

Conditional Use Permit	232 N LBJ Drive
CUP-20-16	Stellar Coffee Co



Summary

Request:	Renewal of an Unrestricted Conditional Use Permit for the sale of beer and wine for on-premises consumption.		
Applicant:	Keith Myrick Stellar Coffee Co 5918 Keller Ridge New Braunfels, TX 78132	Property Owner:	John Slack 912 Naranjo Dr Georgetown, TX 78628
CUP Expiration:	September 22, 2020	Type of CUP:	Unrestricted Beer and Wine
Interior Floor Area:	1200 sq ft	Outdoor Floor Area:	0 sq ft
Parking Required:	0 spaces	Parking Provided:	Yes
Days & Hours of Operation:	Monday - Friday: 7am-10pm Saturday & Sunday: 8am – 10pm		

Notification

Application:	N/A	Neighborhood Meeting:	N/A
Published:	N/A	# of Participants:	N/A
Posted:	September 4, 2020	Personal:	September 4, 2020
Response:	None as of the date of this report		

Property Description

Legal Description:	Part of lot 6, block 7 of the Original Town of San Marcos		
Location:	N LBJ Drive south of Hutchison Street		
Acreage:	0.0709 acres	PDD/DA/Other:	N/A
Existing Zoning:	CD-5D	Proposed Zoning:	CD-5D
Existing Use:	Coffee Shop	Proposed Use:	Same
Preferred Scenario:	Downtown High Intensity	Proposed Designation:	Downtown High Intensity
CONA Neighborhood:	Downtown	Sector:	8
Utility Capacity:	Adequate	Floodplain:	No

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	CD-5D	Commercial	Downtown High Intensity
South of Property:	CD-5D	Commercial	Downtown High Intensity
East of Property:	CD-5D	Commercial	Downtown High Intensity
West of Property:	CD-5D	Commercial	Downtown High Intensity

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Staff Recommendation

Approval as Submitted	<input checked="" type="checkbox"/>	Approval with Conditions / Alternate	<input checked="" type="checkbox"/>	Denial	<input type="checkbox"/>
1. Permit shall be valid for three (3) years, provided standards are met, and 2. The permit shall be posted in the same area and manner as the Certificate of Occupancy.					
Staff: Tory Carpenter, AICP, CNU-A	Title : Planner			Date: September 15, 2020	

History

This suite was previously occupied by Dahlia Woods art gallery which was granted an Unrestricted CUP in 2016 to allow on-premise consumption of beer and wine. This permit was subsequently renewed in 2017 for three years.

In 2019, Stellar Coffee applied for and was granted an administrative name change of the CUP which did not affect the original expiration date.

Additional Analysis

Since the business holds an unrestricted conditional use permit, the sale of food is not required. Also, the business has maintained a “blue” gun sign permit through TABC which indicates that alcohol sales consist of less than 51% of the business’s revenue.

Comments from Other Departments

Police	No Comment
Fire	No Comment
Public Services	No Comment
Engineering	No Comment

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