



## Legislation Details (With Text)

**File #:** CUP-20-16    **Version:** 1    **Name:**  
**Type:** Discussion Item    **Status:** Passed  
**File created:** 9/4/2020    **In control:** Planning and Zoning Commission  
**On agenda:** 9/22/2020    **Final action:** 9/22/2020  
**Title:** CUP-20-16 (Stellar Coffee Co) Hold a public hearing and consider a request by Keith Myrick, on behalf of Stellar Coffee, for a renewal of an Unrestricted Conditional Use Permit to allow the sale of beer and wine for on premise consumption at 232 N LBJ Dr, Ste 101 (T. Carpenter).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. CUP-20-16 StaffReport, 2. CUP-20-16 Maps, 3. CUP-20-16 Application, 4. CUP-20-16 Presentation

Date	Ver.	Action By	Action	Result
9/22/2020	1	Planning and Zoning Commission	approved with conditions	Pass

### **AGENDA CAPTION:**

CUP-20-16 (Stellar Coffee Co) Hold a public hearing and consider a request by Keith Myrick, on behalf of Stellar Coffee, for a renewal of an Unrestricted Conditional Use Permit to allow the sale of beer and wine for on premise consumption at 232 N LBJ Dr, Ste 101 (T. Carpenter).

**Meeting date:** September 22, 2020

**Department:** Planning & 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:** [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:**

This suite was previously occupied by Dahlia Woods art gallery which was granted an Unrestricted CUP in 2016 to allow on-premise consumption of beer and wine. This permit was subsequently renewed in 2017 for three years.

In 2019, Stellar Coffee applied for and was granted an administrative name change of the CUP which did not affect the original expiration date. Since the business holds an unrestricted conditional use permit, the sale of food is not required. However, the business has maintained a “blue” gun sign permit through TABC which indicates that alcohol sales consist of less than 51% of the business’s revenue.

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

N/A

**Alternatives:**

N/A

**Recommendation:**

Staff recommends **approval** of the Conditional Use Permit with the following conditions:

1. Permit shall be valid for three (3) years, provided standards are met, and
2. The permit shall be posted in the same area and manner as the Certificate of Occupancy.