



Legislation Details (With Text)

**File #:** CUP-18-34    **Version:** 1    **Name:**

**Type:** Action Item    **Status:** Passed

**File created:** 10/10/2018    **In control:** Planning and Zoning Commission

**On agenda:** 10/23/2018    **Final action:** 10/23/2018

**Title:** CUP-18-34 (Freddy C's) Hold a public hearing and consider a request by Jamie Frailicks, on behalf of Freddy C's, to amend an existing Conditional Use Permit to allow the sale of mixed beverages for on premise consumption at 141 E. Hopkins Street. (A. Villalobos)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. CUP-18-34 Aerial, 2. CUP-18-34 Notification Map, 3. CUP-18-34 Staff Report, 4. CUP-18-34 Zoning Map, 5. CUP-18-34 Floor Plan, 6. CUP-18-34 Application, 7. CUP-18-34 Agent Authorization, 8. CUP-18-34 Notification Authorization, 9. CUP-18-34 HPC Approval Letter, 10. CUP-18-34 Presentation

| Date       | Ver. | Action By                      | Action   | Result |
|------------|------|--------------------------------|----------|--------|
| 10/23/2018 | 1    | Planning and Zoning Commission | approved | Pass   |

**AGENDA CAPTION:**

CUP-18-34 (Freddy C's) Hold a public hearing and consider a request by Jamie Frailicks, on behalf of Freddy C's, to amend an existing Conditional Use Permit to allow the sale of mixed beverages for on premise consumption at 141 E. Hopkins Street. (A. Villalobos)

**Meeting date:** October 23, 2018

**Department:** Planning and Development Services

**Amount & Source of Funding**

**Funds Required:** n/a

**Account Number:** n/a

**Funds Available:** n/a

**Account Name:** n/a

**Fiscal Note:**

**Prior Council Action:** n/a

**City Council Strategic Initiative:**

N/A

**Comprehensive Plan Element (s):**

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.
- Not Applicable

**Master Plan:**

Vision San Marcos - A River Runs Through Us

**Background Information:**

The subject property is located at 141 E. Hopkins Street and is currently occupied by Stonewall Warehouse on the 2<sup>nd</sup> floor of the building and Freddy C's on the first floor. The building currently has an existing Conditional Use Permit approved for the life of the TABC license.

The current request is for an amendment to the existing CUP in order to allow the expansion of the floor area of a new business, Freddy's C's. The expansion is approximately 411 square feet and will serve as a covered outdoor patio along Hopkins Street (see attached floor plan). This covered outdoor patio is within a portion of the adjacent building where Café Monet previously existed. The remaining portion of the adjacent building will be a retail space.

The property is located in the Downtown Historic District and all exterior modifications associated with the request were approved by the Historic Preservation Commission at their September 6, 2018 Meeting.

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

n/a

**Alternatives:**

n/a

**Recommendation:**

Staff recommends approval of the CUP with the following conditions:

- 1. The permit shall be valid for one (1) year provided standards are met;**
- 2. The permit shall be posted in the same area and manner as the Certificate of Occupancy; and**

**3. No speakers or live amplified music shall be permitted in the outdoor areas.**