



Legislation Details (With Text)

**File #:** CUP-20-20      **Version:** 1      **Name:**

**Type:** Action Item      **Status:** Individual Consideration

**File created:** 10/6/2020      **In control:** Planning and Zoning Commission

**On agenda:** 10/27/2020      **Final action:**

**Title:** CUP-20-20 (Patio Dolcetto) Hold a public hearing and consider a request by Dolcetto, L.L.C. on behalf of Hilldale Ventures, L.L.C. for a renewal of a Conditional Use Permit to allow the sale of Beer and Wine for on premise consumption 322 Cheatham Street, Ste. A. (W. Parrish)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. CUP-20-20 Staff Report, 2. CUP-20-20 Map Package, 3. CUP-20-20 Business Details, 4. CUP-20-20 Application Package, 5. CUP-20-20 Presentation

Date	Ver.	Action By	Action	Result
10/27/2020	1	Planning and Zoning Commission	amended	Pass

**AGENDA CAPTION:**

CUP-20-20 (Patio Dolcetto) Hold a public hearing and consider a request by Dolcetto, L.L.C. on behalf of Hilldale Ventures, L.L.C. for a renewal of a Conditional Use Permit to allow the sale of Beer and Wine for on premise consumption 322 Cheatham Street, Ste. A. (W. Parrish)

**Meeting date:** October 27, 2020

**Department:** Planning and Development Services

**Amount & Source of Funding**

**Funds Required:** NA  
**Account Number:** NA  
**Funds Available:** NA  
**Account Name:** NA

**Fiscal Note:**

**Prior Council Action:** Click or tap here to enter text.

**City Council Strategic Initiative:** [Please select from the dropdown menu below]

Choose an item.

Choose an item.

Choose an item.

**Comprehensive Plan Element (s):** [Please select the Plan element(s) and Goal # from dropdown menu below]

- Economic Development - Choose an item.
- Environment & Resource Protection - Choose an item.
- Land Use - Choose an item.
- Neighborhoods & Housing - Choose an item.
- Parks, Public Spaces & Facilities - Choose an item.
- Transportation - Choose an item.
- Core Services
- Not Applicable

**Master Plan:** [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]

Choose an item.

**Background Information:**

Patio Dolcetto's initial Conditional Use Permit became effective after receiving their Certificate of Occupancy in 2015. The permit was renewed by the Planning & Zoning Commission in 2016 for a period of three (3) years with the following conditions:

- There shall be no amplified live music outdoors; and
- There shall be no live music outdoors after 10:00 pm.

In 2019 Patio Dolcetto received a renewal permit for a period of one (1) year with the following conditions:

- Permit is valid for the one (1) year, provided standards are met;
- The permit is posted in the same area and manner as the Certificate of Occupancy;
- Any amplified live music outdoors or in other unconditioned areas shall only be allowed on Fridays and Saturdays before 10:00 pm.; and
- There shall be no live music outdoors or in other unconditioned areas after 10:00 pm

**Council Committee, Board/Commission Action:**

Click or tap here to enter text.

**Alternatives:**

Click or tap here to enter text.

**Recommendation:**

Staff has reviewed the request for compliance with criteria in Sections 2.8.3.4 and 5.1.5.5 of the San Marcos Development Code and recommend **approval** of the request with the following conditions:

1. Permit is valid for the three (3) year, provided standards are met;
2. The permit is posted in the same area and manner as the Certificate of Occupancy;
3. Any amplified live music outdoors or in other unconditioned areas shall only be allowed on Fridays and Saturdays before 10:00 pm.; and
4. There shall be no live music outdoors or in other unconditioned areas after 10:00 pm