

## **VR-21-01 (El Jefe Mexican Restaurant Distance Variance)**

Hold a public hearing and consider a request by Edwin M Mendez, on behalf of El Jefe Mexican Restaurant, for a variance to Section 5.1.5.5 of the San Marcos Development Code, regarding the Sale and On Premise Consumption of Alcohol within 300 ft. of a public or private school, located at 2550 Hunter Road, Suite 1106. (J.Cleary)

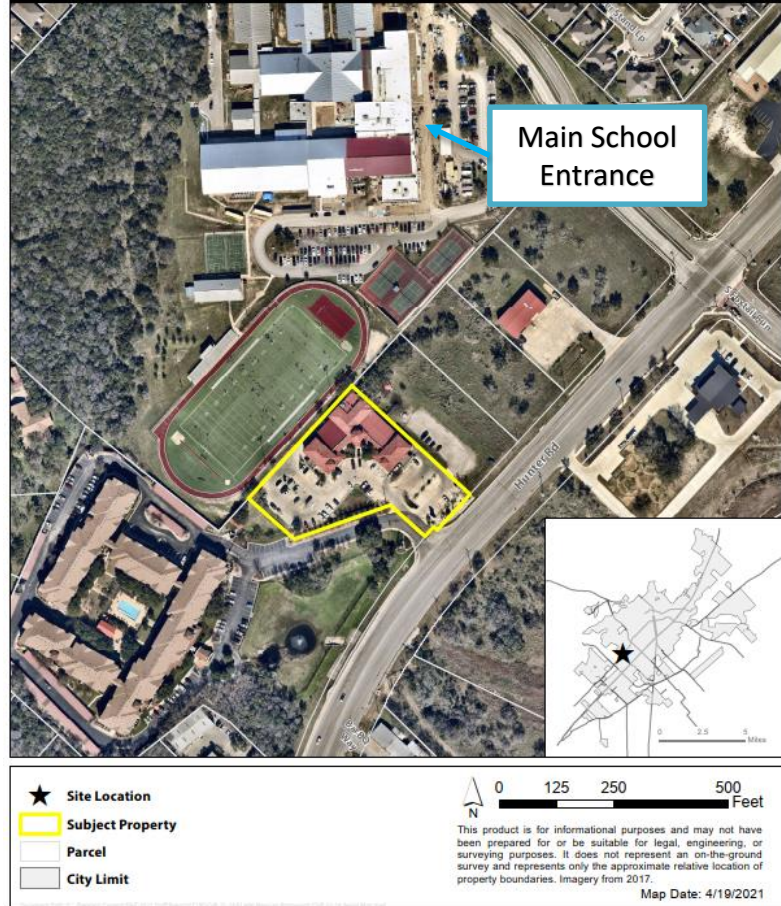
## Location:

- Variance request accompanies Conditional Use Permit CUP-21-14 (see previous item)
- Application meets requirements of relief procedure set out in Section 2.8.3.7 of LDC
  - Letter from School District
  - More than 200' between primary entrances
  - Less than 25% of revenue anticipated to be generated from alcohol sales

CUP-21-14 and VR-21-01

Aerial View

El Jefe Mexican Restaurant — 2550 Hunter Rd, Suite 1106



## **VR-21-01 Recommendation:**

Staff provides this request to the Commission for your consideration and recommends **approval** of Distance Variance with the following conditions:

1. The Variance shall be valid for one (1) year (concurrent with the associated Conditional Use Permit), provided standards are met; and
2. The following statement shall be included on all restaurant menus:  
“Due to the close proximity of a school campus, please be alert for students and drive carefully. This restaurant will accommodate, as necessary, any individual that needs transportation after consuming alcoholic beverages”; and
3. The restaurant shall operate such that gross revenue from alcohol sales will be less than 25% of total gross revenue for the business, with the restaurant submitting annual reports indicating this condition has been met.