



Legislation Text

File #: CUP-21-17, **Version:** 1

AGENDA CAPTION:

CUP-21-17 (Mr. Exotics Steakhouse) Hold a public hearing and consider a request by John Mark Slack, on behalf of Mr. Exotics Steakhouse, for a new Conditional Use Permit to allow the sale and on premise consumption of Mixed Beverages at 101 and 105 East Hopkins Street. (A. Brake)

Meeting date: June 22, 2021

Department: Planning & Development Services

Amount & Source of Funding

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

Fiscal Note:

Prior Council Action: N/A

City Council Strategic Initiative:

N/A

Comprehensive Plan Element (s):

- Economic Development
- Environment & Resource Protection
- Land Use
- Neighborhoods & Housing
- Parks, Public Spaces & Facilities
- Transportation
- Core Services
- Not Applicable

Master Plan:

N/A

Background Information:

The applicant is requesting a CUP to serve Mixed Beverages for a new steakhouse, specializing in steaks made from exotic game. Located on the ground level of a two-story building in the Downtown Square, the space used to be home to River Rose retail shop and the Central Texas Ballet Studio.

Code Enforcement received a complaint regarding construction occurring to the interior of the building. After inspection of the property, Code Enforcement found no evidence of permits being issued for the work and staff issued a Stop Work Order on April 1, 2021.

Restaurant and Bar uses serving alcohol within the downtown CBA are subject to specific Use Standards which include limitations on noise, cleanliness of immediately adjacent areas, serving meals to customers, and 3 year maximum terms of CUP validity. Staff's recommended conditions correspond with concerns received from other departments.

Council Committee, Board/Commission Action:

N/A

Alternatives:

N/A

Recommendation:

Staff has reviewed the application with criteria from Sections 2.8.3.4 and 5.1.5.5 of the San Marcos Development Code and recommends **approval** with the following conditions:

1. **The permit is valid for six (6) months, provided standards are met.**
2. **Food shall be available to patrons in all areas of the restaurant in a manner that meets the requirements of Section 5.1.5.5(4)(b), Eating Establishments - Downtown CBA Boundary.**
3. **No alcoholic beverages may be consumed on premises after the posted hours of operation.**
4. **Inside amplified music shall be limited to the posted hours of operation.**
5. **Use of the second floor is prohibited unless a building permit or Certificate of Occupancy for the space has been obtained.**
6. **The permit shall be effective upon completion of a functioning kitchen that meets all Environmental Health requirements to allow for food preparation.**
7. **The permit shall be effective upon compliance with the approved Administrative Certificate of Appropriateness (HPC-21-04).**
8. **The permit shall be effective upon compliance with the decision of the Historic Preservation Commission in Case HPC-21-06.**
9. **The permit shall be effective upon issuance of an interior remodel permit.**

- 10. The permit shall be effective upon issuance of Permit 2021-35473 (Tenant Finish Out).**
- 11. The permit shall be effective upon the issuance of a Certificate of Occupancy.**
- 12. The permit shall be posted in the same area and manner as the Certificate of Occupancy.**

Conditional Use Permit	101 & 105 East Hopkins Street
CUP-21-17	Mr. Exotics Steakhouse



Summary

Request:	New Conditional Use Permit		
Applicant:	John Mark Slack 714 Burleson Street San Marcos, TX 78666	Property Owner:	Carl Aiken 242 Whitney Run Buda, TX 78610
CUP Expiration:	N/A	Type of CUP:	Restaurant / Mixed Beverage
Interior Floor Area:	3,000 sq. ft.	Outdoor Floor Area:	N/A
Parking Required:	0 spaces	Parking Provided:	N/A
Days & Hours of Operation:	Monday: CLOSED Tuesday – Sunday: 11am-10pm		

Notification

Application:	N/A	Neighborhood Meeting:	N/A
Published:	N/A	# of Participants:	N/A
Posted:	June 4, 2021	Personal:	June 4, 2021
Response:	None as of the date of this report		

Property Description

Legal Description:	Original Town of San Marcos, Block 20, Lot W ¾ of 8		
Location:	Corner of East Hopkins Street and North Guadalupe Street		
Acreage:	0.2076 acres	PDD/DA/Other:	N/A
Existing Zoning:	CD-5D	Proposed Zoning:	CD-5D
Existing Use:	Vacant	Proposed Use:	Steakhouse Restaurant
Preferred Scenario:	Downtown High Intensity	Proposed Designation:	Same
CONA Neighborhood:	Downtown	Sector:	8
Utility Capacity:	Adequate	Floodplain:	No
Historic Designation:	Downtown Historic District; Hays County Courthouse District National Register of Historic Places	My Historic SMTX Resources Survey	Yes; High Preservation Priority

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	CD-5D	218 Co-Op Gallery	Downtown High Intensity
South of Property:	CD-5D	Hays County Courthouse	Downtown High Intensity
East of Property:	CD-5D	Blue Dahlia Bistro	Downtown High Intensity
West of Property:	CD-5D	The Vault	Downtown High Intensity

Conditional Use Permit	101 & 105 East Hopkins Street
CUP-21-17	Mr. Exotics Steakhouse



Staff Recommendation

Approval as Submitted	<input checked="" type="checkbox"/> Approval with Conditions	Denial
<p>Staff has reviewed the application with criteria from Sections 2.8.3.4 and 5.1.5.5 of the San Marcos Development Code and recommends approval with the following conditions:</p> <ol style="list-style-type: none"> 1. The permit is valid for six (6) months, provided standards are met. 2. Food shall be available to patrons in all areas of the restaurant in a manner that meets the requirements of Section 5.1.5.5(4)(b), Eating Establishments – Downtown CBA Boundary. 3. The hours of operation shall be limited to Tuesday – Sunday: 11 AM – 10 PM, as stated in the application. 4. Inside amplified music shall be limited to the hours of operation as presented (11 AM – 10 PM). 5. Use of the second floor is prohibited unless a building permit or Certificate of Occupancy for the space has been obtained. 6. The permit shall be effective upon completion of a functioning kitchen that meets all Environmental Health requirements to allow for food preparation. 7. The permit shall be effective upon compliance with the approved Administrative Certificate of Appropriateness (HPC-21-04). 8. The permit shall be effective upon compliance with the decision of the Historic Preservation Commission in Case HPC-21-06. 9. The permit shall be effective upon issuance of an interior remodel permit. 10. The permit shall be effective upon issuance of Permit 2021-35473 (Tenant Finish Out). 11. The permit shall be effective upon the issuance of a Certificate of Occupancy. 12. The permit shall be posted in the same area and manner as the Certificate of Occupancy. 		
Staff: Alison Brake, CNU-A	Title: Historic Preservation Officer	Date: June 17, 2021

Conditional Use Permit	101 & 105 East Hopkins Street
CUP-21-17	Mr. Exotics Steakhouse



History

The applicant is requesting a CUP to serve Mixed Beverages for a new steakhouse, specializing in steaks made from exotic game. Located on the ground level of a two-story building in the Downtown Square, the space used to be home to River Rose retail shop and the Central Texas Ballet Studio.

Code Enforcement received a complaint regarding construction occurring to the interior of the building. After inspection of the property, Code Enforcement found no evidence of permits being issued for the work and staff issued a Stop Work Order on April 1, 2021.

Additional Analysis

Restaurant and Bar uses serving alcohol within the downtown CBA are subject to specific Use Standards which include limitations on noise, cleanliness of immediately adjacent areas, serving meals to customers, and 3-year maximum terms of CUP validity. Staff’s recommended conditions correspond with concerns received from other departments. See additional analysis below.

Comments from Other Departments

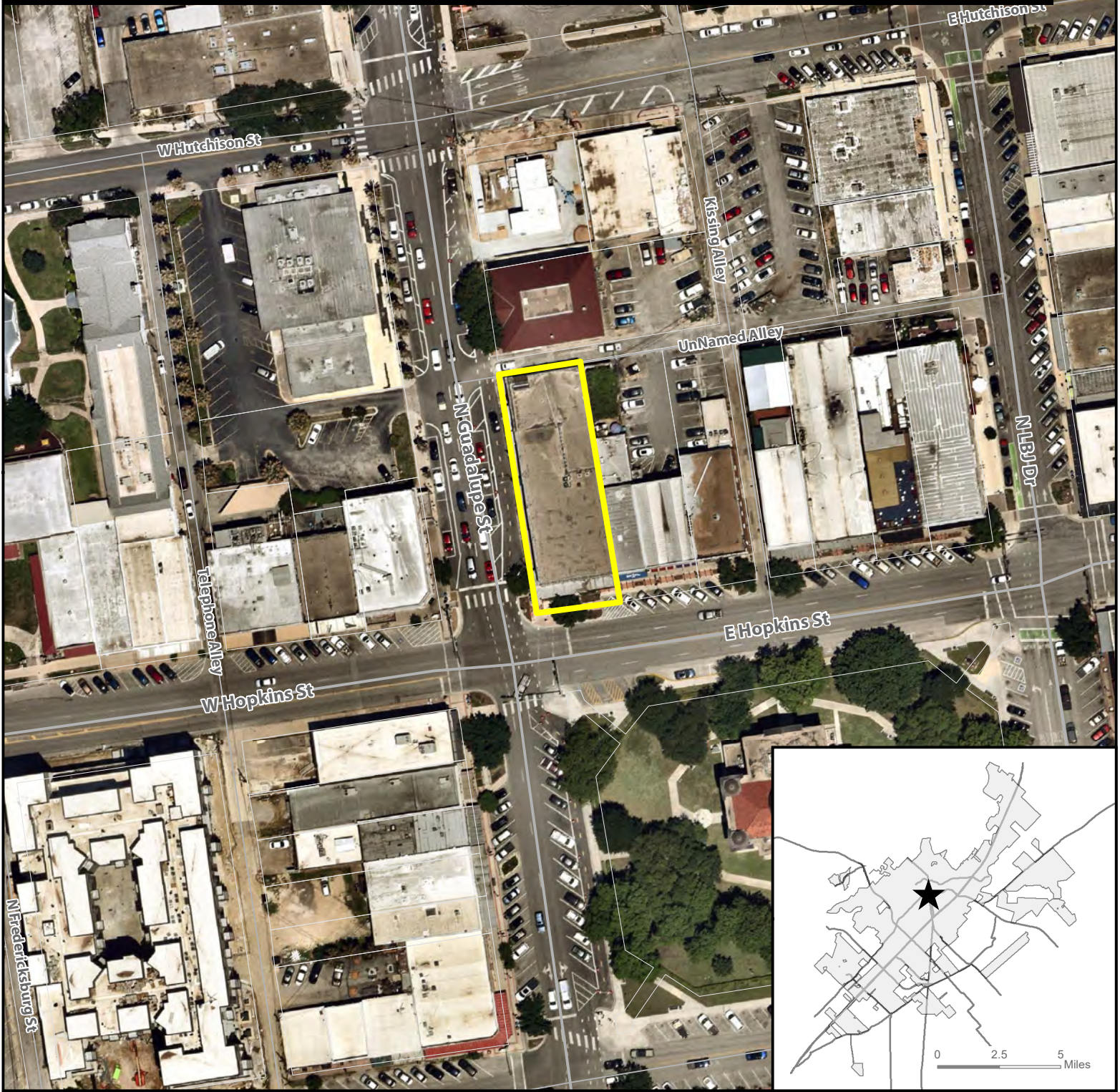
Police	The Police Department is concerned with the piano stage shown on Page 6 of the plans submitted and believe that without adequate seating, this is an attempt to run a bar under the guise of being a restaurant.
Fire	The Fire Department raised no concerns with proposed use of the space. However, they would like a better understanding of what occupancy type the applicant is intending for the second story space. <i>(At this time, there is no plan to utilize the second story.)</i>
Public Services	No Comment
Engineering	No Comment
Convention and Visitor Bureau (CVB)	The CVB has concerns with the size of the kitchen stating that it appears to be inadequate for a steakhouse or a fully operational restaurant and small or an inadequate kitchen size traditionally leads to poor customer service. Steakhouse type restaurants require a higher standard of service. Their concern is that the focus of this project appears as a dance club or bar rather than a restaurant.
Code Enforcement	Code Enforcement has verified that work on the interior of the building without the proper permits being issued has continued since the Stop Work Order was issued; work verified through video footage of people entering and exiting the property at night and on the weekends. The property owner allowed Code Enforcement staff into the building where staff verified that an interior wall has been removed, allowing passage between 101 and 105 E. Hopkins St. Additionally new plumbing and a restroom was installed without proper permits.

Conditional Use Permit	101 & 105 East Hopkins Street
CUP-21-17	Mr. Exotics Steakhouse

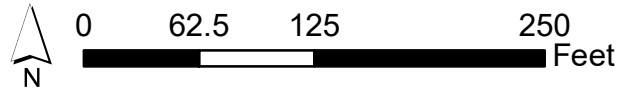


Evaluation			Criteria for Approval (Sec. 2.8.3.4 & 5.1.5.5)
Consistent	Inconsistent	Neutral	
<u>X</u>			The proposed use at the specified location is consistent with the policies embodied in the adopted comprehensive plan.
		<u>N/A</u>	The proposed use is consistent with any adopted neighborhood character study for the area. Studies were not complete at the time of this request.
<u>X</u>			The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations. The proposed use is consistent with the general intent of the zoning district. Character District 5-Downtown zoning allows retail and service type uses by right and allows businesses that sell alcohol for on-premise consumption through the Conditional Use Permit process.
<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. The location is adjacent to other properties utilized as bars and restaurants with alcohol sales.
<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. The use is not incorporating adjustments or control devices to reduce or eliminate traffic.
		<u>X</u>	The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties. The applicant is not proposing any new additional improvements to the site.
<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.

CUP-21-17 Aerial View Mr. Exotics Steakhouse — 101 and 105 East Hopkins Street



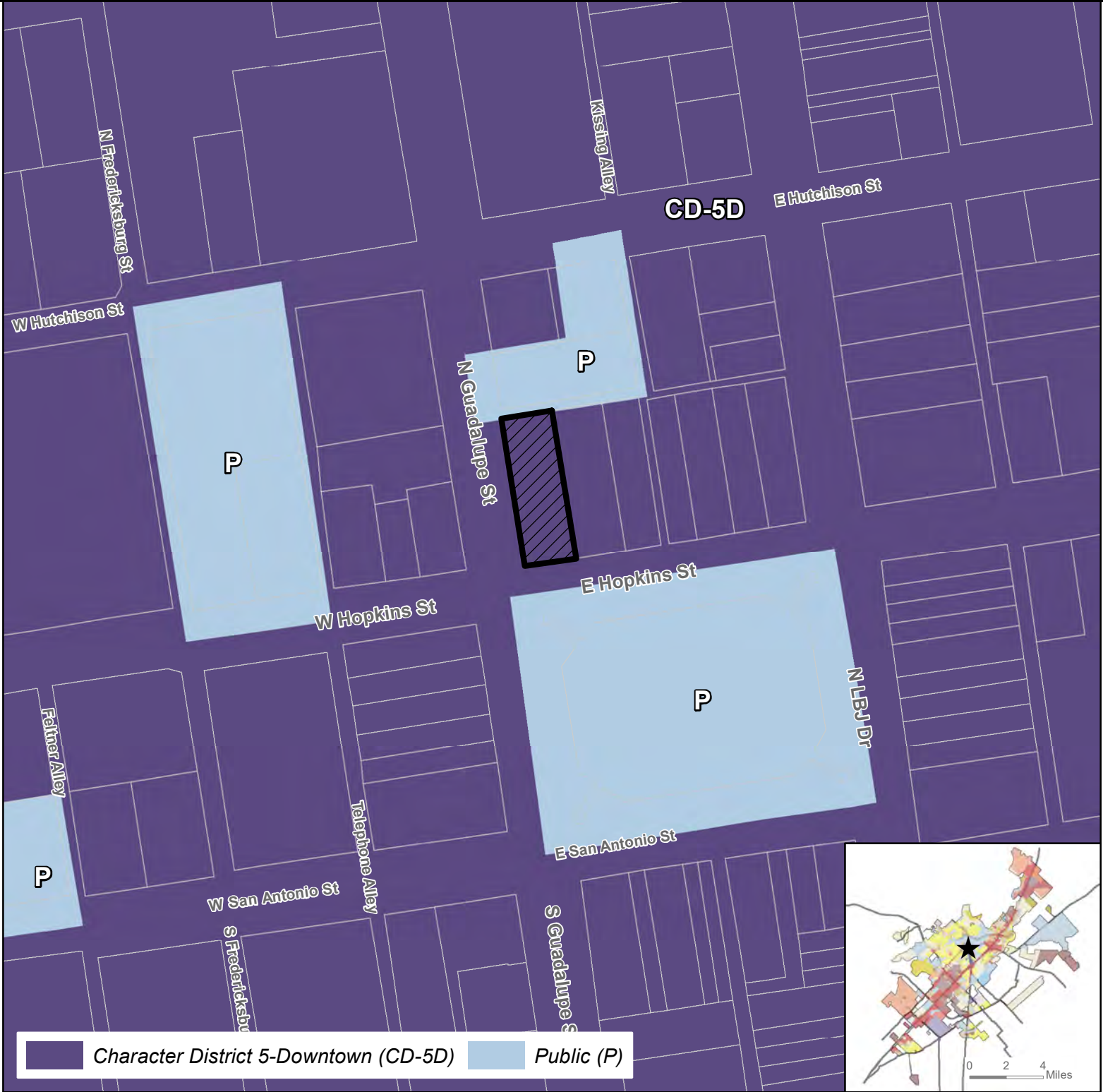
- ★ Site Location
- ▭ Subject Property
- ▭ Parcel
- ▭ City Limit



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. Imagery from 2017.

Map Date: 6/3/2021

CUP-21-17 Existing Zoning Mr. Exotics Steakhouse — 101 and 105 East Hopkins Street



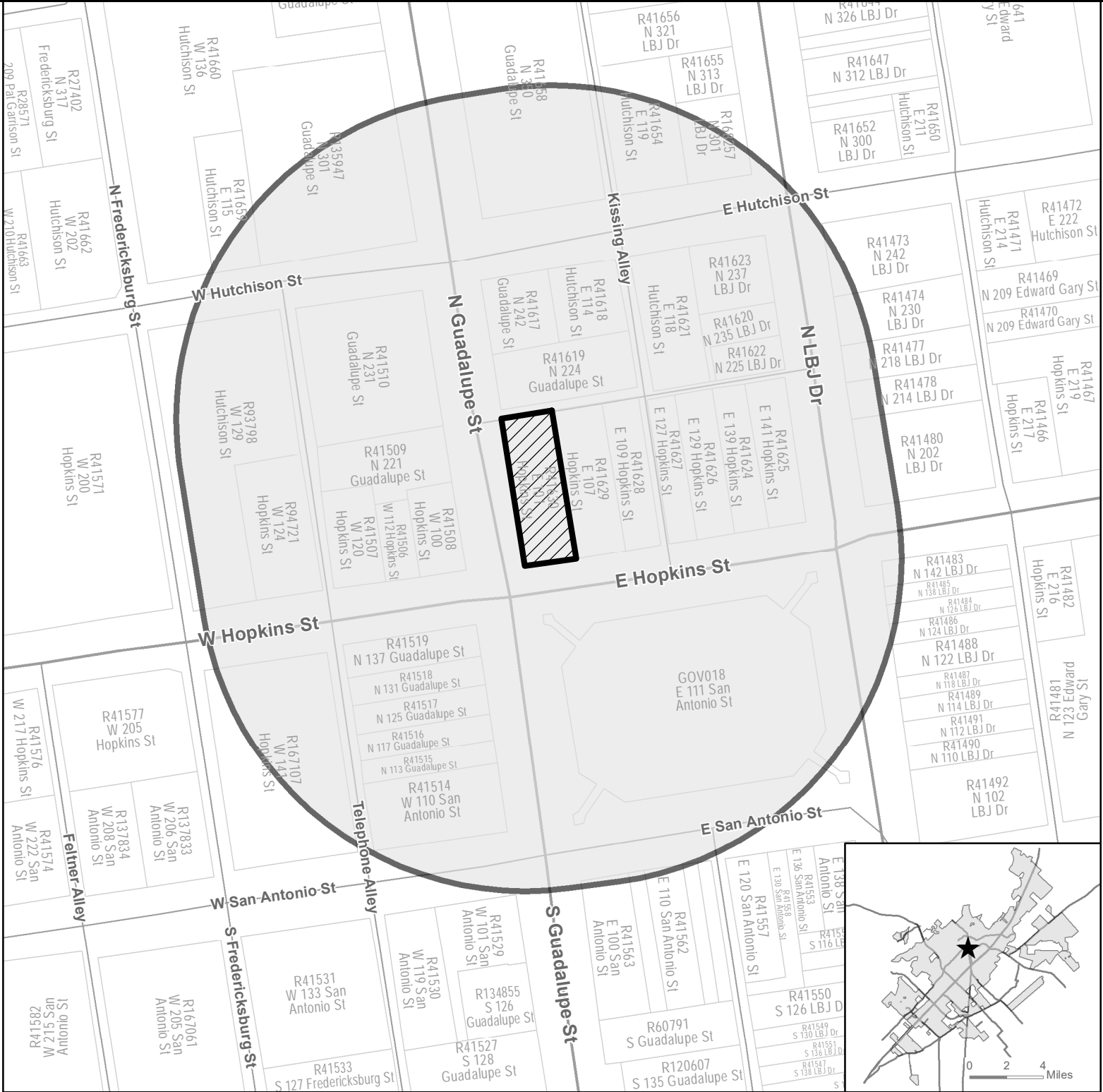
- ★ Site Location
- Subject Property
- 400' Buffer
- Parcel
- City Limit

0 100 200 400 Feet


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.

Map Date: 6/10/2021

CUP-21-17 400' Notification Buffer Mr. Exotics Steakhouse — 101 and 105 East Hopkins Street



Site Location
 Subject Property
 400' Buffer
 Parcel
 City Limit


 0 100 200 400
 Feet

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.

Map Date: 6/3/2021

PLANNING AND DEVELOPMENT SERVICES



06/03/21

CUP-21-17

**Notice of Public Hearing
Conditional Use Permit – On Premise Consumption of Mixed Beverages
Mr. Exotics Steakhouse
101 and 105 East Hopkins Street**

CUP-21-17 (Mr. Exotics Steakhouse CUP) Hold a public hearing and consider a request by John Mark Slack, on behalf of Mr. Exotics Steakhouse, for a Conditional Use Permit to allow the sale and on premise consumption of Mixed Beverages at 101 and 105 East Hopkins Street. (A. Brake)

The San Marcos Planning and Zoning Commission will consider the above request at an upcoming public hearing to obtain citizen comments and will either approve, approve with conditions, or deny the request. Because you are listed as the owner of property located within 400 feet of the subject property, we would like to notify you of the following public hearings and seek your opinion of the request:

- A public hearing will be conducted by the Planning and Zoning Commission via virtual meeting on **Tuesday, June 22, 2021 at 6:00 p.m.** You may watch the public hearing on Grande channel 16 or Spectrum channel 10 or by using the following link: <http://sanmarcostx.gov/541/PZ-Video-Archives>. Or email planninginfo@sanmarcostx.gov or call 512-393-8230 to request a link or phone number to participate in the public hearing by computer, mobile device, or phone.

Due to the State Disaster Declaration enacted by the Governor, Public Hearings will be held in a virtual meeting. All interested citizens are invited to watch or participate in the public hearing by the means described above. If you cannot participate in the virtual public hearing of the Planning and Zoning Commission but wish to comment, you may write to the below address. Your written comments will be given to the Planning & Zoning Commission if they are received before 12 PM on the day of the meeting.

For Planning & Zoning Commission

Planning and Development Services
630 East Hopkins
San Marcos, TX 78666
planninginfo@sanmarcostx.gov

For more information regarding this request, contact the case manager, **Alison Brake**, at **512.393.8232**. When calling, please refer to case number **CUP-21-17**.

As of the date of this notice, there are no other means of participating in the public hearing. However, please check for updates on the City's website at: www.sanmarcostx.gov to see if other means of participating in the public hearing become available.

The City of San Marcos does not discriminate on the basis of disability in the admission or access to its services, programs, or activities. Individuals who require auxiliary aids and services for this meeting should contact the City of San Marcos ADA Coordinator at 512-393-8000 (voice) or call Texas Relay Service (TRS) by dialing 7-1-1. Requests can also be faxed to 512-393-8074 or sent by e-mail to ADArequest@sanmarcostx.gov

PLANNING AND DEVELOPMENT SERVICES
Enclosure: Map (See Reverse)

Notification List CUP-21-17

Property ID	Property Address	Owner Name	Owner Address	Owner City, State, Zip
41487	118-120 N LBJ DR, SAN MARCOS, TX 78666	118-120 N LBJ LLC	118-120 N LBJ DR	SAN MARCOS, TX 78666
41485	138 N LBJ DR, SAN MARCOS, TX 78666	126 & 138 N LBJ SERIES	901 E CESAR CHAVEZ ST	AUSTIN, TX 78702-4205
41480	202 N LBJ DR, SAN MARCOS, TX 78666	202 NORTH LBJ VENTURE GROUP LP	2606 RANCH ROAD 620 N	AUSTIN, TX 78734-2628
41475	230 N LBJ DR, APT #201, SAN MARCOS, TX 78666	230 N LBJ LLC	912 NARANJO DR	GEORGETOWN, TX 78628
41506	106-112 W HOPKINS ST, SAN MARCOS, TX 78666	AIKEN, C H	242 Whitney RUN	Buda, TX 78610-3008
41625	145 E HOPKINS ST, SAN MARCOS, TX 78666	B L SCOFIELD INC	127 E Hopkins ST	San Marcos, TX 78666-5611
41620	235 N LBJ DR, SAN MARCOS, TX 78666	BURNSIDE JOHN & ELLEN	1045 ERICKSON RD	HELENA, MT 59602-8323
41517	125 N GUADALUPE ST, SAN MARCOS, TX 78666	CARBAJAL GUADALUPE R & DIANA L	714 WILLOW CREEK CIR	SAN MARCOS, TX 78666-5058
41478	212 N LBJ DR, SAN MARCOS, TX 78666	CARSON FAMILY PROPERTIES	407 S STAGECOACH TRL, STE 203	SAN MARCOS, TX 78666-5063
41623	237-245 N LBJ DR, SAN MARCOS, TX 78666	CASEY MANAGEMENT TRUST C/O CASEY JAMES NEWMAN TRUSTEE	7801 HEATHERCREST CIRCLE	AUSTIN, TX 78731
41622	225 N LBJ DR, SAN MARCOS, TX 78666	CHRYSTAL JANAA & TOM	1447 FRIENDLY PATH	NEW BRAUNFELS, TX 78132-4608
41628	109-119 E HOPKINS ST, SAN MARCOS, TX 78666	EAST HOPKINS LLC	1801 CHALK ROCK CV	AUSTIN, TX 78735-1733
41486	124 N LBJ DR, SAN MARCOS, TX 78666	EFW HOLDINGS INC	124 NORTH LBJ DR	SAN MARCOS, TX 78666
93798	129 W HUTCHISON ST, SAN MARCOS, TX 78666	FIRST UNITED METHODIST CHURCH	129 W HUTCHISON ST	SAN MARCOS, TX 78666
41516	115 N GUADALUPE ST, SAN MARCOS, TX 78666	FORREAL LTD	215 W SAN ANTONIO ST	SAN MARCOS, TX 78666-5549
41617	242 N GUADALUPE ST, SAN MARCOS, TX 78666	GREATER TEXAS FEDERAL CREDIT UNION	6411 N LAMAR BLVD	AUSTIN, TX 78752
41507	120 W HOPKINS ST, SAN MARCOS, TX 78666	GREGSON J SCOTT	120 W HOPKINS ST, APT 200	SAN MARCOS, TX 78666-5637
41658	350 N GUADALUPE ST, SAN MARCOS, TX 78666	GUADALUPE BOBCAT 350 LTD %ENDEAVOR REAL ESTATE GROUP	500 W 5th STREET, SUITE 700	AUSTIN, TX 78701
135947	301 N GUADALUPE ST, SAN MARCOS, TX 78666	GUADALUPE-REAL PROPERTY & INVESTMENTS LLC	PO BOX 5382	SHERMAN OAKS, CA 91413-5382
41518	131 N GUADALUPE ST, SAN MARCOS, TX 78666	HAYS COUNTY OF	HAYS COUNTY COURTHOUSE RM 103	SAN MARCOS, TX 78666
41508	100 W HOPKINS ST, SAN MARCOS, TX 78666	HOPKINS SQUARE LLC	PO BOX 160896	AUSTIN, TX 78716-0896
41510	231 N GUADALUPE ST, SAN MARCOS, TX 78666	HOPKINS SQUARE LLC - FROST CORNER #2 PROPERTY SERIES	900 BLUEBONNET LN	AUSTIN, TX 78704
41519	137 N GUADALUPE ST, SAN MARCOS, TX 78666	MLKSM LLC	510 HEARN ST # 200	AUSTIN, TX 78703-4516
41626	129 E HOPKINS ST, SAN MARCOS, TX 78666	ONIONS R US LLC	129 E HOPKINS ST STE 120	SAN MARCOS, TX 78666-5636
41483	142 N LBJ DR, SAN MARCOS, TX 78666	OUSEY, MICHAEL	211 CLAREMONT DR UNIT 180	SAN MARCOS, TX 78666-7335
41514	101-109 N GUADALUPE ST, SAN MARCOS, TX 78666	PAPLPC TRUST	415 N GUADALUPE ST	SAN MARCOS, TX 78666
41479	214 N LBJ DR, SAN MARCOS, TX 78666	SAN MARCOS COMMUNITY PARTNERS LLC % LATIPAC COMMERCIAL	P O BOX 162304	AUSTIN, TX 78716-2304
41488	122 N LBJ DR, SAN MARCOS, TX 78666	SERUR JOHN & JUDITH L LIVING TRUST C/O SERUR JOHN & JUDITH L	14550 NUTTY BROWN RD	AUSTIN, TX 78737-8856
41624	139 E HOPKINS ST, SAN MARCOS, TX 78666	CO-TRUSTEES	2686 BLACK BEAR DR	NEW BRAUNFELS, TX 78132-4179
41476	232 N LBJ DR, STE #101, SAN MARCOS, TX 78666	SHY GROUP LP	112 DOLLY ST	SAN MARCOS, TX 78666
167107		SLACK JOHN MARK	1933 WEST WELLINGTON AVE	CHICAGO, TX 60657
41477	218-220 N LBJ DR, SAN MARCOS, TX 78666	SML OWNER I LLC	P O BOX 199	HUNT, TX 78024-0199
41619	224 N GUADALUPE ST, SAN MARCOS, TX 78666	TARRANT, LINDA LEWIS		
		TEXAS STATE UNIVERSITY - SAN MARCOS Attn: VP FOR FINANCE		
		AND SUPPORT SERVICES	601 UNIVERSITY DR	SAN MARCOS, TX 78666

101 EAST HOPKINS ST
101 East Hopkins St,
San Marcos TX 78666

TILBROOK ARCHITECTS
Architecture - Engineering - Interiors
1499 Parton rd.,
Canyon Lake, TX 78133

Tilbrook Architects, PLLC
Architects
1499 Parton rd.,
Canyon Lake TX 78133

CODE INFORMATION

IT IS THE INTENT OF THIS PROJECT TO WORK WITHIN THE LIFE SAFETY REQUIREMENTS SET FORTH BY THE EXISTING FIRE SAFETY FEATURES, AREA OF SEPARATION WALLS, AND TYPE OF CONSTRUCTION. NEW ELEMENTS WITHIN THE BUILDING WILL BE BUILT ACCORDING TO THE FOLLOWING CODES ADOPTED BY THE CITY OF SAN MARCOS

- Building Code: 2015 International Building Code
-Mechanical Code: 2015 International Mechanical Code
-Electrical Code: 2014 National Electrical Code
-Fuel Gas Code: 2015 International Fuel Gas Code
-Energy Code: 2015 International Energy Conservation Code



DRAWING INDEX table with columns for GENERAL and COVER SHEET, and rows for LIFE SAFETY, ARCHITECTURAL, and various drawing titles like ADJ, ALUM, ANCO, etc.

DRAWING INDEX

DRAWING INDEX

DRAWING INDEX

Large architectural abbreviations table with columns for drawing index and rows for terms like ABV, ADJ, ALUM, ANCO, ARCHITECTURAL, etc.

ARCHITECTURAL ABBREVIATIONS

GENERAL PROJECT NOTES

- GENERAL NOTES APPLY TO ALL SHEETS.
THE CONTRACTOR SHALL FURNISH ALL LABOR, MATERIALS, ETC.
CONTRACTOR TO VERIFY ALL DIMENSIONS.
ALL ACCESSIBLE ROUTES (OTHER THAN RAMPS) SHALL NOT EXCEED A SLOPE OF 1:20, AND CROSS SLOPES SHALL NOT EXCEED A SLOPE OF 1:50.
THE DRAWINGS INDICATE BUILDING CONDITIONS PER EXISTING DRAWINGS AND ACTUAL PROJECT INVESTIGATION.
THE CONTRACTOR SHALL AND, AT HIS SOLE RISK, SHALL BE SOLELY RESPONSIBLE FOR ALL MEANS, METHODS, SEQUENCES AND PROCEDURES AND FOR COORDINATING ALL PORTIONS OF THE WORK UNDER THE CONTRACT.
REMOVAL OF ALL BUILDING PARTS AND/OR OTHER ITEMS TO ALLOW FOR THE INSTALLATION AND CONNECTION OF NEW WORK.
REMOVAL OF THE BUILDING PARTS SHALL BE PERFORMED IN A SAFE, ORDERLY AND CAREFUL MANNER, WITH THE CONSIDERATION AT ALL TIMES FOR THE SAFETY AND WELFARE OF THE OWNER, SUBS, OCCUPANTS, & PERSONNEL OF THE CONTRACTOR AND/OR SUBCONTRACTOR.
ANY QUESTIONS CONCERNING OWNERSHIP OF SALVAGEABLE MATERIALS SHALL BE ANSWERED BY THE OWNER OR OWNERS REPRESENTATIVE.
REMOVAL OF ALL MISCELLANEOUS DEVICES AS REQUIRED TO INSTALL NEW FINISHES.
PROTECT ALL EXISTING FINISHES, DOOR FRAMES, EQUIPMENT AND MATERIALS THAT ARE TO REMAIN IN PLACE.
ELECTRICAL AND MECHANICAL INSTALLATIONS MAY REQUIRE WORK ABOVE EXISTING CEILING.
IF A CONDUIT OR UTILITY LINE IS CUT WHILE SLEEVING OR CUTTING THE SLAB OR REMOVING A PARTITION, THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING IT IMMEDIATELY.
ANY EXISTING TO REMAIN FIREPROOFING OR FIRE ASSEMBLIES DAMAGED DURING CONSTRUCTION ARE TO BE REPAIRED TO ORIGINAL FIRE PROTECTION REQUIREMENTS.
IMMEDIATELY SEAL ALL PENETRATIONS IN EXISTING STRUCTURE OPENED DURING DEMOLITION WITH FIRESTOPPING MATERIAL AND/OR WATERPROOFING.
ALL PENETRATIONS, NEW AND EXISTING ABOVE CEILING AT RATED FIRE WALLS IN AREAS OF WORK.

Tilbrook Architects: Bringing people together... one space at a time

105 EAST HOPKINS
105 E Hopkins St, San Marcos, TX 78666,

PERMIT SET
03/31/2021



MR. EXOTICS - STEAKHOUSE
105 EAST HOPKINS
105 E Hopkins St, San Marcos, TX 78666.



NO. DESCRIPTION DATE

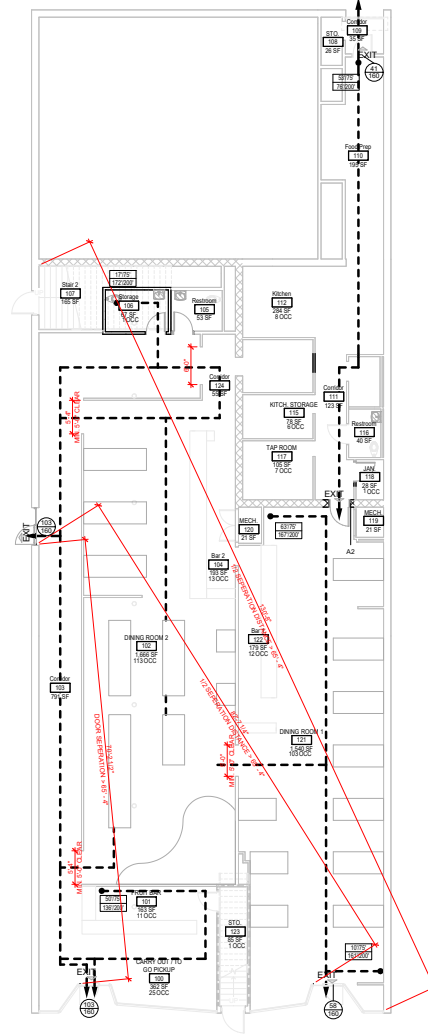
03/31/2021
Project No. 2021_105 PERMIT SET

BUILDING CODE ANALYSIS - PHASE II

OWNER			
OR PROJECT NUMBER	2021-008		
PROJECT	101 EAST HOPKINS ST		
LOCATION	101 East Hopkins St, San Marcos, TX 78666		
JURISDICTION City of Austin			
APPLICABLE CODES			
	2019 International Building Code		
	2017 National Electrical Code		
	2015 Uniform Plumbing Code		
	2015 Uniform Mechanical Code		
	2015 International Fire Code		
	2015 International Energy Conservation Code		
	2012 Texas Accessibility Standards		
Gross Square Footage	24,968 SF		
Building Height	2 Stories		
CODE CHAPTER			
	DESCRIPTION	SECTION	PAGE
INTERNATIONAL BUILDING CODE			
CHAPTER 3 Use and Occupancy Classification			
Group	R-2	303.3	50
CHAPTER 4 Special Detailed Requirements			
Separation Walls	Walls separating dwelling sleeping units must be fire partitions	420.2	92
Horizontal Separation	Floor assemblies separating dwelling unit must be horizontal assemblies, see Section 711	420.3	92
Automatic Sprinkler System	Required	420.5	92
CHAPTER 6 General Building Heights and Areas			
Allowable Height	60 ft, 3 Story	504.3, 504.4	98, 99
Allowable Building Area	21,000	506.2	103
Accessory Use	Laundry - separated per 420.5, area < 10%	508.2	107
CHAPTER 6 Types of Construction			
Construction Classification	Type V-B	602	113
Fire Resistance Rating Requirements	Type V-B	Table 601	113
Structural Frame	0 hr	Table 601	113
Beaming Walls (interior)	0 hr	Table 601	113
Beaming Walls (interior)	0 hr	Table 601	113
Nonbearing Walls and Partitions (interior)	0 hr	Table 602	113
Nonbearing Walls and Partitions (interior)	0 hr	Table 601	113
Floor Construction	0 hr	Table 601	113
Floor Construction	0 hr	Table 601	113
Roof Construction	0 hr	Table 601	113
Fire Separation Distance	0 ft	602	114
Fire Resistance Rating	0 hr	602	114
CHAPTER 7 Fire-Resistance-Rated Construction			
Maximum Area of Exterior Wall Openings	Unlimited	705.8	98
Corridor Walls	Comply with 1021.1, 1/2 hr rating	708.1.1	128
Fire Walls	2-hour between buildings	708.5.1.2	128
Separation Walls	1/2 hr, per 420.2	708.7, 708.3	128
Horizontal Assemblies	1/2 hr	711.2.4.3, 420.3	130
CHAPTER 8 Interior Finishes			
Interior Wall and Ceiling Finish	Exit Enclosures & Passageways - Class C (IFB 78-100 / SD 0-450)	803.11	205
Based on Residential Occupancy	Corridors - Class C (IFB 78-100 / SD 0-450)	803.11	205
Rooms and Enclosed Spaces	Class C (IFB 78-100 / SD 0-450)	803.11	205
CHAPTER 9 Fire Protection Systems			
Automatic Sprinkler Systems	Required	903.2.2.B	211
Standpipes	Not required	905.3.1	219
Fire Alarm Systems	Required	907.2.3	227
Fire Extinguishers	Exception, 1 per unit with a minimum rating of 1-A:10-B-C	906.1	221
CHAPTER 10 Means of Egress			
Max. Floor Area Allowance per Occupant	200 gross	Table 1004.1.2	251
Occupant Load	First Floor: 63, Second: 72		
Egress Width	2 in per occupant	1005.3.2	253
Common Path of Travel	120 feet at R-2 occupancies	1009.2.1	263
Exit Access Travel Distance	250 feet max at R-2 occupancies	1017.2	277
Minimum Number of Exits		1021.2	269
Minimum Corridor Width	Within unit = 36"	1022.2	279
	Otherwise = 44"	1026	282
Minimum Stair Width		1011.2	268
Exit Access Stairways	No Rating Required. Atmospherically communicate between only two stories.	1019.3.1	278
CHAPTER 12 Interior Environment			
BTU = 50 min		1207.1	314
ICL = 50 min			
UNIFORM PLUMBING CODE			
CHAPTER 4 Plumbing Fixtures and Fixture Fittings			
Minimum Plumbing Facilities		422.1	38
Water Closets	1 per apartment	422.1	38
Laundry	1 per apartment	422.1	38
Bathrooms Showers	1 per apartment	422.1	38
Kitchen Sinks	1 per apartment	422.1	38
Laundry Connection	1 per 12 units	422.1	38

LIFE SAFETY LEGEND

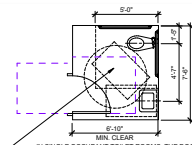
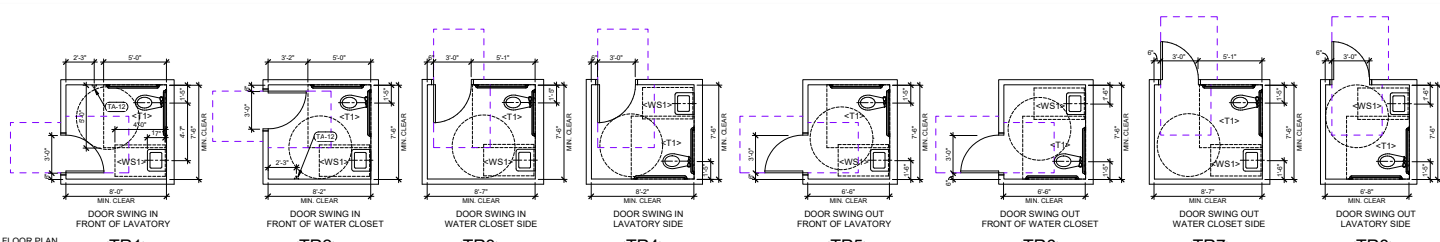
	OCCUPANT LOAD SERVED
	EXIT CAPACITY
	EXIT PATH
	EXIT
	COMMON PATH OF TRAVEL
	TRAVEL DISTANCE
	KNOB BOX, MOUNTED AT 4'-0" TO HIGHEST OPERABLE PART
	FIRE EXTINGUISHER CABINET
	FIRE EXTINGUISHER



1 LEVEL 1 LIFE SAFETY PLAN
SCALE: 1/8" = 1'-0"

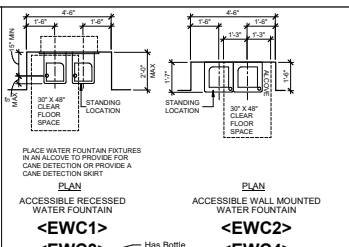
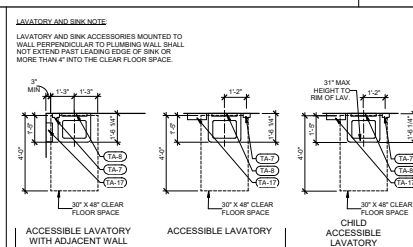
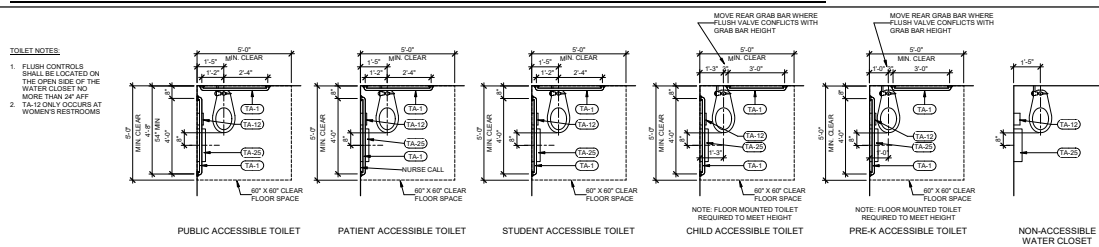


NO.	DESCRIPTION	DATE	REVISION
1	ADDENDUM 1	05/31/21	
2	ADDENDUM 2	06/01/21	

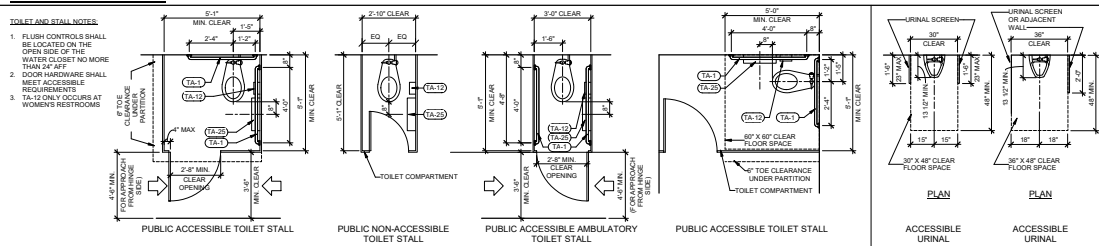


- GENERAL NOTES**
- TYPICAL LAYOUTS ARE REFERENCED ON THE FLOOR PLANS WITH <TR> DESIGNATIONS
 - REFER TO FLOOR PLANS FOR ADDITIONAL ACCESSORIES OR OTHER BUILDING ELEMENTS THAT ARE NOT SHOWN IN THE TYPICAL LAYOUTS ON THIS SHEET
 - THE FUTURE GRAPHICS ON THIS SHEET DO NOT REPRESENT THE FUTURE TYPES FOR THE PROJECT. REFER TO PLUMBING DRAWINGS FOR ACTUAL FIXTURE TYPES

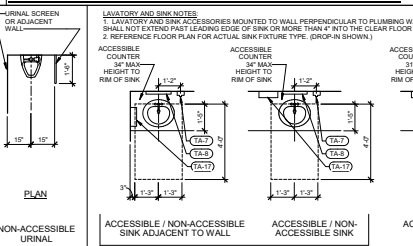
TYPICAL ACCESSIBLE SINGLE OCCUPANT TOILET ROOM CONFIGURATIONS



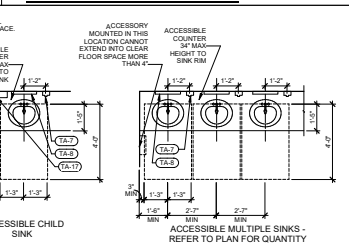
TOILET TYPES



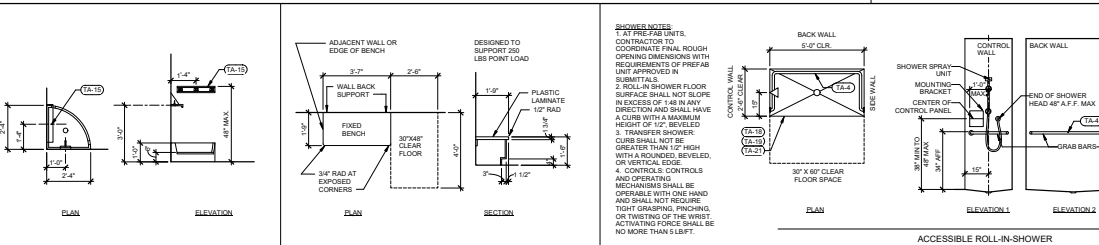
LAVATORY TYPES - WALL MOUNTED



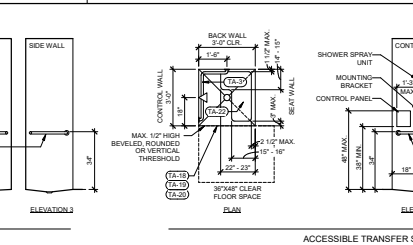
WATER FOUNTAINS



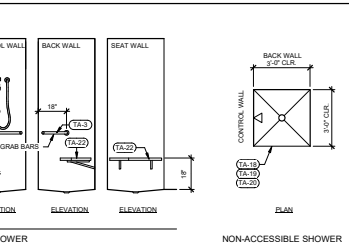
TOILET STALL TYPES



URINAL TYPES



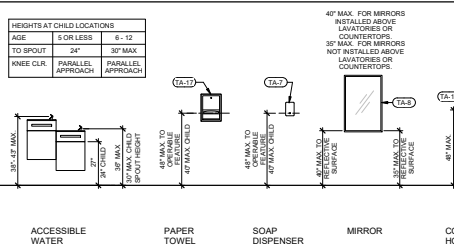
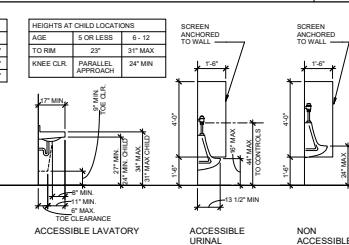
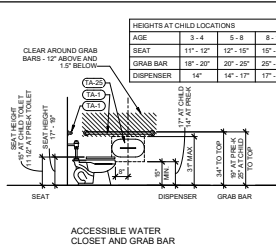
SINK TYPES - COUNTER MOUNTED



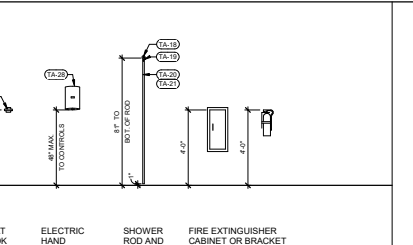
MOP SINK

DRESSING ROOM BENCH

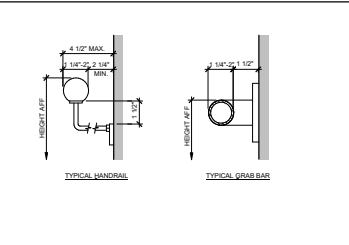
SHOWER TYPES



ACCESSIBLE ROLL-IN SHOWER



ACCESSIBLE TRANSFER SHOWER



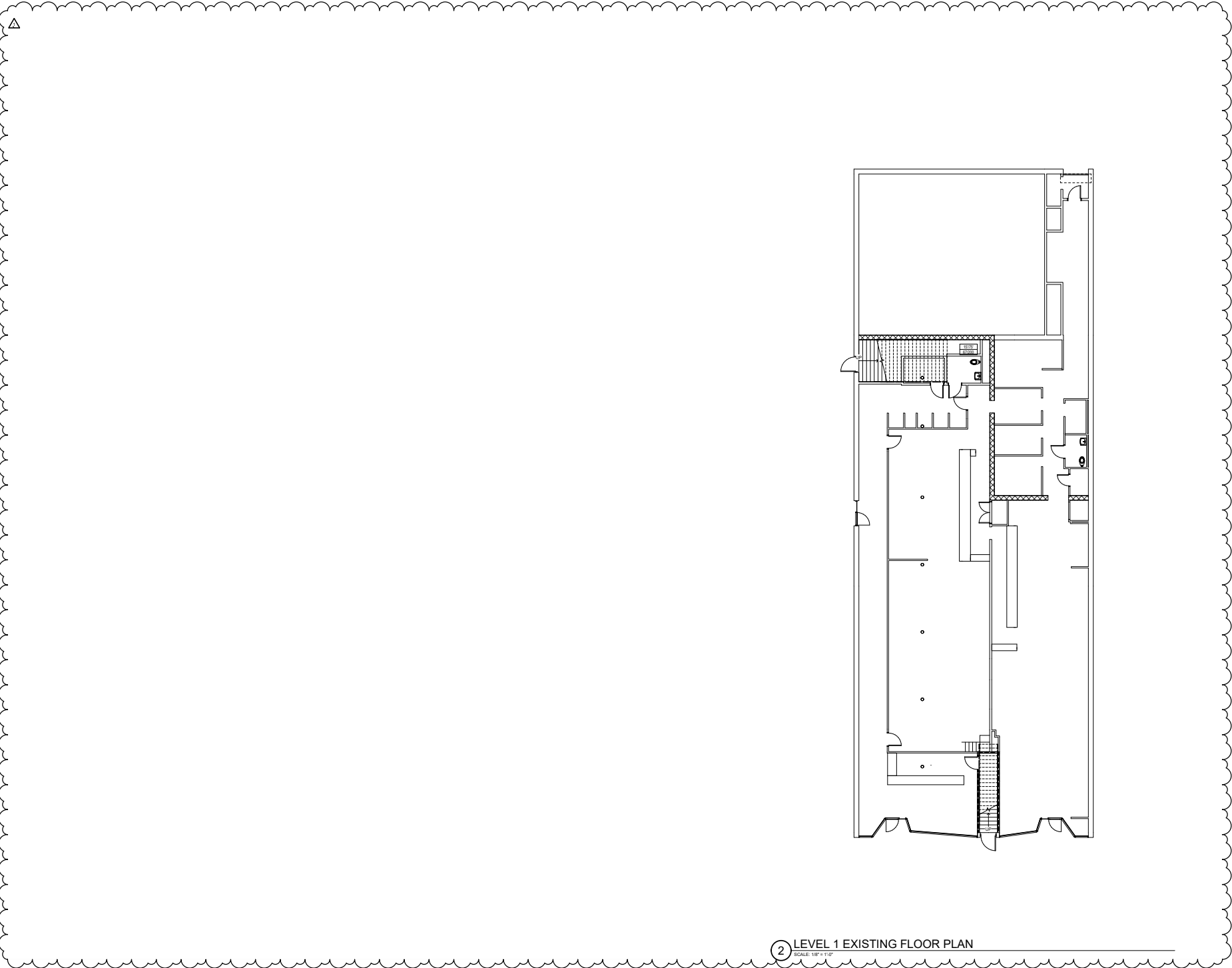
MOUNTING HEIGHTS

HANDRAILS & GRAB BARS

MOUNTING HEIGHTS

HANDRAILS & GRAB BARS

HANDRAILS & GRAB BARS

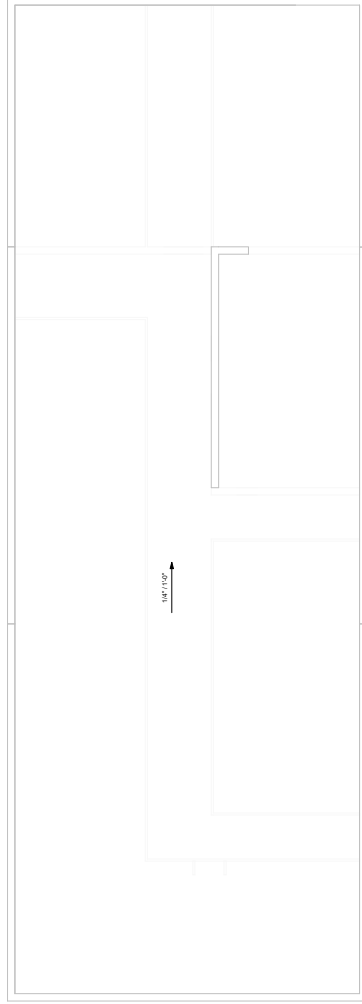


2 LEVEL 1 EXISTING FLOOR PLAN
SCALE: 1/8" = 1'-0"



NO.	DESCRIPTION	DATE	BY
1	ADDENDUM 1	05/31/21	

1 ROOF PLAN
SCALE: 1/8" = 1'-0"



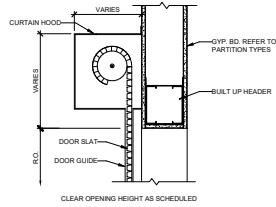
NO.	DESCRIPTION	DATE	BY/ISSUED
		05/31/2021	

03/31/2021
Project No. 2021_008
PERMIT SET

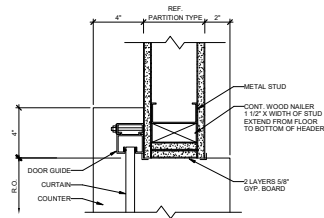
ROOF PLAN
A3.3



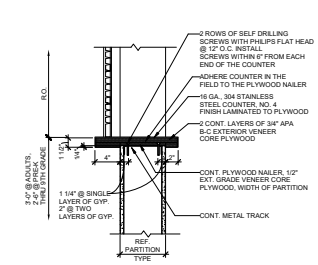
MR. EXOTICS - STEAKHOUSE
105 EAST HOPKINS
105 E Hopkins St, San Marcos, TX 78666.



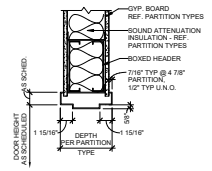
1 COILING COUNTER HEAD
SCALE: 1/2" = 1'-0"



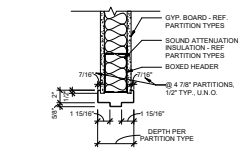
2 COILING COUNTER JAMB
SCALE: 3/4" = 1'-0"



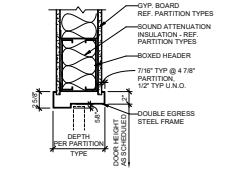
3 STUD-COUNTER
SCALE: 1/2" = 1'-0"



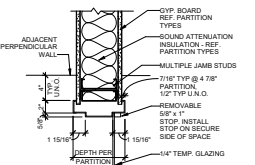
5 STUD-INT. STEEL DOOR HEAD
SCALE: 1/2" = 1'-0"



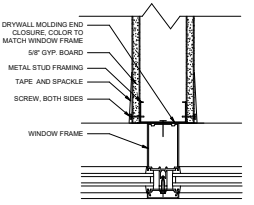
6 STUD-DOOR HEAD DETAIL
SCALE: 1/2" = 1'-0"



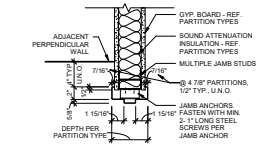
7 INT. DOUBLE EGRESS STEEL DOOR HEAD @ M.S.
SCALE: 1/2" = 1'-0"



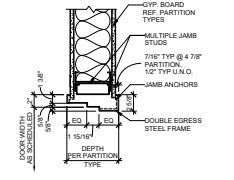
16 HM WINDOW JAMB - STUD
SCALE: 1/2" = 1'-0"



10 STUD-PARTITION TO WINDOW FRAME
SCALE: 3/4" = 1'-0"



11 STUD-DOOR JAMB DETAIL
SCALE: 1/2" = 1'-0"



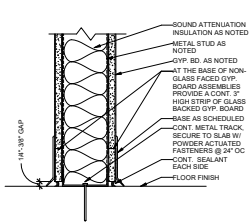
12 INT. DBL EGRESS STEEL DOOR JAMB @ M.S.
SCALE: 1/2" = 1'-0"



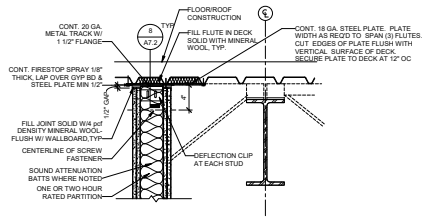
05/31/2021

NO. DESCRIPTION DATE

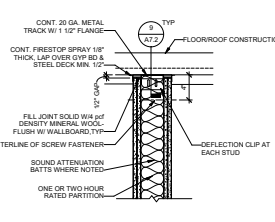
03/31/2021
Project No. 2021_008
PERMIT SET



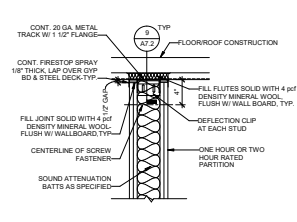
1 FLOOR TRACK
SCALE: 3/4" = 1'-0"



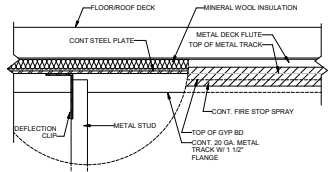
2 RATED PARTITION PARALLEL TO BEAM OF BAR JOIST
SCALE: 1 1/2" = 1'-0"



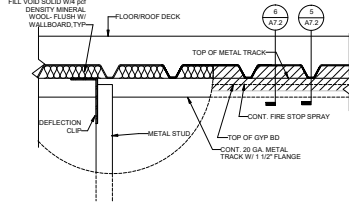
5 RATED PARTITION PERPENDICULAR TO DECK
SCALE: 1 1/2" = 1'-0"



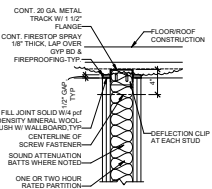
6 RATED PARTITION PERPENDICULAR TO DECK
SCALE: 1 1/2" = 1'-0"



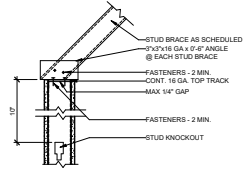
8 SECTION AT TOP OF WALL PARALLEL TO FLOOR/ROOF DECK
SCALE: 3/4" = 1'-0"



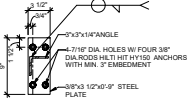
9 SECTION AT TOP OF WALL PERPENDICULAR TO FLOOR/ROOF DECK
SCALE: 3/4" = 1'-0"



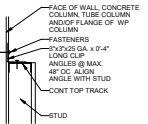
12 RATED PARTITION PERPENDICULAR TO DECK
SCALE: 1 1/2" = 1'-0"



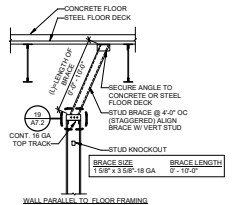
19 TYPICAL STUD BRACE
SCALE: 1 1/2" = 1'-0"



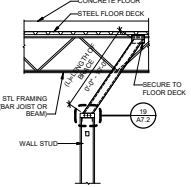
3 LOW WALL PARTITION
SCALE: 1 1/2" = 1'-0"



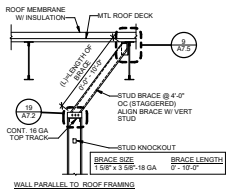
4 STUD BRACE
SCALE: 1 1/2" = 1'-0"



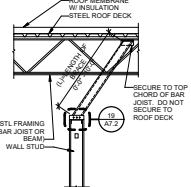
7 STUD BRACE AT FLOOR DECK
SCALE: 12" = 1'-0"



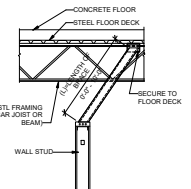
10 STUD BRACE AT FLOOR DECK
SCALE: 12" = 1'-0"



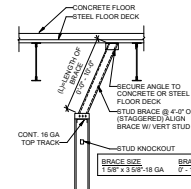
11 STUD BRACE AT ROOF DECK
SCALE: 12" = 1'-0"



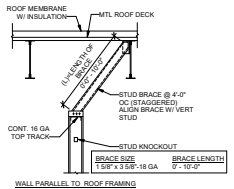
13 STUD BRACE AT ROOF DECK
SCALE: 12" = 1'-0"



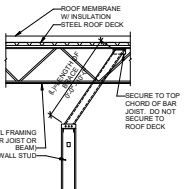
14 STUD BRACE AT FLOOR DECK
SCALE: 12" = 1'-0"



15 STUD BRACE AT FLOOR DECK
SCALE: 12" = 1'-0"



16 STUD BRACE AT ROOF DECK
SCALE: 12" = 1'-0"



17 STUD BRACE AT ROOF DECK
SCALE: 12" = 1'-0"



Mr. Exotics

Steakhouse & Home of the Exotic Drink
105 E Hopkins San Marcos TX 78666

Chiefs Top Choices

- . Wagyu rib-eye 8oz \$68
- . Churrasco Picanha \$42
- . Top Steak Kebabs \$30

Sides

- . Mash potatoes . Asparagus . Bake potatoes . Green Beans.
- . Broccoli . Salad .

Appetizers

Steak bread \$12

Flame dose \$12

Lobster tail bites
\$15

Charcuterie
board \$16

Entrees

Bone-In Ribeye
18oz \$29.99

Filet mignon
6oz \$20 8oz \$29

Center cut sirloin
8oz \$16 11oz \$19

New York strip
16oz \$26

Ribeye
12oz \$23 15oz \$26

T-Bone Steak
22oz \$32

Eye of round
8oz \$24



STOP WORK ORDER

Work regulated by the City of San Marcos Code of Ordinances being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the Building Official / Code officer is authorized to issue a stop work order.

Location:

This written notice is to the owner of the property involved, to the owner's agent, and/or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease.

The stop work order shall state the reason and conditions under which the cited work will be permitted to resume.

105 E Hopkins

OBTAIN PERMIT OBTAIN AUTHORIZED INSPECTION

OTHER

Any person who shall continue any work having been served with a stop work order, except such work as that person is directed by the city to perform to remove a violation or unsafe conditions, shall be subject to penalties as prescribed by law.

City of San Marcos Building Inspections- 512-805-2630

City of San Marcos, 630 E. Hopkins, San Marcos, TX 78666

Inspector: Jeff Dornby

Date of Posting: April 19, 2021

CONDITIONAL USE PERMIT APPLICATION (ALCOHOL WITHIN CBA)



Updated: September, 2020

CONTACT INFORMATION

Applicant's Name	John Mark Slack	Property Owner	Carl Aiken
Company		Company	
Applicant's Mailing Address	714 burleson street	Owner's Mailing Address	
Applicant's Phone #	8302558733	Owner's Phone #	5128205858
Applicant's Email	Johnmark1819@gmail.com	Owner's Email	chaja76@gmail.com

PROPERTY INFORMATION

Subject Property Address: 105, 101 east hopkins street, san marcos

Zoning District: T5 **Tax ID #: R** 41630

Legal Description: Lot W 3/4 of 8 Block 20 Subdivision _____

Number of Parking Spaces: 0

Is property more than 300' from church, school, hospital, or residential district? Y N

DESCRIPTION OF REQUEST

Business Name: Mr Exotics Restaurant Bar Other: _____

NEW **RENEWAL/AMENDMENT** **Mixed Beverage** **Beer & Wine** **Late Hours**

Hours of Operation(ex. Mon 12pm-1am): Mon closed Tue 11am-10pm Wed 11am,10pm
Thurs 11am,10pm Fri 11am,10pm Sat 11am,10pm Sun 11am,10pm

Indoor Seating Capacity: 100 **Outdoor Seating Capacity:** 0 **Gross Floor Area:** 3000 square foot

AUTHORIZATION

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Initial Filing Fee 793* **Technology Fee \$13** **TOTAL COST \$806**

Renewal/Amendment Filing Fee \$423* **Technology Fee \$13** **TOTAL COST \$436**

**Nonprofit Organization fees are 50% of the adopted fee listed for Conditional Use Permits*

Submittal of this digital Application shall constitute as acknowledgement and authorization to process this request.

PROPERTY OWNER AUTHORIZATION

Carl Aiken

I, _____ (owner name) on behalf of

_____ (company, if applicable) acknowledge that I/we
am/are the rightful owner of the property located at
105 east hopkins street san marcos
_____ (address).

John Mark Slack

I hereby authorize _____ (agent name) on behalf of

_____ (agent company) to file this application for
CUP
_____ (application type), and, if necessary, to work with
the Responsible Official / Department on my behalf throughout the process.

Signature of Owner: DocuSigned by: Carl Aiken Date: 4/30/2021
D2A442C8620E4A2...

Printed Name, Title: Carl Aiken

Signature of Agent: DocuSigned by: John Mark Slack Date: 4/30/2021
CC316190E80848B...

Printed Name, Title: John Mark Slack

AGREEMENT TO THE PLACEMENT OF NOTIFICATION SIGNS AND ACKNOWLEDGEMENT OF NOTIFICATION REQUIREMENTS

The City of San Marcos Development Code requires public notification in the form of notification signs on the subject property, published notice, and / or personal notice based on the type of application presented to the Planning Commission and / or City Council.

- Notification Signs: if required by code, staff shall place notification signs on each street adjacent to the subject property and must be placed in a visible, unobstructed location near the property line. It is unlawful for a person to alter any notification sign, or to remove it while the request is pending. However, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements. ***It shall be the responsibility of the applicant to periodically check sign locations to verify that the signs remain in place had have not been vandalized or removed. The applicant shall immediately notify the responsible official of any missing or defective signs. It is unlawful for a person to alter any notification sign, or to remove it while the case is pending; however, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements.***
- Published Notice: if required by code, staff shall publish a notice in a newspaper of general circulation in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be published it may be at the expense of the applicant. The renotification fee shall be \$91 plus a \$13 technology fee.***
- Personal Notice: if required by code, staff shall mail personal notice in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be mailed it may be at the expense of the applicant. The renotification fee shall be \$91 plus a \$13 technology fee.***

I have read the above statements and agree to the required public notification, as required, based on the attached application. The City's Planning and Development Services Department staff has my permission to place signs, as required, on the property and I will notify City staff if the sign(s) is/are damaged, moved or removed. I understand the process of notification and public hearing and hereby submit the attached application for review by the City.

Signature: DocuSigned by:
John Mark Slack
CC316190E80848B... _____ Date: 4/28/2021 _____
 John Mark Slack

Print Name: _____



Public Hearing

CUP-21-17

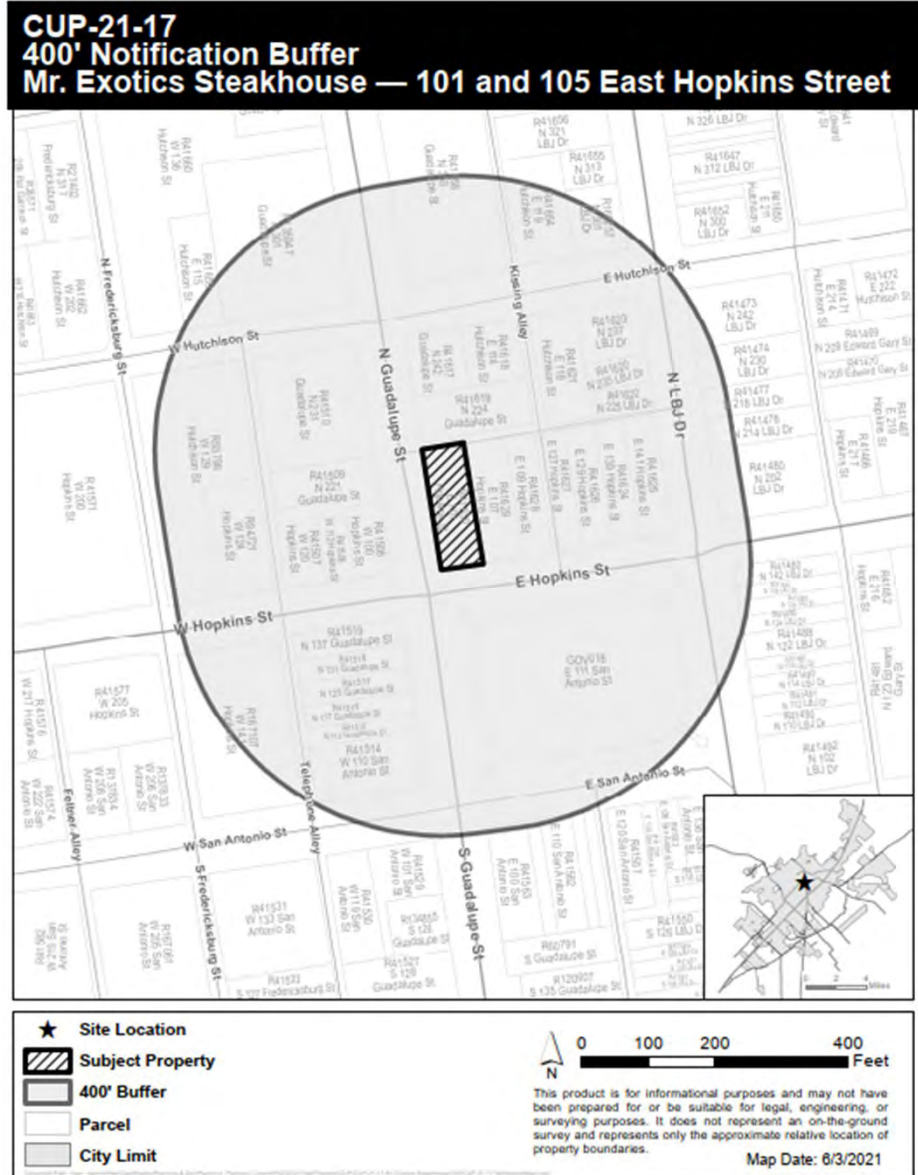
Mr. Exotics Steakhouse

Hold a public hearing and consider a request by John Mark Slack, on behalf of Mr. Exotics Steakhouse, for a Conditional Use Permit to allow the sale and on premise consumption of Mixed Beverages at 101 and 105 East Hopkins Street. (A. Brake)



Property Information

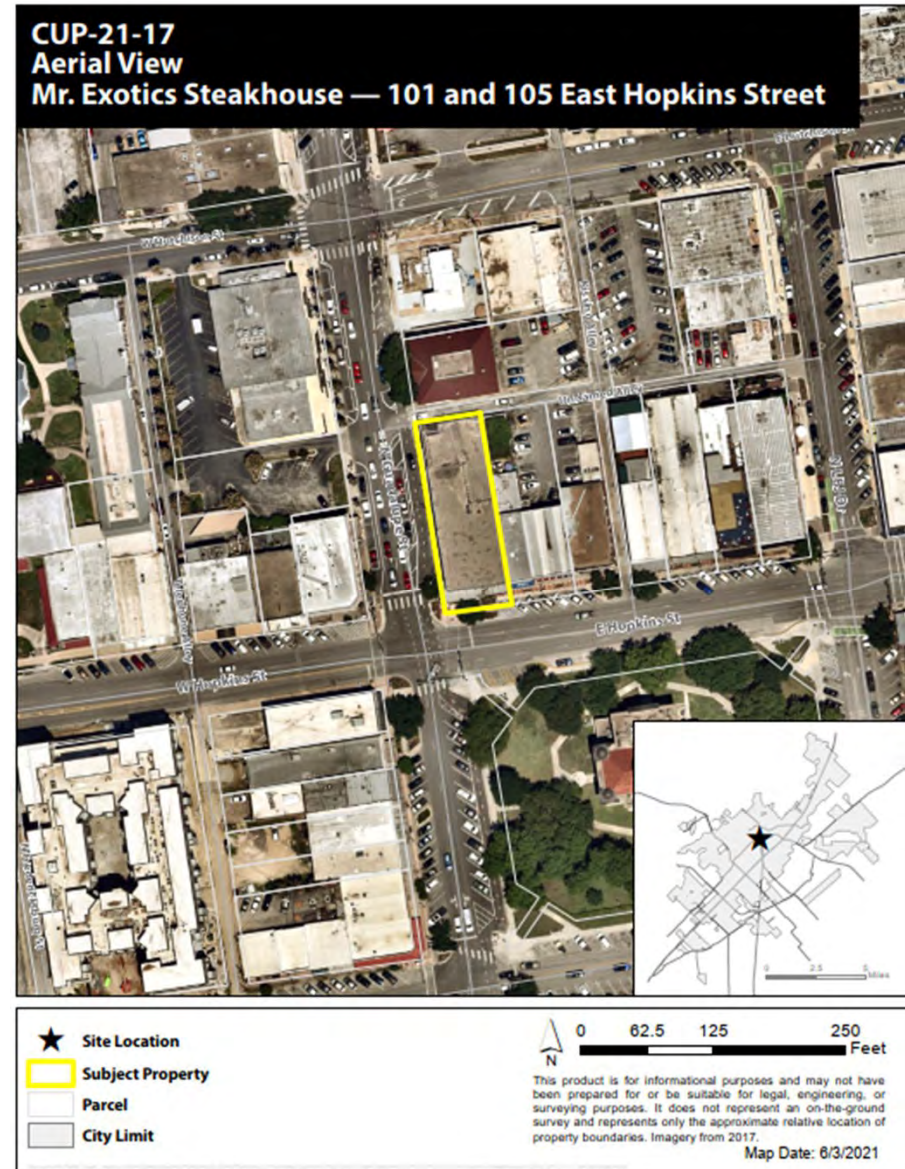
- Approximately 0.2076 acres
- Corner of East Hopkins Street and North Guadalupe Street





Context & History

- Currently vacant
- Surrounding Uses
 - Blue Dahlia Bistro
 - The Vault
 - Hays County Courthouse Square
- High preservation priority within Hays County Courthouse National Register of Historic Places District





Context & History

- Existing Zoning: Vacant
- Proposed Use: Steakhouse Restaurant
 - Specializing in exotic game meats
 - Hours of operations are 10:00 AM to 11:00 PM (Tues-Sun)
- Code Enforcement issued Stop Work Order on 4/1/21

CUP-21-17 Existing Zoning Mr. Exotics Steakhouse — 101 and 105 East Hopkins Street



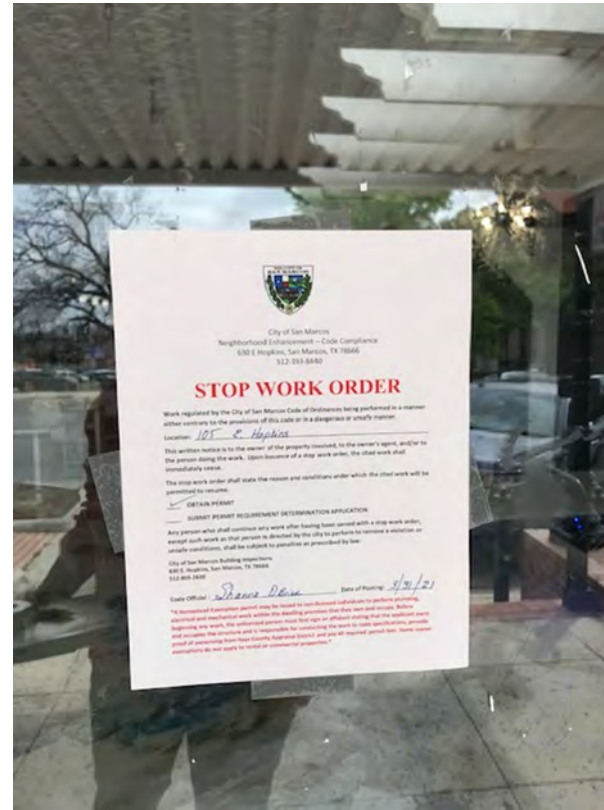


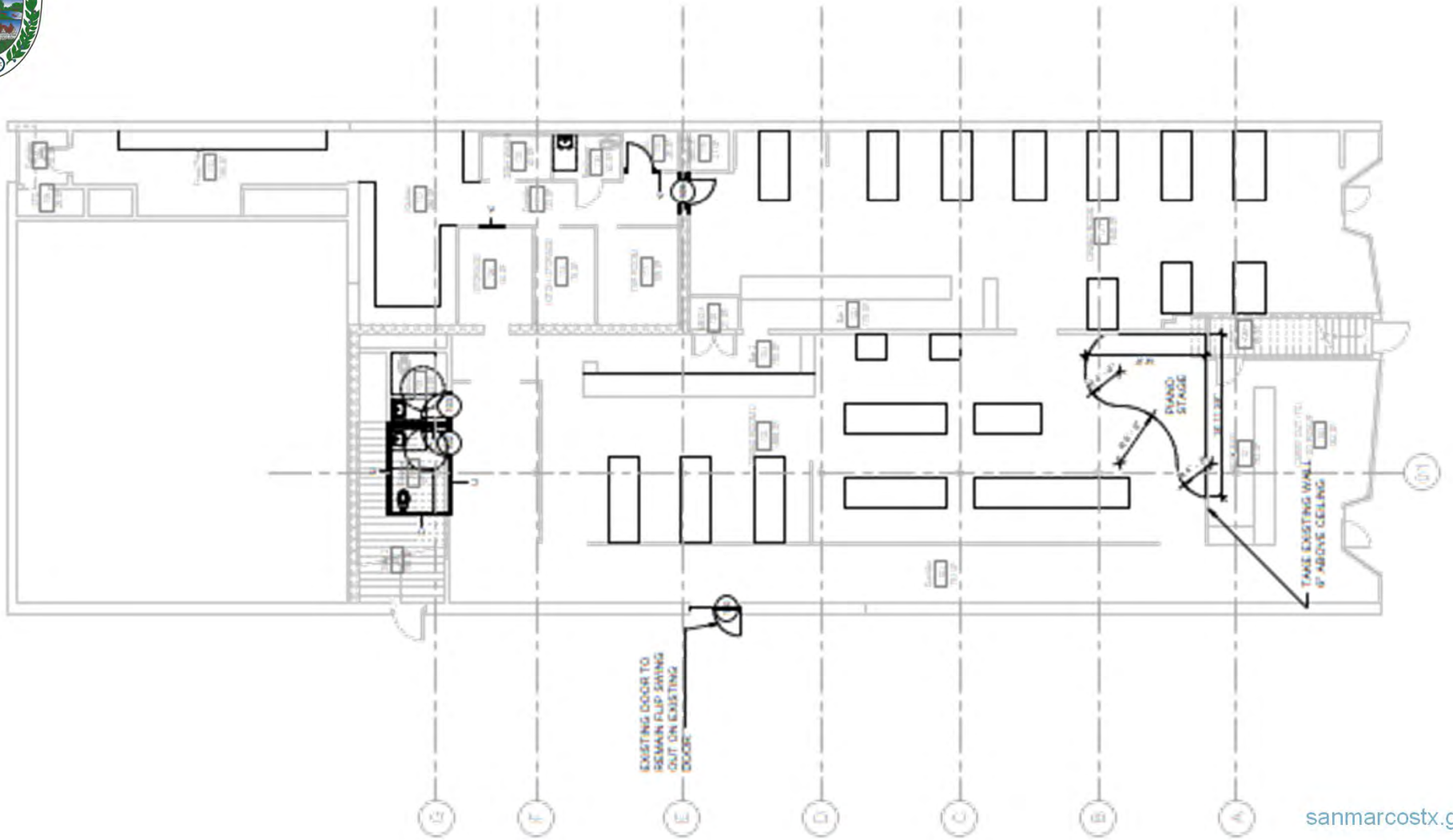
- **Photos from April 1 Code Enforcement Site Visit:**





- **Photos from April 1 Code Enforcement Site Visit:**







Mr. Exotics

Steakhouse & Home of the Exotic Drink
105 E Hopkins San Marcos TX 78666

Chiefs Top Choices

- . Wagyu rib-eye 8oz \$68
- . Churrasco Picanha \$42
- . Top Steak Kebabs \$30

Sides

- . Mash potatoes . Asparagus . Bake potatoes . Green Beans.
- . Broccoli . Salad .

Appetizers

- Steak bread \$12
- Flame dose \$12
- Lobster tail bites \$15
- Charcuterie board \$16

Entrees

- Bone-In Ribeye 18oz \$29.99
- Filet mignon 6oz \$20 8oz \$29
- Center cut sirloin 8oz \$16 11oz \$19
- New York strip 16oz \$26
- Ribeye 12oz \$23 15oz \$26
- T-Bone Steak 22oz \$32
- Eye of round 8oz \$24



Recommendation

- Staff recommends **approval** of the request with the following conditions:
 1. The permit is valid for six (6) months, provided standards are met.
 2. Food shall be available to patrons in all areas of the restaurant in a manner that meets the requirements of Section 5.1.5.5(4)(b), Eating Establishments – Downtown CBA Boundary.
 3. The hours of operation shall be limited to Tuesday – Sunday: 11 AM – 10 PM, as stated in the application.
 4. Inside amplified music shall be limited to the hours of operation as presented (11 AM – 10 PM).
 5. Use of the second floor is prohibited unless a building permit or Certificate of Occupancy for the space has been obtained.
 6. The permit shall be effective upon completion of a functioning kitchen that meets all Environmental Health requirements to allow for food preparation.



Recommendation (Cont'd.)

- Staff recommends **approval** of the request with the following conditions:
 7. The permit shall be effective upon compliance with the approved Administrative Certificate of Appropriateness (HPC-21-04).
 8. The permit shall be effective upon compliance with the decision of the Historic Preservation Commission in Case HPC-21-06.
 9. The permit shall be effective upon issuance of an interior remodel permit.
 10. The permit shall be effective upon issuance of Permit 2021-35473 (Tenant Finish Out).
 11. The permit shall be effective upon the issuance of a Certificate of Occupancy.
 12. The permit shall be posted in the same area and manner as the sanmarcostx.gov Certificate of Occupancy.