

Conditional Use Permit CUP-18-19

2601 Hunter Road San Marcos BBQ



Summary

Request:	Consider a request by Justin Pearson for a new Conditional Use Permit to allow the sale of beer and wine for on premise consumption at 2601 Hunter Road.		
Applicant:	Justin Pearson 2601 Hunter Road San Marcos TX, 78666	Property Owner:	Justin Pearson 2601 Hunter Road San Marcos TX, 78666
CUP Expiration:	N/A	Type of CUP:	Beer and Wine
Interior Floor Area:	3,600	Outdoor Floor Area:	0
Parking Required:	36	Parking Provided:	36
Days & Hours of Operation:	Monday – Saturday: 11am-8pm Sunday: 11am – 6pm		

Notification

Posted:	May 24, 2018	Personal:	May 24, 2018
Response:	None as of the date of this report		

Property Description

Legal Description:	2.508 acres out of the Juan M Veramendi Survey #1		
Location:	Frontage on Hunter Road between Foxtail Run and Suttles Avenue		
Acreage:	2.508	Central Business Area:	No
Existing Zoning:	Community Commercial (CC)	Preferred Scenario:	Star Park Medium Intensity Zone
Existing Use:	Restaurant / Mobile Home Community	Proposed Use:	Same
CONA Neighborhood:	N/A	Sector:	9
Utility Capacity:	Adequate		

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	General Commercial / MF-24	Vacant / Age Restricted Multifamily	Employment Center / Existing Neighborhood
South of Property:	General Commercial	Vacant	Medium Intensity
East of Property:	General Commercial	Vacant	Employment Center
West of Property:	ETJ	Restaurant / Church	Low Intensity

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History

This is a new request for a Conditional Use Permit.

Additional Analysis

In addition to the San Marcos BBQ, there are 10 mobile homes located on this property and one house, all are currently rented for residential use. The residential structures are existing and considered a legal nonconforming use within the Community Commercial (CC) Zoning District. As the proposed hours of operation are limited to no later than 8 p.m. Monday through Saturday, and no later than 6 p.m. on Sundays staff does not see this as a conflicting use.

Comments from Other Departments

Police	No Comment
Fire	No Comment
Public Services	No Comment
Engineering	No Comment

Staff Recommendation

<input type="checkbox"/>	Approval as Submitted	<input checked="" type="checkbox"/>	Approval with Conditions / Alternate	<input type="checkbox"/>	Denial
<ul style="list-style-type: none">• Permit is valid for one (1) year, provided standards are met;• Hours of operation are limited to no later than 8 p.m.;• Alcohol consumption is limited to inside the restaurant; and• The permit is posted in the same area and manner as the Certificate of Occupancy.					
Staff: Will Parrish		Title : Planner		Date: June 7, 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 as outlined in Section 5.1.5.5.
<u>X</u>			The proposed use is not within 1,000 ft. of a public or private school as outlined within section 5.1.5.5.