

Conditional Use Permit	107 East Hopkins Street
CUP-18-23	Blue Dahlia Bistro



Summary

Request:	Consider a request by Blue Dahlia Bistro to renew a Restaurant Conditional Use Permit to allow the continued sale of beer and wine for on premise consumption at 107 East Hopkins Street.		
Applicant:	Blue Dahlia Bistro 107 East Hopkins Street San Marcos, TX 78666	Property Owner:	East Hopkins, L.L.C. 1801 Chalk Rock Cove Austin, TX 78735
CUP Expiration:	July 12, 2018	Type of CUP:	Restaurant: Beer and Wine
Total Floor Area:	2,800 sq. ft.	Seating Capacity:	58 – indoor 40 - outdoor
Parking Required:	None. The property is located in the Central Business Area (CBA)	Parking Provided:	N/A
Days & Hours of Operation:	Monday: 9am-9pm Tuesday: 9am-9pm Wednesday: 9am-9pm Thursday: 9am-10pm Friday: 9am-10pm Saturday: 9am-10pm Sunday: 9am – 9pm		

Notification

Application:	N/A	Neighborhood Meeting:	N/A
Published:	N/A	# of Participants:	N/A
Posted:	July 6, 2018	Personal:	July 6, 2018
Response:	None as of the date of this report		

Property Description

Legal Description:	Original Town of San Marcos, part of Lot 8, Block 20		
Location:	East Hopkins Street		
Acreage:	0.26 acres	Central Business Area:	Yes
Existing Zoning:	Character District – 5 Downtown (CD-5D)	Preferred Scenario:	Downtown High Intensity Zone
Existing Use:	Restaurant	Proposed Use:	Same
CONA Neighborhood:	Downtown	Sector:	8
Utility Capacity:	Adequate		

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	P	Texas State University	High Intensity Zone
South of Property:	P	Hays County Courthouse	High Intensity Zone
East of Property:	CD-5D	Retail / Office / Restaurant	High Intensity Zone
West of Property:	CD-5D	Retail / Dance Studio	High Intensity Zone

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History

The subject property is located on the west side of the Courthouse Square and has been the location for a restaurant for almost a year; a menu has been included as an attachment. Blue Dahlia was granted a one (1) year CUP for beer and wine in June of 2016 which became effective upon the issuance of the Certificate of Occupancy on July 12, 2017.

Additional Analysis

The Development Code allows for Administrative Approval of renewals to Restaurant Conditional Use Permits for a period not to exceed 3 years. Because the establishment is fairly new, staff felt it would be appropriate to bring the request to the Commission. If there are not issues with the request in the future, staff may pursue Administrative Approval, subject to the requirements of the Development Code and the conditions in place from previous approvals.

Comments from Other Departments

Police	No concerns associated with the request.
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 shall be valid for three (3) years, provided standards are met. The permit shall be posted in the same area and manner as the Certificate of Occupancy. 					
Staff: Alison Brake, CNU-A			Title : Planner		Date: July 19, 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. <i>CD-5D zoning allows for a restaurant use.</i>
<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.