

Conditional Use Permit CUP-26-24	119 E Hutchison St Southbound Social
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Summary

Request:	New Conditional Use Permit (CUP)		
Applicant:	Dylan Wild 3890 Hunter Rd New Braunfels, TX 78132	Property Owner:	Allen Shy 2686 Black Bear Dr New Braunfels, TX 78132
CUP Expiration:	N/A	Type of CUP:	CBA Restaurant Mixed Beverage
Interior Floor Area:	2,325 sq ft	Outdoor Floor Area:	5,175 sq ft
Parking Required:	N/A	Parking Provided:	N/A
Days & Hours of Operation:	Monday: Closed Tuesday & Wednesday: 4pm-2am Thursday: 3pm-2am Friday: 2pm-2am Saturday & Sunday: 12pm-2am		

Notification

Posted:	April 24, 2026	Personal:	April 24, 2026
Response:	None as of the date of this report		

Property Description

Legal Description:	Lot W ½ of 1-2, Block 24 in the Original Town of San Marcos		
Location:	Approximately 80 feet West from the corner of N LBJ Dr and E Hutchison St		
Acreage:	0.304 acres	PDD/DA/Other:	N/A
Existing Zoning:	Character District 5 Downtown (CD-5D)	Proposed Zoning:	Same
Existing Use:	Restaurant	Proposed Use:	Same
Preferred Scenario:	Mixed Use Medium	Proposed Designation:	Same
CONA Neighborhood:	Downtown (CBA)	Sector:	8
Utility Capacity:	Adequate	Floodplain:	No
Historic Designation:	N/A	My Historic SMTX Resources Survey:	Yes, Medium Preservation Priority

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	Character District-5 Downtown (CD-5D)	Restaurant & Retail (Domino's Pizza, Fat Shack, Marvelous Smoke, Skip's Beer Wine & Liquor)	Mixed Use Medium
South of Property:	Public and Institutional (P)	Civic (Fire Station #1)	Mixed Use Medium
East of Property:	Character District-5 Downtown (CD-5D)	Bar (Blind Salamander)	Mixed Use Medium
West of Property:	Character District-5 Downtown (CD-5D)	Vacant (Parking Lot)	Mixed Use Medium

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Staff Recommendation

Approval as Submitted	<input checked="" type="checkbox"/> Approval with Conditions	Denial
<ol style="list-style-type: none"> The permit shall be valid for one (1) year, and shall expire on May 12, 2027, provided standards are met; No outdoor Amplified, Background, and/or Acoustic Sound shall be permitted after the closing of the business but in no case later than 10 pm Sunday – Thursday. No outdoor Amplified, Background, and/or Acoustic Sound shall be permitted after the closing of the business but in no case later than 11 pm Friday – Saturday. The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.E.2.d); The business must have a kitchen and food storage facilities of sufficient size to enable food preparation. The kitchen must be equipped with, and must utilize, a commercial grill, griddle, fryer, oven, or similar heavy food preparation equipment; The business must serve meals to customers during at least two meal periods each day the business is open. A meal must consist of at least one entree, such as a meat serving, a pasta dish, pizza, a sandwich or similar food in a serving that serves as a main course for a meal. At least three entrees must be available during each meal period. A meal period means a period of at least four hours; The business must be used, maintained, advertised and held out to the public as a place where meals are prepared and served; The business shall not pursue or hold a TABC Late Hours permit; The occupancy is required to remain compliant with the fire code, to include ensuring that occupant loads stay at or below posted levels; and The permit shall be posted in the same area and manner as the Certificate of Occupancy. 		
Staff: Kaitlyn Buck	Title: Planner	Date: May 6, 2026

History

This location has formerly been multiple businesses including Louie’s Oyster House & Beer Garden and Bull Daddies, all of which have held a Restaurant CUP with the sale of mixed beverages and a late-hour TABC permit. The most recent business at this location, Bull Daddies received a Restaurant CUP for Mixed Beverages in 2021. The business permanently closed in December of 2025.

Additional Analysis

Senate Bill 1008 provides provisions on the city’s ability to prohibit amplified sound at a restaurant. Per this bill and staff’s analysis, the City can enforce the existing noise ordinance and the conditions related to noise added to this CUP.

Comments from Other Departments

Police	No Calls Reported
Fire	No Comment
Public Services	No Comment
Engineering	No Comment
Health/Code Compliance	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 small area plan or neighborhood character study for the area. <i>The proposed business meets goals, such as fostering small businesses, written in the Downtown Area Plan.</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. <i>The proposed use is compatible with and preserves the character and integrity of adjacent developments; no improvements are necessary at this time.</i>
<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.
<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 5.1.5.5.