



# Public Hearing

## CUP-24-65

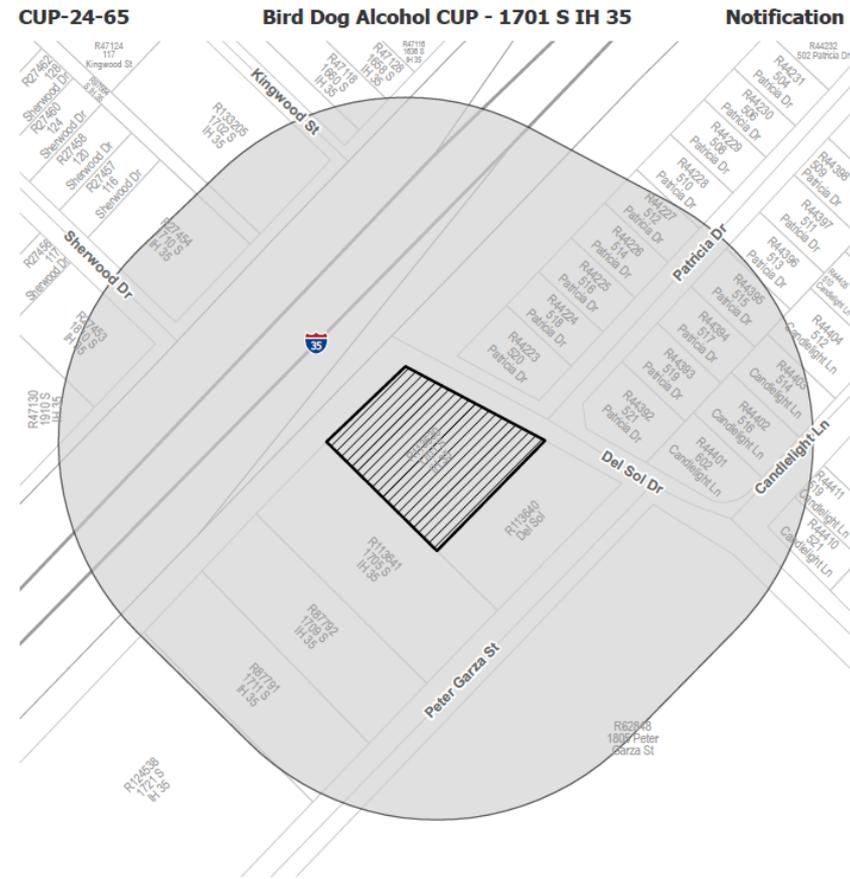
### Bird Dog

CUP-24-65 (Bird Dog) Hold a public hearing and consider a request by Justin Pearson, on behalf of Bird Dog, for a Conditional Use Permit to allow on premise consumption of Beer & Wine, located at 1701 S IH 35. (K. Buck)



# Property Information

- Approximately 1.05 acres
- Located on the Southeast corner of Del Sol Dr and IH 35 Frontage



 Subject Property  
 400ft Buffer  
 Parcel



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Date: 11/15/2024



[ostx.gov](http://ostx.gov)

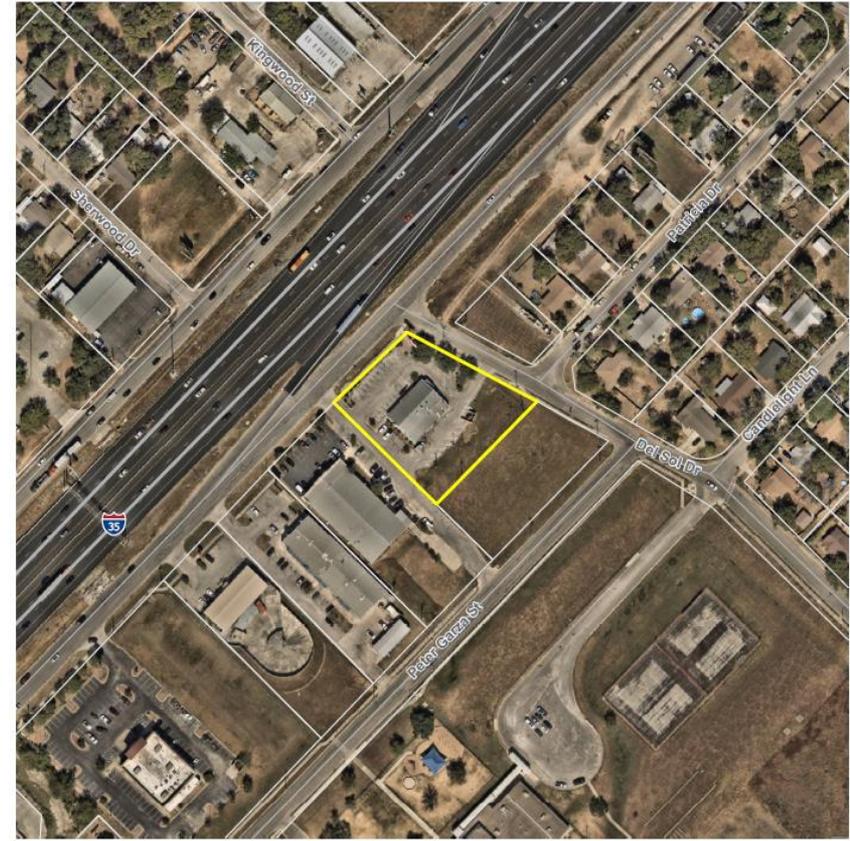


# Context & History

Currently: Restaurant

## Surrounding Uses

- Single family
- Public School
- Auto Repair

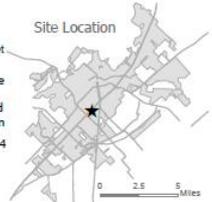


 Subject Property  
 Parcel



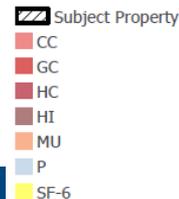
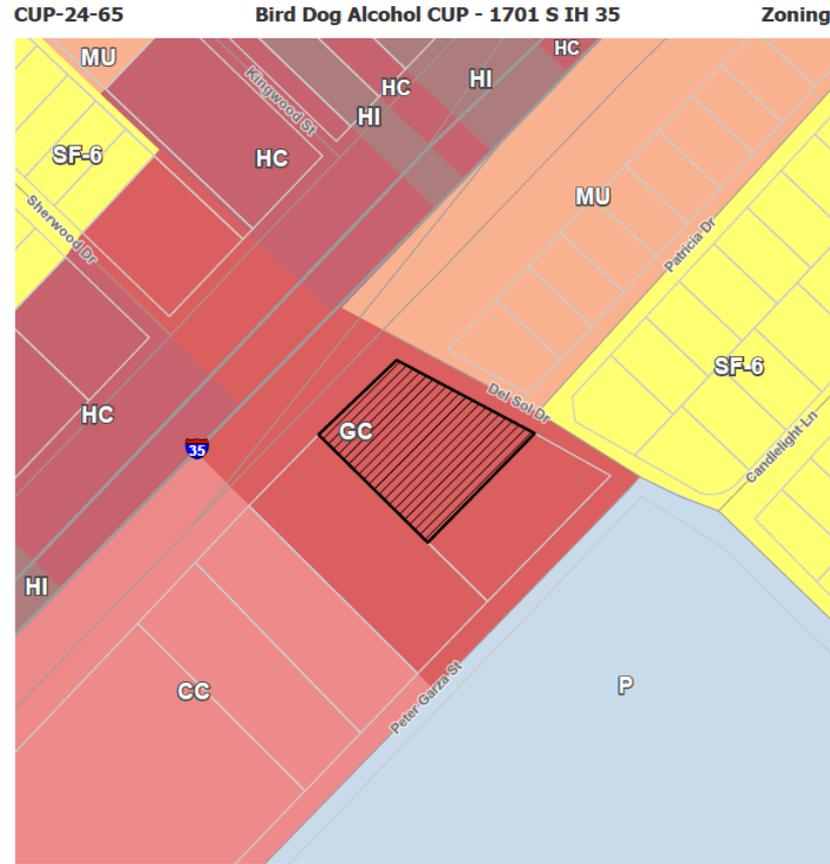
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Date: 11/19/2024



# Context & History

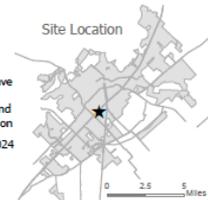
- Existing Zoning:  
General Commercial (GC)
- Proposed Use: Restaurant
  - Hours of Operation:
    - 10am-11pm Monday-Sunday
- CUP Expiration Date:  
this is a new request



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SAN MARCOS Planning and Development Services



ix.gov

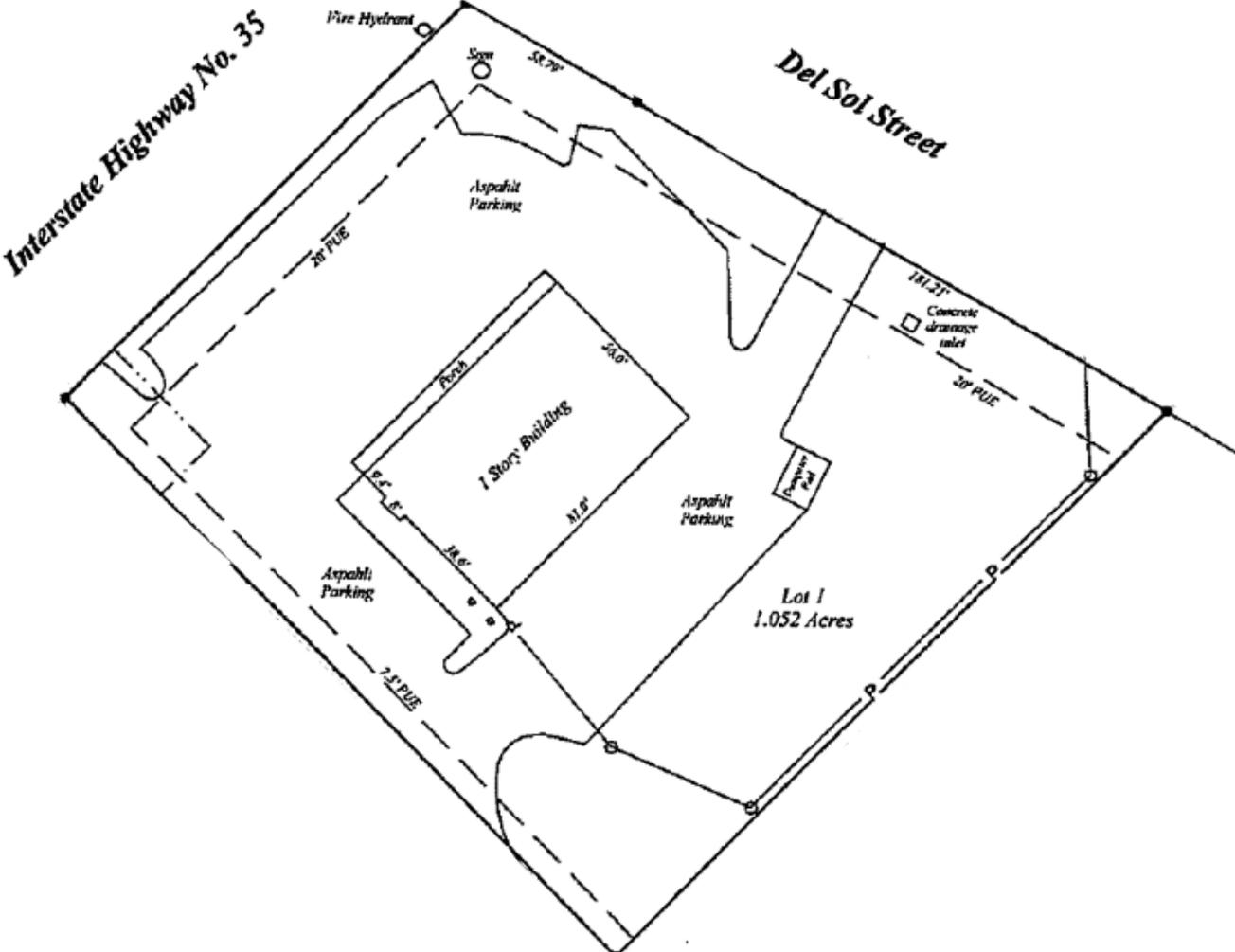
# Public School Distance Map

**Measurement.** The measurement of the distances regulated in this Section 5.1.5.5 shall be as follows:

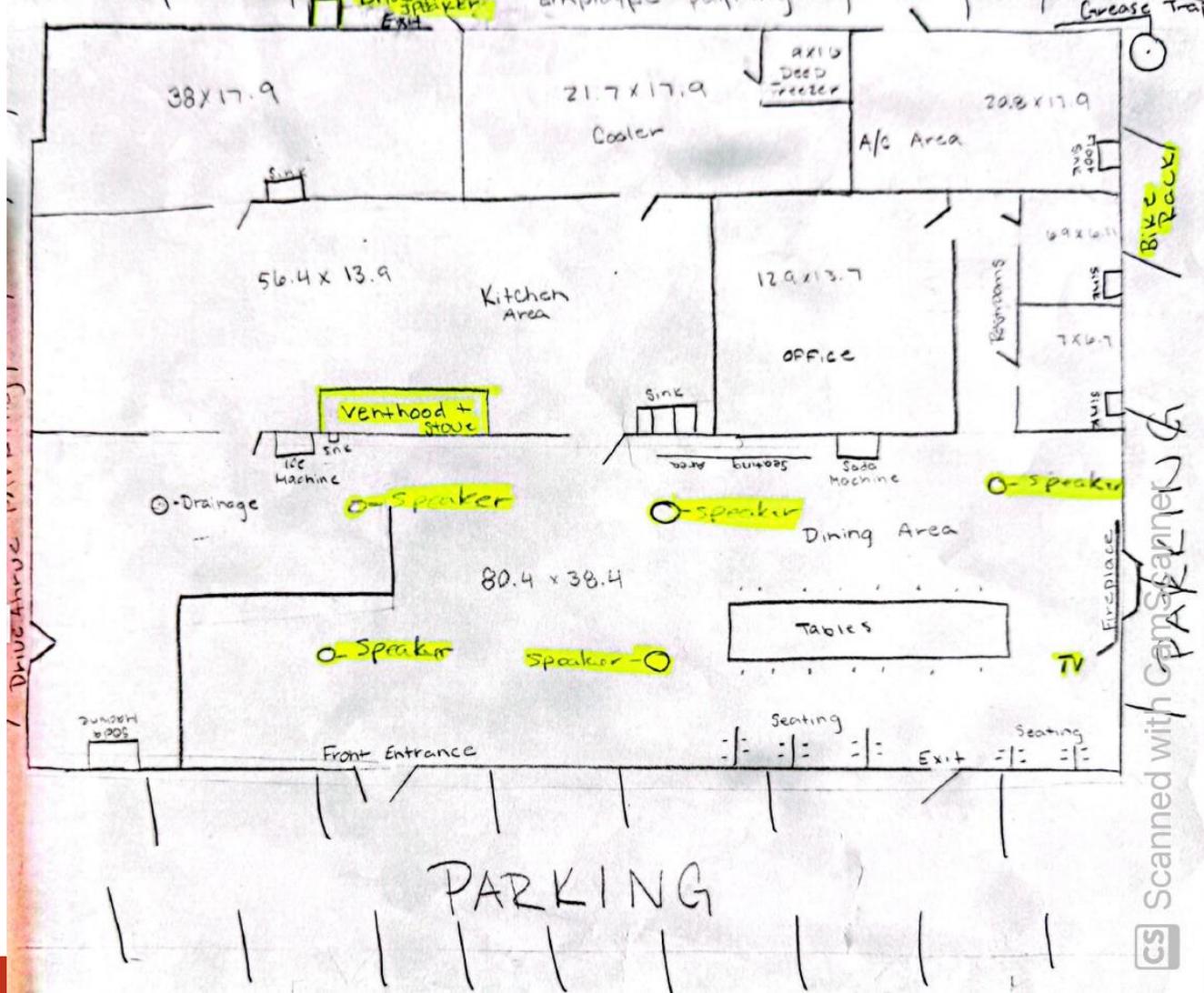
- b. Between a place of business where alcoholic beverages are sold and the public or private school shall be:
  - 1. In a direct line from the property line of the place of business, and in a direct line across intersections.



# Site Plan



# Floor Plan



Scanned with CamScanner & CS



# Recommendation

Staff recommends approval of CUP-24-65 with the following conditions:

1. This permit approval is subject to the Commission's approval of the Distance Variance VR-25-01; and
2. The permit shall be valid for one (1) year, provided standards are met; and
3. Any addition of outdoor seating on the site shall necessitate an amendment to this CUP; and
4. No outdoor amplified music shall be permitted; and

Continued...



## Recommendation Continued...

5. The following statement shall be included on all restaurant menus: “Due to the close proximity of a school campus, please be alert for students and drive carefully. This restaurant will accommodate, as necessary, any individual that needs transportation after consuming alcoholic beverages”; and
6. The restaurant shall operate such that gross revenue from alcohol sales will be less than 25% of the total gross revenue for the business, with the restaurant submitting annual reports indicating this condition has been met; and
7. The permit shall be effective upon issuance of the Certificate of Occupancy; and
8. The permit shall be posted in the same area and manner as the Certificate of Occupancy.

# Single-Family Distance Map

**Measurement.** The measurement of the distances regulated in this Section 5.1.5.5 shall be as follows:

- a. Between a place of business where alcoholic beverages are sold and the church, public hospital, or residence shall be along the property lines of street fronts and from front door to front door, and in a direct line across street intersections.

