

Conditional Use Permit	4025 S IH 35
CUP-23-20	Shake Shack



Summary

Request:	New Conditional Use Permit request by Shake Shack Texas Beverage Company, LLC., for a Conditional Use Permit to allow the sale of Beer and Wine.		
Applicant:	Shake Shack Texas Beverage Company 225 Varick St, Suite 301 New York, NY 10014	Property Owner:	Brackin Schwartz PLLC 511 W 7 th St Austin, TX 78701
CUP Expiration:	N/A	Type of CUP:	Beer & Wine
Interior Floor Area:	3546 sq ft	Outdoor Floor Area:	Approximately 1000 sq. ft.
Parking Required:	38 spaces	Parking Provided:	Yes, and shared parking available
Days & Hours of Operation:	Monday-Sunday: 10am-12am		

Notification

Posted:	8/25/2023	Personal:	8/25/2023
Response:	None as of the date of this report		

Property Description

Legal Description:	Tanger Factory Outlet, Lot 1C		
Location:	Located near the intersection of IH-35 Frontage Road and Centerpoint Road		
Acreage:	1.46 acres	PDD/DA/Other:	N/A
Existing Zoning:	GC	Proposed Zoning:	Same
Existing Use:	Restaurant	Proposed Use:	Same
Preferred Scenario:	Employment Area Zone	Proposed Designation:	Same
CONA Neighborhood:	N/A	Sector:	5
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:	GC	Retail Sales	Employment Area Zone
South of Property:	GC/CD-5	Retail Sales/Vacant	Employment Area Zone
East of Property:	GC	Retail Sales/Vacant	Employment Area Zone
West of Property:	GC	Retail Sales	Employment Area Zone

Staff Recommendation

Approval as Submitted	<input checked="" type="checkbox"/> Approval with Conditions	<input type="checkbox"/> Denial
1. The permit shall be valid for a (1) year, 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: 9/20/2023

Conditional Use Permit	4025 S IH 35
CUP-23-20	Shake Shack



History

This is a new request

Additional Analysis

The applicant is requesting a Conditional Use Permit to allow the use of on-premises consumption of beer and wine.

Comments from Other Departments

Police	No Calls Reported
Fire	No Comment
Public Services	No Comment
Engineering	No Comment

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.
<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.
<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.