



# **Public Hearing**

## **CUP-21-17**

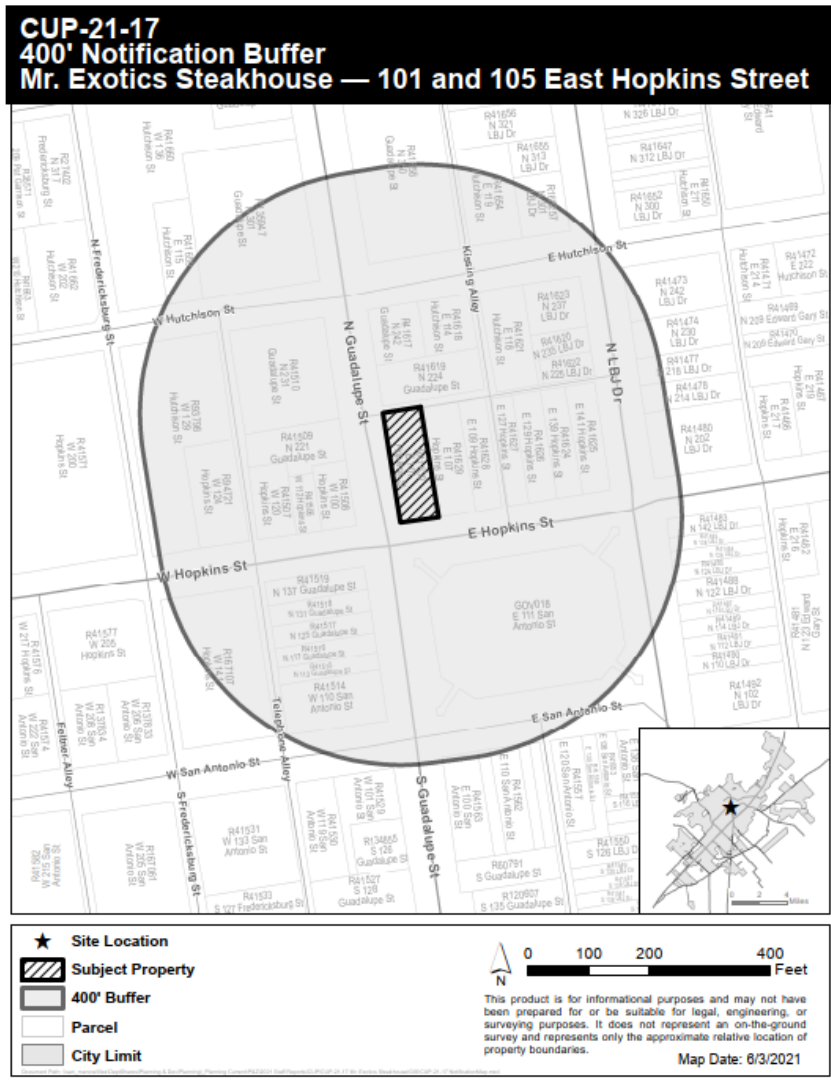
### **Mr. Exotics Steakhouse**

Hold a public hearing and consider an appeal the decision of the Planning and Zoning Commission to deny CUP-21-17, a request by John Mark Slack, on behalf of Mr. Exotics Steakhouse, for a new Conditional Use Permit to allow the sale and on-premise consumption of Mixed Beverages at 101 and 105 East Hopkins Street.



# Property Information

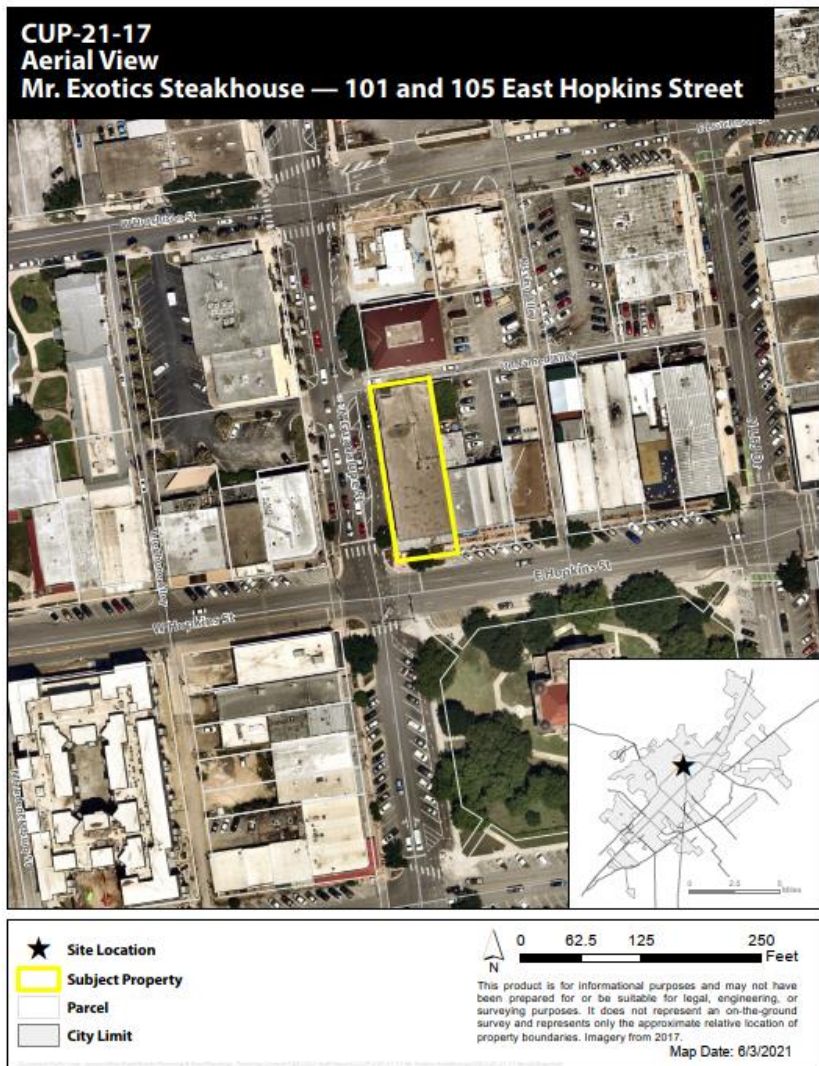
- Approximately 0.2076 acres
- Corner of East Hopkins Street and North Guadalupe Street





# Context & History

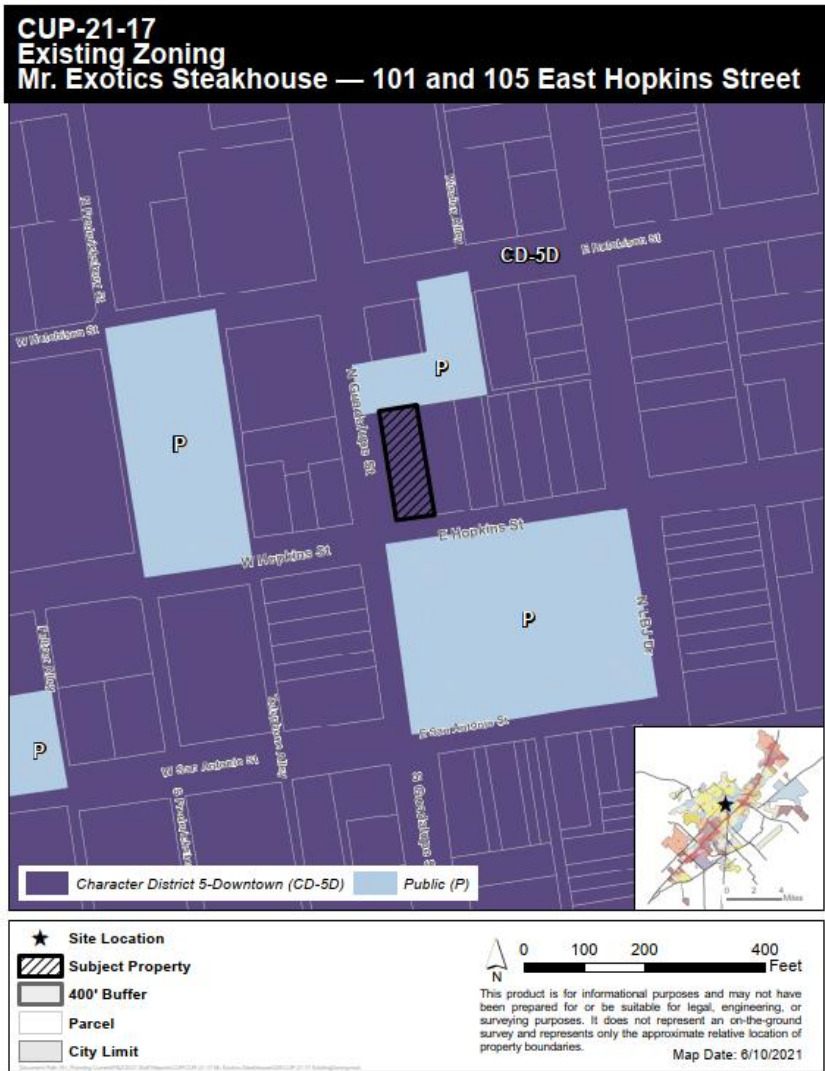
- Currently vacant
- Surrounding Uses
  - Blue Dahlia Bistro
  - The Vault
  - Hays County Courthouse Square
- High preservation priority within Hays County Courthouse National Register of Historic Places District





# Context & History

- Existing Zoning: CD-5D
- Proposed Use: Steakhouse Restaurant
  - Specializing in exotic game meats
  - Hours of operations are 10:00 AM to 11:00 PM (Tues-Sun)
- Code Enforcement issued Stop Work Order on 4/1/21





Staff provided this request to the Planning and Zoning Commission on June 22, 2021 and recommended **APPROVAL** of the Conditional Use Permit with 12 conditions.

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At their regular meeting on June 22, 2021 the Planning and Zoning Commission heard the request and voted to **DENY** the new Conditional Use Permit with an 8-0 vote.

The applicant submitted an application for the appeal on July 6, 2021, meeting the requirements of Section 2.8.3.6 of the San Marcos Development Code.

At their regular meeting on August 3, 2021 the City Council heard the request and voted to postpone the request to the September 7, 2021 meeting to allow the applicant time to submit revised plans and meet with staff.

**\*A super majority vote of the City Council is required to reverse the decision of the Planning and Zoning Commission.**



# Update

Following the August 3<sup>rd</sup> City Council meeting:

- **8.18.21**: Applicant met with the Police Department's Downtown Unit for a walk through the business
- **8.20.21**: Applicant has come into compliance with the Administrative Certificate of Appropriateness (HPC-21-04) and the decision of the Historic Preservation Commission in HPC-21-06
  - Painted the storefront & trim
  - Removed the unpermitted decorative trim along the storefront windows and kickplate
- As of **8.23.21**, no revised set of plans and revised menu have been submitted for review.
- As of **8.24.21**, no additional documentation has been provided for the food establishment review.



# Recommendation

Alternatively, should the City Council choose to approve the request, staff recommends the following conditions:

1. The permit is valid for six (6) months, provided standards are met.
2. The applicant shall not apply for a Mixed Beverage Late Hours permit from the TABC.
3. Food shall be available to patrons in all areas of the restaurant in a manner that meets the requirements of Section 5.1.5.5(4)(b), Eating Establishments – Downtown CBA Boundary.
4. The hours of operation shall be limited to Tuesday – Sunday: 11 AM – 10 PM, as stated in the application.
5. Inside amplified music shall be limited to the hours of operation as presented (11 AM – 10 PM).
6. Use of the second floor is prohibited unless a building permit or Certificate of Occupancy for the space has been obtained.





# Recommendation (Cont'd.)

- Staff recommends approval of the request with the following conditions:
  7. The permit shall be effective upon completion of a functioning kitchen that meets all Environmental Health requirements to allow for food preparation.
  8. The permit shall be effective upon issuance of an interior remodel permit.
  9. The permit shall be effective upon issuance of Permit 2021-35473 (Tenant Finish Out).
  10. The permit shall be effective upon the issuance of a Certificate of Occupancy.
  11. The permit shall be posted in the same area and manner as the Certificate of Occupancy.

**\*A super majority vote of the City Council is required to reverse the decision of the Planning and Zoning Commission.**



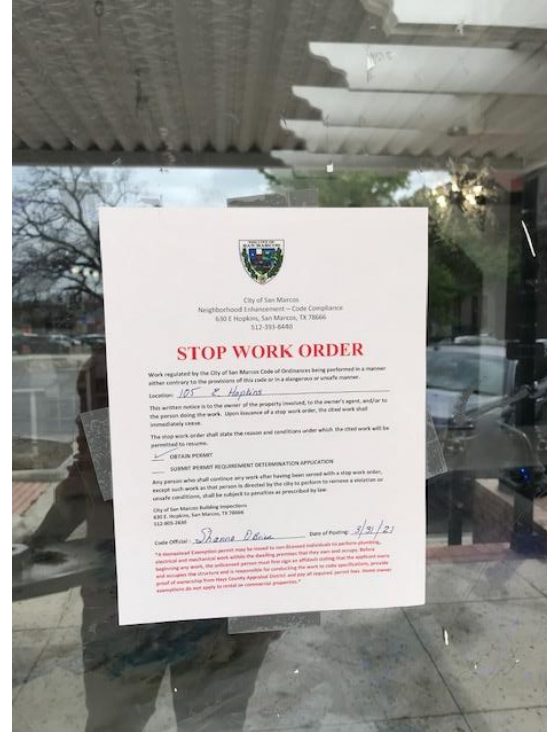


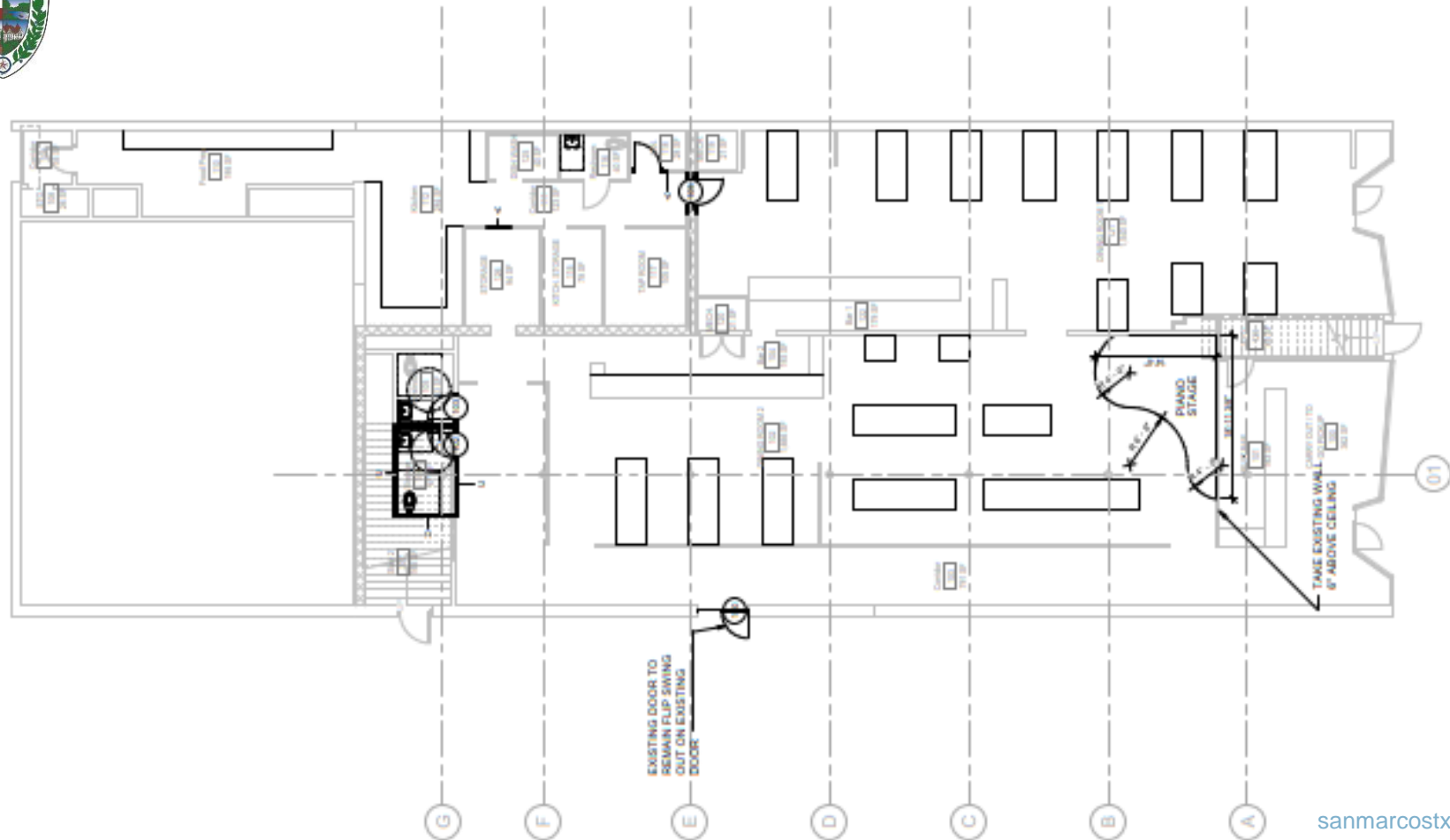
- **Photos from April 1 Code Enforcement Site Visit:**





## • Photos from April 1 Code Enforcement Site Visit:







# Mr. Exotics

Steakhouse & Home of the Exotic Drink  
105 E Hopkins San Marcos TX 78666

## Chiefs Top Choices

. Wagyu rib-eye 8oz \$68 . Churrasco Picanha \$42

. Top Steak Kebabs \$30

## Sides

. Mash potatoes . Asparagus . Bake potatoes . Green Beans.  
. Broccoli . Salad .

## Appetizers

Steak bread \$12

Flame dose \$12

Lobster tail bites  
\$15

Charcuterie  
board \$16

## Entrees

Bone-In Ribeye  
18oz \$29.99

Filet mignon  
6oz \$20 8oz \$29

Center cut sirloin  
8oz \$16 11oz \$19

New York strip  
16oz \$26

Ribeye  
12oz \$23 15oz \$26

T-Bone Steak  
22oz \$32

Eye of round  
8oz \$24