

Conditional Use Permit	913 N IH 35
CUP-24-24	Fuego Grill



Summary

Request:	New Conditional Use Permit		
Applicant:	Fuego San Marcos, LLC 3838 Oak Lawn Ave #430, Dallas, TX 75219	Property Owner:	Blisse Realty Holdings, LLC 19 Sanctuary Dr. San Antonio, TX 78248
CUP Expiration:	N/A	Type of CUP:	Mixed Beverage
Interior Floor Area:	3,182 sq ft	Outdoor Floor Area:	400 sq ft
Parking Required:	38 spaces	Parking Provided:	Yes
Days & Hours of Operation:	Monday: Closed Tuesday: 7am-midnight Wednesday: 24 hours Thursday: 24 hours Friday: 24 hours Saturday: 24 hours Sunday: 24 hours		

Notification

Posted:	7/5/2024	Personal:	7/5/2024
Response:	None as of the date of this report		

Property Description

Legal Description:	Rio Vista Terrace Subdivision, Block 1, Lot 68A		
Location:	IH 35 Frontage, approximately 500 feet south of Rio Vista Street		
Acreage:	0.86 acres	PDD/DA/Other:	N/A
Existing Zoning:	General Commercial	Proposed Zoning:	Same
Existing Use:	Restaurant	Proposed Use:	Restaurant
Preferred Scenario:	Existing Neighborhood	Proposed Designation:	Same
CONA Neighborhood:	Rio Vista Neighborhood	Sector:	4
Utility Capacity:	Adequate	Floodplain:	Yes
Historic Designation:	N/A	My Historic SMTX Resources Survey:	No

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	General Commercial	Hotel	Existing Neighborhood
South of Property:	General Commercial	Offices	Existing Neighborhood
East of Property:	General Commercial/ Community Commercial	Retail/ Restaurant	Existing Neighborhood
West of Property:	Single-Family 6	Single Family Homes	Existing Neighborhood

Staff Recommendation

Approval as Submitted	<input checked="" type="checkbox"/>	Approval with Conditions	<input type="checkbox"/>	Denial	<input type="checkbox"/>
1. The permit shall be valid for one (1) year, provided standards are met; and 2. The permit shall be posted in the same area and manner as the Certificate of Occupancy.					
Staff: Craig Garrison	Title : Planner		Date: 7/17/2024		

Conditional Use Permit	913 N IH 35
CUP-24-24	Fuego Grill



History

This is a new request.

Additional Analysis

The applicant has applied for a Conditional Use Permit for On-Premise Mixed Beverage sales and is planning on selling alcohol during the “Late Hours.” The restaurant is open twenty-four hours and plans to stop selling alcohol at 2am. The applicant has no intention of selling alcohol to-go.

Comments from Other Departments

Police	No Calls Reported
Fire	No Comment
Public Services	No Comment
Engineering	No Comment
Health/Code	No Comment

**Conditional Use Permit
CUP-24-24**

**913 N IH 35
Fuego Grill**



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. <i>Studies were not complete at the time of the request.</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.
<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. <i>The business is approximately 1,010 feet from the nearest detached single family residence. (Measured per TABC regulations)</i>
<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