONLY, NO CONSTRUCTION IS PERMITTED WITH THIS SITE PLAN.

2. THIS LOUNGE IS FOR RESIDENTS ONLY, AND ANY SIGNAGE, MARKETING, OR IDENTIFICATION OF THE LOUNGE IS PROHIBITED ON THE OUTSIDE OF THE BUILDING.

3. LOUNGE OPERATING HOURS: MONDAY THROUGH SUNDAY, 5PM-9PM.

4. NO ADDITIONAL IMPERVIOUS COVER AND/OR ALTERATIONS TO DRAINAGE PATTERNS ARE PROPOSED WITH THIS APPLICATION.

5. ONCE CONDITIONAL USE PERMIT (CUP) IS APPROVED, THE REQUIREMENTS OF THE PERMIT WILL BE REFLECTED IN THE SP-2014-0396CF.2 PERMIT DRAWINGS VIA A CORRECTION.

APPROVED BY:

DIRECTOR OF DEVELOPMENT SERVICES DEPARTMENT

DATE

SPC-2017-0266A

SITE PLAN/DEVELOPMENT PERMIT NO.

SITE PLAN APPROVAL

Sheet 1 of 4

FILE NUMBER SPC-2017-0266A APPLICATION DATE 07-19-2017

APPROVED BY COMMISSION ON UNDER SECTION 142 OF CHAPTER 25-5 OF THE CITY OF AUSTIN CODE.

EXPIRATION DATE (25-5-81, LDC) CASE MANAGER ROSEMARY AVILA

Director, Planning and Development Review Department

RELEASED FOR GENERAL COMPLIANCE: ZONING NBG-NP

Rev. 1 Correction 1

Rev. 2 Correction 2

Rev. 3 Correction 3

Final plat 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 Permits and/or a notice of construction (if a building permit is not required), must also be approved prior to the Project Expiration Date.

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TEXAS REG. NO. F-112201

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AUSTIN, TEXAS 78702 (OFFICE), 78701 (MAIL)

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10727 DOMAIN DRIVE

AUSTIN, TRAVIS COUNTY, TEXAS 78758

COVER SHEET

SHEET

C-001

1 OF 4

SPC-2017-0266A

1

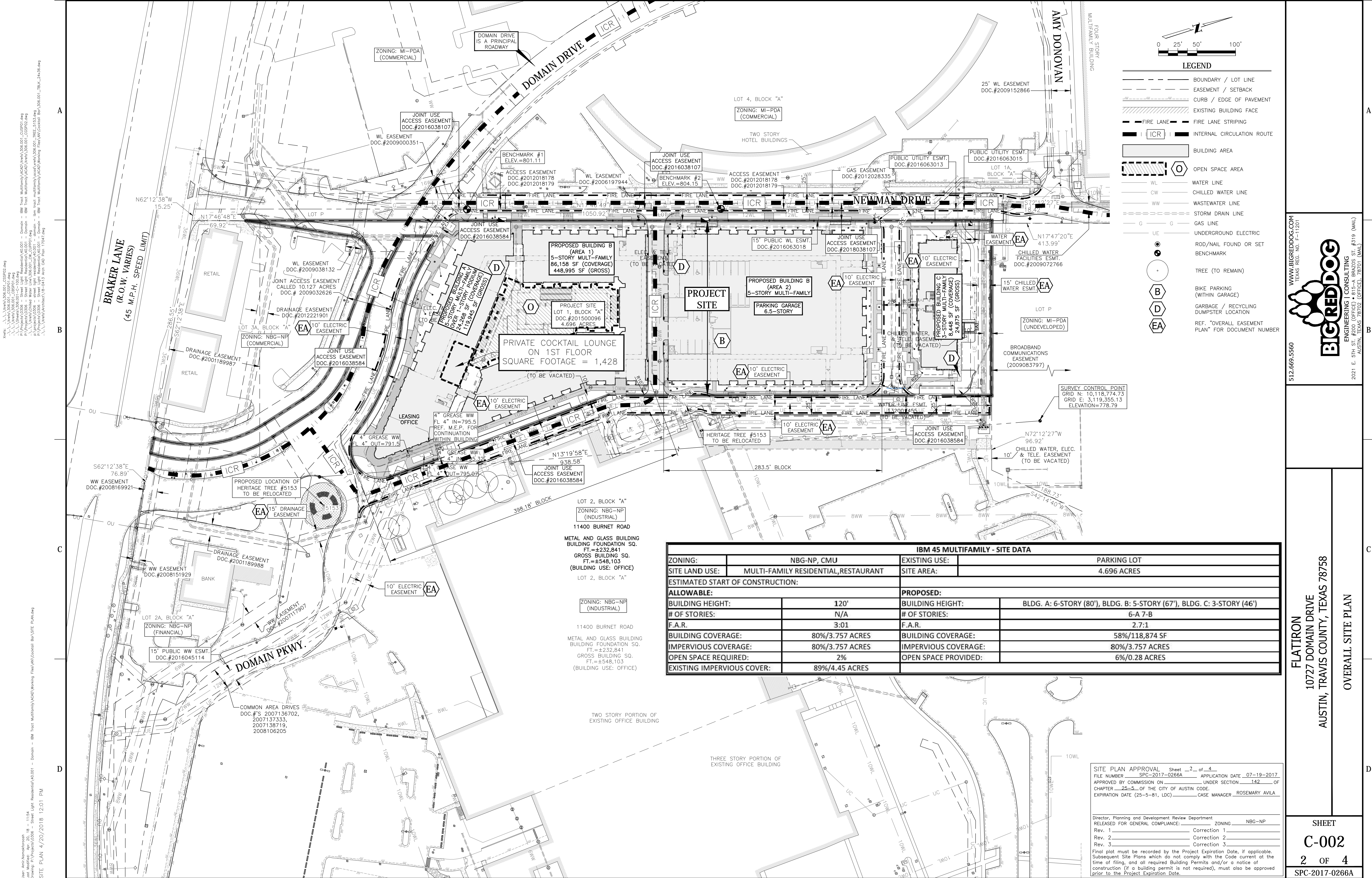
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3

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FLATIRON  
10727 DOMAIN DRIVE  
AUSTIN, TRAVIS COUNTY, TEXAS 78758

OVERALL SITE PLAN

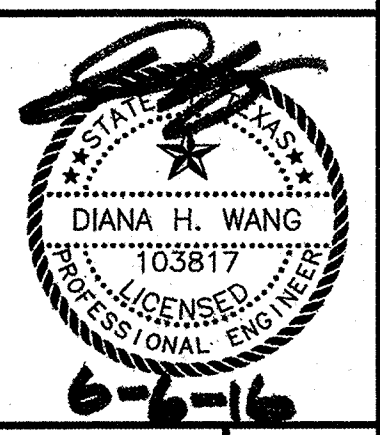
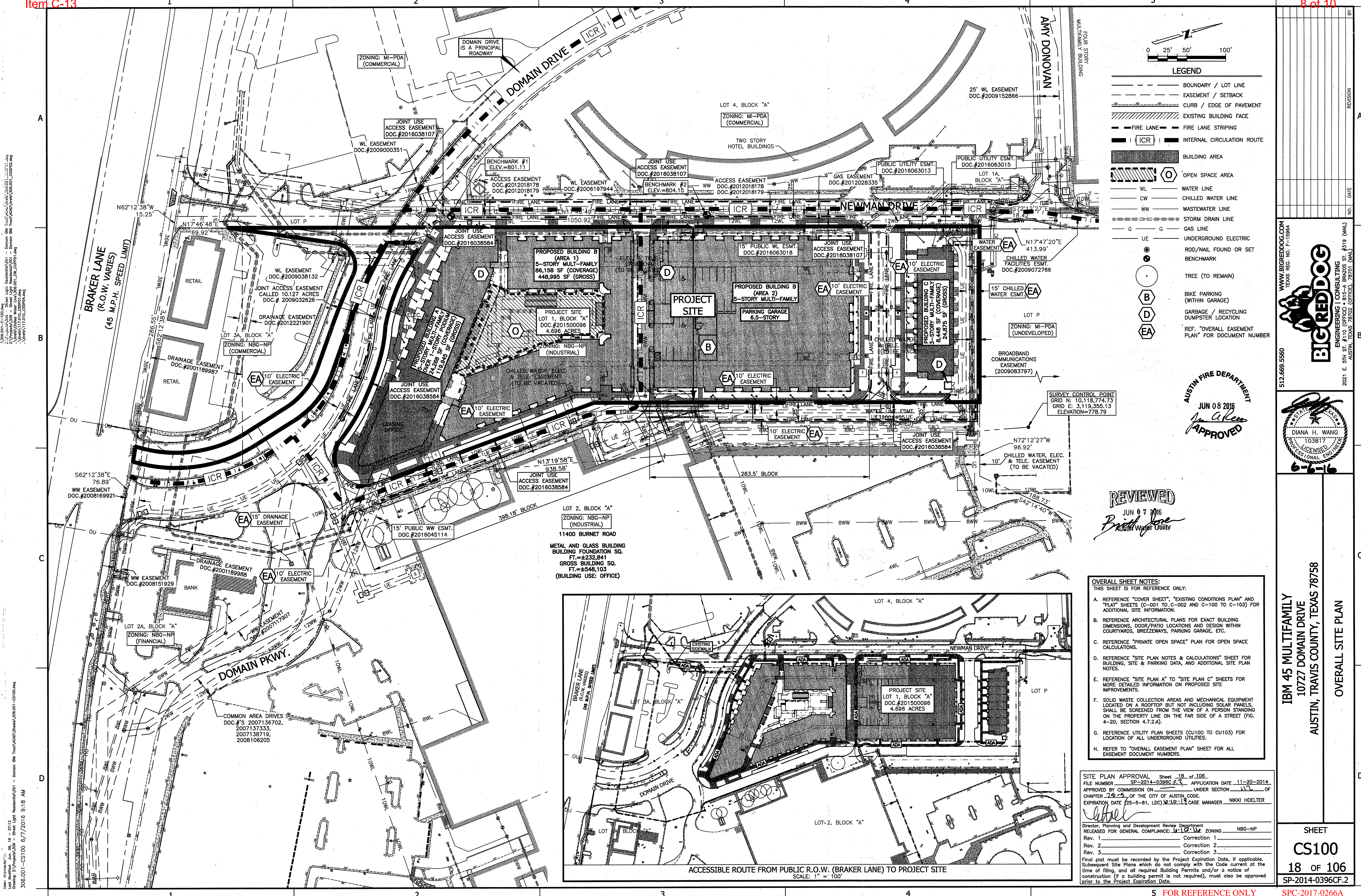
SHEET

C-002

2 OF 4

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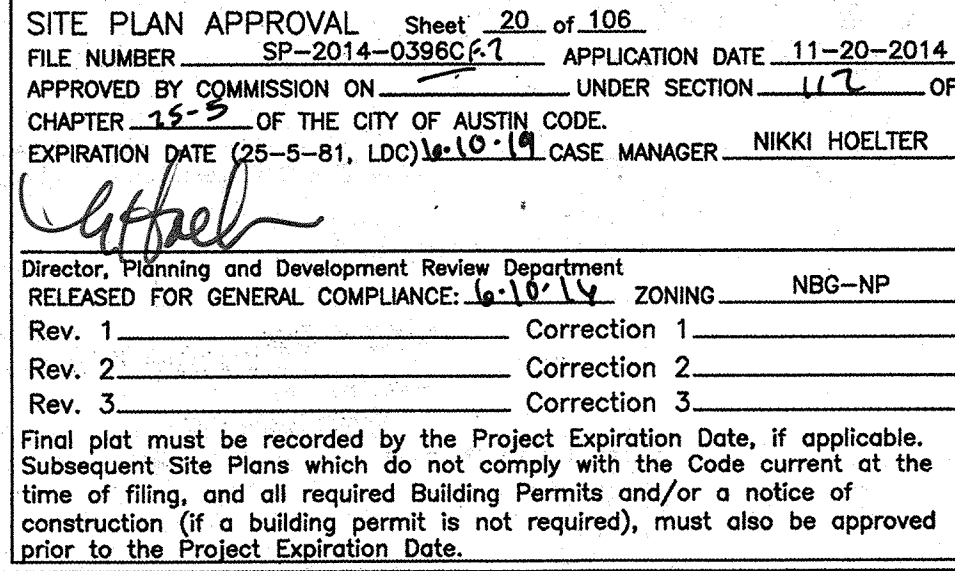




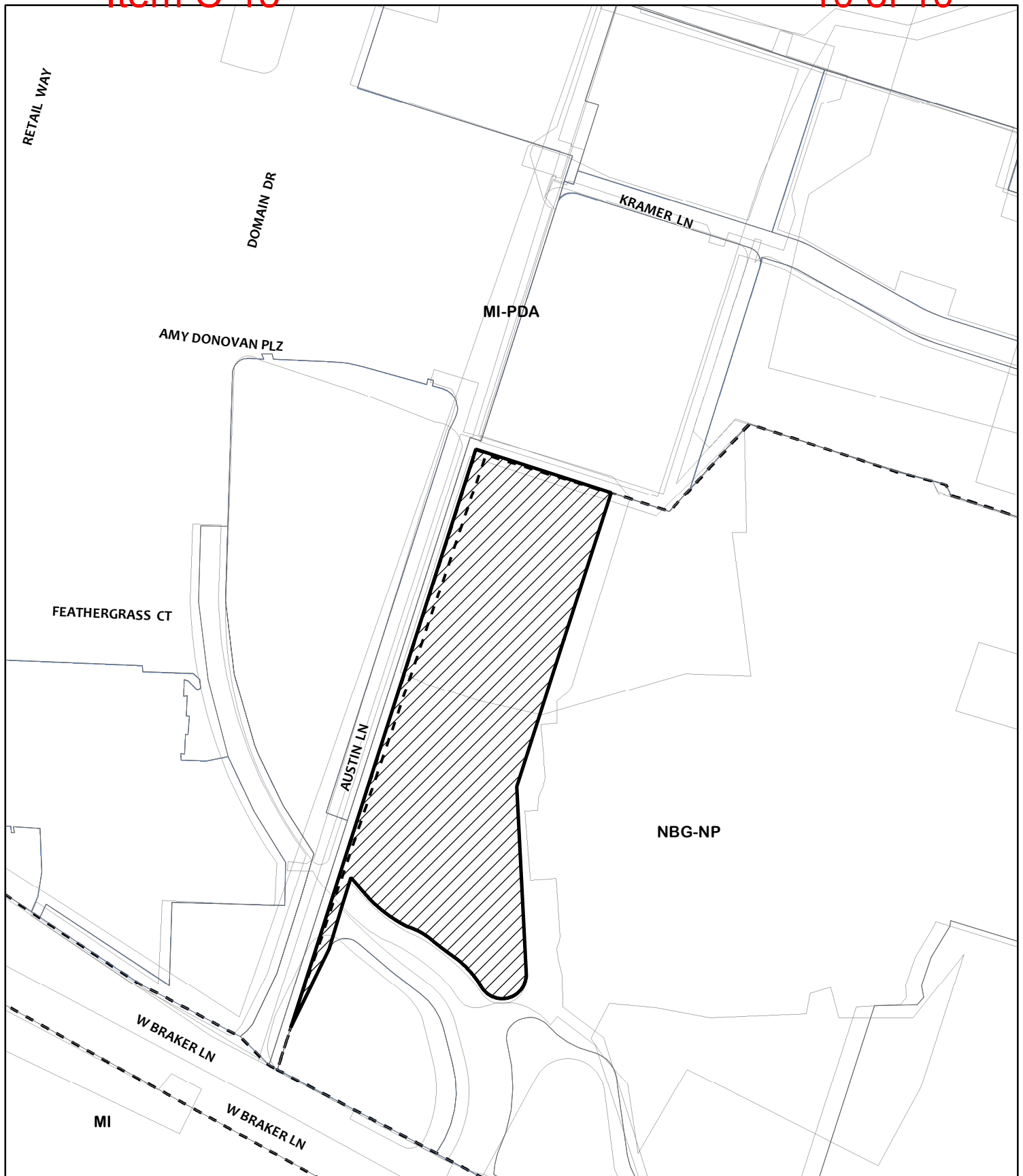
IBM 45 MULTIFAMILY  
10727 DOMAIN DRIVE  
AUSTIN, TRAVIS COUNTY, TEXAS 78758

OVERALL SITE PLAN









 SUBJECT TRACT

 ZONING BOUNDARY

0 100 200 400 Feet

CASE#: SPC-2017-0266A  
 ADDRESS: 10727 Domain Drive  
 CASE NAME: Flatiron  
 MANAGER: Rosemary Avila

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: R. Avila