

Conditional Use Permit	205 W Hopkins
CUP-25-66	Urban Bird Hot Chicken



Summary

Request:	Renewal of a Conditional Use Permit		
Applicant:	Urban Bird Hot Chicken 16365 Park Ten Plaza Suite 245 Houston, Tx 77084	Property Owner:	Cav Tramway LLC 4211 Long Champ Drive Austin, TX 78746
CUP Expiration:	January 7, 2026	Type of CUP:	Restaurant/ Beer & Wine
Interior Floor Area:	3200 sq ft	Outdoor Floor Area:	36 seats
Parking Required:	32 spaces	Parking Provided:	Yes
Days & Hours of Operation:	Monday-Sunday: 10:30am-10:30pm		

Notification

Posted:	November 21, 2025	Personal:	November 21, 2025
Response:	None as of the date of this report		

Property Description

Legal Description:	Original Town of San Marcos, Block 15, Lot 7-8		
Location:	Located at the southwest corner of North Fredericksburg Street and West Hopkins Street.		
Acreage:	0.48 acres	PDD/DA/Other:	AC-23-02
Existing Zoning:	Character District – 5D (CD-5D)	Proposed Zoning:	Same
Existing Use:	Vacant Restaurant	Proposed Use:	Restaurant
Preferred Scenario:	High Intensity Zone	Proposed Designation:	Same
CONA Neighborhood:	Downtown	Sector:	Sector 8
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:	Character District – 5D (CD-5D)	Grocery Store/ Church	High Intensity Zone
South of Property:	Character District – 5D (CD-5D)	Retail/ Bar	High Intensity Zone
East of Property:	Character District – 5D (CD-5D)	Multifamily Residential	High Intensity Zone
West of Property:	Character District – 5D (CD-5D)	Coffee Shop/ Retail	High Intensity Zone

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Staff Recommendation

Approval as Submitted	<input checked="" type="checkbox"/> Approval with Conditions	Denial
1. The permit shall be valid for three (3), effective on January 7, 2026 years, provided standards are met; 2. The permit shall be posted in the same area and manner as the Certificate of Occupancy.		
Staff: Craig Garrison	Title : Planner	Date: December 3, 2025

History

Urban Bird was approved by P/Z for their initial Conditional Use Permit to allow for the on-premise consumption of Beer and Wine on August 27, 2024 and became active upon issuance of their Certificate of Occupancy on January 7, 2025. The property is located out of the Central Business Area's boundaries.

Additional Analysis

See below analysis.

Comments from Other Departments

Police	See Attached Police Report.
Fire	No Comment
Public Services	No Comment
Engineering	No Comment
Health/Code	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>X</u>			The proposed use is consistent with any adopted neighborhood character study for the area. <i>The proposed use is consistent with the adopted downtown plan. The downtown plan states in its Vision and Goals: "Attract people of all ages and walk of life with a greater diversity of shops, <u>restaurants</u>, housing, and employment options.</i>
<u>X</u>			The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.
<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.
<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>X</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. <i>No improvements are being proposed as the subject structure is an existing development.</i>
		<u>X</u>	The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties. <i>No visual impacts are expected to cause adverse effects on adjacent properties.</i>
		<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. <i>To address the CD-5D Zoning District two-story requirements an Alternative Compliance was approved at this site in 2023.</i>
<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. <i>This measurement is from front door to front door. The primary entrance of First United Methodist Church is located on Hutchison.</i>
<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.