

Conditional Use Permit	100 West Hopkins Street
CUP-21-23	The Vault / Saké



Summary

Request:	Renewal of a Conditional Use Permit		
Applicant:	Newton Gang Getaway, LLC dba The Vault/Saké 100 West Hopkins Street San Marcos, TX 78666	Property Owner:	Hopkins Square P.O. Box 160896 Austin, TX 78716
CUP Expiration:	July 24, 2021	Type of CUP:	Restaurant: Mixed Beverage
Interior Floor Area:	4,600 sq. ft	Outdoor Floor Area:	None
Parking Required:	None – within CBA	Parking Provided:	N/A
Days & Hours of Operation:	Monday: Closed Tuesday – Saturday: 7pm-3am Sunday: Closed		

Notification

Application:	N/A	Neighborhood Meeting:	N/A
Published:	N/A	# of Participants:	N/A
Posted:	September 10, 2021	Personal:	September 10, 2021
Response:	None as of the date of this report		

Property Description

Legal Description:	Original Town of San Marcos, part of Lots 1-2, Block 10		
Location:	Corner of North Guadalupe Street and West Hopkins Street		
Acreage:	0.14 acres	PDD/DA/Other:	N/A
Existing Zoning:	CD-5D	Proposed Zoning:	N/A
Existing Use:	Bar/Restaurant	Proposed Use:	Same
Preferred Scenario:	Downtown High Intensity Zone	Proposed Designation:	Same
CONA Neighborhood:	Downtown	Sector:	8
Utility Capacity:	Adequate	Floodplain:	No
Historic Designation:	Downtown Historic District, within Hays County National Register District	My Historic SMTX Resources Survey	Yes; High Preservation Priority

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	CD-5D	Former Frost Bank	High Intensity Zone
South of Property:	CD-5D	Medical Office	High Intensity Zone
East of Property:	CD-5D	Former Central Texas Ballet Studio	High Intensity Zone
West of Property:	CD-5D	Retail	High Intensity Zone

Conditional Use Permit	100 West Hopkins Street
CUP-21-23	The Vault / Saké



Staff Recommendation

Approval as Submitted	<input checked="" type="checkbox"/> Approval with Conditions	Denial
1. The permit shall be valid for three (3) years provided standards are met. 2. Food shall be available to patrons in all areas of the restaurant in a manner that meets the requirements of Section 5.1.5.5(4)(b), Eating Establishments – Downtown CBA Boundary. 3. The permit shall be posted in the same area and manner as the Certificate of Occupancy.		
Staff: Alison Brake, CNU-A	Title: Historic Preservation Officer	Date: September 9, 2021

History

Originally issued a CUP in 2009, the business has been through multiple administrative renewals of the CUP along with renewals at the Commission level. Both businesses operate under the same TABC license and existing Restaurant CUP.

Additional Analysis

Restaurant and Bar uses serving alcohol within the downtown CBA are subject to specific Use Standards which include limitations on noise, cleanliness of immediately adjacent areas, serving meals to customers, and 3-year maximum terms of CUP validity. Staff's recommended conditions correspond with the conditions of prior approvals and concerns from other departments.

Comments from Other Departments

Police	<p>On several occasions the business had been over occupancy. According to the Police Department's Downtown Unit, they have recently come into compliance and seem to be watching their occupancy more. The Police Department stated they will continue to monitor the occupancy levels at the business.</p> <p>Additionally, the week of August 23rd, the Downtown Unit reported that there had been two separate incidents regarding highly intoxicated persons, one of which involved two underage persons with fake IDs.</p>
Fire	No Comment
Public Services	No Comment
Engineering	No Comment

Conditional Use Permit	100 West Hopkins Street
CUP-21-23	The Vault / Saké



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. <i>CD-5D zoning allows for a bar and restaurant use.</i>
<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>N/A</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>N/A</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.
<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.