



Legislation Details (With Text)

File #: CUP-21-31 **Version:** 1 **Name:**
Type: Action Item **Status:** Passed
File created: 9/8/2021 **In control:** Planning and Zoning Commission
On agenda: 9/28/2021 **Final action:** 9/28/2021
Title: CUP-21-31 (Valentino's CUP) Hold a public hearing and consider a request by Flour Power, LLC, on behalf of Valentino's, for a Conditional Use Permit to allow on premise consumption of Mixed Beverages, located at 110 North LBJ Drive. (A. Brake)
Sponsors: Alison Brake

Indexes:

Code sections:

Attachments: 1. CUP-21-31 Staff Report, 2. CUP-21-31 Maps, 3. CUP-21-31 Business Details, 4. CUP-21-31 Application Documents, 5. CUP-21-31 Presentation

Date	Ver.	Action By	Action	Result
9/28/2021	1	Planning and Zoning Commission	approved with conditions	Pass

AGENDA CAPTION:

CUP-21-31 (Valentino's CUP) Hold a public hearing and consider a request by Flour Power, LLC, on behalf of Valentino's, for a Conditional Use Permit to allow on premise consumption of Mixed Beverages, located at 110 North LBJ Drive. (A. Brake)

Meeting date: September 28, 2021

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
- ☐ Environment & Resource Protection

- ☐ Land Use
- ☐ Neighborhoods & Housing
- ☐ Parks, Public Spaces & Facilities
- ☐ Transportation
- ☐ Core Services
- ☒ Not Applicable

Master Plan:

N/A

Background Information:

The applicant is requesting a new CUP for the on-premise consumption of mixed beverages. Valentino's, a pizza restaurant, shut down in 2018. Previously, the restaurant held a long-standing Unrestricted (bar) permit to serve alcohol for on-premises consumption; the permit dated back to 1991. A new owner bought the business and would like to keep the previous business model. The new CUP will be a restaurant (restricted) permit.

Restaurant and Bar uses serving alcohol within the downtown CBA are subject to specific Use Standards which include limitations on noise, cleanliness of immediately adjacent areas, serving meals to customers, and 3 year maximum terms of CUP validity.

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Due to the building's location within the Downtown Historic District, any exterior changes to the building will be required to receive an approved Certificate of Appropriateness prior to installation.

Council Committee, Board/Commission Action:

N/A

Alternatives:

N/A

Recommendation:

Staff recommends **approval** of the request with the following conditions:

1. The permit shall be valid for one (1) year, provided standards are met.
2. Food shall be available to patrons in all areas of the restaurant in a manner that meets the requirements of Section 5.1.5.5(4)(b), Eating Establishments - Downtown CBA Boundary.
3. Outdoor amplified music on the rear patio directly adjacent to the alley shall be limited to the hours between 11 am and 10 pm (Monday - Friday) and 10 am and 10 pm (Saturday - Sunday).
4. The permit shall be effective upon the issuance of a Certificate of Occupancy.
5. The permit shall be posted in the same area and manner as the Certificate of Occupancy.