

Conditional Use Permit CUP-18-32

3939 S IH 35 #FC 6
Branding Iron BBQ



Summary

Request:	A Conditional Use Permit for the sale of beer and wine.		
Applicant:	Jeremy Valentine 901 Hidden Valley Drive Dallas, TX 75241	Property Owner:	Simon Property Group 3939 S IH 35 San Marcos, TX 78666
CUP Expiration:	N/A	Type of CUP:	Beer and Wine
Interior Floor Area:	Approximately 4,000 sq ft	Outdoor Floor Area:	NA
Parking Required:	25 spaces	Parking Provided:	Yes
Days & Hours of Operation:	Monday - Saturday: 11 a.m. to 9 p.m.		

Notification

Application:	N/A	Neighborhood Meeting:	N/A
Published:	N/A	# of Participants:	N/A
Posted:	October 5, 2018	Personal:	October 5, 2018
Response:	None as of the date of this report		

Property Description

Legal Description:	Prime Outlet 1, Lot 1		
Location:	S IH 35 and Centerpoint Road		
Acreage:	76.5 acres	Central Business Area:	No
Existing Zoning:	General Commercial	Preferred Scenario:	Employment Center
Existing Use:	Outlet Mall Food Court	Proposed Use:	Outlet Mall Food Court
CONA Neighborhood:	N/A	Sector:	5
Utility Capacity:	Adequate	Floodplain:	No
Historic District	N/A		

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	GC	Vacant	Employment Center
South of Property:	GC	Tanger Outlet Mall	Employment Center
East of Property:	LI	Vacant	Low Intensity
West of Property:	Industrial	Vacant	Employment Center

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History

The applicant is proposing to sell beer and wine at a BBQ restaurant within the existing food court at the Prime Outlets. Alcohol consumption is proposed to be limited to within the food court.

Additional Analysis

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 shall be valid for one (1) year, provided standards are met. The permit shall become effective upon the issuance of the Certificate of Occupancy. The permit shall be posted in the same area and manner as the Certificate of Occupancy. 					
Staff: Will Parrish, CNU-A			Title : Planner		Date: October 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. <i>This property is not located within an existing neighborhood</i>
<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.
<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.