

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

CASE NUMBER: SPC-2018-0574A **PC DATE:** 4/9/2019

PROJECT NAME: 70 Rainey Street

PROJECT ADDRESS: 70 Rainey Street

APPLICANT: 70 Rainey Street Owner, LLC, Carter Sackman (512) 476-4725

AGENT: Big Red Dog, Nick Richardson (512) 669-5560

NEIGHBORHOOD PLAN: Downtown Austin Plan

WATERSHED: Waller Creek (Urban)

CASE MANAGER: Jeremy Siltala (512) 974-2945 or jeremy.siltala@austintexas.gov

PROJECT DESCRIPTION:

The applicant proposes a cocktail lounge within the Rainey Street subdistrict of the Waterfront Overlay requiring a conditional use permit [25-2-692(K)]. The applicant also requests a variance from 25-5-146(B) for parking to serve a cocktail lounge within 200 feet of a single-family use. No construction is proposed with this application.

STAFF RECOMMENDATION:

Staff recommends approval of the conditional use permit and variance. The site plan will comply with all requirements of the Land Development Code prior to its release.

SUMMARY STAFF COMMENT ON APPLICATION:

The applicant proposes a 7,028 SF cocktail lounge on the second floor of a building currently under construction (SP-2013-0101C); 3,532 SF is indoor, and 3,496 SF is outdoors. The operating hours are Monday through Saturday 11 AM – 2 AM and Sunday 10 AM – 2 AM. There is one single-family residence across the street at 71 Rainey Street that triggers the parking variance.

PROJECT INFORMATION:

SITE AREA	7,028 SF (cocktail lounge) 24,829 SF, 0.57 acres (total site)
ZONING	CBD
PROPOSED USE	Cocktail Lounge
PROPOSED IMPERVIOUS COVER	24,829 SF, 100%
PROPOSED BUILDING COVERAGE	24,547 SF, 98.9%
PROPOSED BUILDING HEIGHT	35 stories, 416 feet
PROPOSED F.A.R	12:1
PROPOSED ACCESS	Rainey Street
PROPOSED PARKING	361 automobile, 51 bicycle

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
Austin Neighborhoods Council
Bike Austin
City of Austin Downtown Commission
Downtown Austin Neighborhood Assn. (DANA)
Friends of Austin Neighborhoods
Friends of Rainey Street Historic District
Friends of the Emma Barrientos MACC
Greater East Austin Neighborhood Association
Homeless Neighborhood Association
Neighborhood Empowerment Foundation

Preservation Austin
Rainey Business Coalition
Rainey Neighbors Association, Inc.
SELTexas
Sierra Club, Austin Regional Group
Tejano Town
The Shore Condominium Association, Inc.
Town Lake Neighborhood Association
Waller Creek Conservancy
Waller District Staff Liaison

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 facilities have 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.

A conditional use site plan may not:

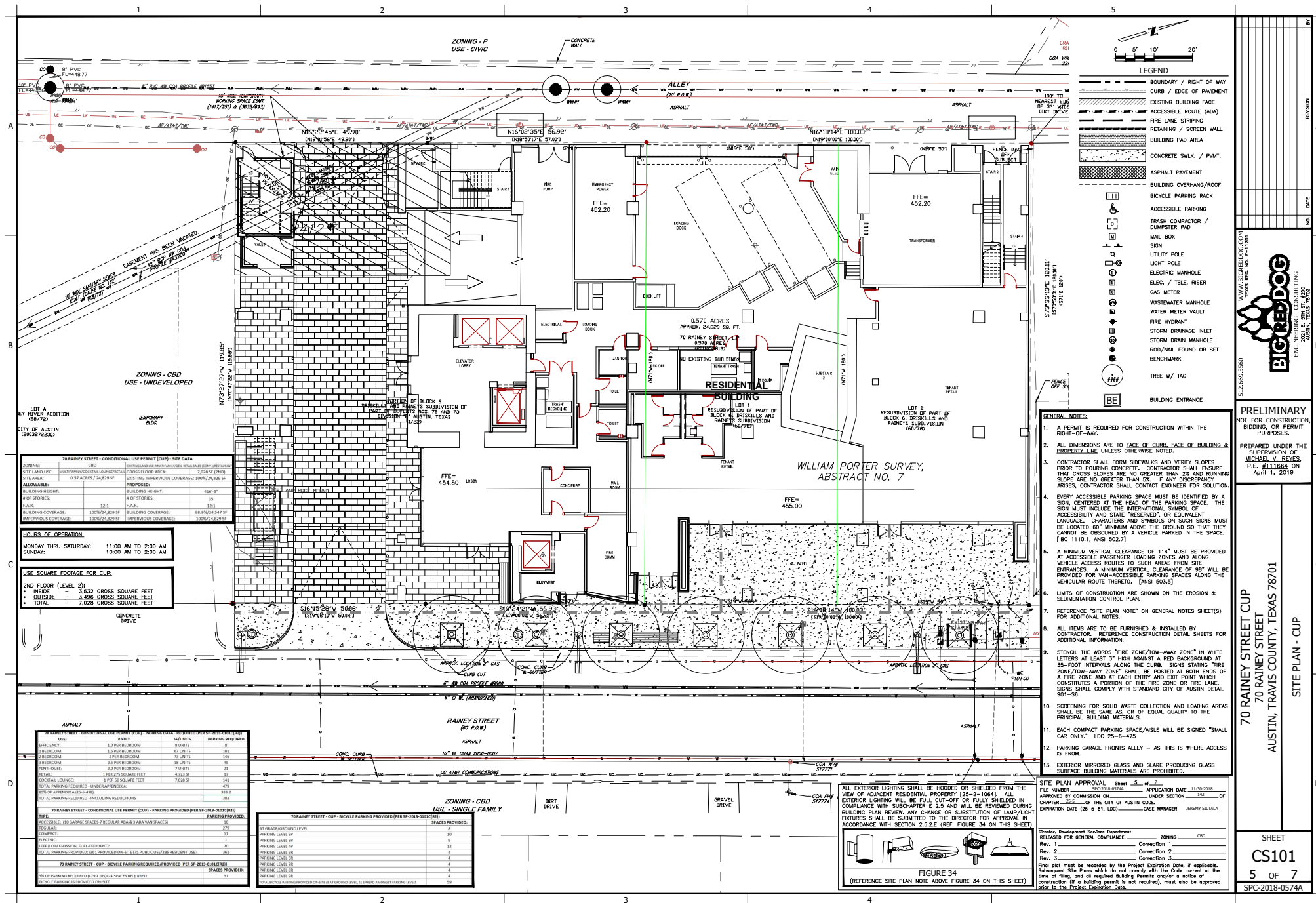
1. More adversely affect an adjoining site than would a permitted use; Staff response: The site plan will conform with all regulations and standards established by the Land Development Code prior to its release.
2. Adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area; Staff response: The project is not anticipated to have any detriment to safety or convenience.
3. Adversely affect 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.

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:

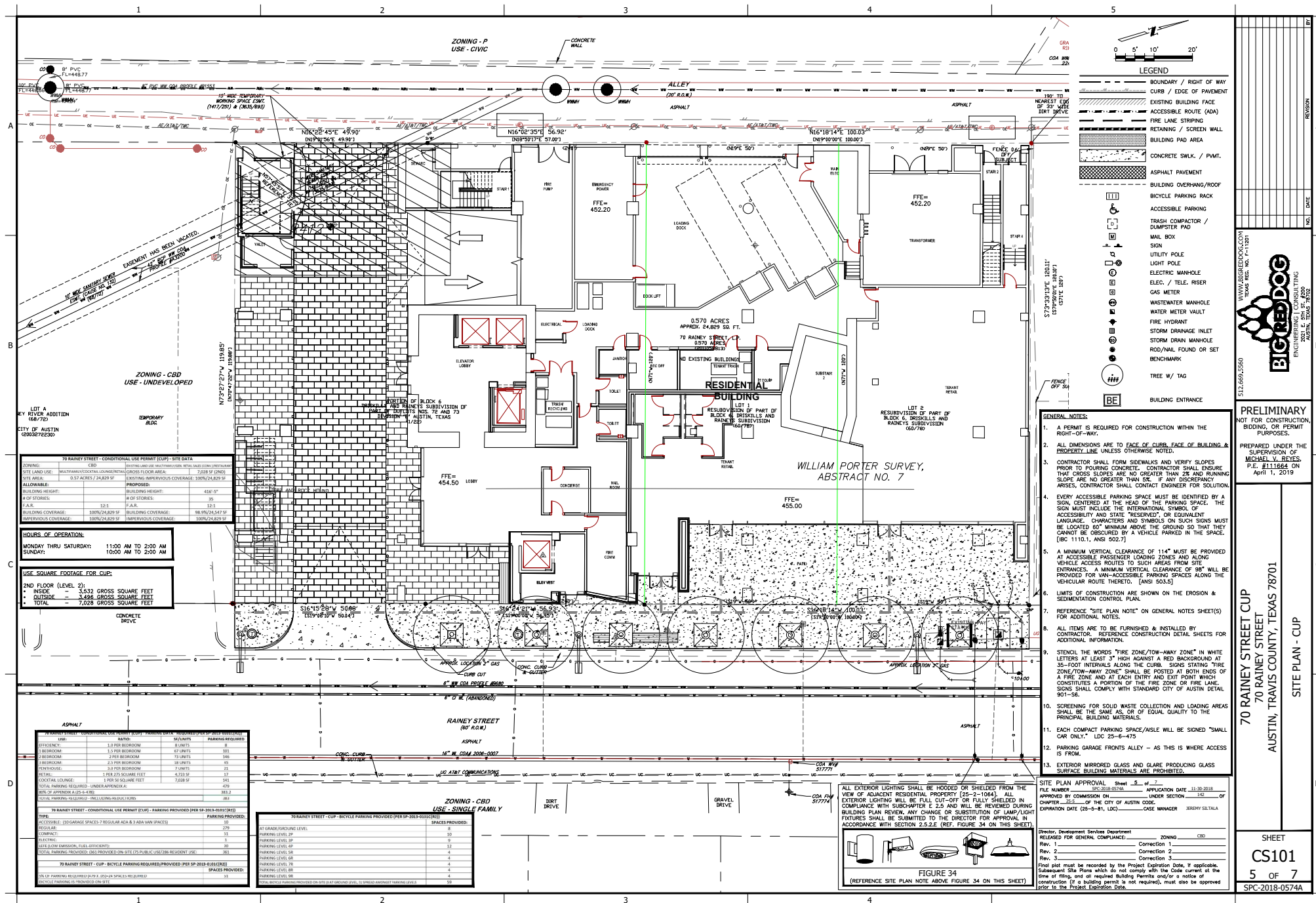
- 1) A special yard, open space, buffer, fence, wall, or screen;
- 2) Landscaping or erosion;
- 3) A street improvement or dedication, vehicular ingress and egress, or traffic circulation;
- 4) Signs;
- 5) Characteristics of operation, including hours;
- 6) A development schedule; or
- 7) Other measures that the Land Use Commission determines are required for compatibility with surrounding uses or the preservation of public health, safety, or welfare.

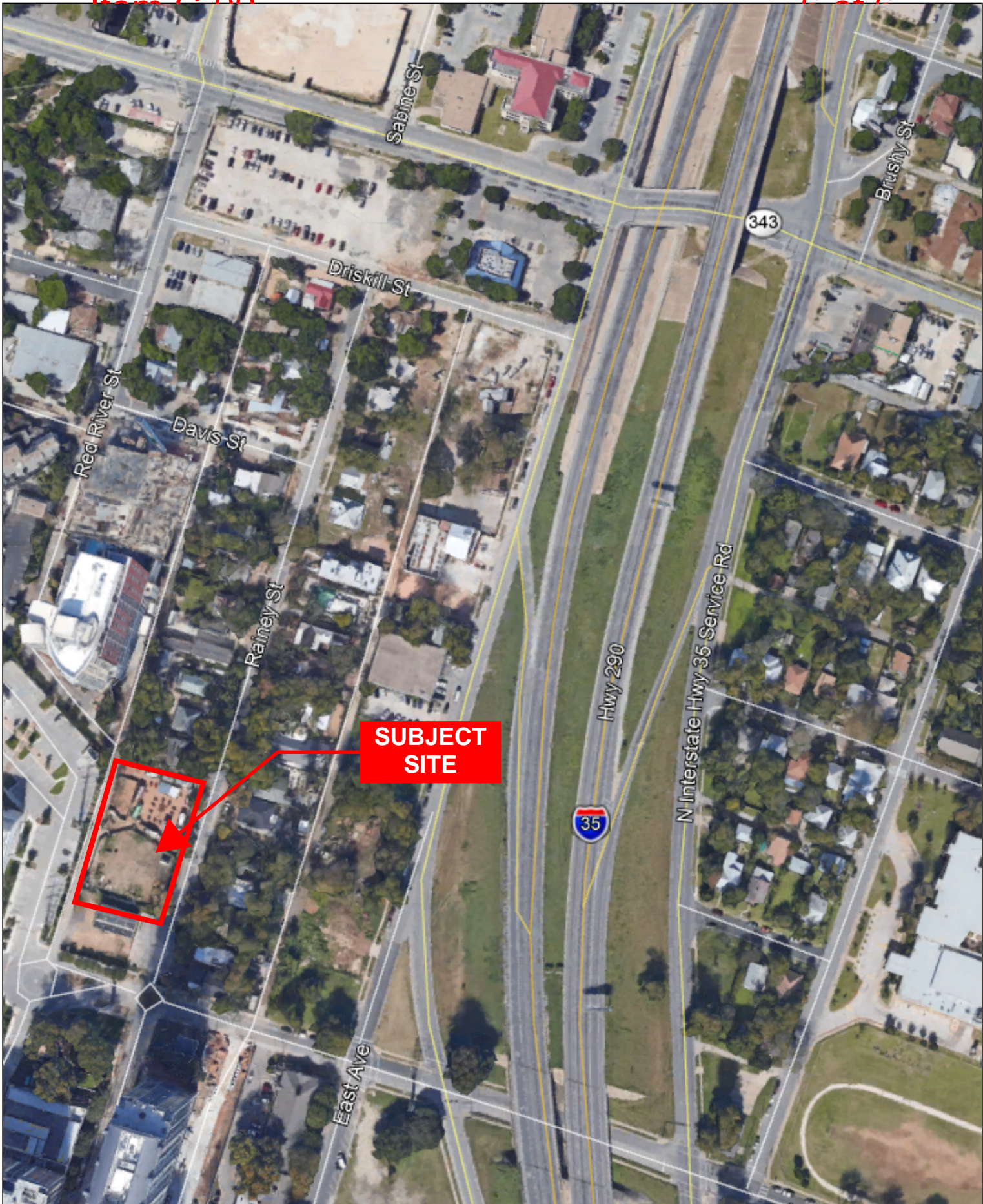




Site Location Map
70 RAINEY STREET CUP
70 RAINEY STREET
Austin, Texas 78701







**SUBJECT
SITE**



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