

<b>Conditional Use Permit</b>	<b>1625 Hunter Road</b>
<b>CUP-18-16</b>	<b>Jacks Roadhouse</b>



### Summary

<b>Request:</b>	Consider a request by Jacks Roadhouse for a change to their conditional use permit from beer and wine to mixed beverages.		
<b>Applicant:</b>	Phillip Nadeau 101 Riverpark Drive Martindale, TX 78666	<b>Property Owner:</b>	Hallucivision 101 Riverpark Drive Martindale, TX 78666
<b>CUP Expiration:</b>	N/A	<b>Type of CUP:</b>	Mixed Beverage
<b>Interior Floor Area:</b>	1800 sq ft	<b>Outdoor Floor Area:</b>	400 sq ft
<b>Parking Required:</b>	15 spaces	<b>Parking Provided:</b>	Yes
<b>Days &amp; Hours of Operation:</b>	Sunday – Saturday: 2pm-2am		

### Notification

<b>Application:</b>	N/A	<b>Neighborhood Meeting:</b>	N/A
<b>Published:</b>	N/A	<b># of Participants:</b>	N/A
<b>Posted:</b>	July 27, 2018	<b>Personal:</b>	July 27, 2018
<b>Response:</b>	None as of the date of this report		

### Property Description

<b>Legal Description:</b>	Knights of Columbus Block 1, Lot 2		
<b>Location:</b>	Hunter Road and Dixon Street		
<b>Acreage:</b>	1 acre	<b>Central Business Area:</b>	No
<b>Existing Zoning:</b>	CC, Community Commercial	<b>Preferred Scenario:</b>	Low Intensity
<b>Existing Use:</b>	Bar	<b>Proposed Use:</b>	Bar / Restaurant
<b>CONA Neighborhood:</b>	Dunbar	<b>Sector:</b>	1
<b>Utility Capacity:</b>	Adequate		

### Surrounding Area

	<b>Zoning</b>	<b>Existing Land Use</b>	<b>Preferred Scenario</b>
<b>North of Property:</b>	GC	Small Engine Sales / Repairs	Low Intensity
<b>South of Property:</b>	FD	Vacant / VFW	Low Intensity
<b>East of Property:</b>	FD	Vacant	Low Intensity
<b>West of Property:</b>	SF-6	Single-Family	Low Intensity

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**History**

Jack’s roadhouse has been in operation for a number of years with our records indicating a Conditional Use Permit being issued in 1996 with no expiration date. In March 2018 the current owner of the business applied for and received approval of an administrative name change of the owner to Hallucivision. Note that the trade name will remain as Jacks Roadhouse.

The current owner is in the process of obtaining a health permit to serve food on the premises.

**Additional Analysis**

Staff’s primary concern is the business’s proximity to single-family residences in the area. While the business is directly across the street from a home located at 1538 W. Hopkins St, the business does meet the minimum requirement of 300 feet from the front door of the business to the front door of the home. To alleviate potential negative impacts, staff recommends a condition restricting outdoor live music.

**Comments from Other Departments**

<b>Police</b>	Comment or No Comment
<b>Fire</b>	Comment or No Comment
<b>Public Services</b>	Comment or No Comment
<b>Engineering</b>	Comment or No Comment

**Staff Recommendation**

Approval as Submitted	<input checked="" type="checkbox"/>	Approval with Conditions / Alternate	<input type="checkbox"/>	Denial	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>• The permit shall be valid for one year provided standards are met;</li> <li>• The permit shall become effective upon the issuance of a Change of Owner Certificate of Occupancy;</li> <li>• The permit shall be posted in the same area and manner as the certificate of occupancy; and</li> <li>• No outdoor amplified live music be shall allowed on the property.</li> </ul>					
<b>Staff:</b> Tory Carpenter, CNU-A		<b>Title :</b> Planner		<b>Date:</b> August 9, 2018	

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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.
<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.