

|                               |                                    |
|-------------------------------|------------------------------------|
| <b>Conditional Use Permit</b> | <b>700 N. LBJ Drive Suite 102B</b> |
| <b>CUP-18-38</b>              | <b>Casa Choi</b>                   |



**Summary**

|                                       |   |                          |   |
|---------------------------------------|---|--------------------------|---|
| <b>Request:</b>                       | Consider a request by Hannah Lee on behalf of Flemming Hjorting for a Conditional Use Permit to allow the sale of beer and wine for on premise consumption at 700 N. LBJ Drive Suite 102 B. |                          |   |
| <b>Applicant:</b>                     | Hanna Lee<br>700 N LBJ Dr. Ste. 102 B<br>San Marcos TX, 78666   | <b>Property Owner:</b>   | Flemming Hjorting<br>2101 IH-35<br>Austin TX, 78741 |
| <b>CUP Expiration:</b>                | N/A   | <b>Type of CUP:</b>      | Beer and Wine                                       |
| <b>Interior seating:</b>              | 46  | <b>Outdoor seating:</b>  | 8   |
| <b>Parking Required:</b>              | 14 spaces   | <b>Parking Provided:</b> | Shared  |
| <b>Days &amp; Hours of Operation:</b> | Monday – Sunday: 11 a.m. – 9:30 p.m.  |                          |   |

**Notification**

|                  |                                    |                  |                   |
|------------------|------------------------------------|------------------|-------------------|
| <b>Posted:</b>   | December 21, 2018                  | <b>Personal:</b> | December 21, 2018 |
| <b>Response:</b> | None as of the date of this report |                  |                   |

**Property Description**

|                           |                                   |                               |                       |
|---------------------------|-----------------------------------|-------------------------------|-----------------------|
| <b>Legal Description:</b> | Lot 1 of Center 1 Centre          |                               |                       |
| <b>Location:</b>          | Intersection of Sessom and N. LBJ |                               |                       |
| <b>Acreage:</b>           | N/A                               | <b>Central Business Area:</b> | No                    |
| <b>Existing Zoning:</b>   | Community Commercial (CC)         | <b>Preferred Scenario:</b>    | Existing Neighborhood |
| <b>Existing Use:</b>      | Restaurant                        | <b>Proposed Use:</b>          | Same                  |
| <b>CONA Neighborhood:</b> | N/A                               | <b>Sector:</b>                | 3                     |
| <b>Utility Capacity:</b>  | Adequate                          |                               |                       |

**Surrounding Area**

|                           | <b>Zoning</b> | <b>Existing Land Use</b> | <b>Preferred Scenario</b> |
|---------------------------|---------------|--------------------------|---------------------------|
| <b>North of Property:</b> | CC/MF-18      | Retail/Multifamily       | Existing Neighborhood     |
| <b>South of Property:</b> | P             | Texas State University   | N/A                       |
| <b>East of Property:</b>  | P/MF-24       | Multifamily              | Existing Neighborhood     |
| <b>West of Property:</b>  | GC/NC         | Service Station/Retail   | Existing Neighborhood     |

|                               |                                    |
|-------------------------------|------------------------------------|
| <b>Conditional Use Permit</b> | <b>700 N. LBJ Drive Suite 102B</b> |
| <b>CUP-18-38</b>              | <b>Casa Choi</b>                   |



**History**

This property is located at the intersection of Sessom and N. LBJ Drive. This property was recently the location of another restaurant that had a beer and wine CUP, Cheer and Chow, which is moving downtown.

**Additional Analysis**

The applicant is proposing to open a restaurant and is requesting a beer and wine CUP. The gross floor area is 1,100 square feet and will have 46 indoor seats as well as 8 patio seats. The hours of operation are proposed to be 11 a.m. – 9:30 p.m. seven days a week.

The applicant has another restaurant in this shopping center, Unami, which currently has a CUP for beer and wine. There have been no reported concerns related to the Unami CUP.

**Comments from Other Departments**

|                        |                       |
|------------------------|-----------------------|
| <b>Police</b>          | Comment or No Comment |
| <b>Fire</b>            | Comment or No Comment |
| <b>Public Services</b> | Comment or No Comment |
| <b>Engineering</b>     | Comment or No Comment |

**Staff Recommendation**

|   |                                     |                                      |                                |        |                          |
|---|-------------------------------------|--------------------------------------|--------------------------------|--------|--------------------------|
| Approval as Submitted   | <input checked="" type="checkbox"/> | Approval with Conditions / Alternate | <input type="checkbox"/>       | Denial | <input type="checkbox"/> |
| <ul style="list-style-type: none"> <li>Permit shall be valid for one (1) years, provided standards are met,</li> <li>The permit shall be effective upon the issuance of a Certificate of Occupancy, and</li> <li>The permit shall be posted in the same area and manner as the Certificate of Occupancy.</li> </ul> |                                     |                                      |                                |        |                          |
| <b>Staff:</b> Will Parrish  | <b>Title :</b> Planner              |                                      | <b>Date:</b> December 28, 2018 |        |                          |

|                               |                                    |
|-------------------------------|------------------------------------|
| <b>Conditional Use Permit</b> | <b>700 N. LBJ Drive Suite 102B</b> |
| <b>CUP-18-38</b>              | <b>Casa Choi</b>                   |



| 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(E)(3).   |