



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Regular Meeting Agenda - Final Planning and Zoning Commission

Tuesday, September 8, 2015

6:00 PM

City Council Chambers

603 E. Hopkins

- I. Call To Order
- II. Roll Call
- III. Chairperson's Opening Remarks
- IV. 30 Minute Citizen Comment Period
 1. CODE SMTX Presentation

CONSENT AGENDA

2. Consider approval of the minutes of the Regular Meeting on August 25, 2015.
3. PC-15-30_02 (Blanco Vista Tract E-2) Consider a request by CSF Civil Group, on behalf of Brookfield Residential, for approval of a Preliminary Plat for approximately 16.5 acres, more or less, out of the William Ward League Survey, located east of Blanco Vista Boulevard. (A. Brake)

PUBLIC HEARINGS

4. CUP-15-23 (Hooters) Hold a public hearing and consider a request by TW Restaurant Holders, LLC, on behalf of San Marcos 123 and 35 Partners Two, LLC, for approval of a Conditional Use Permit for the sale of mixed beverages for on-premise consumption at the intersection of IH 35 and Luciano Flores. (W. Parrish)

NON-CONSENT AGENDA

5. Development Services Report:
 1. Reminder-CodeSMTX Joint P&Z and Council Workshop, Sept. 30, 2015

V. Question and Answer Session with Press and Public.

VI. Adjournment

Notice of Assistance at the Public Meetings

I certify that the attached notice and agenda of items to be considered by the Planning and Zoning Commission was removed by me from the City Hall bulletin board on the _____ day of _____

_____ Title:



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Legislation Text

File #: ID#15-572, **Version:** 1

AGENDA CAPTION:

CODE SMTX Presentation

Meeting date: September 8, 2015

Department: Planning & Development Services

Funds Required:

Account Number:

Funds Available:

Account Name:

CITY COUNCIL GOAL:

COMPREHENSIVE PLAN ELEMENT(s): *[add the Plan elements and Goal # and Objective(s)]*

BACKGROUND:



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Legislation Text

File #: ID#15-565, **Version:** 1

AGENDA CAPTION:

Consider approval of the minutes of the Regular Meeting on August 25, 2015.

Meeting date: September 8, 2015

Department: Planning and Development Services

Funds Required: n/a

Account Number: n/a

Funds Available: n/a

Account Name: n/a

CITY COUNCIL GOAL:

BACKGROUND:



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Meeting Minutes Planning and Zoning Commission

Tuesday, August 25, 2015

6:00 PM

City Council Chambers

630 E. Hopkins

I. Call To Order

With a quorum present the regular meeting of the San Marcos Planning and Zoning Commission was called to order by Chair Wood at 6:00 p.m. on Tuesday, August 25, 2015 in the Council Chambers of the City of San Marcos, City Hall, 630 E. Hopkins, San Marcos, Texas 78666.

II. Roll Call

Commissioner Gonzales late time in 6:04 p.m.

Present 9 - Chairperson Chris Wood, Vice Chair Kenneth Ehlers, Commissioner Angie Ramirez, Commissioner Brian Olson, Commissioner Amy Stanfield, Commissioner Jim Garber, Commissioner Travis Kelsey, Commissioner Shawn Dupont, and Commissioner Saul Gonzales

III. Chairperson's Opening Remarks

Chair Wood announced that Item 2 (PDD-15-01(2)) was postponed. Shannon Mattingly, Planning & Development Services Director stated that the PDD was postponed to the September 22, 2015 Planning Commission meeting.

IV. 30 Minute Citizen Comment Period

There were no citizen comments.

CONSENT AGENDA

1. Consider approval of the minutes of the Regular Meeting on August 11, 2015.

A motion was made by Vice Chair Ehlers, seconded by Commissioner Kelsey, that the Consent Agenda be approved. The motion carried by the following vote:

For: 9 - Chairperson Wood, Vice Chair Ehlers, Commissioner Ramirez, Commissioner Olson, Commissioner Stanfield, Commissioner Garber, Commissioner Kelsey, Commissioner Dupont and Commissioner Gonzales

Against: 0

PUBLIC HEARINGS

2. **PDD-15-01(2) (I-35 & Posey Road)** Receive a staff presentation and hold a public hearing for a request by Highpointe Investments, LLC, for a zoning of "PDD," Planned Development District, on a 417.630 +/- acre tract out of the William H. Van Horn Survey. The property is generally located on the east side of IH-35 south of Posey Road. **(POSTPONED)**
3. CUP-15-20 (The Vault) Hold a public hearing and consider a request by Mike Keizer for a renewal of a Restricted Conditional Use Permit to allow the continued sale of mixed beverages at 100 W Hopkins Street. (W. Parrish)

Chair Wood opened the public hearing. Will Parrish, Planning Tech gave an overview of the project. There were no additional comments and the public hearing was closed.

A motion was made by Commissioner Kelsey, seconded by Commissioner Garber, that CUP-15-20 (The Vault) be approved with conditions that the CUP shall be valid for three (3) years, provided standards are met, subject to the point system; the CUP shall be posted in the same area and manner as the Certificate of Occupancy; and the Vault shall meet all requirements for Restricted CUPs . The motion carried by the following vote:

For: 9 - Chairperson Wood, Vice Chair Ehlers, Commissioner Ramirez, Commissioner Olson, Commissioner Stanfield, Commissioner Garber, Commissioner Kelsey, Commissioner Dupont and Commissioner Gonzales

Against: 0

4. CUP-15-21 (Holiday Inn San Marcos) Hold a public hearing and consider a request by SMMHI Holiday SM L.L.C., on behalf of Holiday Inn San Marcos, for approval of a new Conditional Use Permit to allow the sale of mixed beverages for on-premise consumption at 105 Bindu Drive (A. Brake).

Chair Wood opened the public hearing. Alison Brake, Staff Planner gave an overview of the project. There were not citizen comments and the public hearing was closed.

A motion was made by Commissioner Olson, seconded by Commissioner Gonzales, that CUP-15-21 be approved with conditions that the permit shall be valid for one (1) year, provided standards are met, subject to the point system; the permit shall become effective upon issuance of the Certificate of Occupancy; and the permit shall be posted in the same area and manner as the Certificate of Occupancy. The motion carried by the following vote:

For: 9 - Chairperson Wood, Vice Chair Ehlers, Commissioner Ramirez, Commissioner Olson, Commissioner Stanfield, Commissioner Garber, Commissioner Kelsey, Commissioner Dupont and Commissioner Gonzales

Against: 0

- 5. CUP-15-22 (Kent Black's BBQ) Hold a public hearing and consider a request by Kent Black's Lockhart BBQ L.L.C., on behalf of Kent Black's BBQ, for renewal of an existing Conditional Use Permit to allow the continued sale of mixed beverages for on-premise consumption at 500 Hull Street (A. Brake).

Chair Wood opened the public hearing. Alison Brake, Staff Planner gave an overview of the project. There were no citizen comments and the public hearing was closed.

A motion was made by Commissioner Ramirez, seconded by Commissioner Olson, that CUP-15-22 (Kent Black's BBQ) be approved with conditions that the permit shall be valid for three (3) years, provided standards are met, subject to the point system; and the permit shall be posted in the same area and manner as the Certificate of Occupancy. The motion carried by the following vote:

For: 9 - Chairperson Wood, Vice Chair Ehlers, Commissioner Ramirez, Commissioner Olson, Commissioner Stanfield, Commissioner Garber, Commissioner Kelsey, Commissioner Dupont and Commissioner Gonzales

Against: 0

- 66. CUP-15-24 (Chimy's) Hold a public hearing and consider a request by Baccus Enterprises, LLC, for a renewal of an existing Conditional Use Permit to allow for the continued sale of mixed beverages for on-site consumption at 217 E Hopkins St. (T. Carpenter)

Chair Wood opened the public hearing. Tory Carpenter, Staff Planner gave an overview of the project. There were not additional comments and the public hearing was closed.

A motion was made by Commissioner Kelsey, seconded by Commissioner Dupont, that CUP-15-24 (Chimy's) be approved with conditions that the permit shall be valid for the lifetime of the TABC license, provided standards are met, subject to the point system; and the permit shall be posted in the same area and manner as the Certificate of Occupancy. The motion carried by the following vote:

For: 9 - Chairperson Wood, Vice Chair Ehlers, Commissioner Ramirez, Commissioner Olson, Commissioner Stanfield, Commissioner Garber, Commissioner Kelsey, Commissioner Dupont and Commissioner Gonzales

Against: 0

NON-CONSENT AGENDA

- 7. Receive an update from staff and hold discussion regarding the Fall 2015 Preferred Scenario Amendment process for consideration and hear details on each of the applications received:

PSA-15-01 Blanco Riverwalk - approximately 116.628 acres along the west side of IH-35 between Carlson Circle and Yarrington Road - Employment Center (A. Villalobos)

PSA-15-02 Wonder World Drive and Hunter Road - approximately 16.8 acres at the

intersection of Wonder World Drive and Hunter Road - Employment Center (A. Brake)

Alison Brake gave a brief presentation on the PSA process.

8. Development Services Report:

- 1. Zoning for Character Workshop Update
- 2. CodeSMTX Joint P&Z and Council Workshop, Sept. 30, 2015
- 3. APA Conference, Oct. 7-9, 2015

Shannon Mattingly gave a brief update on the Development Services Report.

V. Question and Answer Session with Press and Public.

There were no questions from the press and public.

VI. Adjournment

A motion was made by Commissioner Ehlers, seconded by Commissioner Kelsey that the meeting be adjourned at 6:37 p.m. The motion carried unanimously.

Chris Wood, Chair

Kenneth Ehlers, Vice Chair

Travis Kelsey, Commissioner

Angie Ramirez, Commissioner

Brian Olson, Commissioner

Jim Garber, Commissioner

Amy Stanfield, Commissioner

Shawn Dupont, Commissioner

Saul Gonzales, Commissioner

ATTEST:

Francis Serna, Recording Secretary

Notice of Assistance at the Public Meetings

I certify that the attached notice and agenda of items to be considered by the Planning and Zoning Commission was removed by me from the City Hall bulletin board on the _____ day of _____

_____ Title:



Legislation Text

File #: PC-15-30_02, **Version:** 1

AGENDA CAPTION:

PC-15-30_02 (Blanco Vista Tract E-2) Consider a request by CSF Civil Group, on behalf of Brookfield Residential, for approval of a Preliminary Plat for approximately 16.5 acres, more or less, out of the William Ward League Survey, located east of Blanco Vista Boulevard. (A. Brake)

Meeting date: September 8, 2015

Department: Planning and Development Services

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

CITY COUNCIL GOAL: Big Picture Infrastructure

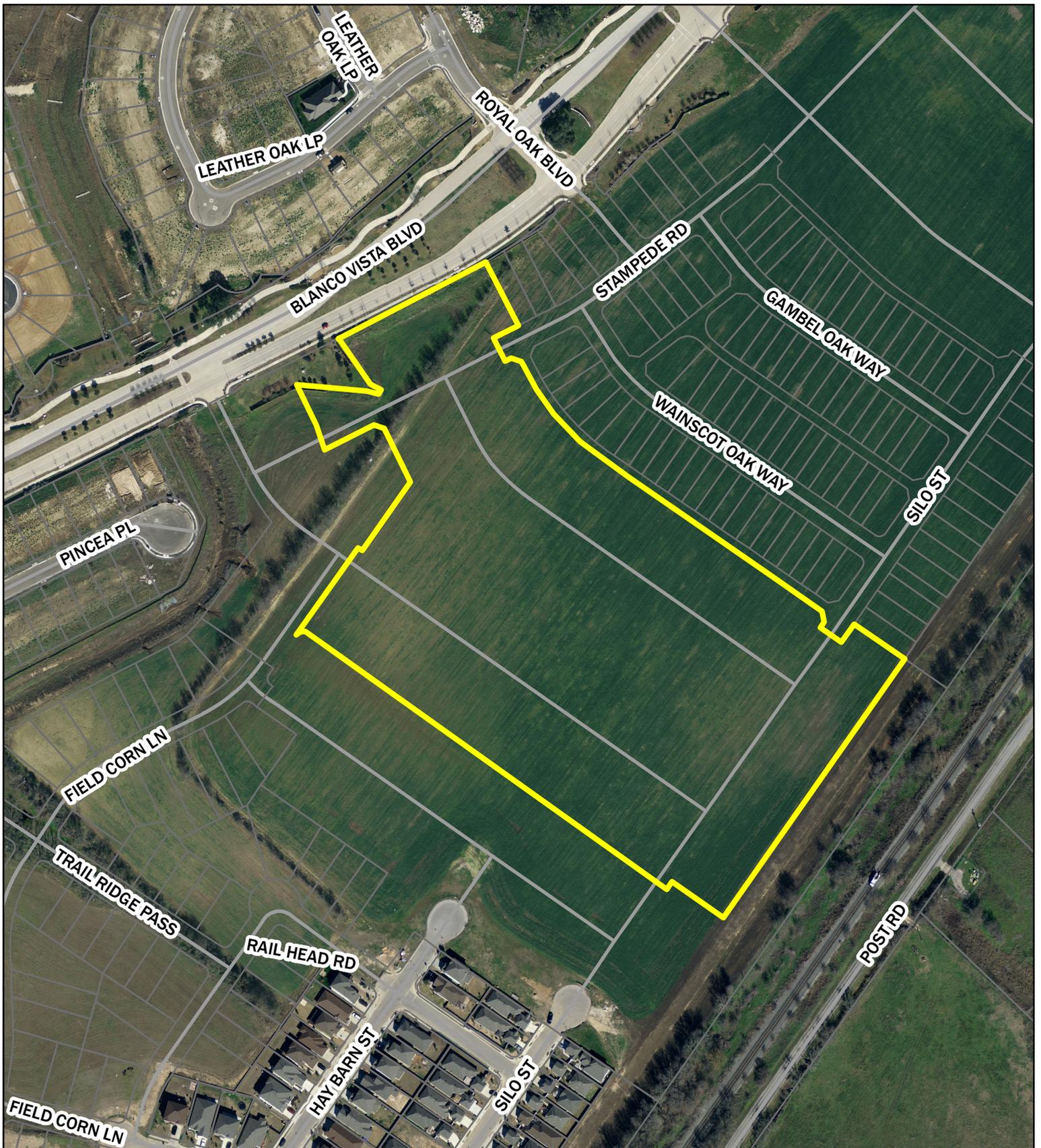
COMPREHENSIVE PLAN ELEMENT(s): N/A

BACKGROUND:

The subject property is part of the Blanco Vista Planned Development District and is within the single family portion of the development. It provides for the development of 103 residential lots, one (1) drainage lot and two (2) small park lots along with two (2) new streets, Mossycup Drive and Friendship Oak Drive, and one (1) new alley. The new alley will be un-named and will be a one-way public alley. Previously approved Stampede Road and Silo Street will be extended as part of this section. The site is part of the continued build-out of the Blanco Vista subdivision and is consistent with development in the PDD.

The Commission shall determine whether the application for Preliminary Subdivision Plat shall be approved, approved with conditions, or denied.

Staff has reviewed the request and determined that all of the criteria have been met and is recommending **approval** of this preliminary plat as submitted.



PC-15-30_02
Blanco Vista Tract E-2
Map Date: 8/27/2015

Legend

 Blanco Vista Tract E-2



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

PC-15-30_02 Preliminary Plat, Blanco Vista, Tract E, Phase 2



Applicant Information:

Agent: CSF Civil Group
3636 Executive Center Drive
Suite 209
Austin, Texas 78731

Property Owner: Brookfield Residential
9737 Great Hills Trail
Suite 260
Austin, Texas 78759

Notification: Notification not required

**Type & Name of
Subdivision:** Preliminary Plat, Blanco Vista, Tract E, Phase 2

Subject Property:

Summary: The subject property is approximately 16.5 acres, more or less, and is located east of Blanco Vista Boulevard.

Zoning: Mixed Use/PDD

Traffic/ Transportation: The property is east of Blanco Vista Boulevard and directly accessed from Stampede Road. Sidewalks will be installed as part of the development of this plat. The plat proposes two new streets, Friendship Oak Drive and Mossycup Drive, as well as the continuation of Stampede Road and Silo Street.

Utility Capacity: All utilities and streets will be extended and constructed by the applicant.

Planning Department Analysis:

The purpose of a Preliminary Plat is to establish lot design for a subdivision, establish utility layouts, and street and intersection design. The Preliminary Plat stage ensures that the final plat design, if final platting is accomplished in phases, is consistent with the overall plan for the area. Preliminary Plats are not recorded and are not the legal document used for the sale of lots, but rather are used to allow for comprehensive review of the proposed development.

The subject property is part of the Blanco Vista Planned Development District, and has a base zoning of Mixed Use. This section is within the single-family portion of the development and provides for the development of 103 residential lots, one (1) drainage lot and two (2) small park lots. Two (2) new streets and one (1) new alley are proposed. The proposed streets are named Friendship Oak Drive and Mossycup Drive. The un-named alleys are proposed to be one-way public alleys. Previously approved Stampede Road and Silo Street will be extended as part of this section. The proposed plat is consistent with development in the PDD. The site is part of the continued build-out of the Blanco Vista subdivision and is not located in floodplain or floodway. Parkland dedication was completed with the initial phase of this project, and is not required for this individual plat.

The following criteria shall be used to determine whether the application for Preliminary Subdivision Plat shall be approved, approved with conditions, or denied, where no Subdivision Concept Plat has been approved for the land subject to the proposed plat:

- (1) The plat is consistent with all zoning requirements for the property, and any approved development agreement;
- (2) The plat conforms to the approved Watershed Protection Plan (Phase 1);
- (3) The proposed provision and configuration of roads, water, wastewater, drainage and park facilities conform to the master facilities plans for the facilities, including without limitation the water facilities, wastewater facilities, transportation, drainage and other master facilities plans;
- (4) The proposed provision and configuration of roads, water, wastewater, drainage and park facilities, and easements and rights-of-way are adequate to serve the subdivision and meet applicable standards of Chapters 6 and 7 of this Land Development Code; and
- (5) The plat meets any county standards to be applied under an interlocal agreement between the City and a county under Tex. Loc. Gov't Code Ch. 242, where the proposed development is located in whole or in part in the extraterritorial jurisdiction of the City and in the county.

Staff has reviewed the request and determined that all of the above criteria have been met and is recommending **approval** of this preliminary plat as submitted.

Planning Department Recommendation	
X	Approve as submitted
	Approve with conditions or revisions as noted
	Alternative
	Statutory Denial

The Commission's Responsibility:

The Commission is charged with making the final decision regarding this proposed Subdivision Preliminary Plat. The City charter delegates all subdivision platting authority to the Planning and Zoning Commission. The Commission's decision on platting matters is final and may not be appealed to the City Council. Your options are to approve, disapprove, or to statutorily deny (an action that keeps the applicant "in process") the plat.

Prepared By:

Alison Brake, CNU-A	Planner	August 25, 2015
Name	Title	Date

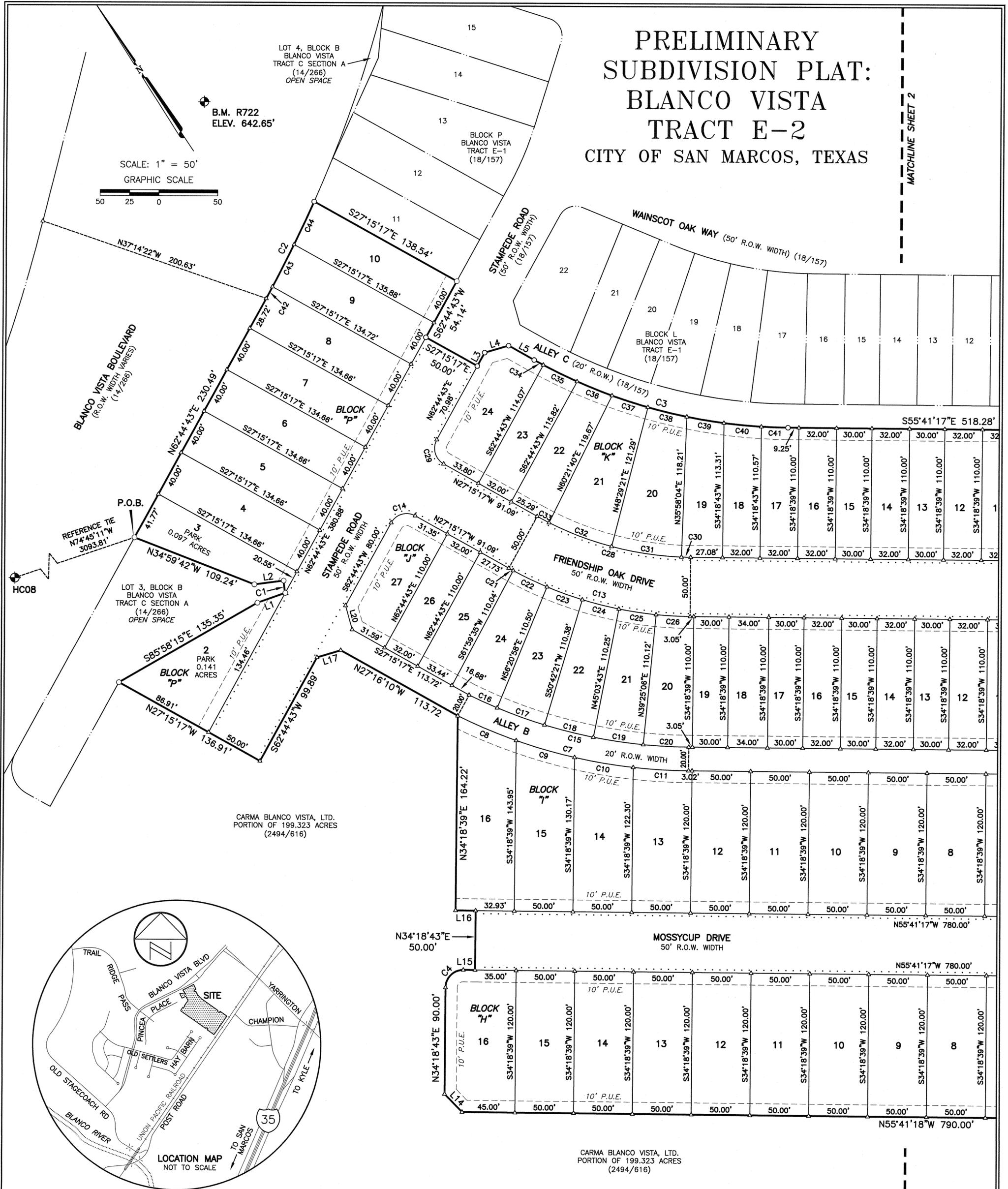
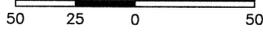
PRELIMINARY SUBDIVISION PLAT: BLANCO VISTA TRACT E-2 CITY OF SAN MARCOS, TEXAS

MATCHLINE SHEET 2

LOT 4, BLOCK B
BLANCO VISTA
TRACT C SECTION A
(14/266)
OPEN SPACE

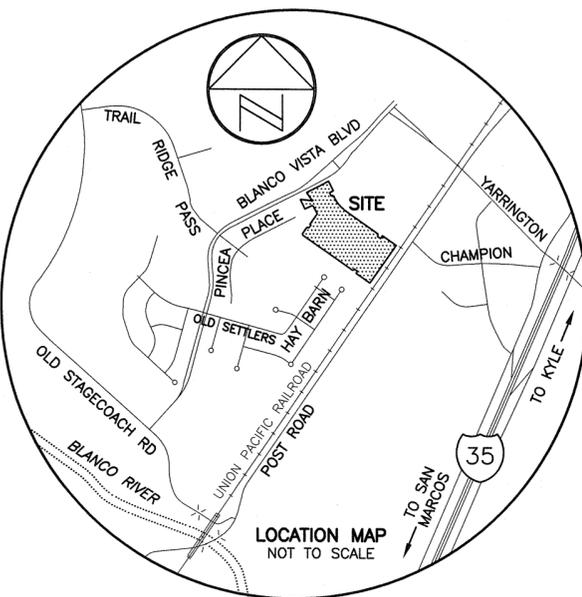
B.M. R722
ELEV. 642.65'

SCALE: 1" = 50'
GRAPHIC SCALE



CARMA BLANCO VISTA, LTD.
PORTION OF 199.323 ACRES
(2494/616)

CARMA BLANCO VISTA, LTD.
PORTION OF 199.323 ACRES
(2494/616)



LEGEND	
○	1/2" REBAR WITH "CHAPARRAL" CAP SET
△	CALCULATED POINT
⊕	CONTROL POINT/BENCHMARK LOCATION
⋯	SIDEWALK LOCATION
P.U.E.	PUBLIC UTILITY EASEMENT
()	RECORD INFORMATION

MATCHLINE SHEET 2

PROJECT NO.:
500-012

DRAWING NO.:
500-012-PL-E2

PLOT DATE:
8/18/15

PLOT SCALE:
1" = 50'

DRAWN BY:
BBP & JBE

**SHEET
1 OF 4**

Chaparral

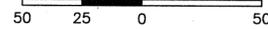
Professional Land Surveying, Inc.
Surveying and Mapping

3500 McCall Lane
Austin, Texas 78744
512-443-1724
Firm No. 10124500

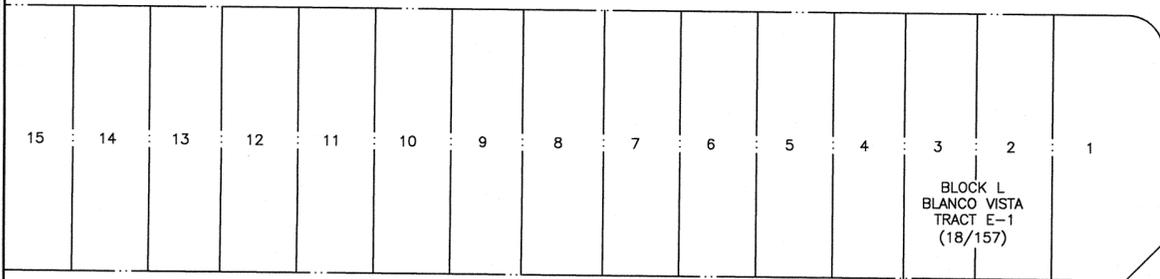
PRELIMINARY
SUBDIVISION PLAT:
BLANCO VISTA
TRACT E-2
CITY OF SAN MARCOS, TEXAS

MATCHLINE SHEET 1

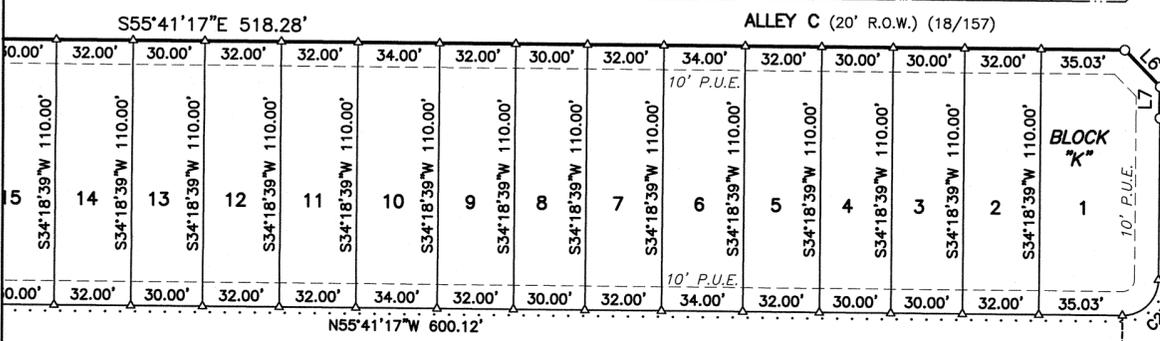
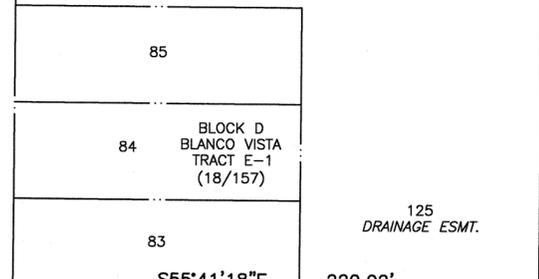
SCALE: 1" = 50'
GRAPHIC SCALE



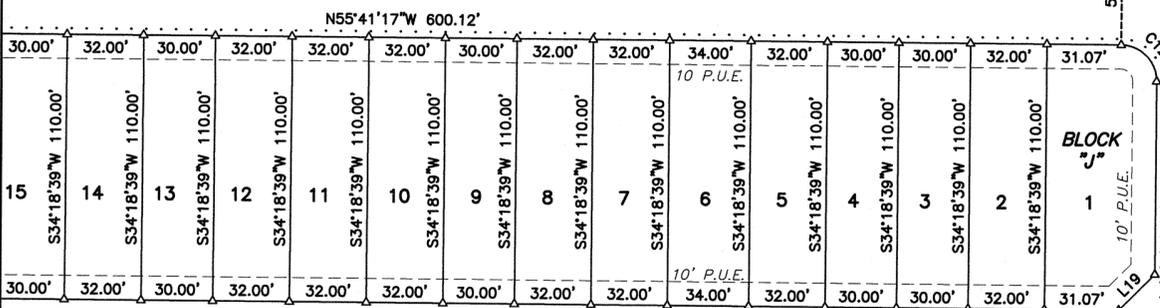
WAINSCOT OAK WAY (50' R.O.W. WIDTH) (18/157)



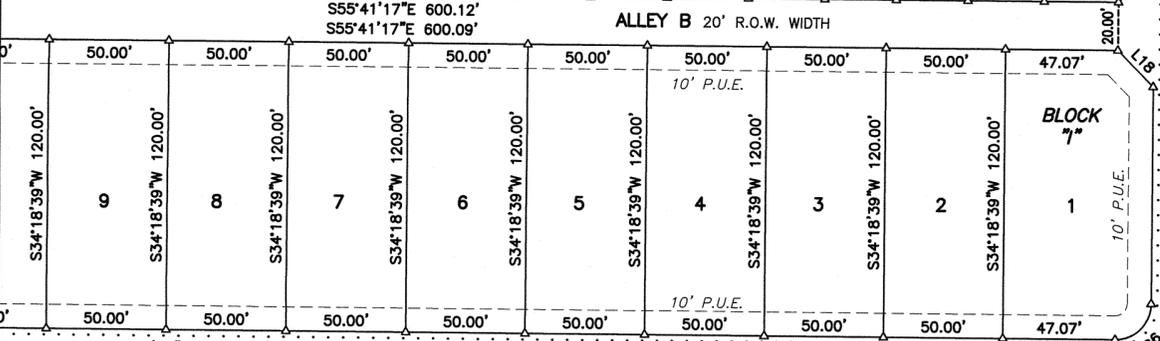
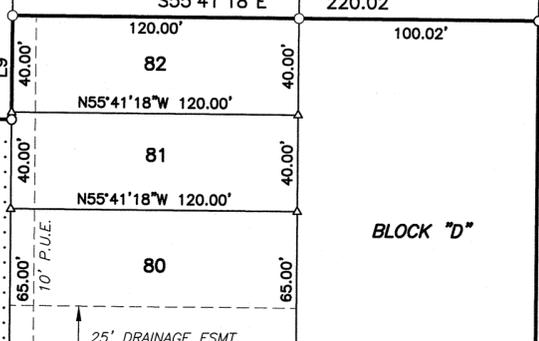
SILO STREET
(50' R.O.W. WIDTH)
(18/157)



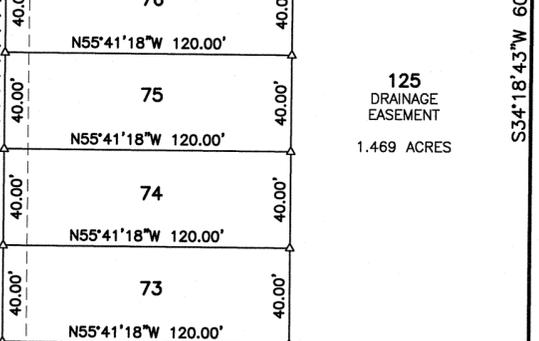
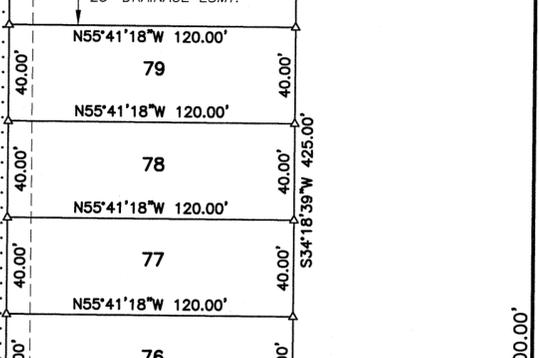
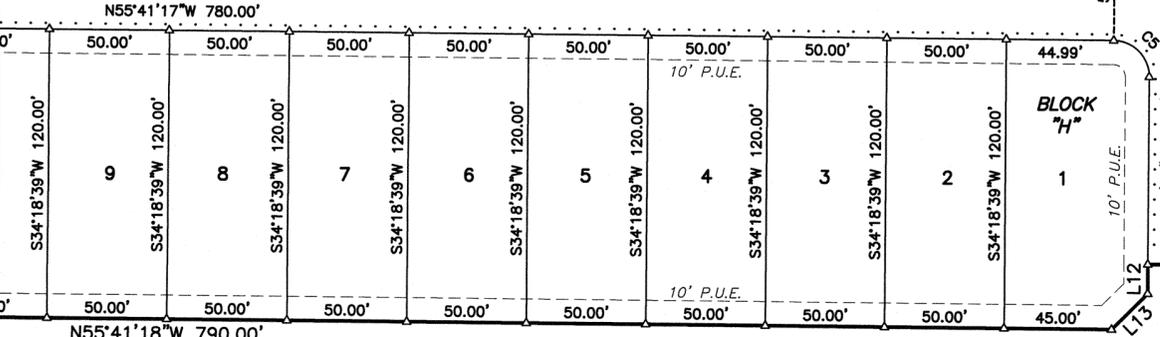
FRIENDSHIP OAK DRIVE
50' R.O.W. WIDTH



SILO STREET
50' R.O.W. WIDTH



MOSSYCUP DRIVE
50' R.O.W. WIDTH



CARMA BLANCO VISTA, LTD.
PORTION OF 199.323 ACRES
(2494/616)

INTERNATIONAL & GREAT NORTHERN RAILROAD
(200' R.O.W.)

REFERENCE TIE
S04°32'11"E
5251.24'

CSM10

MATCHLINE SHEET 1

LEGEND	
○	1/2" REBAR WITH "CHAPARRAL" CAP SET
△	CALCULATED POINT
⊕	CONTROL POINT/BENCHMARK LOCATION
⋯	SIDEWALK LOCATION
P.U.E.	PUBLIC UTILITY EASEMENT
()	RECORD INFORMATION

Chaparral
Professional Land Surveying, Inc.
Surveying and Mapping
3500 McCall Lane
Austin, Texas 78744
512-443-1724
Firm No. 10124500

PROJECT NO.: 500-012
DRAWING NO.: 500-012-PL-E2
PLOT DATE: 8/18/15
PLOT SCALE: 1" = 50'
DRAWN BY: BBP & JBE
SHEET 2 OF 4

PRELIMINARY SUBDIVISION PLAT: BLANCO VISTA TRACT E-2 CITY OF SAN MARCOS, TEXAS

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	BEARING	CHORD
C1	50.00'	11°54'37"	10.39'	N26°09'15"E	10.37'
C2	1075.00'	4°52'15"	91.39'	N80°18'35"E	91.36'
C3	455.00'	28°26'00"	225.80'	S41°28'17"E	223.49'
C4	15.00'	90°00'00"	23.56'	N79°18'43"E	21.21'
C5	15.00'	89°59'56"	23.56'	N10°41'19"W	21.21'
C6	455.00'	25°30'00"	202.50'	S43°06'37"E	200.83'
C6	15.00'	90°00'04"	23.56'	S79°18'41"W	21.21'
C7	455.00'	25°38'08"	203.58'	S43°02'04"E	201.89'
C8	455.00'	6°47'54"	53.99'	S33°36'56"E	53.95'
C9	455.00'	6°32'04"	51.89'	S40°16'55"E	51.86'
C10	455.00'	6°22'38"	50.64'	S46°44'16"E	50.62'
C11	455.00'	5°55'33"	47.06'	S52°53'22"E	47.04'
C12	15.00'	89°59'56"	23.56'	N10°41'19"W	21.21'
C13	325.00'	28°26'00"	161.28'	N41°28'17"W	159.63'
C14	15.00'	90°00'00"	23.56'	N72°15'17"W	21.21'
C15	435.00'	25°30'14"	193.63'	S43°06'44"E	192.04'
C16	435.00'	3°27'12"	26.22'	S32°05'13"E	26.21'
C17	435.00'	5°38'58"	42.89'	S36°38'19"E	42.87'
C18	435.00'	5°38'52"	42.88'	S42°17'14"E	42.86'
C19	435.00'	5°38'46"	42.87'	S47°56'03"E	42.85'
C20	435.00'	5°06'26"	38.77'	S53°18'39"E	38.76'
C21	325.00'	0°45'08"	4.27'	S27°37'51"E	4.27'
C22	325.00'	5°38'37"	32.01'	S30°49'43"E	32.00'
C23	325.00'	5°38'37"	32.01'	S36°28'21"E	32.00'
C24	325.00'	5°38'37"	32.01'	S42°06'58"E	32.00'
C25	325.00'	5°38'37"	32.01'	S47°45'35"E	32.00'
C26	325.00'	5°06'23"	28.97'	S53°08'05"E	28.96'
C27	15.00'	90°00'04"	23.56'	S79°18'41"W	21.21'
C28	275.00'	28°26'01"	136.47'	N41°28'17"W	135.08'
C29	15.00'	90°00'00"	23.56'	N17°44'43"E	21.21'
C30	275.00'	1°39'21"	7.95'	S54°51'37"E	7.95'
C31	275.00'	12°31'17"	60.10'	S47°46'18"E	59.98'
C32	275.00'	11°52'19"	56.98'	S35°34'30"E	56.88'
C33	275.00'	2°23'04"	11.44'	S28°26'48"E	11.44'
C34	455.00'	1°06'43"	8.83'	S27°48'38"E	8.83'
C35	455.00'	4°02'11"	32.05'	S30°23'05"E	32.05'
C36	455.00'	4°01'50"	32.01'	S34°25'08"E	32.00'
C37	455.00'	4°01'50"	32.01'	S36°26'55"E	32.00'
C38	455.00'	4°16'57"	34.01'	S42°36'18"E	34.00'
C39	455.00'	4°01'50"	32.01'	S46°45'41"E	32.00'
C40	455.00'	4°02'43"	32.12'	S50°47'58"E	32.12'
C41	455.00'	2°51'58"	22.76'	S54°15'18"E	22.76'
C42	1075.00'	0°36'04"	11.28'	N62°26'41"E	11.28'
C43	1075.00'	2°07'59"	40.02'	N61°04'40"E	40.02'
C44	1075.00'	2°08'12"	40.09'	N58°56'34"E	40.09'

THIS IS A SURFACE DRAWING.

CONTROL POINT "HC08"

4" ALUMINUM DISC IN CONC. STAMPED "HC08";

BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, BASED ON 1983/93 HARN VALUES FROM LCRA CONTROL NETWORK.

TEXAS CENTRAL ZONE COORDINATES:

N 9954796.42
E 3067134.53

SURFACE TO GRID
1.000017434

GRID TO SURFACE
0.999982566

BENCHMARK ELEV. = 637.78 (NGVD 29 DATUM). SOURCE BENCHMARK IS RM88, F.E.M.A. MAP 48209C0185E DATED FEBRUARY 18, 1998.

FROM G.P.S. OBSERVATIONS USING L.C.R.A. H.A.R.N. NETWORK.

BENCHMARK INFORMATION

BM R722: 4" ALUMINUM DISK SET IN CONCRETE IN THE MEDIAN OF BLANCO VISTA BOULEVARD APPROXIMATELY 1200 FEET SOUTHWEST OF THE INTERSECTION OF BLANCO VISTA BOULEVARD AND YARRINGTON ROAD.

ELEVATION = 642.65'

NGVD 29 DATUM (SOURCE BENCHMARK IS RM88, F.E.M.A. MAP 48209C0185E DATED FEBRUARY 18, 1998.)

CSM10
(CITY OF SAN MARCOS GPS #10)

4" ALUMINUM DISK IN CONCRETE

TEXAS CENTRAL ZONE COORDINATES:

N 9947582.78
E 3071412.89

ELEVATION = 629.35'

INFORMATION PROVIDED BY THE CITY OF SAN MARCOS, TEXAS.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S75°45'34"E	25.09'
L2	N63°30'49"W	25.08'
L3	N62°44'43"E	13.00'
L4	S72°15'17"E	21.21'
L5	S27°15'17"E	24.97'
L6	S10°41'19"E	21.21'
L7	S34°18'39"W	13.00'
L8	S55°41'21"E	50.00'
L9	N34°18'39"E	43.00'
L10	N34°18'42"E	32.15'
L11	N55°41'18"W	50.00'
L12	S34°18'42"W	12.15'
L13	S79°18'42"W	21.21'
L14	N10°41'17"W	21.21'
L15	S55°41'17"E	9.99'
L16	N55°41'17"W	17.07'
L17	N72°43'04"W	21.04'
L18	S10°41'21"E	21.21'
L19	N79°18'41"E	21.21'
L20	S18°12'30"W	21.04'

SURVEYOR'S CERTIFICATE:

KNOW ALL MEN BY THESE PRESENTS:

THAT I, JOE BEN EARLY, JR., A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY TO THE BEST OF MY SKILL AND KNOWLEDGE THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND ON JUNE 12, 2015 AND THE CORNER MONUMENTS SHOWN HEREON WILL BE PROPERLY PLACED UNDER MY SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF SAN MARCOS.

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document. (Per "The Board of Professional Land Surveying" Texas Administrative Code, Title 22 - Part 29, General Rules of Procedures and Practices, Standards of Responsibility and Rules of Conduct, Rule 663.18)

JOE BEN EARLY, JR., R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR,
STATE OF TEXAS NO. 6016
CHAPARRAL PROFESSIONAL LAND SURVEYING, INC.
3500 McCall Lane
AUSTIN, TX 78744
512-443-1724
FIRM NO. 10124500

ENGINEER'S CERTIFICATION:

I, CHARLES STEINMAN, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF ENGINEERING, AND HEREBY CERTIFY THAT THIS PLAT IS FEASIBLE FROM AN ENGINEERING STANDPOINT, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

NO LOT IN THIS SUBDIVISION FALLS WITHIN THE 100 YEAR FLOOD PLAIN OF A WATERWAY THAT IS WITHIN THE LIMITS OF STUDY OF THE FEDERAL FLOOD INSURANCE ADMINISTRATION FIRM PANEL 48209C0385F, DATED SEPTEMBER 2, 2005, FOR HAYS COUNTY, TEXAS AND INCORPORATED AREAS.

CHARLES STEINMAN, P.E. #64410,
REGISTERED PROFESSIONAL ENGINEER, STATE OF TEXAS
CSF CIVIL GROUP, LLC
3838 EXECUTIVE CENTER DRIVE, SUITE 209
AUSTIN, TEXAS 78731
(512) 614-4486
TBPE FIRM REGISTRATION NO. 12377



STREET SUMMARY	
STAMPEDE ROAD	381 L.F.
MOSSYCUP DRIVE	777 L.F.
FRIENDSHIP OAK DRIVE	920 L.F.
SILO STREET	525 L.F.
ALLEY B	992 L.F.

TABLE OF LAND USES	
LOT 125, BLOCK D	DRAINAGE
LOTS 2-3, BLOCK P	PARK
ALL OTHER LOTS	SINGLE FAMILY

LOT SUMMARY	
RIGHT-OF-WAY	3.400 ACRES
S.F. LOTS (103)	11.386 ACRES
PARK (2)	0.238 ACRES
DRAINAGE ESMT. (1)	1.489 ACRES
TOTAL	16.503 ACRES

STREET DESIGN SUMMARY		
NAME	PAVEMENT	R.O.W.
STAMPEDE ROAD	33' F-F	50'
MOSSYCUP DRIVE	33' F-F	50'
FRIENDSHIP OAK DRIVE	33' F-F	50'
SILO STREET	33' F-F	50'
ALLEY B	16' P.V.M.T.	20'

TOTAL NO. OF LOTS = 106
TOTAL NO. OF S.F. LOTS = 103
CURRENT ZONING: P.D.D.
CURRENT TRACT: "TRACT E"

Chaparral
Professional Land Surveying, Inc.
Surveying and Mapping
3500 McCall Lane
Austin, Texas 78744
512-443-1724
Firm No. 10124500

PROJECT NO.:
500-012
DRAWING NO.:
500-012-PL-E2
PLOT DATE:
8/18/15
PLOT SCALE:
1" = 50'
DRAWN BY:
BBP & JBE
SHEET
03 OF 04

**PRELIMINARY
SUBDIVISION PLAT:
BLANCO VISTA TRACT E-2
CITY OF SAN MARCOS, TEXAS**

METES AND BOUNDS DESCRIPTION

WHEREAS, CARMA BLANCO VISTA, LLC (FORMERLY KNOWN AS CARMA BLANCO VISTA, LTD. AND CARPER-CARMA PROPERTIES NO. 1, LTD.) IS THE OWNER OF 16.503 ACRES IN THE WILLIAM WARD LEAGUE, ABSTRACT 467, HAYS COUNTY, TEXAS, BEING A PORTION OF A 199.323 ACRE TRACT, DESCRIBED IN A SPECIAL WARRANTY DEED TO CARMA BLANCO VISTA, LTD. DATED JUNE 25, 2004 AND RECORDED IN VOLUME 2494, PAGE 616 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS; SAID 15.442 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar with "Chaparral" cap set in the southeast right-of-way line of Blanco Vista Boulevard (right-of-way width varies) as shown on Blanco Vista Tract C Section A, a subdivision of record in Volume 14, Page 266 of the Plat Records of Hays County, Texas, being the northernmost corner of Lot 3, Block B, of said Blanco Vista Tract C Section A;

THENCE with the southeast right-of-way line of Blanco Vista Boulevard and crossing the said 199.323 acre tract, the following two (2) courses and distances:

1. North 62°44'43" East, a distance of 230.49 feet to a calculated point;
2. With a curve to the left, having a radius of 1075.00 feet, a delta angle of 04°52'15", an arc length of 91.39 feet, and a chord which bears North 60°18'35" East, a distance of 91.36 feet to a 1/2" rebar with "Chaparral" cap set for the westernmost corner of Lot 11, Block P, Blanco Vista Tract E-1, a subdivision of record in Volume 18, Page 157 of the Plat Records of Hays County, Texas;

THENCE with the southwest perimeter of said Blanco Vista Tract E-1 and crossing the said 199.323 acre tract, the following thirteen (13) courses and distances:

1. South 27°15'17" East, a distance of 138.54 feet to a 1/2" rebar with "Chaparral" cap set;
2. South 62°44'43" West, a distance of 54.14 feet to a 1/2" rebar with "Chaparral" cap set;
3. South 27°15'17" East, a distance of 50.00 feet to a 1/2" rebar with "Chaparral" cap set;
4. North 62°44'43" East, a distance of 13.00 feet to a 1/2" rebar with "Chaparral" cap set;
5. South 72°15'17" East, a distance of 21.21 feet to a 1/2" rebar with "Chaparral" cap set;
6. South 27°15'17" East, a distance of 24.97 feet to a 1/2" rebar with "Chaparral" cap set;
7. With a curve to the left, having a radius of 455.00 feet, a delta angle of 28°26'00", an arc length of 225.80 feet, and a chord which bears South 41°28'17" East, a distance of 223.49 feet to a 1/2" rebar with "Chaparral" cap set;
8. South 55°41'17" East, a distance of 518.28 feet to a 1/2" rebar with "Chaparral" cap set;
9. South 10°41'19" East, a distance of 21.21 feet to a 1/2" rebar with "Chaparral" cap set;
10. South 34°18'39" West, a distance of 13.00 feet to a 1/2" rebar with "Chaparral" cap set;
11. South 55°41'21" East, a distance of 50.00 feet to a 1/2" rebar with "Chaparral" cap set;
12. North 34°18'39" East, a distance of 43.00 feet to a 1/2" rebar with "Chaparral" cap set;
13. South 55°41'18" East, a distance of 220.02 feet to a 1/2" rebar with "Chaparral" cap set in the northwest right-of-way line of the International & Great Northern Railroad (200' right-of-way width), being in the southeast line of the said 199.323 acre tract;

THENCE South 34°18'43" West with the northwest right-of-way line of the International & Great Northern Railroad and the southeast line of the said 199.323 acre tract, a distance of 600.00 feet to a calculated point for the easternmost corner of proposed Lot 125, Block D, Blanco Vista Tract C-2;

THENCE with the northeast perimeter of proposed Blanco Vista Tract C-2 and crossing the said 199.323 acre tract, the following seventeen (17) courses and distances:

1. North 55°41'18" West, a distance of 220.00 feet to a calculated point;
2. North 34°18'42" East, a distance of 32.15 feet to a calculated point;
3. North 55°41'18" West, a distance of 50.00 feet to a calculated point;
4. South 34°18'42" West, a distance of 12.15 feet to a calculated point;
5. South 79°18'42" West, a distance of 21.21 feet to a calculated point;
6. North 55°41'18" West, a distance of 790.00 feet to a calculated point;
7. North 10°41'17" West, a distance of 21.21 feet to a calculated point;
8. North 34°18'43" East, a distance of 90.00 feet to a calculated point;
9. With a curve to the right, having a radius of 15.00 feet, a delta angle of 90°00'00", an arc length of 23.56 feet, and a chord which bears North 79°18'43" East, a distance of 21.21 feet to a calculated point;
10. South 55°41'17" East, a distance of 9.99 feet to a calculated point;
11. North 34°18'43" East, a distance of 50.00 feet to a calculated point;
12. North 55°41'17" West, a distance of 17.07 feet to a calculated point;
13. North 34°18'39" East, a distance of 164.22 feet to a calculated point;
14. North 27°15'17" West, a distance of 113.72 feet to a calculated point;
15. North 72°43'04" West, a distance of 21.04 feet to a calculated point;
16. South 62°44'43" West, a distance of 99.89 feet to a calculated point;
17. North 27°15'17" West, a distance of 136.91 feet to a 1/2" rebar with "Chaparral" cap set for an angle point in the south line of said Lot 3;

THENCE with the perimeter of said Lot 3 and crossing the said 199.323 acre tract, the following five (5) courses and distances:

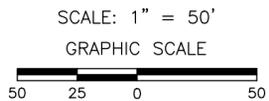
1. South 85°58'15" East, a distance of 135.35 feet to a 1/2" rebar with "Chaparral" cap set;
2. South 75°45'34" East, a distance of 25.09 feet to a 1/2" rebar with "Chaparral" cap set;
3. With a curve to the right, having a radius of 50.00 feet, a delta angle of 11°54'37", an arc length of 10.39 feet, and a chord which bears North 26°09'15" East, a distance of 10.37 feet to a 1/2" rebar with "Chaparral" cap set;
4. North 63°30'49" West, a distance of 25.08 feet to a 1/2" rebar with "Chaparral" cap set;
5. North 34°59'42" West, a distance of 109.24 feet to the POINT OF BEGINNING, containing 16.503 Acres of land, more or less.

PLAT NOTES:

1. THIS PLAT (AND LOTS THEREIN) IS SUBJECT TO THE PDD AGREEMENT WITH THE CITY OF SAN MARCOS, ORDINANCE 2011-37, APPROVED AUGUST 16, 2011, AMENDED JULY 17, 2012, ORD. 2012-33.
2. NO PUBLIC IMPROVEMENT SHALL BE ACCEPTED BY THE CITY UNTIL CONSTRUCTION PLANS FOR OPEN SPACE IMPROVEMENTS AND AN OPEN SPACE PLAN, OUTLINING THE MANAGEMENT AND MAINTENANCE RELATIONSHIP BETWEEN CITY AND HOMEOWNER ASSOCIATION FOR SUCH IMPROVEMENTS, ARE APPROVED BY THE CITY.
3. BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE BLANCO VISTA PDD, OR AS OTHERWISE APPROVED BY THE CITY OF SAN MARCOS.
4. A 10 FOOT-WIDE PUBLIC UTILITY EASEMENT WILL BE DEDICATED WITH THE FINAL PLAT ADJACENT TO THE RIGHTS-OF-WAY OF STAMPEDE ROAD, SILO STREET, FRIENDSHIP OAK DRIVE, MOSSYCUP DRIVE AND ALLEY B.
5. SPECIAL NOTICE:
SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF THE LDC AND STATE LAW, AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
6. PUBLIC SIDEWALKS, BUILT TO CITY OF SAN MARCOS STANDARDS, ARE REQUIRED ALONG THE FOLLOWING STREETS, AS SHOWN BY A DOTTED LINE ON THE FACE OF THE PLAT: STAMPEDE ROAD, SILO STREET, FRIENDSHIP OAK DRIVE AND MOSSYCUP DRIVE. THESE SIDEWALKS SHALL BE IN PLACE PRIOR TO THE ADJOINING LOT BEING OCCUPIED. FAILURE TO CONSTRUCT THE REQUIRED SIDEWALKS MAY RESULT IN THE WITHHOLDING OF CERTIFICATES OF OCCUPANCY, BUILDING PERMITS, OR UTILITY CONNECTIONS BY THE GOVERNING BODY OR UTILITY COMPANY.
7. THE LOTS HEREIN SHALL COMPLY WITH THE REQUIREMENTS AND RESTRICTIONS OF "TRACT E-2" WITHIN THE BLANCO VISTA PDD STANDARDS.
8. NEITHER ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY NOR BUILDING AND SITE CONSTRUCTION PERMITS (OTHER THAN MODEL HOMES) SHALL OCCUR PRIOR TO THE FILING OF THIS PLAT AND ACCEPTANCE OF ASSOCIATED INFRASTRUCTURE.
9. ALL LOTS IN THIS SUBDIVISION ARE SUBJECT TO THE "DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR BLANCO VISTA", AS AMENDED FROM TIME TO TIME, ORIGINALLY RECORDED IN VOLUME 3062, PAGE 327 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS.
10. THIS PROPERTY IS LOCATED WITHIN THE CURRENTLY MAPPED EDWARDS AQUIFER TRANSITION ZONE.
11. THE BLANCO VISTA H.O.A. OR ITS ASSIGNS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF LANDSCAPE AND DRAINAGE LOTS SHOWN HEREON, AS SET FORTH IN THE COVENANTS, CONDITIONS, AND RESTRICTIONS REFERENCED IN NOTE NO. 9, HEREON.
12. DRIVEWAY ACCESS IS PROHIBITED BETWEEN BLANCO VISTA BOULEVARD AND LOTS 3-10, BLOCK "P".
13. THE ALLEYS SHOWN HEREON WILL BE DEDICATED WITH THE FINAL PLAT TO THE CITY OF SAN MARCOS AS ONE-WAY PUBLIC STREETS. ON-STREET PARKING WITHIN THE ALLEY RIGHTS-OF-WAYS IS PROHIBITED. THE ALLEYS ARE INTENDED TO PROVIDE VEHICULAR ACCESS TO GARAGES AND PARKING AREAS LOCATED ON PRIVATE PROPERTY.

 Chaparral Professional Land Surveying, Inc. Surveying and Mapping 3500 McCall Lane Austin, Texas 78744 512-443-1724 Firm No. 10124500	PROJECT NO.: 500-012
	DRAWING NO.: 500-012-PL-E2
	PLOT DATE: 8/18/15
	PLOT SCALE: 1" = 50'
	DRAWN BY: BBP & JBE
	SHEET 04 OF 04

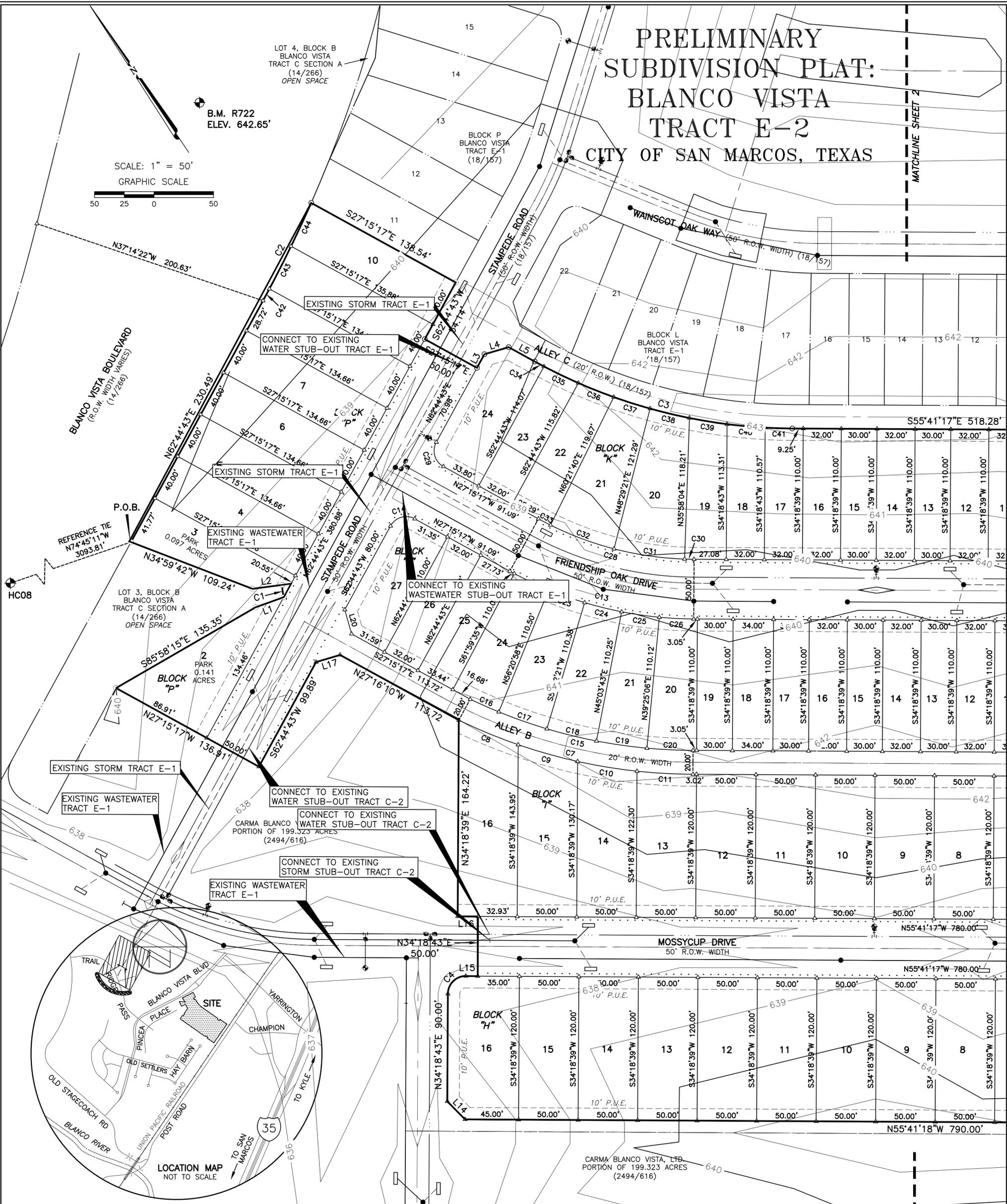
PRELIMINARY SUBDIVISION PLAT: BLANCO VISTA TRACT E-2 CITY OF SAN MARCOS, TEXAS



LOT 4, BLOCK B
BLANCO VISTA
TRACT C SECTION A
(14/266)
OPEN SPACE

B.M. R722
ELEV. 642.65'

MATCHLINE SHEET 2

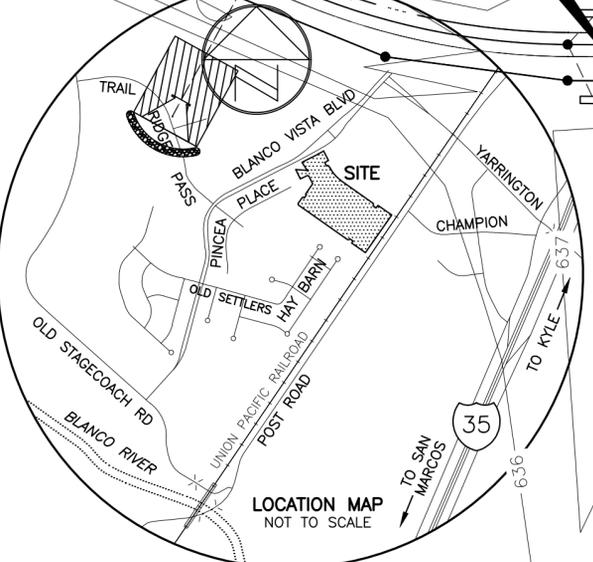


LOT 3, BLOCK B
BLANCO VISTA
TRACT C SECTION A
(14/266)
OPEN SPACE

BLOCK
"P"
PARK
0.141
ACRES

CARMA BLANCO
PORTION OF 199.323 ACRES
(2494/616)

CARMA BLANCO VISTA, LTD.
PORTION OF 199.323 ACRES
(2494/616)



PROJECT NO.:
500-012
DRAWING NO.:
500-012-PL-E2
PLOT DATE:
8/18/15
PLOT SCALE:
1" = 50'
DRAWN BY:
BBP & JBE

Chaparral

Professional Land Surveying, Inc.
Surveying and Mapping

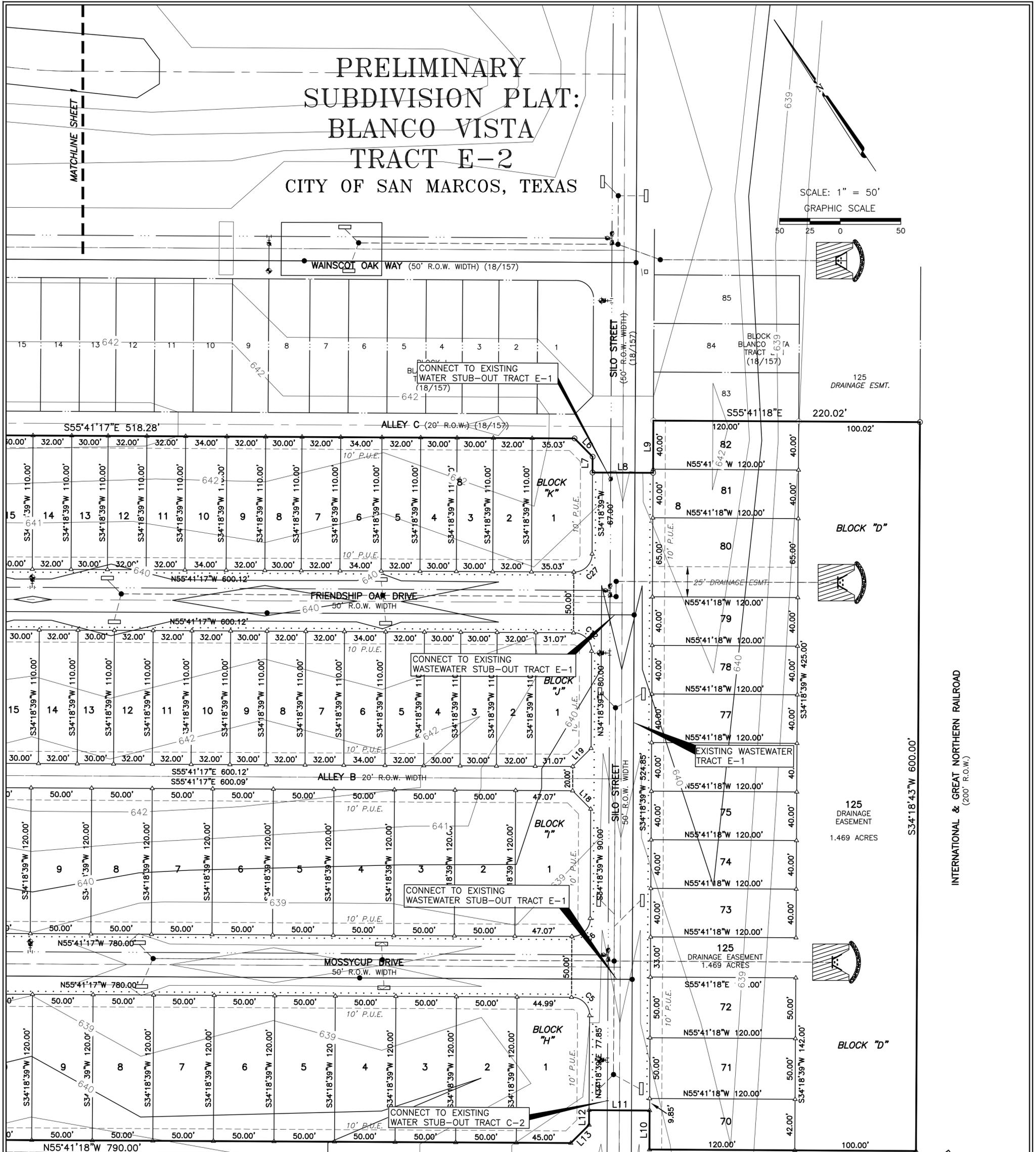
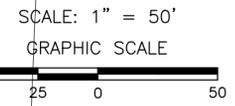
3500 McCall Lane
Austin, Texas 78744
512-443-1724
Firm No. 10124500

LEGEND

○	1/2" REBAR WITH "CHAPARRAL" CAP-SET
●	CALCULATED POINT
⊙	CONTROL POINT/BENCHMARK LOCATION
---	SIDEWALK LOCATION
P.U.E.	PUBLIC UTILITY EASEMENT
()	RECORD INFORMATION

MATCHLINE SHEET 2

**PRELIMINARY
SUBDIVISION PLAT:
BLANCO VISTA
TRACT E-2
CITY OF SAN MARCOS, TEXAS**



LEGEND

- 1/2" REBAR WITH "CHAPARRAL" CAP SET
- ▲ CALCULATED POINT
- CONTROL POINT/BENCHMARK LOCATION
- ⋯⋯⋯ SIDEWALK LOCATION
- P.U.E. PUBLIC UTILITY EASEMENT
- () RECORD INFORMATION

Chaparral
Professional Land Surveying, Inc.
Surveying and Mapping

3500 McCauley Lane
Austin, Texas 78744
512-443-1724
Firm No. 10124500

PROJECT NO.:
500-012

DRAWING NO.:
500-012-PL-E2

PLOT DATE:
8/18/15

PLOT SCALE:
1" = 50'

DRAWN BY:
BBP & JBE

**SHEET
2 OF 4**



Legislation Text

File #: CUP-15-23, **Version:** 1

AGENDA CAPTION:

CUP-15-23 (Hooters) Hold a public hearing and consider a request by TW Restaurant Holders, LLC, on behalf of San Marcos 123 and 35 Partners Two, LLC, for approval of a Conditional Use Permit for the sale of mixed beverages for on-premise consumption at the intersection of IH 35 and Luciano Flores. (W. Parrish)

Meeting date: September 8, 2015

Department: Planning and Development Services

Funds Required: NA

Account Number: NA

Funds Available: NA

Account Name: NA

CITY COUNCIL GOAL: NA

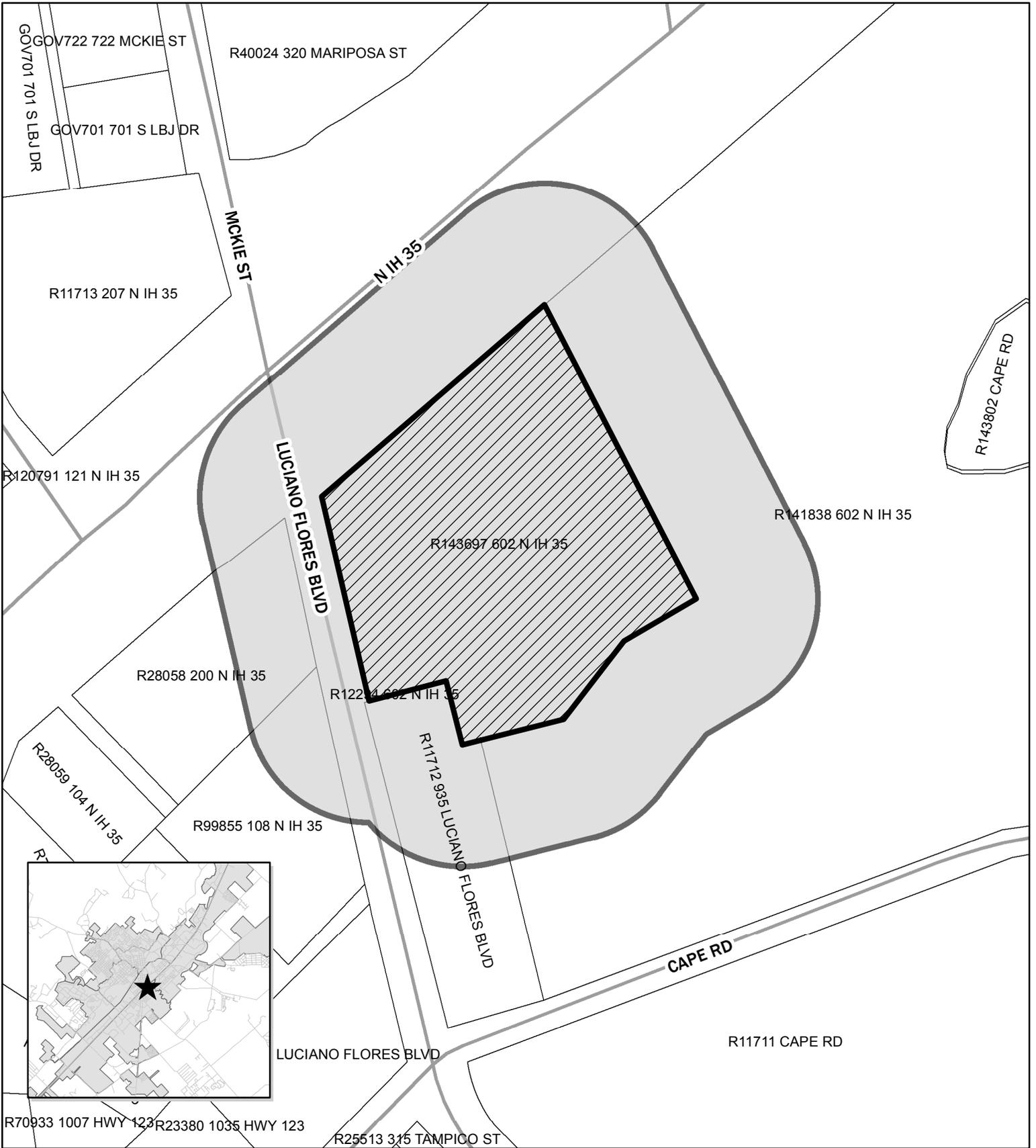
COMPREHENSIVE PLAN ELEMENT(s): NA

BACKGROUND:

The applicant is proposing to build a new approximately 6,220 square foot building to house a restaurant, including an outdoor patio, at the intersection of IH 35 and Luciano Flores. The proposed hours of operation will be from 11 a.m. to 12:00 p.m. Sunday-Thursday and 11 a.m. to 1:00 a.m. Friday -Saturday.

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

1. The CUP shall be valid for one (1) year, provided standards are met, subject to the point system;
2. The CUP shall be posted in the same manner and location as the Certificate of Occupancy.
3. No outdoor live music shall be permitted after 10 p.m.



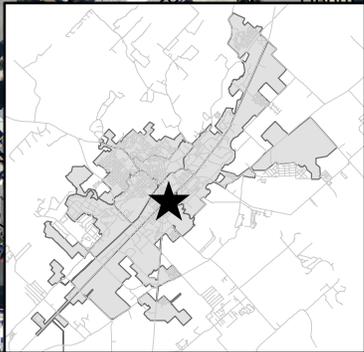
CUP-15-23
Hooters
Luciano Flores and IH 35
Map Date: 8/27/2015

Legend

-  Site Location
-  200 ft Buffer



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



CUP-15-23

Hooters

Luciano Flores and IH 35

Map Date: 8/27/2015

Legend

 Site Location



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

CUP-15-23

Conditional Use Permit

Hooters

Luciano Flores and IH 35



Applicant Information:

Applicant: TW Restaurant Holder, LLC
1815 The Exchange SE
Atlanta GA, 30339-2027

Property Owner: San Marcos 123 and 35 Partners, LLC
750 East Mulberry Ave. Ste. 305
San Antonio TX 78212

Applicant Request: Approval of a Conditional Use Permit (CUP) to allow on-premise consumption of mixed beverages at a restaurant establishment.

Notification: Public hearing notification mailed on August 28, 2015.

Response: None to date

Subject Property:

Expiration Date: NA

Location: Intersection of Luciano Flores and IH 35

Legal Description: Thornton Addition Lot 1

Frontage On: IH-35 and Luciano Flores

Existing Zoning: General Commercial

Preferred Scenario Designation: Employment Center

Existing Utilities: Adequate

Existing Use of Property: Agricultural

Proposed Use of Property: Restaurant/Bar

Zoning and Land Use Pattern:

	Current Zoning	Existing Land Use
N of Property	GC	IH-35
S of Property	GC/FD	Vacant
E of Property	FD	Vacant
W of Property	GC	Restaurant/hotel

Code Requirements:

A Conditional Use Permit (CUP) for the sale of alcohol for on-premises consumption is subject to the requirements of Sections 1.5.7.5 and 4.3.4.2 of the Land Development Code (LDC). A business applying for a permit to allow on-premise consumption of alcohol must not be within 300 feet (measured along the property lines of street fronts, from front door to front door) of a church, school, hospital, or a residence located within a zoning district that limits density to six units per acre or less. The location **does** meet these distance requirements. The CUP will be subject to the standards for on-premise consumption of alcoholic beverages, and the penalty point system for violations (Section 4.3.4.2).

The business is not within the CBA.

Comments from Other Departments:

Other departments have reported no major concerns regarding the subject property.

Case Summary

The applicant is proposing to build a new approximately 6,220 square foot building to house a restaurant, including an outdoor patio. The proposed restaurant will offer a full menu and have 227 seats, 36 of which will be located on the patio. The patio will face the neighboring commercial property, which is currently a restaurant use, Luby's. The site plan indicates that there will be 105 parking spaces.

The proposed hours of operation will be from 11 a.m. to 12:00 p.m. Sunday-Thursday and 11 a.m. to 1:00 a.m. Friday -Saturday. Additionally, the applicant has stated that there is a possibility that outdoor events, such as fundraisers, may take place in the parking lot. In the case of an outdoor event, the applicant has agreed to limit any outdoor live music to no later than 10 p.m. and in most cases the event will require approval of a Special Event Permit.

Planning Department Analysis:

The applicant is proposing to locate the restaurant near the intersection of IH-35 and Luciano Flores. This property was previously used for agricultural purposes, and was zoned General Commercial in 2014. The property to the west of this location, directly across Luciano Flores is commercial in nature, consisting predominantly of restaurant and hotel uses. The property to the east of this location is vacant, and currently zoned Future Development.

The current property owner intends to divide the property into two lots in the near future in order to build a drive-thru restaurant on the site as well. On the site plan included in your packet, the proposed Hooters building is located on the proposed Lot 2, and is labeled BLDG #1. Approval of this CUP shall only apply to this structure. Primary access for the Hooters lot will be on Luciano Flores, however access from IH 35 is also proposed with the construction of the additional restaurant on the proposed Lot 1. This property is located within the San Marcos River Corridor, which limits the maximum amount of impervious cover to 30%. The site plan provided in your packet illustrates the total build out scenario, with the maximum 30% impervious cover.

In order to monitor new permits for on-premise consumption of alcohol, the Planning Department's standard recommendation is that the permit be approved initially for a limited time period. Other new conditional use permits have been approved as follows:

- Initial approval for 1 year;
- Renewal for 3 years;
- Final approval for the life of the State TABC license, provided standards are met.

Staff provides this request to the Commission for your consideration and recommends approval of the Conditional Use Permit with the following conditions:

1. The CUP shall be valid for one (1) year, provided standards are met, subject to the point system;
2. The CUP shall be posted in the same manner and location as the Certificate of Occupancy.
3. No outdoor live music shall be permitted after 10 p.m.

Commission's Responsibility:

The Commission is required to hold a public hearing and receive comments regarding the proposed Conditional Use Permit. After considering public input, the Commission is charged with making a decision on the Permit. Commission approval is discretionary. The applicant, or any other aggrieved person, may submit a written appeal of the decision to the Planning Department within 10 working days of notification of the Commission's action, and the appeal shall be heard by the City Council.

The Commission's decision is discretionary. Provided the request meets the minimum requirements of section 4.3.4.2 of the LDC, the Commission shall also evaluate the impact of the proposed conditional use on surrounding properties under section 1.5.7.5 of the LDC, by considering the extent to which the use:

- is consistent with the policies of the Master Plan and the general intent of the zoning district;
- is compatible with the character and integrity of adjacent developments and neighborhoods;
- includes improvements to mitigate development-related adverse impacts; and
- does not generate pedestrian or vehicular traffic which is hazardous or conflicts with existing traffic in the neighborhood.

Conditions may be attached to the CUP that the Commission deems necessary to mitigate adverse effects of the proposed use and to carry out the intent of the Code.

Prepared by:

Will Parrish	Planning Technician	August 26, 2015
Name	Title	Date



Conditional Use Permit Application Checklist To Allow On-Premise Consumption of Alcoholic Beverages Outside the Central Business Area

Provided by applicant as of date of submittal		By staff as of date of completeness review	
Completed	Required Item	Staff Verification	Staff Comments
<input type="checkbox"/>	A pre-application conference with staff is recommended	<input type="checkbox"/>	
<input type="checkbox"/>	A completed application for Conditional Use Permit and required fees. * (see note below)	<input type="checkbox"/>	
<input type="checkbox"/>	A site plan <i>drawn to scale</i> showing dimensions of property, locations and square footage of building(s), number of off-street paved parking spaces, and fences buffering residential uses. * (see note below)	<input type="checkbox"/>	
<input type="checkbox"/>	Interior layout showing all proposed seating; kitchen and bar areas; and restroom facilities	<input type="checkbox"/>	
<input type="checkbox"/>	All information and illustrations necessary to show the nature of the proposed use and its effect on surrounding properties	<input type="checkbox"/>	
<input type="checkbox"/>	Authorization to represent the property owner, if applicant is not the owner	<input type="checkbox"/>	
Any of the following pieces of information as requested by the Director of Development Services : *(see note below)			
<input type="checkbox"/>	Landscaping and/or fencing of yards and setback areas and proposed changes	<input type="checkbox"/>	
<input type="checkbox"/>	Design of ingress and egress	<input type="checkbox"/>	
<input type="checkbox"/>	Off-street loading facilities	<input type="checkbox"/>	
<input type="checkbox"/>	Height of all structures	<input type="checkbox"/>	
<input type="checkbox"/>	Proposed uses	<input type="checkbox"/>	
<input type="checkbox"/>	The location and types of all signs	<input type="checkbox"/>	
<input type="checkbox"/>	Copy of State TABC License application	<input type="checkbox"/>	
<input type="checkbox"/>	Impervious cover or drainage issues or impacts	<input type="checkbox"/>	
<input type="checkbox"/>	Menu	<input type="checkbox"/>	

* For renewals, staff may accept a written statement that no changes have been made to these items if copies are available on file.

I hereby certify and attest that the application is complete and all information above is complete and hereby submitted for review.

Signed: Date: July 16, 2015
 Print Name: R.W. McDonald, Jr.
 Engineer Surveyor Architect/Planner Owner Agent: _____

City of San Marcos

CONDITIONAL USE PERMIT APPLICATION
To Allow On-Premise Consumption of Alcoholic Beverages
Outside the Central Business Area

LICENSE INFORMATION
 Trade Name of Business: Hooters
 Application is filed by:
 Individual Partnership Corporation Other: LLC
 Name of Individual or Entity: TW Restaurant Holder, LLC Phone Number: 770 951 2040
 Mailing Address: 1815 The Exchange SE, Atlanta, GA 30339
 Email Address: SFuller@Hooters.com
 Type of Permit Requested: Mixed Beverage Beer & Wine Other: _____

PROPERTY Intersection of Luciano Flores & ZH-35 1915 Luciano Flores
 Street Address: _____ Current Zoning: CC
 Legal Description: Lot 1 Block _____ Subdivision Thornton Addition
 Tax ID Number: R 143697
 Property Owner's Name: San Marcos 123 and 35 Partners Two LLC Phone Number: 210 481 8016
 Address: 750 E Mulberry Ave # 305, San Antonio, TX 78212

BUSINESS DETAILS
 Primary Business Use: Restaurant Bar Other: _____
 Hours of Operation: Sun. - Thur. 11 AM - midnight. Fri - Sat. 11 AM - 1 AM
 Type of Entertainment Facilities: Full service restaurant w/ bar & merchandise sales
 Indoor Fixed Seats Capacity: 227 seats, 194 unconcentrated seats Outdoor Fixed Seats: 36 unconcentrated
 Gross Floor Area Including Outdoor Above-ground Decks: 6,618 Square Feet
 Number of Off-Street Parking Spaces Provided: 138
 Located more than 300 feet from church, public school, hospital, low density residential? Y N

APPLICATION FOR CITY OF SAN MARCOS CONDITIONAL USE PERMIT-TABC

CUP PERMIT HISTORY *Check all that apply*

New request, no existing TABC CUP Permit at this location

Change to existing TABC Permit. Nature of Change: _____

Renewal

Change in name of license holder of existing business at same location

Change in name of existing business at this location

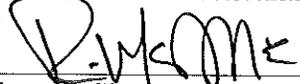
SUBMITTAL REQUIREMENTS

- Beer and Wine Permit: \$600 Application fee + \$10.00 Technology Fee (non-refundable)
- Mixed Beverage Permit: \$600 Application fee + \$10.00 Technology Fee (non-refundable)
- Change to Existing Permit/Renewal: \$300.00 fee + \$10.00 Technology Fee (non-refundable)
- Site Plan drawn to scale, preferably on paper no larger than 11" x 17", showing dimensions of property, locations and square footage of building(s), interior layout showing dimensions of tables, bar area, etc., number of off-street paved parking spaces, and fences buffering residential uses.
- **Copy of State TABC License Application**

I certify that this information is complete and accurate. I understand that I or a representative should be present at all meetings regarding this application.

I am the property owner of record; or

I have attached authorization to represent the owner, organization, or business in this application.


 Applicant's Signature

Printed Name: R. W. McDonald, IV Date: July 16, 2015

To be completed by Staff:

Meeting Date: _____ Application Deadline: _____

Accepted By: _____ Date: _____

TOTAL SITE ACREAGE = 258,654.5 S.F. (5.94 AC.)

- BUILDING AREA = 10,204 S.F. (includes patios)
- PARKING AREA = 65,054 S.F.
 REDUCED PVMT AREA = 62,518 S.F.
 PERVIOUS PAVERS = 2,536 S.F.
 (PERVIOUS PAVERS 30% I.C.=761 S.F.)
 (PERVIOUS PAVERS 70% PERVIOUS = 1,775 S.F.)
- SIDEWALK AREA = 4,113 S.F.

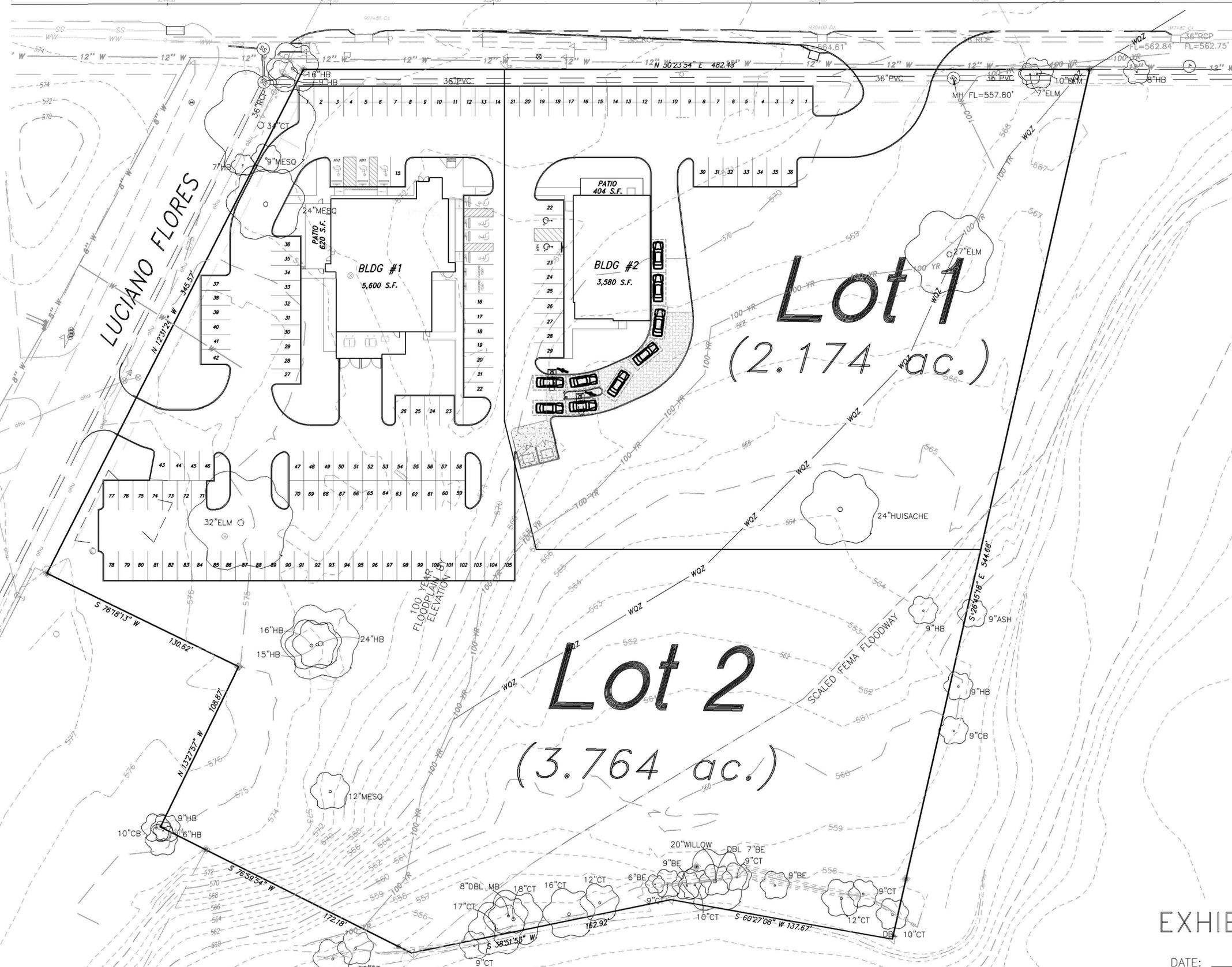
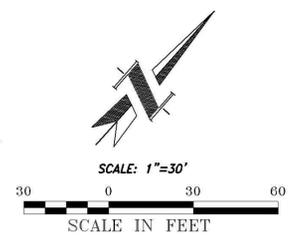
TOTAL I.C. =
 = 77,596 S.F.
 = 30.0%

PARKING PROVIDED:

REGULAR PARKING SPACES (9'x18')	141
TO GO PARKING SPACES	2
HANDICAPPED PARKING SPACES	9
TOTAL REQ'D	152 92

I.H. 35

IH-35 NORTHBOUND SERVICE ROAD



Lot 1
(2.174 ac.)

Lot 2
(3.764 ac.)



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Legislation Text

File #: ID#15-566, **Version:** 1

AGENDA CAPTION:

Development Services Report:

1. Reminder-CodeSMTX Joint P&Z and Council Workshop, Sept. 30, 2015

Meeting date: September 8, 2015

Department: Planning and Development Services

Funds Required: n/a

Account Number: n/a

Funds Available: n/a

Account Name: n/a

CITY COUNCIL GOAL:

BACKGROUND: