



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Special Meeting Agenda - Final Planning and Zoning Commission

Monday, November 21, 2016

5:15 PM

City Council Chambers

630 E. Hopkins- Special Meeting

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

CONSENT AGENDA

PUBLIC HEARINGS

- 1. CUP-16-30 (Escape Rooms) Hold a public hearing and consider a request by Cory Dickman, on behalf of Hjorting Flemming, for a Conditional Use Permit for Amusement Services or Venues (Indoors) located at 700 N LBJ. (W. Parrish)

NON-CONSENT AGENDA

- 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:



Legislation Text

File #: CUP-16-30(b), **Version:** 1

AGENDA CAPTION:

CUP-16-30 (Escape Rooms) Hold a public hearing and consider a request by Cory Dickman, on behalf of Hjorting Flemming, for a Conditional Use Permit for Amusement Services or Venues (Indoors) located at 700 N LBJ. (W. Parrish)

Meeting date: November 21, 2016

Department: Planning and Development Services

Funds Required: NA

Account Number: NA

Funds Available: NA

Account Name: NA

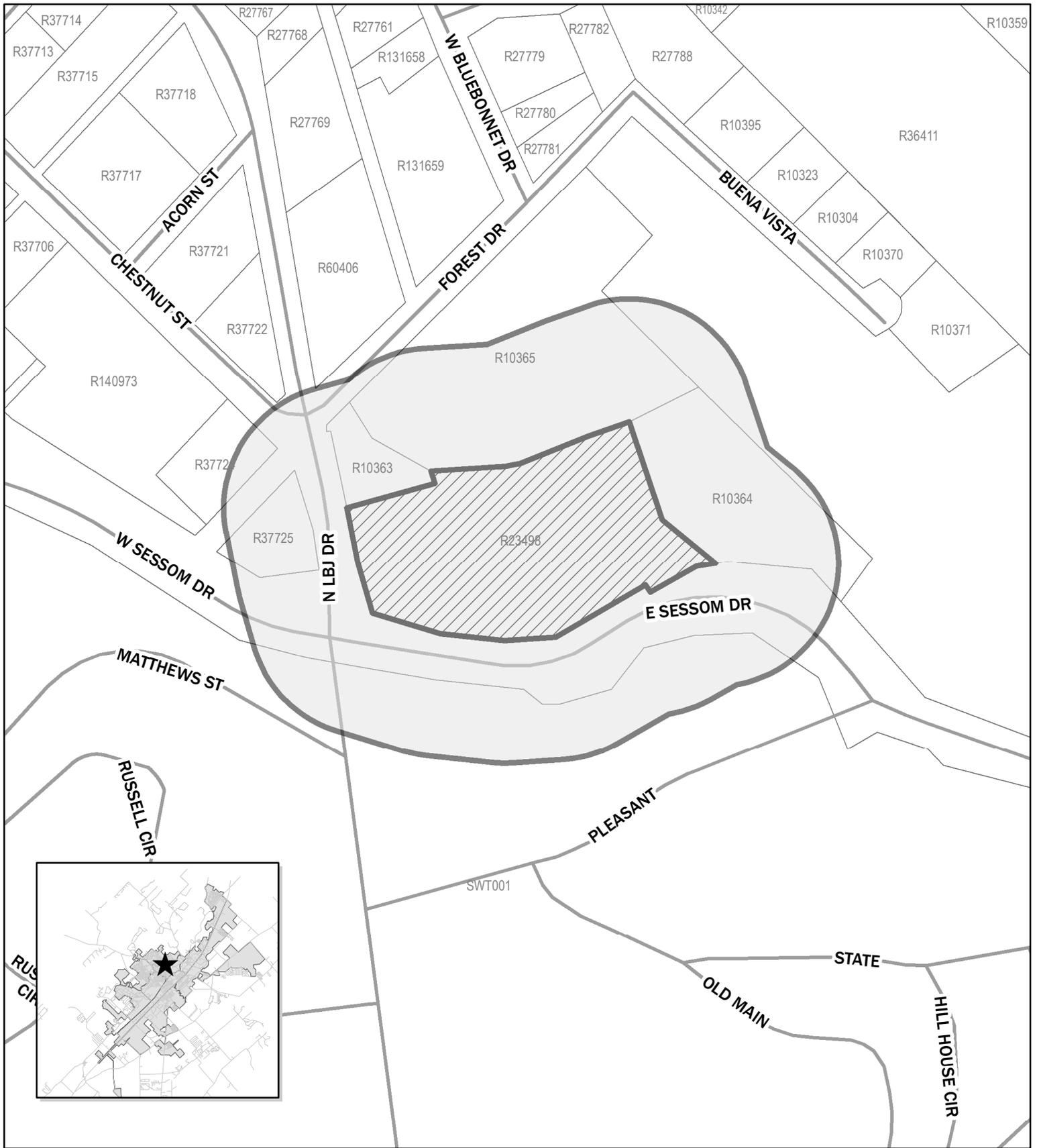
CITY COUNCIL GOAL: NA

COMPREHENSIVE PLAN ELEMENT(s): NA

BACKGROUND:

The specific request is to allow a currently vacant suite in this shopping center to be used as a puzzle based “escape room” in which teams of people (2-10) work to solve puzzles and games in order to “escape” a room in a certain amount of time. The clientele generally consists of groups of friends or co-workers working on team building exercises.

Staff has analyzed the request and recommends **approval** of the Conditional Use Permit as submitted.



CUP-16-30
Escape Rooms
700 N LBJ Suite 112
Map Date: 10/26/2016

 200 ft Buffer
 Site Location



0 150 300 600 Feet



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-16-30
Escape Rooms
700 N LBJ Suite 112
Map Date: 10/26/2016

 Site Location



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CUP-16-30

Conditional Use Permit

Escape Rooms

700 North LBJ Suite 112



Applicant Information:

Applicant: Cory Dickman
400 Bosque Boulevard unit 306
Waco, TX 76707

Property Owner: Hjorting Flemming
2101 South IH-35 Suite 220
Austin, TX 78741

Applicant Request: A Conditional Use Permit (CUP) to allow for Amusement Services or Venues (Indoors) located at 700 North LBJ Suite 112.

Notification: Public hearing notification mailed November 10, 2016

Response: None to date

Subject Property:

Location: 700 North LBJ Suite 112

Legal Description: The Centre at San Marcos, Lot 1

Frontage On: Sessom Drive and North LBJ Drive

Neighborhood: NA

Existing Zoning: Community Commercial (CC)

Preferred Scenario: Area of Stability

Utilities: Existing

Existing Use of Property: A shopping center with several restaurants, bars, and a coffee shop.

Proposed Use of Property: Convert a vacant suite into a puzzle based “escape room”

Zoning and Land Use Pattern:

	Current Zoning	Existing Land Use
N of Property	MF-18	Apartments
S of Property	P	TX State University
E of Property	P	Apartments
W of Property	GC	Gas Station

Code Requirements:

This is a request for a Conditional Use Permit (CUP) for Amusement Services or Venues (Indoors) within a Community Commercial (CC) zoning district. A CUP allows the establishment of uses which may be suitable only in certain locations or only when subject to standards and conditions that assure compatibility with adjoining uses. Conditional uses are generally compatible with permitted uses, but require individual review and imposition of conditions in order to ensure the appropriateness of the use at a particular location.

Background

The subject property is located directly adjacent to the North side of Texas State University at the intersection of North LBJ Drive and Sessom Drive. The property is a shopping center that largely consists of small restaurants, bars, and a coffee shop on approximately 3.1 acres. The suite in question is 4,621 square feet out of a total of 35,700 square feet in the shopping center. The specific request is to allow a currently vacant suite in this shopping center to be used as a puzzle based “escape room” in which teams of people (2-10) work to solve puzzles and games in order to “escape” a room in a certain amount of time. The clientele generally consists of groups of friends or co-workers working on team building exercises.

Comments from Other Departments:

There have been no concerns from other departments.

Planning Department Analysis:

The applicant proposes to have three “escape” rooms available, a two-person room, a six-person room, and an 8-10 person room. Customers will be provided an emergency/early escape key to ensure safety. The applicant has stated that the times each room is available for occupancy will be staggered in order to better manage the puzzles and games, and to keep the waiting room from being overwhelmed. The applicant has stated that the maximum number of customers expected to be on site at one time is twenty or less.

This property is located directly adjacent to Texas State University and is within close proximity to several apartment complexes. There is no specific parking requirement for Amusement Services or Venues (Indoors) in the Land Development Code. The most similar use listed within the Code is dance, assembly and exhibition halls without fixed seats, which requires one (1) space per 100 square feet used for assembly and dancing. The three “escape” rooms combined equal approximately 1000 square feet, which would equate to ten (10) parking spaces. The shopping center has a total of 133 parking spaces, five (5) of which are reserved in the lease for this establishment, but it is predominantly an open parking lot without reserved spaces.

The proposed hours of operation are Monday – Thursday 6 p.m. to 9 p.m., Fridays 5 p.m. to 11:30 p.m., Saturdays 11 a.m. to 12 a.m., and Sundays 2 p.m. to 9 p.m.

Evaluation of a request for a CUP is subject to the criteria in Section 1.5.7.5 of the LDC concerning impacts of the use on surrounding properties.

- 1. The proposed use at the specified location is consistent with the policies embodied in the adopted Comprehensive Plan;**
 - The Preferred Scenario Map designates this area as an Area of Stability, meaning that the zoning designations should remain stable in this area. The property is currently zoned Community Commercial, which is a zoning classification that is appropriate to a property located at the intersection of two major thoroughfares and in such close proximity to the University. The proposed use does not appear to be inconsistent with the policies in the adopted Comprehensive Plan.
- 2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;**
 - The Community Commercial zoning district was established to “provide areas for quality larger general retail establishments and service facilities for the retail sale of good and services”. Escape Rooms intends to provide a game based service to the community which appears to be consistent with the general intent of the district.
- 3. The proposed use is compatible with and preserves the character and integrity of**

adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods;

- The applicant is proposing to be located in a shopping center that is predominantly restaurants and bars; therefore, the proposed use should not create any adverse impacts to the surrounding community.
4. **The proposed use does not generate pedestrian and vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood;**
 - Staff does not feel the use will generate hazardous traffic of a vehicular or pedestrian nature.
 5. **The proposed use incorporates roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets;**
 - At this time, the need for any additional improvements has not been identified.
 6. **The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties; and**
 - The applicant is proposing to occupy an existing suite, there should be no visual impacts to the adjacent properties other than a sign identifying its location.
 7. **The proposed use meets the standards for the zoning district, or to the extent variations from such standards have been requested, that such variations are necessary to render the use compatible with adjoining development and the neighborhood.**
 - The applicant has not proposed any variations from the standards of the zoning district, and Staff does not recommend any variations from the standards of the zoning district.

Staff has analyzed the request and recommends **approval** of the Conditional use permit as submitted.

The Commission's Responsibility:

The Commission is required to hold a public hearing and receive comments regarding the proposed CUP. 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 may approve, approve with conditions or modifications or deny the permit. In evaluating the impact of the proposed conditional use on surrounding properties, the Commission, pursuant to Section 1.5.7.5 of the LDC, should consider the extent to which:

1. The proposed use at the specified location is consistent with the policies embodied in the adopted Comprehensive Plan;
2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;

3. The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods;
4. The proposed use does not generate pedestrian and vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood;
5. The proposed use incorporates roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets;
6. The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties; and
7. The proposed use meets the standards for the zoning district, or to the extent variations from such standards have been requested, that such variations are necessary to render the use compatible with adjoining development and 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

November 15, 2016

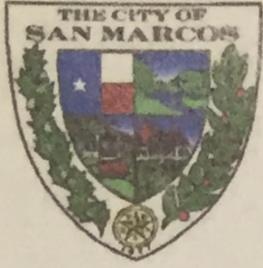
Name

Title

Date

Get Landlord Approval
Email Blueprint

09/15



Conditional Use Permit Application Checklist: GENERAL

Provided by applicant as of date of submittal		By staff as of date of completeness review	
Completed	Required Item	Staff Verification	Staff Comments
<input checked="" type="checkbox"/>	A pre-application conference with staff is recommended	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	A completed application for Conditional Use Permit and required fees	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	A site plan illustrating the location of all structures on the subject property and on adjoining properties	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	Authorization to represent the property owner, if applicant is not the owner	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	Application Fee \$609	<input type="checkbox"/>	
<input type="checkbox"/>	Renewal Fee \$305	<input type="checkbox"/>	
<input type="checkbox"/>	Technology Fee \$11	<input type="checkbox"/>	
Any of the following pieces of information as requested by the Planning Director:			
<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 parking and 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"/>	Hours of operation	<input type="checkbox"/>	
<input type="checkbox"/>	Impervious cover or drainage issues or impacts	<input type="checkbox"/>	
<input type="checkbox"/>	All information and illustrations necessary to show the nature and effect of the proposed variations to the standards of the zoning district	<input type="checkbox"/>	

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

Signed: *Cory Dickman*
Printed Name: CORY Dickman

Date: 9/26/16

Engineer Surveyor Architect/Planner Owner Agent: _____

City of San Marcos CONDITIONAL USE PERMIT APPLICATION - GENERAL

APPLICANT

Name: Cory Dickman
 Mailing Address: 400 Bosque Blvd.
unit #306 WACO, TX 76707
 Telephone No.: 503-317-1674
 E-mail address: Cory-dickman@alumni.baylor.edu

PROPERTY OWNER

Hjorting Flemming
2101 South IH 35
suite 220 Austin, TX 78741
512-326-2722 ext. 105
Keith@lynx Property Services.com

Property Address: 700 North LBJ Dr. Suite 112 San Marcos, TX
 Legal Description (if platted): Lot _____ Block _____ Subdivision X
 Tax ID Number: R 562-68-1813 Zoning District: _____

PROPOSED USE

Brief description of Proposed Use (attach separate page if needed): We will be opening an escape room. Escape Rooms are used for entertainment + team building / corporate team skills development. We design rooms w/ different puzzles, clues, + mysteries. The objective is to solve the puzzles + escape before your time (60 mins) runs out. Our content is family friendly. We also provide a default code if the groups need to exit the room early. This will be something fun + educational for the community + tourists.
We are also a great addition to the existing tenants. Our customers will take full advantage of the restaurants + stores in the Strip center.

I certify that the information in this application is complete and accurate. I understand that I or another representative should be present at all meetings concerning this application.

I am the property owner of record; or

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

Signature of Applicant: [Signature] Date: 9/26/16

To be completed by Staff:

Meeting Date: _____
 Accepted by: _____

Application Deadline: _____
 Date: _____

Suite 112 Floor Plan

