

<b>Conditional Use Permit</b>	<b>111 Staples Rd</b>
<b>CUP-25-32</b>	<b>Mi Patron</b>



### Summary

<b>Request:</b>	New Conditional Use Permit		
<b>Applicant:</b>	Franco Ortiz 111 Staples Rd San Marcos, TX 78666	<b>Property Owner:</b>	Franco Ortiz 111 Staples Rd San Marcos, TX 78666
<b>CUP Expiration:</b>	N/A	<b>Type of CUP:</b>	Beer & Wine
<b>Interior Floor Area:</b>	1,385 sq ft	<b>Outdoor Floor Area:</b>	N/A
<b>Parking Required:</b>	10 spaces	<b>Parking Provided:</b>	Yes
<b>Days &amp; Hours of Operation:</b>	Monday-Sunday: 7am-9pm		

### Notification

<b>Posted:</b>	7/25/25	<b>Personal:</b>	7/25/25
<b>Response:</b>	None as of the date of this report		

### Property Description

<b>Legal Description:</b>	Lot 4, Block 3 in the C D Wallace Subdivision		
<b>Location:</b>	East side of Staples Road, approximately 150 feet North of Laredo Street		
<b>Acreage:</b>	0.15 acres	<b>PDD/DA/Other:</b>	N/A
<b>Existing Zoning:</b>	Mixed Use (MU)	<b>Proposed Zoning:</b>	Same
<b>Existing Use:</b>	Restaurant	<b>Proposed Use:</b>	Same
<b>Preferred Scenario:</b>	Mixed Use Low	<b>Proposed Designation:</b>	Same
<b>CONA Neighborhood:</b>	Wallace Addition	<b>Sector:</b>	5
<b>Utility Capacity:</b>	Adequate	<b>Floodplain:</b>	No
<b>Historic Designation:</b>	N/A	<b>My Historic SMTX Resources Survey:</b>	No

### Surrounding Area

	<b>Zoning</b>	<b>Existing Land Use</b>	<b>Preferred Scenario</b>
<b>North of Property:</b>	General Commercial (GC)	Restaurants (Bush's Chicken)	Commercial/Employment Medium
<b>South of Property:</b>	Mixed Use (MU)	Restaurant (El Taco Feliz)	Neighborhood Low
<b>East of Property:</b>	Single Family 6 (SF-6)	Single-Family Residential	Neighborhood Low
<b>West of Property:</b>	General Commercial (GC)	Retail (QC Meat Market)	Commercial/Employment Medium

### Staff Recommendation

Approval as Submitted	<input checked="" type="checkbox"/> <b>Approval with Conditions</b>	<input type="checkbox"/> Denial
<ol style="list-style-type: none"> <li>The permit shall be valid for one (1) year, provided standards are met; and</li> <li>No outdoor amplified music shall be permitted; and</li> <li>A protective yard type A or B shall be installed prior to renewal of this Conditional Use Permit; and</li> <li>The permit shall be posted in the same area and manner as the Certificate of Occupancy.</li> </ol>		
<b>Staff:</b> Kaitlyn Buck	<b>Title:</b> Planner	<b>Date:</b> 8/6/25

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### **History**

This is a new request.

### **Additional Analysis**

Due to proximity to surrounding residences, staff has added conditions related to noise and screening.

See additional analysis below.

### **Comments from Other Departments**

<b>Police</b>	No Calls Reported
<b>Fire</b>	No Comment
<b>Public Services</b>	No Comment
<b>Engineering</b>	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>N/A</u>	The proposed use is consistent with any adopted neighborhood character study for the area. <b>The subject property is not located within a neighborhood character study area.</b>
<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. <b>The proposed use is compatible with and preserves the character and integrity of adjacent developments; no improvements are necessary at this time.</b>
<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. <b>No improvements are being proposed as the subject structure is an existing development.</b>
		<u>X</u>	The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties. <b>No visual impacts are expected to cause adverse effects on adjacent properties.</b>
<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. <b>Although there is a single-family home adjacent to the subject property, the zoning district in which it is located does not exclusively permit detached single-family residences.</b>
<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.