

Conditional Use Permit	801 Chestnut Street
CUP-20-09	The Co Kitchen



Summary

Request:	A Conditional Use Permit to allow the sale of beer and wine for on-premise consumption at 801 Chestnut Street		
Applicant:	Pascal Boudreau 365 Golden Eagle Loop Canyon Lake, TX 78133	Property Owner:	Apante Investments PO Box 160788 Austin, TX 78716
CUP Expiration:	N/A	Type of CUP:	Beer and Wine
Interior Floor Area:	1800 sq ft	Outdoor Floor Area:	1500 sq ft
Parking Required:	12 spaces	Parking Provided:	Yes
Days & Hours of Operation:	Sunday – Thursday: 7:00am-11:00pm Friday & Saturday: 7:00am – 12:30am		

Notification

Application:	N/A	Neighborhood Meeting:	N/A
Published:	N/A	# of Participants:	N/A
Posted:	April 10, 2020	Personal:	April 10, 2020
Response:	None as of the date of this report		

Property Description

Legal Description:	Park Addition, Lot 117		
Location:	Chestnut Street at North LBJ Drive		
Acreage:	0.53 acres	PDD/DA/Other:	N/A
Existing Zoning:	Neighborhood Commercial	Proposed Zoning:	N/A
Existing Use:	Shared Kitchen / Mobile Food Court	Proposed Use:	Shared Kitchen / Mobile Food Court
Preferred Scenario:	Existing Neighborhood	Proposed Designation:	Same
CONA Neighborhood:	Sessom Creek	Sector:	3
Utility Capacity:	Adequate	Floodplain:	No
Historic Designation:	N/A	My Historic SMTX Resources Survey	No

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	Mixed Use "MU"	Ells Lofts	Existing Neighborhood
South of Property:	General Commercial "GC"	Gas Station / Convenience Store	Existing Neighborhood
East of Property:	Neighborhood Commercial "NC"	Bar	Existing Neighborhood
West of Property:	Mixed Use "MU"	Sessom creek	Existing Neighborhood

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Staff Recommendation

Approval as Submitted	<input checked="" type="checkbox"/>	Approval with Conditions / Alternate	Denial
<ol style="list-style-type: none"> 1. Permit shall be valid for one (1) year, provided standards are met; 2. Outdoor amplified music on the property shall be limited to the hours between 11 am and 10 pm; 3. The business shall be responsible for maintaining the sidewalk, gutters, parking lot, all areas within 50 feet of any exit, and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times; 4. All food trucks operating on the property must maintain a current health and fire permit; 5. The permit shall be effective upon the issuance of the TABC license; and 6. The permit shall be posted in the same area and manner as the Certificate of Occupancy. 			
Staff: Tory Carpenter, AICP, CNU-A		Title : Planner	Date: April 23, 2020

History

The Co Kitchen first opened September 2019 and operates as a shared commercial kitchen, bakery, and mobile food court. In November 2019, several propane explosions from food trucks on the property caused the temporary closure of the site.

Additional Analysis

The applicant has expressed interest in having occasional live music on the site. To limit potential disruptions to nearby properties, staff recommends restricting all amplified music to only be allowed between the hours of 11 am and 10 pm.

Comments from Other Departments

Police	No Comment
Fire	The Fire Marshal requested that the condition regarding health and fire permits be included.
Public Services	No Comment
Engineering	No Comment

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Evaluation			Criteria for Approval (Sec. 2.8.3.4 & 5.1.5.5)
Consistent	Inconsistent	Neutral	
		<u>X</u>	The proposed use at the specified location is consistent with the policies embodied in the adopted comprehensive plan.
		<u>N/A</u>	The proposed use is consistent with any adopted neighborhood character study for the area. Studies were not complete at the time of this request
<u>X</u>			The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations. The Neighborhood Commercial zoning district is meant to provide low intensity service facilities for the local neighborhood area. The proposed use is within walking distance to Texas State University and numerous multifamily and single-family residences.
<u>X</u>			The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods. Recommended conditions help reduce adverse effects to nearby properties.
<u>X</u>			The proposed use does not generate pedestrian and vehicular traffic which shall be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
		<u>N/A</u>	The proposed use incorporates roadway adjustments, traffic control devices or mechanisms and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets.
		<u>X</u>	The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties.
<u>X</u>			The proposed use meets the standards for the applicable district, or to the extent variations from such standards have been requested that such variations are necessary to render the use compatible with adjoining development and the neighborhood.
<u>X</u>			The proposed use is not within 300 ft. of a detached single-family residence located in a zoning district that only permits detached single-family residences.
<u>X</u>			The proposed use is not within 300 ft. of a church, public or private school, or public hospital.
<u>X</u>			The proposed use is not within 1,000 ft. of a public or private school as outlined within section 1.5.1.1.