

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

CASE NUMBER: SPC-2018-0478A

PC DATE: 3/26/2019

PROJECT NAME: Plaza Saltillo Block E Texaco

ADDRESS OF APPLICATION: 1300 E 4th Street, Building C

AREA: 3,583 sf (footprint of enclosed cocktail lounge structure) / 3,200 sf (footprint of cocktail lounge outdoor seating area contiguous to enclosed structure)

APPLICANT: Capital Metropolitan Transportation Authority (Todd Hemingson)
2910 E 5th Street (512) 369-6295
Austin, TX 78702

AGENT: Armbrust & Brown, PLLC (Richard Suttle)
100 Congress Avenue, Suite 1300 (512) 435-2300
Austin, TX 78701

CASE MANAGER: Anaiah Johnson Phone: (512) 974-2932
Anaiah.Johnson@austintexas.gov

PROPOSED USE: Cocktail Lounge

EXISTING ZONING: TOD-CURE-NP & TOD-H-NP

NEIGHBORHOOD PLAN: East Cesar Chavez

PROPOSED DEVELOPMENT: The applicant is requesting a conditional use permit for a cocktail lounge in two existing historic zoned structures, totaling 3,283 sf of indoor space, and a proposed 3,200 sf outdoor seating area, for a grand total of 6,783 sf of CUP Cocktail Lounge space. The hours of operation will be Monday – Sunday 7am to 2am. No construction will occur with this permit but will be permitted either as a B-plan (construction site plan) or as a site plan exemption.

SUMMARY STAFF RECOMMENDATION: The site plan complies with all requirements of the Land Development Code and Plaza Saltillo TOD Regulating Plan. Staff recommends approval of the CUP.

PROJECT INFORMATION

Gross Site Area	6,783 sf (cocktail lounge) / 10,906 sf (gross site area)
Existing Zoning	TOD-CURE-NP / TOD-H-NP
Watershed	Waller Creek / Lady Bird Lake
Watershed Ordinance	Current Code
Traffic Impact Analysis	Yes Approved
Capitol View Corridor	Not applicable
Proposed Access	N/A (all parking provided off-site)
Proposed Impervious Cover	5,258 sf / 48%
Proposed Building Coverage	4,284 sf / 39%
Height	1 story
Parking required: 136	Parking proposed: 136 (off-site)

EXISTING ZONING AND LAND USES

	ZONING	LAND USES
<i>Site</i>	TOD-CURE-NP / TOD-H-NP	Cocktail Lounge (proposed)
<i>North</i>	E 5 th Street then TOD-NP	Light Manufacturing
<i>South</i>	E 4 th Street then TOD-NP	Limited Warehousing and Distribution
<i>East</i>	TOD-NP	KASITA / Food Truck Lot (no clear permits in system)
<i>West</i>	Attayac St Paseo and railroad tracks then TOD-CURE-NP	Mixed use building including General Retail Services, Restaurant (General) and Multi-Family Residential

CONDITIONAL USE PERMIT REVIEW AND EVALUATION CRITERIA

The following evaluation is included to provide staff evaluation 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. The TOD Mixed Use subdistrict of the Plaza Saltillo TOD zoning district allows the highest level of development activity in the TOD with the Cocktail Lounge land use being a Conditional Use within the subdistrict.
- 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: Yes, there are no SF-5 or more restrictive zoning districts or permitted land uses abutting the site.
- 4. Provide adequate and convenient off-street parking and loading facilities;** Staff response: Adequate parking and loading facilities have been provided off-site.
- 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 the listed adverse effects.

A Conditional Use Site Plan May Not:

1. **More adversely affect an adjoining site than would a permitted use;** Staff response: The proposed site plan does not appear to more adversely affect an adjoining site 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: The cocktail lounge land use will be located on an already developed site (the historic designated former Texaco Depot), and is not anticipated to affect pedestrian or vehicular circulation.
3. **Adversely affects an adjacent property or traffic control through the location, lighting, or type of signs;** Staff response: The site will comply with all applicable sign regulations in the Land Development Code and/or Plaza Saltillo TOD Regulating Plan.

COMMISSION ACTION:

The Commission may either; approve, approve with conditions or deny the conditional use site plan permit.

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 and 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.**

SUMMARY COMMENTS ON SITE PLAN:

Land Use: The applicant is requesting a Conditional Use Permit for a Cocktail Lounge land use and a late hours permit within two existing buildings and the addition of 1,675 sf of flatwork for outdoor seating. The buildings were previously used as the Texaco Depot and are each designated as historic structures with the addition of “H” in their zoning strings on the exact footprints of the buildings.

The parking requirements for this use will be achieved through off-site parking in the adjacent mixed use buildings with parking garages currently under construction. The site is subject to the approved TIA associated with zoning and site plan case numbers C14-2016-0049/C14-2016-0050/SP-2015-0479C/SP-2015-0480C. ATD has reviewed the change in land use proposed with this CUP and has no further requirement for analysis or mitigation.

If approved, either a B-plan (construction site plan) or a site plan exemption will be sought to permit the improvements associated with this conditional use site plan permit.

The site plan complies with all requirements of the Land Development Code and Plaza Saltillo TOD Regulating Plan.

NEIGHBORHOOD ORGANIZATIONS:

A.N.T Artists and Neighbors Together
Armbrust & Brown PLLC
Austin Independent School District
Austin Innerscity Alliance
Austin Neighborhoods Council
Barrio Unido Neighborhood Association
Bike Austin
Black Improvement Association
Capital Metro
Capital Metro Transportation
Claim Your Destiny Foundation
Del Valle Community Coalition
East Austin Conservancy
East Cesar Chavez Neighborhood Association
East Cesar Chavez Neighborhood Plan Contact Team
East Sixth Ibiz District
El Concilio Mexican-American Neighborhoods
Friends of Austin Neighborhoods
Greater East Austin Neighborhood Association
Guadalupe Association for an Improved Neighborhood
Guadalupe Neighborhood Development Corporation
Homeless Neighborhood Association
Neighborhood Empowerment Foundation
Neighbors United for Progress
Plaza Saltillo TOD Staff Liaison Planning and Zoning
Preservation Austin
SEL Texas
Sierra Club, Austin Regional Group
Tejano Town
United East Austin Coalition
Waller Creek Conservancy

SITE DATA	EXISTING			ALLOWED
	ACRES	SQUARE FEET	PERCENT	
TOTAL GROSS SITE AREA	0.25	10,906.0	-	-
NEW IMPERVIOUS COVER	0.04	1,675.0	-	-
TOTAL IMPERVIOUS COVER	0.12	5,258.0	48%	95%
BUILDING COVERAGE	0.08	3,583.0	33%	95%

Building Data Table				
Existing Building	Building Height (ft)	Building Construction Type(s)	Total Gross Floor Area (sf)	Proposed Use
1	1 Story	V-B	2,270	COCKTAIL LOUNGE
2	1 Story	V-B	1313	COCKTAIL LOUNGE
OUTDOOR PATIO			3200	COCKTAIL LOUNGE
TOTAL			6,783	

PARKING TABLES: (FROM SP-2018-0025T)

Block A-C	Spaces per unit	Units	Spaces
One Bed	1.50 /	1 Bed	435 1-bed
Two Bed	2.00 /	2 Bed	105 2-bed
Office	1.00 /	275 GLA	150,000 GLA
Retail	1.00 /	275 GSF	70,828 GSF
Restaurant <2500 GSF	1.00 /	100 GSF	3,651 GSF
Restaurant >2500 GSF	1.00 /	75 GSF	26,400 GSF
Lounge	1.00 /	100 GSF	- GSF

Appendix A Requirement		2,054
TOD Reduction		-40% (822)
On-Street Reduction		(35)
Reserved Car2Go	9 Car2Go	-20 /rsvd
Adjusted Requirement		1,017
Min Required		1,027
Off-site Parking Required for SP-2015-0479C*		91
Provided		1,123
Surplus/(Deficit)		5

THE PARKING TABLE REFERENCED ABOVE IS ASSOCIATED WITH THE TRANSPORTATION SITE PLAN SP-2018-0025T.

Block D&E	Spaces per unit	Units	Spaces
One Bed	1.50 /	1-bed	129 1-bed
Two Bed	2.00 /	2-bed	33 2-bed
Office	1.00 /	275 GLA	- GLA
Retail	1.00 /	275 GSF	7,767 GSF
Restaurant <2500 GSF	1.00 /	100 GSF	2,000 GSF
Restaurant >2500 GSF	1.00 /	75 GSF	5,254 GSF
Lounge	1.00 /	50 GSF	10,583 GSF

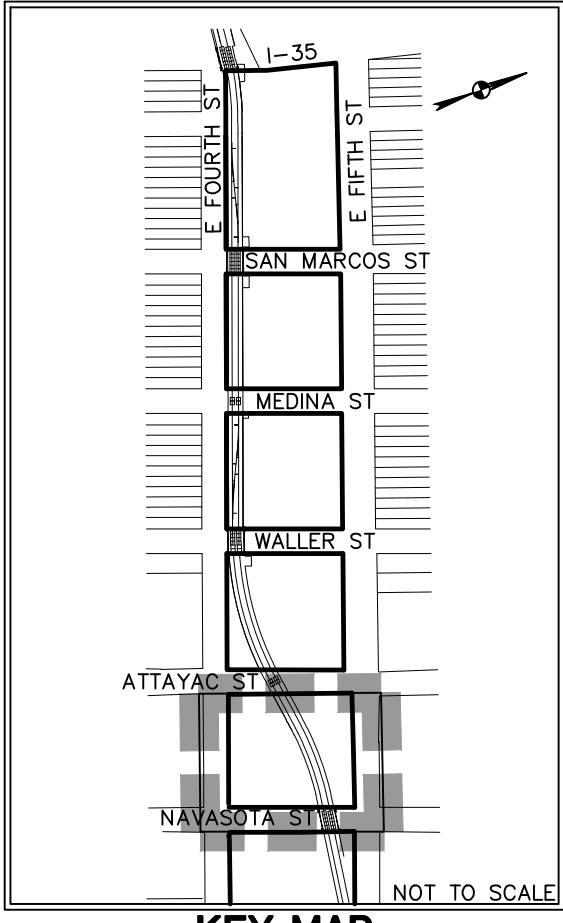
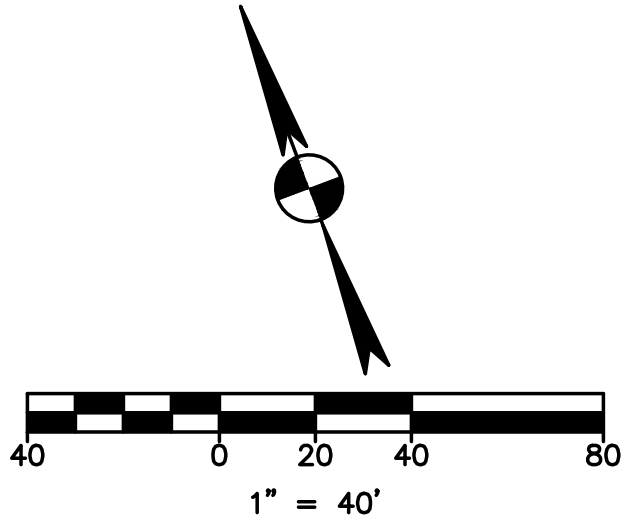
Appendix A Requirement		590
TOD Reduction		-40% (236)
On-Street Reduction		(36)
Reserved Car2Go	2 Car2Go	-20 /rsvd
Adjusted Requirement		273
Min Required		295
Provided		204
Surplus/(Deficit)		(91)

ADA REQUIRED	1 per 50	22 sp	29 sp
ADA REQUIRED	51-75 sp	7 sp	8 sp

PARKING TABLES NOTES:

- PARKING TABLES CORRESPOND WITH TRANSPORTATION SITE PLAN SP-2018-0025T.
- THE 91 PARKING SPACE DEFICIT ON BLOCKS D&E (SP-2015-0479C(R1)) IS PROVIDED BY 91 PARKING SPACES ON BLOCKS A-C (SP-2015-0480C(R1)).

HOURS OF OPERATION: 7AM - 2AM, MONDAY - SUNDAY.



EXISTING	PROPOSED	DESCRIPTION
		PROPERTY LINE / (R.O.W.) LINE
		RECORD INFORMATION
		GROUND LIGHT
		POWER POLE
		DOWN GUY
		TRANSFORMER (SIZE VARIES)
		FIRE HYDRANT
		WATER VALVE
		WATER METER
		WATER METER VAULT (SIZE VARIES)
		ELECTRIC BOX
		ELECTRIC METER
		GAS METER
		GRATE INLET
		CURB INLET (SIZE VARIES)
		OVERHEAD ELECTRIC
		ELECTRIC MANHOLE (SIZE VARIES)
		WASTEWATER MANHOLE (SIZE VARIES)
		STORMSEWER MANHOLE (SIZE VARIES)
		TELEPHONE MANHOLE (SIZE VARIES)
		CLEANOUT
		GENERATOR
		SWITCH GEAR
		WIRE FENCE
		WOOD FENCE
		CHAIN LINK FENCE
		CURB & GUTTER
		EDGE OF PAVEMENT
		FIRE LANE DESIGNATION
		HANDICAP ACCESS ROUTE
		IMPERVIOUS AREA
		INTEGRAL COLORED IMPERVIOUS AREA (REF. LANDSCAPE ARCHITECT)
		WALL
		WHEELSTOP
		BOLLARD
		FINISH FLOOR ELEVATION
		PARKING COUNT (REGULAR SPACES)
		PARKING COUNT (HANDICAP SPACES)
		PARKING COUNT (PARALLEL SPACES)
		HANDICAP SPACE
		BIKE PARKING
		TRASH CAN (REF. LANDSCAPE ARCHITECT)
		TREE TO BE SAVED
		GARBAGE COMPACTOR
		OUTDOOR COCKTAIL LOUNGE CUP AREA
		INDOOR COCKTAIL LOUNGE CUP AREA

NOTES:

- NO CONSTRUCTION OR DEMOLITION WORK IS PROPOSED WITH THIS PERMIT. THE CONSTRUCTION OF FUTURE IMPROVEMENTS WILL BE PERMITTED THROUGH SITE PLAN EXEMPTION AND BUILDING PERMITS.
- THE LOCATION OF THE ACCESSIBLE PATH FROM THE ROW TO THE SITE AND ITS CORRESPONDING BUILDINGS IS CONCEPTUAL AND SUBJECT TO CHANGE BASED ON SITE CONDITIONS. THE EXACT ALIGNMENT WILL BE REFINED AND PERMITTED UNDER A SEPARATE PERMIT.
- ONE DRIVEWAY IS ALLOWED ON THE PROPERTY. ANY PROPOSED DRIVEWAYS WILL BE REVIEWED AT THE TIME A SITE DEVELOPMENT PERMIT OR SITE PLAN EXEMPTION IS SUBMITTED TO THE CITY OF AUSTIN.

ORDINANCE REQUIREMENTS

- APPROVAL OF THIS SITE PLAN DOES NOT INCLUDE BUILDING CODE APPROVAL; FIRE CODE APPROVAL; OR BUILDING, DEMOLITION OR RELOCATION PERMITS APPROVAL.
- ALL SIGNS MUST COMPLY WITH THE REQUIREMENTS OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE.
- THE OWNER IS RESPONSIBLE FOR ALL COSTS OF RELOCATION OF, OR DAMAGE TO, UTILITIES.
- ADDITIONAL ELECTRIC EASEMENTS MAY BE REQUIRED AT A LATER DATE.
- A SITE DEVELOPMENT PERMIT MUST BE ISSUED PRIOR TO AN APPLICATION FOR BUILDING PERMIT FOR NON-CONSOLIDATED OR LAND USE COMMISSION APPROVED SITE PLANS.
- WATER AND WASTEWATER SERVICE WILL BE PROVIDED BY THE CITY OF AUSTIN.
- FOR CONSTRUCTION WITHIN THE RIGHT-OF-WAY, A ROW EXCAVATION PERMIT IS REQUIRED.

COMPATABILITY NOTES:

- 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.
- THE NOISE LEVEL OF MECHANICAL EQUIPMENT WILL NOT EXCEED 70 D.B.A. AT THE PROPERTY LINE ADJACENT TO RESIDENTIAL USES.
- ALL EXTERIOR LIGHTING SHALL BE HOODED OR SHIELDED FROM THE VIEW OF ADJACENT RESIDENTIAL USES, OR PROPERTY ZONED RESIDENTIAL.
- EXTERIOR LIGHTING ABOVE THE SECOND FLOOR IS PROHIBITED WHEN ADJACENT TO RESIDENTIAL PROPERTY.
- 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.

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.

THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

SITE PLAN APPROVAL Sheet 4 of 5

FILE NUMBER: _____ APPLICATION DATE: 10/09/2018

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 ANNAH JOHNSON

PROJECT EXPIRATION DATE (ORD.#970905-A) _____ DWPZ DDZ

Director, Development Services Department

RELEASED FOR GENERAL COMPLIANCE: _____ ZONING: TOD-H-NP

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 PERMITS AND/OR A NOTICE OF CONSTRUCTION (IF A BUILDING PERMIT IS NOT REQUIRED), MUST ALSO BE APPROVED PRIOR TO THE PROJECT EXPIRATION DATE.

DRAWN BY: PSD

DESIGNED BY: DMM

QA / QC: JAI

PROJECT NO.: 222010116

SHEET 4 OF 5

CONDITIONAL USE
SITE PLAN

PLAZA SALTILLO BLOCK E TEXACO
1300 E. 4TH ST., AUSTIN, TX

ENDEAVOR REAL
ESTATE GROUP

DRAWN BY: PSD

DESIGNED BY: DMM

QA / QC: JAI

PROJECT NO.: 222010116

SHEET 4 OF 5



REGISTRATION NUMBER: LURE 500
AUSTIN, TX 78723
100% E-DESIGN 100% E-DESIGN
100% E-DESIGN 100% E-DESIGN