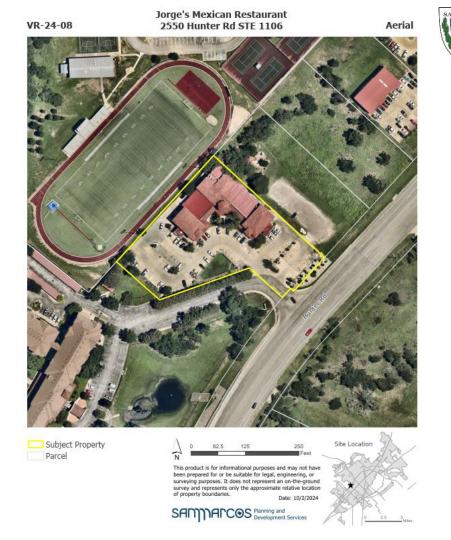


Public Hearing VR-25-12 Jorge's Mexican Restaurant

VR-25-12 (Jorge's Mexican Restaurant) Hold a public hearing and consider a request by Jorge Ruiz Martinez, on behalf of Jorge's Mexican Restaurant, for a variance to Section 5.1.5.5. of the San Marcos Development Code, regarding the Sale and On-Premise Consumption of Alcohol within 300 ft. of a public or private school, located at 2550 Hunter Road, Suite 1106. (C. Garrison)



- Variance request accompanies
 Conditional Use Permit CUP-25-59
 (see previous item)
- Restaurant entrance is approximately 740 feet to the entrance of Doris Miller Middle School
- Application meets requirements of relief procedure set out in Section 2.8.3.7 of LDC
 - Letter from School District
 - More than 200' between primary entrances
 - Less than 25% of revenue anticipated to be generated from alcohol sales



Recommendation



Staff recommends **approval** of VR-25-12 with the following conditions:

- 1. The Variance shall be valid for one (1) year (concurrent with the associated Conditional Use Permit), provided standards are met; and
- 2. 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
- 3. The restaurant shall operate such that gross revenue from alcohol sales will be less than 25% of total gross revenue for the business, with the restaurant submitting annual reports indicating this condition has been met.

Note: conditions unchanged from previous approvals