



Legislation Details (With Text)

File #: CUP-20-23 **Version:** 1 **Name:**
Type: Action Item **Status:** Passed
File created: 10/19/2020 **In control:** Planning and Zoning Commission
On agenda: 11/10/2020 **Final action:** 11/10/2020
Title: CUP-20-23 (Retail Store) Hold a public hearing and consider a request by Santiago Holguin for a request for a Conditional Use Permit for a Retail Store, in order to sell and repair musical instruments located at 829 N LBJ Suite 105. (W. Parrish)

Sponsors:

Indexes:

Code sections:

Attachments: 1. CUP-20-23 Staff Report, 2. CUP-20-23 Map Package, 3. CUP-20-23 Business Details, 4. CUP-20-23 Application, 5. CUP-20-23 Presentation

Date	Ver.	Action By	Action	Result
11/10/2020	1	Planning and Zoning Commission	approved	Pass

AGENDA CAPTION:

CUP-20-23 (Retail Store) Hold a public hearing and consider a request by Santiago Holguin for a request for a Conditional Use Permit for a Retail Store, in order to sell and repair musical instruments located at 829 N LBJ Suite 105. (W. Parrish)

Meeting date: November 10, 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:

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 - Diverse Local Economic Environment
- ☐ 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:

Choose an item.

Background Information:

This space consists of approximately 600 square feet that was most recently an optometrist's office. Medical Office is a "permitted by right" use allowed within the Neighborhood Commercial District. Before operating as an optometrist's office, various retail uses occupied this location. Retail uses require a CUP within the Neighborhood Commercial District.

The applicant has moved into the space and is currently open for the purpose of repairing wooden instruments (an allowed use), but would like sell musical instruments and parts as well (requires a CUP).

In this case, the primary reason that a CUP is required is because an allowed use (medical office) operated within this suite between retail uses. Had this suite transitioned between two similar retail uses (within 6 months) the retail use would have been grandfathered.

The proposed hours of operation for this business are as follows:

Tuesday - Friday: 9 a.m. to 6 p.m.

Saturday: 10 a.m. to 2 p.m.

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 in accordance with Section 2.8.3.4 of the San Marcos Development Code and recommends **approval** as submitted.