



Legislation Details (With Text)

File #: CUP-19-05 **Version:** 1 **Name:**
Type: Action Item **Status:** Passed
File created: 2/26/2019 **In control:** Planning and Zoning Commission
On agenda: 3/12/2019 **Final action:** 3/12/2019
Title: CUP-19-05 (The Rollin' Bowl) - Hold a public hearing and consider a request by NLD Healthy Choice Inc. for a Conditional Use Permit to allow for the sale of beer and wine for on premise consumption at 1285 S. IH 35 Suite 103. (W. Parrish)

Sponsors:

Indexes:

Code sections:

Attachments: 1. CUP-19-05 AerialMap, 2. CUP-19-05 NotificationMap, 3. CUP-19-05 Staff Report.pdf, 4. CUP-19-05 Floor Plan, 5. CUP-19-05 Menu, 6. CUP-19-05 Site Photos, 7. CUP-19-05 Application, 8. CUP-19-05 Presentation

Date	Ver.	Action By	Action	Result
3/12/2019	1	Planning and Zoning Commission	approved with conditions	Pass

AGENDA CAPTION:

CUP-19-05 (The Rollin' Bowl) - Hold a public hearing and consider a request by NLD Healthy Choice Inc. for a Conditional Use Permit to allow for the sale of beer and wine for on premise consumption at 1285 S. IH 35 Suite 103. (W. Parrish)

Meeting date: March 12, 2019

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.
- ☐ Not Applicable

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

Choose an item.

Background Information:

The applicant is proposing to open a restaurant and is requesting a beer and wine CUP. The proposed restaurant will be approximately 4,100 square feet. They are proposing 143 indoor seats and 25 outdoor seats.

Due to concerns over noise expressed by the neighbors regarding the Olive Garden CUP renewal request, Staff feels that it is appropriate to restrict employees of the proposed Rollin' Bowl restaurant from parking in the Olive Garden parking lot.

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 conformance with the Criteria from sections 2.8.3.4 and 5.1.5.5 of the San Marcos Development Code and recommends approval with the following conditions:

- The permit shall be valid for one (1) years, provided standards are met,
- The employees may not park on the Olive Garden lot,
- The permit shall be effective upon the issuance of a Certificate of Occupancy, and
- The permit shall be posted in the same area and manner as the Certificate of Occupancy.