



CUP-20-13 (Longhorn Daiquiris)

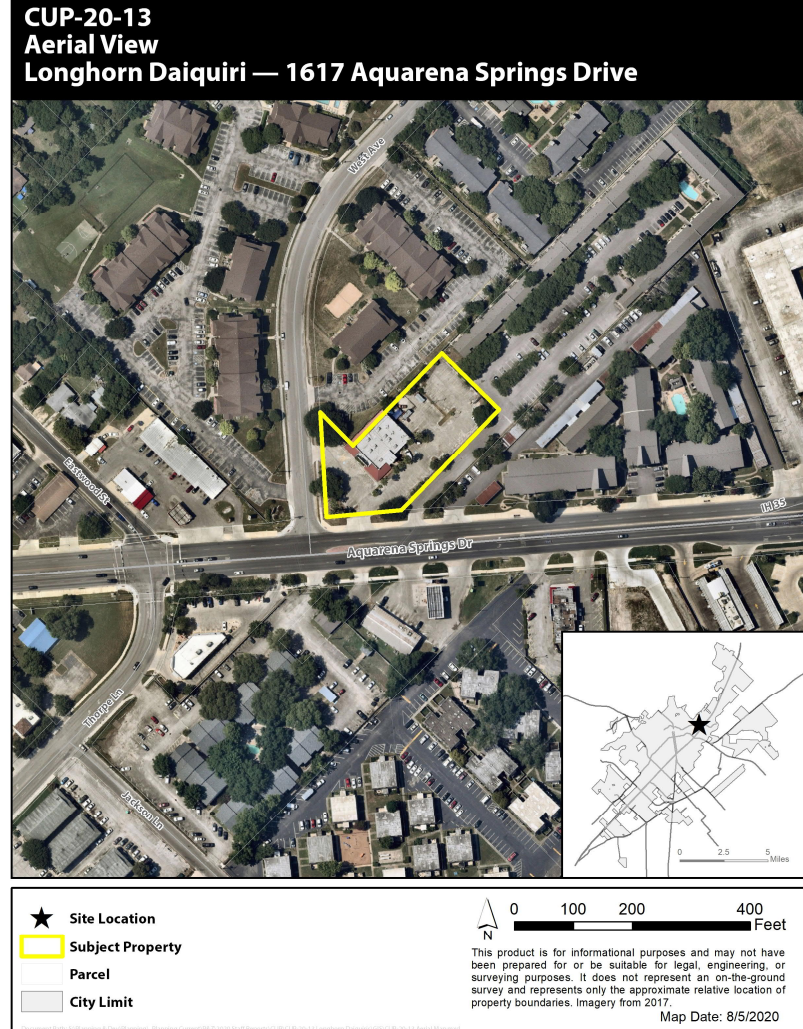
Hold a public hearing and consider an appeal to the San Marcos City Council of the decision of the Planning and Zoning Commission to deny the request by Andrea Villescaz, for a Conditional Use Permit to allow the sale of beer and wine for on premise consumption at 1617 Aquarena Springs Drive.





Location:

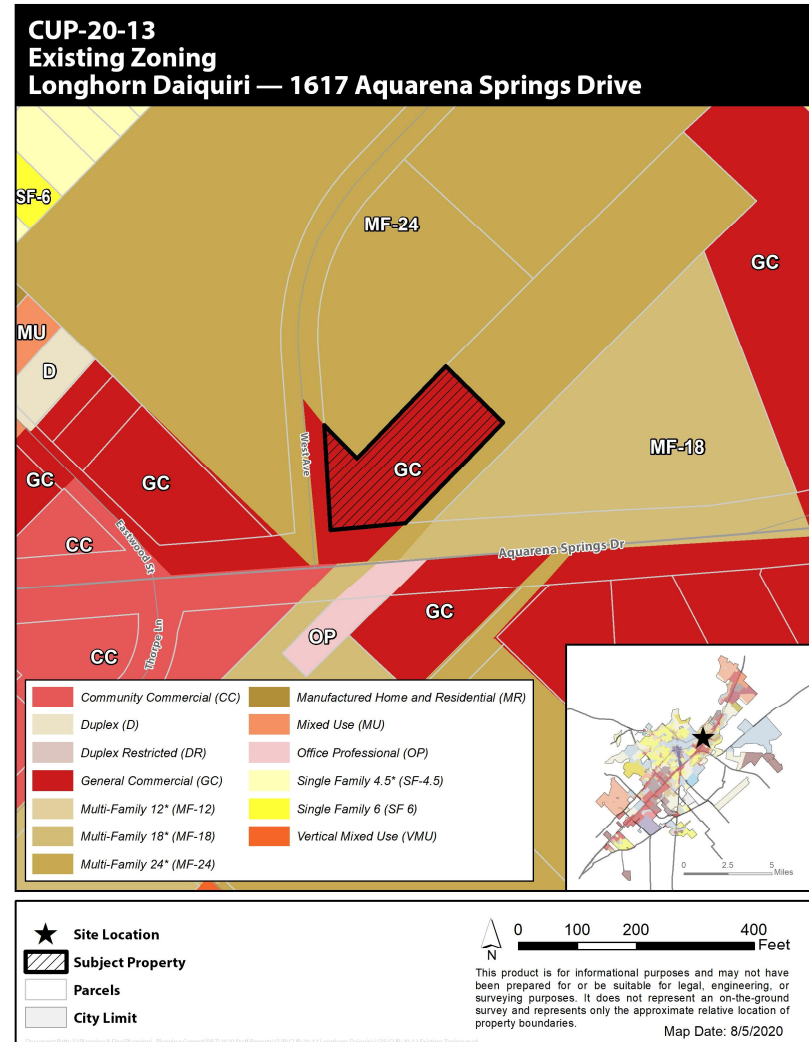
- Property is located at the intersection of West Avenue and Aquarena Springs Drive
- Located within an Existing Neighborhood and the Midtown Entertainment Medium Intensity Zone as designated on the Preferred Scenario Map.



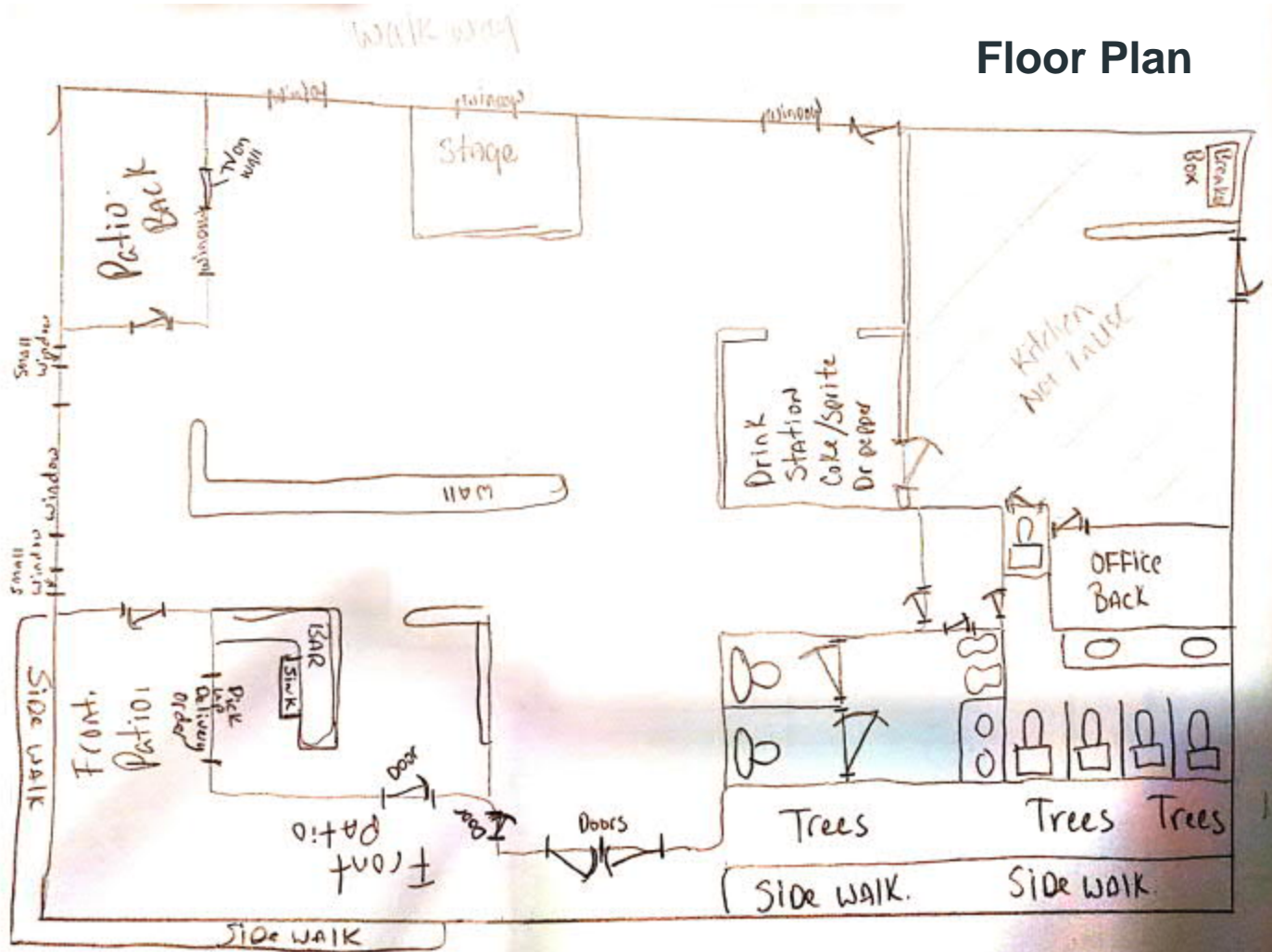


Context & History:

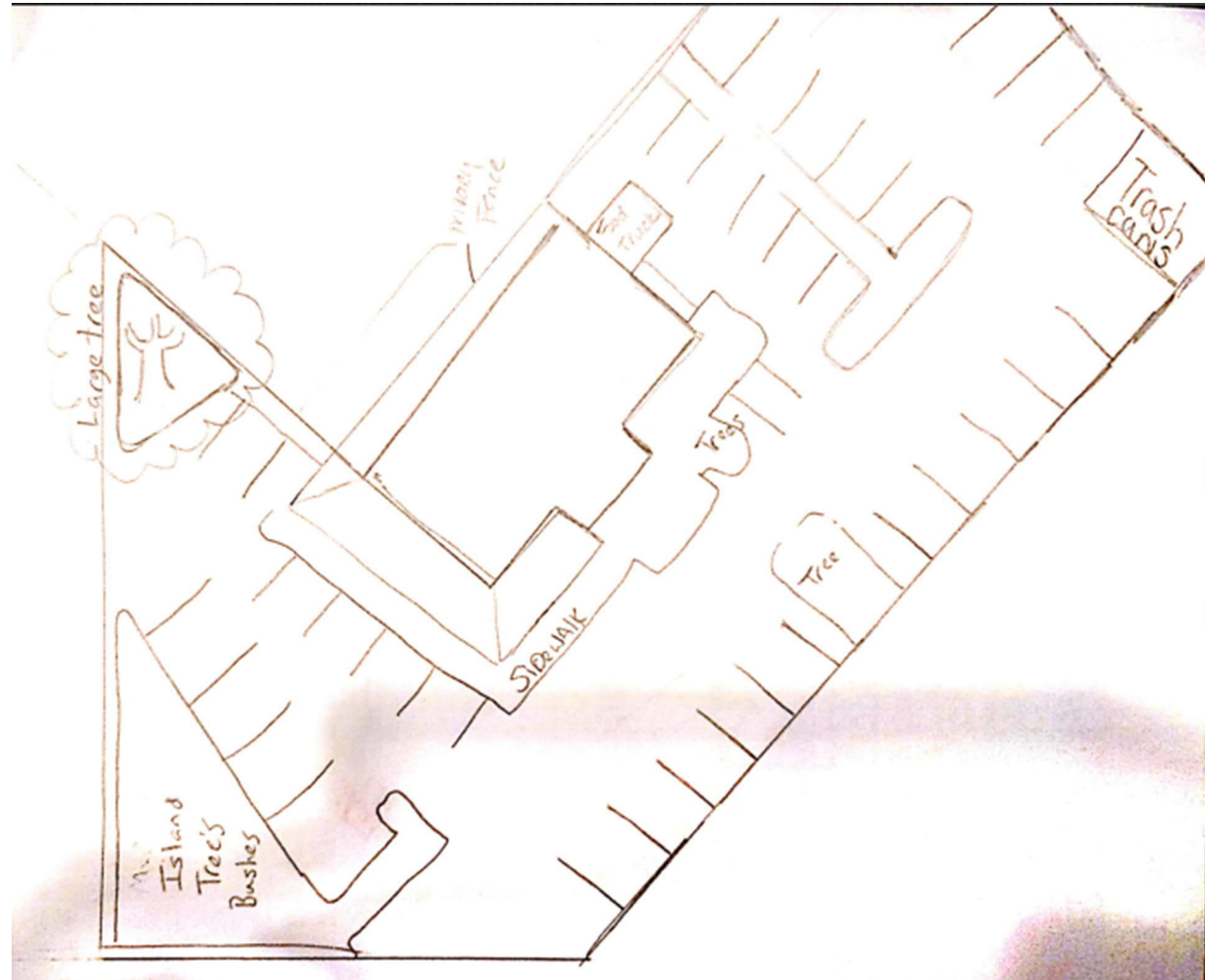
- ~6,080 square foot restaurant
 - 4,800 square foot interior space
 - 1,280 square foot patio
- Seating
 - 150 indoor seats, 60 outdoor seats
- Hours
 - Sunday – Wednesday 12 p.m. to 10 p.m.
 - Thursday 12 p.m. to 11 p.m.
 - Friday - Saturday 12 p.m. to 1 a.m.



Floor Plan



Site Plan





Recommendations:

Staff provided this request to the Planning and Zoning Commission for and recommended **DENIAL** of the Conditional Use Permit.

At their regular meeting on September 22, 2020 the Planning and Zoning Commission heard the request and voted to **deny** the new Conditional Use Permit with a 9-0 vote.

The applicant joined the meeting immediately following the denial vote. The Commission voted 4-3 to **reconsider** the request due to the applicant's technical issues.

Following the applicant's presentation, the Planning and Zoning Commission voted to **deny** the new Conditional Use Permit with a 9-0 vote.

*A super majority vote of the City Council is required to reverse the decision of the Planning and Zoning Commission



Alternatively, should the City Council choose to approve the request, staff recommends the following conditions:

1. The permit shall be valid for six (6) months, provided standards are met,
2. The permit shall be effective upon both the issuance of the TABC permit as described in this report only and completion of a functioning kitchen that meets all TABC license requirements and Environmental Health requirements to allow for food preparation,
3. The establishment shall meet all COVID orders and guidelines pertaining to bars and restaurants when in effect, including requirements for face coverings, social distancing, and seating capacity,
4. No alcoholic beverages may be consumed on premises after the posted hours of operation,
5. No outdoor live or amplified music shall be allowed, and
6. The permit shall be posted in the same area and manner as the Certificate of Occupancy.