



# Public Hearing

## CUP-26-21

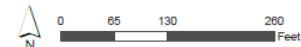
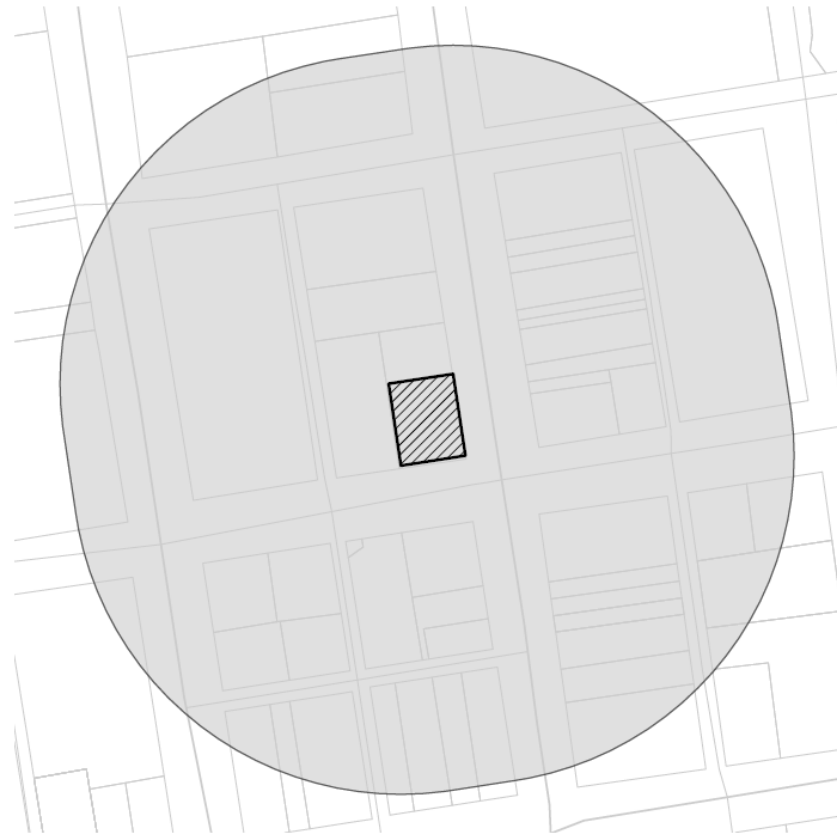
### Archies

CUP-26-21 (Archies) Hold a public hearing and consider a request by Ryan Bunger, on behalf of Archies, for renewal of a Conditional Use Permit to allow on premise consumption of Mixed Beverages, located at 301 N LBJ Dr, Ste 119. (K. Buck)



# Property Information

- Approximately 0.182 acres
- Location: Northwest corner of Hutchison St & N LBJ Dr

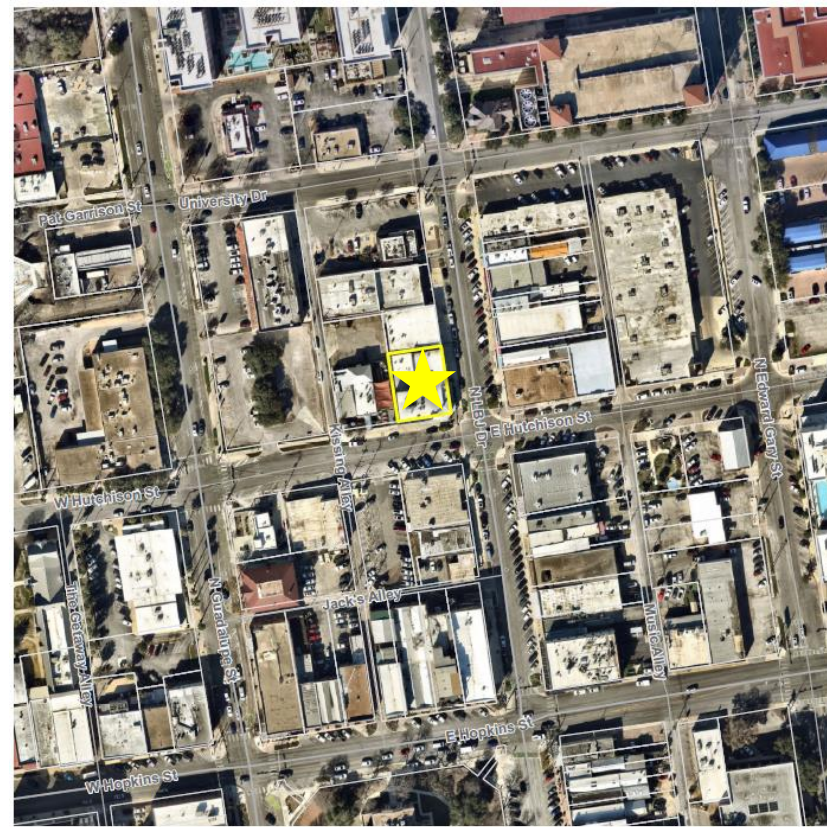


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Date: 4/17/2026

# Context & History

- Currently a Restaurant (Eating Establishment) with on-premise consumption of alcohol.
- Located within the Central Business Area (CBA)
  - “Restaurant (Eating Establishment)” uses within the CBA are required to meet certain standards related to kitchen equipment, meal periods, advertisement, and cleanliness outlined in Section 5.1.5.5.B.4.b.
- The business has held a Restaurant CUP since 2024.
- Surrounding Uses:
  - Personal Service
  - Retail
  - Bars & Restaurants



Legend:  
■ Subject Property  
□ Parcel

Scale: 0 80 160 320 Feet

Site Location

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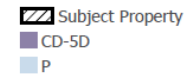
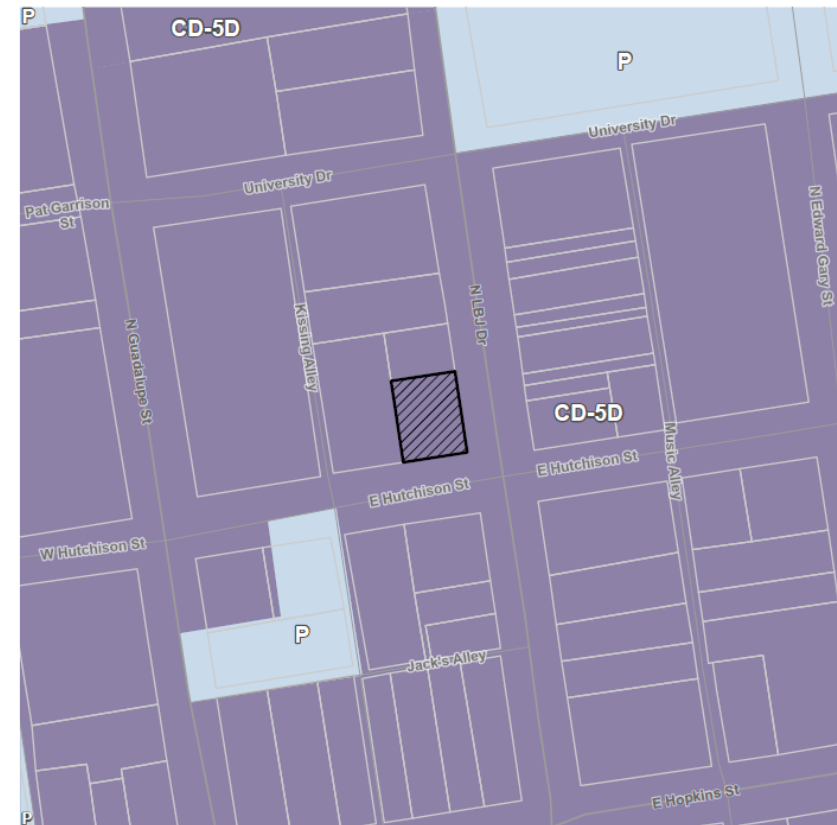
**SAMMARCOS** Planning and Development Services

3

0 2.5 5 Miles

# Context & History

- **Existing Zoning:** Character District 5 Downtown (CD-5D)
- **Proposed Use:** Restaurant (Eating Establishment) with On-Premise Consumption of Alcohol
  - Hours of Operation:
    - Monday-Sunday: 6am-12am
- **CUP Expiration Date:** December 31, 2025
- **Police Calls:** None



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Date: 4/17/2026





# Criteria for Approval

C	I	N	Criteria for Approval – Sec. 2.8.3.4
<u>X</u>			Aligns with the adopted comprehensive plan?
<u>X</u>			Complies with any applicable small area plan or neighborhood studies?
<u>X</u>			Meets the purpose and intent of the current zoning district regulations?
		<u>X</u>	Preserves surrounding character and mitigates impacts (traffic, noise, drainage, visual effects, etc)?
<u>X</u>			Does not create hazardous pedestrian or vehicle traffic conflicts?
		<u>X</u>	Includes roadway improvements or controls to reduce neighborhood traffic impacts?



# Criteria for Approval

C	I	N	Criteria for Approval – Sec. 2.8.3.4 Continued
		<u>X</u>	Incorporates design features to reduce visual and other negative effects on adjacent properties?
<u>X</u>			Meets district standards, or any requested variations are necessary for neighborhood compatibility?

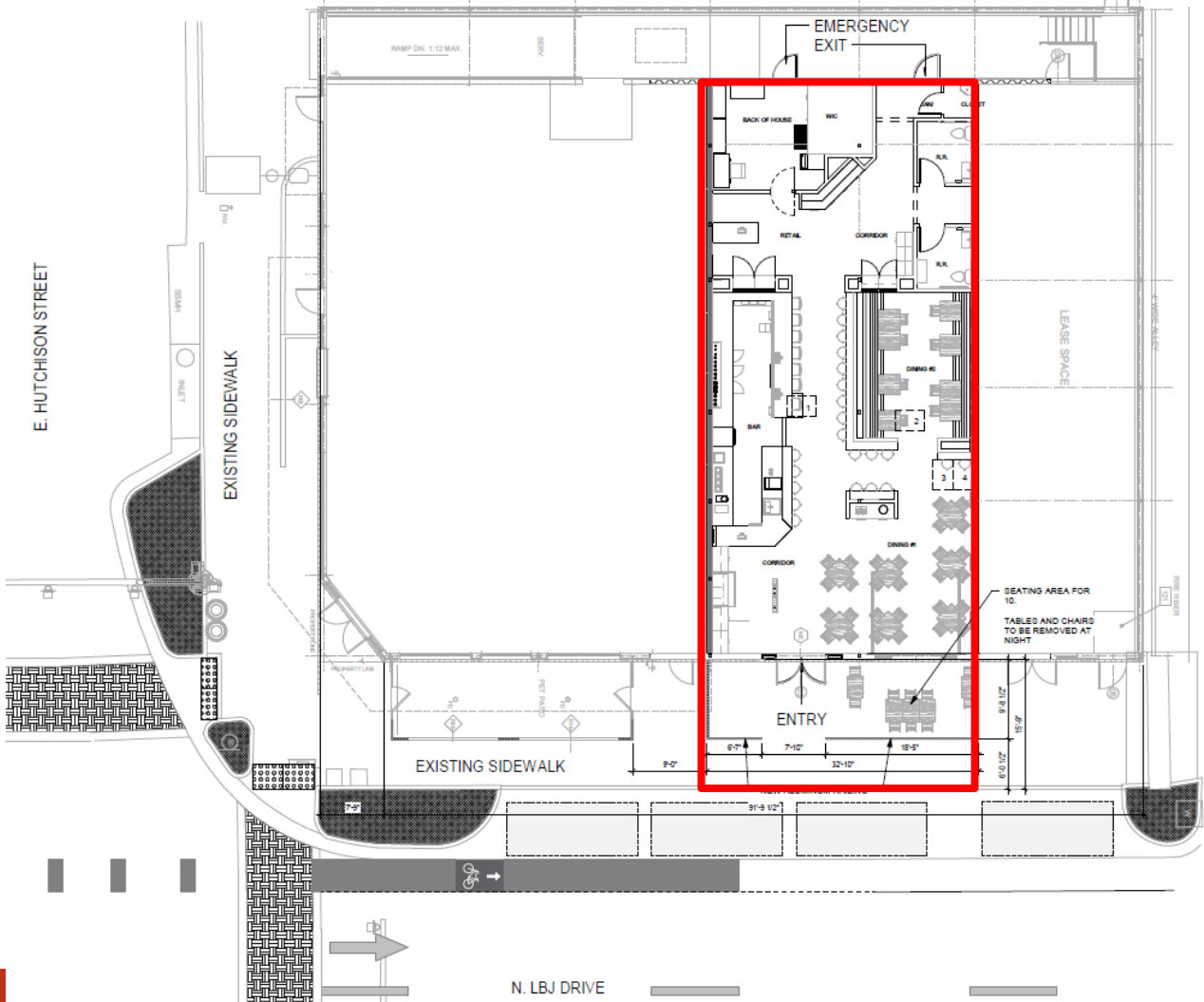
C	I	N	Criteria for Approval – Sec. 5.1.5.5
<u>X</u>			Located at least 300 feet from detached single-family homes in single-family-only districts?
<u>X</u>			Located at least 300 feet from churches, schools, and public hospitals?
<u>X</u>			Located at least 1,000 feet from any public or private school?



# Criteria for Eating Establishments within CBA

C	I	N	CBA Boundary – Eating Establishment (Sec. 5.1.5.5.B.4.b)
<u>X</u>			Does the business include a properly equipped commercial kitchen with adequate food storage and heavy food preparation equipment?
<u>X</u>			Does the business serve meals during at least two four-hour meal periods each day it is open, with a minimum of three entrée options available during each period?
<u>X</u>			Is the business used, maintained, and advertised to the public as a restaurant where meals are prepared and served?
<u>X</u>			Is the business maintaining the sidewalk, gutters, parking areas, areas within 50 feet of exits, and the permitted property in a clean and sanitary condition at all times?

# Site Plan





# Recommendation



Staff recommends **approval** of CUP-26-21 with the following conditions:

1. The permit shall be valid for three (3) years, and shall expire on December 31, 2028, provided standards are met;
2. 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.
3. 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.
4. The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.E.2.d);
5. 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;

**Continued...**

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## Recommendation Continued

6. 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;
7. The business must be used, maintained, advertised and held out to the public as a place where meals are prepared and served;
10. The occupancy is required to remain compliant with the fire code, to include ensuring that occupant loads stay at or below posted levels; and
11. The permit shall be posted in the same area and manner as the Certificate of Occupancy.