

**Started: 5:42 p.m.**

**Ended: 5:45 p.m.**

**Item #1.6**

**Conditional Use Permit:**

**Sale & On-Site Consumption of  
Alcoholic Beverages – 1942 Bar & Grill  
4001 S. Shary Road, Suite 350,  
Lot 1, Sharyland Plantation Grove Tech–Center #2  
PUD  
The Best Flavored Beer, LLC**

Ms. De Luna went over write-up stating the subject site is located on the SE corner of San Mateo and Shary Road. The applicant leased a 1,500 sq.ft. suite and is proposing to open a Bar & Grill. Access to the site can be from one primary driveway to Shary Road or from separate driveways from San Mateo or from San Gabriel. In the past this location has been used by several different operators the most recent being Tortas Del Jack closed in 2020. The last CUP approved for this location was on July 25, 2018 for a period of 2 years.

- **Hours of Operation:** Monday & Sunday from 3 p.m. – 12 a.m. and Tuesday – Saturday from 3 p.m. to 2 a.m.
- **Staff:** 7-10 employees
- **Parking:** In reviewing the floor plan, there are 65 total seating spaces, which require 22 parking spaces (65 total seating spaces/1 space for every 3 seats=22 parking spaces). It is noted that the parking area is held in common (180 existing parking spaces) and is shared with other businesses.
- **Sale of Alcohol:** The proposed restaurant does include a 'bar' component. Section 1.56 (3a) of the Zoning code requires a minimum separation of 300' from the *property line* of any churches, schools, publicly owned property, and residences. There is a single-family residential neighborhood located within the 300' radius; however, P&Z and the City Council waived this separation requirement in the CUP's previous approval.

**REVIEW COMMENTS:** In the past this site has been used for a restaurant but it has also been used primarily as a bar. The applicant proposes to have hamburgers, wings, hotdogs and salads in his menu aside from the alcohol. He is also proposing to have a DJ in his establishment. Staff does not object to a 2 year approval to see how this new operation will work.

**RECOMMENDATION:**

Staff recommends approval subject to:

1. Approval for 2 years at which time the CUP and TABC permit will need to be renewed;
2. Waiver of the 300' separation requirement from the residential home;
3. Must comply with all requirements from our City Codes (Noise, Fire, Health, etc.), and
4. Must obtain a business license prior to occupancy.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Hardison motioned to close the hearing. Mrs. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Hardison moved to approve the conditional use permit. Mrs. Garza seconded the motion. Upon a vote, the motion passed unanimously.