

Conditional Use Permit	243 Wonder World Dr., Ste. 100
CUP-21-20	Figaro's Pizza & Pub



Summary

Request:	Renewal of a Conditional Use Permit to allow the sale of mixed beverages for on-premise consumption		
Applicant:	Figaro's Pizza & Pub 243 Wonder World, Ste. 100 San Marcos, TX 78666	Property Owner:	Nomad Capital LLC 11940 Jollyville Rd. Ste. 300 Austin, TX 78759
CUP Expiration:	5/12/2021	Type of CUP:	Mixed Beverage
Interior Floor Area:	2,802 sq ft	Outdoor Floor Area:	750 sq ft
Parking Required:	28 spaces	Parking Provided:	No
Days & Hours of Operation:	Monday – Thursday: 11am-9pm Friday – Saturday: 11am-10pm Sunday: 11am-9pm		

Notification

Application:	N/A	Neighborhood Meeting:	N/A
Published:	N/A	# of Participants:	N/A
Posted:	6/4/2021	Personal:	6/4/2021
Response:	None as of the date of this report		

Property Description

Legal Description:	San Marcos Business Park, Lot 2C		
Location:	North corner of the Corporate Dr and Wonder World Dr intersection		
Acreage:	1.51 acres	PDD/DA/Other:	N/A
Existing Zoning:	GC	Proposed Zoning:	N/A
Existing Use:	Restaurant	Proposed Use:	Same
Preferred Scenario:	Medium Intensity Zone	Proposed Designation:	Same
CONA Neighborhood:	Dunbar	Sector:	1
Utility Capacity:	Adequate	Floodplain:	Yes
Historic Designation:	N/A	My Historic SMTX Resources Survey	No

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	GC	Ozona Bank & Garcia's Restaurant	Medium Intensity – South End
South of Property:	GC	Vacant	Medium Intensity – South End
East of Property:	CD-5	Lamppost Coffee, Otsu Sushi, & Pioneer Bank	Medium Intensity – South End
West of Property:	LI	Little Guys Movers	Medium Intensity – South End

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Staff Recommendation

Approval as Submitted	<u>X</u>	Approval with Conditions / Alternate	Denial
<ul style="list-style-type: none"> The permit shall be valid for three (3) years, provided standards are met. The permit shall be posted in the same area and manner as the Certificate of Occupancy. 			
Staff: Will Rugeley, AICP		Title: Planner	Date: 6/8/2021

History

A conditional use permit for mixed beverages was approved in 2016 and became effective in 2017. In 2018, a CUP amendment to renew the sale of mixed beverages was approved. Staff's recommended conditions correspond with the previous two approvals.

Additional Analysis

See additional analysis below.

Comments from Other Departments

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

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.
<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.

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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 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.
<u>X</u>			The proposed use is not within 1,000 ft. of a public or private school as outlined within section 1.5.1.1.