

# Conditional Use Permit CUP-19-12

**700 North LBJ Drive # 111**  
**The Growling**



## Summary

<b>Request:</b>	Renewal of a Conditional Use Permit for the sale of beer and wine.		
<b>Applicant:</b>	Manuel Lopez-Castro 700 N LBJ Drive #111 San Marcos, TX 78666	<b>Property Owner:</b>	Hjorting Family Trust 2101 S IH 35, Suite 220 Austin, TX 78741
<b>Square Feet:</b>	1500 sq. ft.	<b>Type of CUP:</b>	Beer and Wine
<b>Interior seating:</b>	35	<b>Outdoor seating:</b>	0
<b>Parking Required:</b>	9 spaces	<b>Parking Provided:</b>	Shared
<b>Days &amp; Hours of Operation:</b>	Sunday – Saturday: 12 p.m. – 12 a.m.		

## Notification

<b>Posted:</b>	April 5, 2019	<b>Personal:</b>	April 5, 2019
<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 North 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>	Bar	<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

## Staff Recommendation

<input type="checkbox"/>	Approval as Submitted	<input checked="" type="checkbox"/> X	Approval with Conditions / Alternate	<input type="checkbox"/>	Denial
<ul style="list-style-type: none"> <li>Permit shall be valid for three (3) years, provided standards are met,</li> <li>No live music or karaoke shall be allowed outdoors or other unconditioned areas.</li> <li>The permit shall be posted in the same area and manner as the Certificate of Occupancy.</li> </ul>					
<b>Staff:</b> Tory Carpenter		<b>Title :</b> Planner		<b>Date:</b> April 18, 2019	

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### **History**

The Growling received their initial Conditional Use Permit in 2015 for a period of one year which was renewed in 2016 for three years.

### **Additional Analysis**

The gross floor area is 1500 square feet and the restaurant has 35 indoor seats. The hours of operation are 12 p.m. – 12 a.m. Sunday through Saturday. Entertainment facilities at the bar include a pool table, live music, and karaoke. To limit any potential disruption to nearby businesses or properties, staff recommends that all live music and karaoke be limited to indoors.

### **Comments from Other Departments**

<b>Police</b>	No Concerns
<b>Fire</b>	No Concerns
<b>Public Services</b>	No Concerns
<b>Engineering</b>	No Concerns

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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.  <b><i>Studies have not been completed at the time of this request</i></b>
<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).