

Conditional Use Permit	1121 North IH-35
CUP-20-14	Chuy's Renewal



Summary

Request:	Renewal of a Conditional Use Permit to allow the sale of mixed beverages for on premise consumption at 1121 North IH-35.		
Applicant:	Chuy's OPCO Inc. 1623 Toomey Road Austin, TX 78704	Property Owner:	T.A. Cox Trust 3060 Devonshire Way Germantown, TX 38139
Square Feet:	8,500 square feet	Type of CUP:	Mixed Beverage
Interior seating:	233	Outdoor seating:	80
Parking Required:	79 spaces	Parking Provided:	-57 parking spaces within the subject property -Shared-parking agreement with Springtown Development owners for additional required spaces
Days & Hours of Operation:	Sunday-Thursday: 11 a.m. – 10 p.m. Friday-Saturday: 11 a.m. – 11 p.m.		

Notification

Posted:	August 21, 2020	Personal:	August 21, 2020
Response:	None as of the date of this report		

Property Description

Legal Description:	Chuy's Addition, Lot 1		
Location:	Near the intersection of IH-35 Frontage Road and Springtown Way		
Acreage:	0.956 acres +/-	Central Business Area:	No
Existing Zoning:	General Commercial (GC)	Preferred Scenario:	Midtown High Intensity Zone
Existing Use:	Restaurant	Proposed Use:	Restaurant
CONA Neighborhood:	Millview West	Sector:	7
Utility Capacity:	Adequate		

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	GC	Retail/Restaurants	High Intensity
South of Property:	GC	Retail/Restaurants	High Intensity
East of Property:	GC	I-35	High Intensity
West of Property:	GC	Restaurants	High Intensity

Conditional Use Permit	1121 North IH-35
CUP-20-14	Chuy's Renewal



History

Chuy's is located within the Springtown Shopping Center between IH-35, Springtown Way, and Thorpe Lane. The subject property is one of several parcels located within the shopping center development and was constructed in 2016.

Chuy's received their initial Conditional Use Permit from the Commission in 2016 for one (1) year. The business applied for renewal of the CUP in 2017 which was subsequently granted for three (3) years.

The total gross floor area of the space is approximately 8,500 square feet with 233 indoor seats and 80 outdoor seats. No entertainment facilities beyond the existing speakers and television sets inside the restaurant (shown on the diagram included in this packet) are proposed at this time. The current and proposed continued hours of operation are from 11 am-10 pm Sunday-Thursday and 11 am-11 pm Friday and Saturday. Based upon the San Marcos Development Code, Chuy's is required to provide 79 parking spaces (1 space for every 4 seats). Chuy's has 57 parking spaces within their site as well as a shared-parking agreement with the owners of the Springtown Development for the additional required spaces.

Additional Analysis

None.

Comments from Other Departments

Police	No Concerns
Fire	No Concerns
Public Services	No Concerns
Engineering	No Concerns

Staff Recommendation

Approval as Submitted	<input checked="" type="checkbox"/>	Approval with Conditions / Alternate	<input type="checkbox"/>	Denial	<input type="checkbox"/>
1. The permit shall be posted in the same area and manner as the Certificate of Occupancy.					
Staff: Shavon Caldwell		Title : Planner		Date: September 8, 2020	

Conditional Use Permit

1121 North IH-35

CUP-20-14

Chuy's Renewal



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. Studies were not complete at the time of this request
<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).