

MINUTES
Regular Meeting
Planning and Zoning Commission
Tuesday, April 19, 2005, at 7:00 p.m.
Council Chambers, College Station City Hall
1101 Texas Avenue
College Station, Texas



CITY OF COLLEGE STATION
Planning & Development Services

COMMISSIONERS PRESENT: Chairman Shafer, Commissioners Fedora, Nichols, Hooton and White.

COMMISSIONERS ABSENT: Commissioners Davis and Reynolds.

CITY COUNCIL MEMBERS PRESENT: Councilman Maloney.

PLANNING AND DEVELOPMENT SERVICES STAFF PRESENT: Staff Planners Boyer, Hitchcock, Reeves and Prochazka, Senior Planner Fletcher, Director Dunn, Graduate Civil Engineers Cotter, Gibbs and Norton, Transportation Planner Fogle, and Staff Assistant Lindgren.

OTHER CITY STAFF PRESENT: Senior Assistant City Attorney Robinson and Bryan Cook, OTIS.

7. Public hearing, presentation, discussion, and possible action on a Conditional Use Permit for a Night Club, located in Suite D at 2551 Texas Avenue South in the Homestead Place Shopping Center. **Case #05-39 (LB/MH)**

Lindsay Boyer, Staff Planner, gave a presentation regarding a Conditional Use Permit for Hookah Station, a proposed Nightclub. Boyer stated that staff recommended approval of the request and that the night club met the 300-foot separation distance from a church, public school, or a public hospital required for the sale of alcohol. Boyer stated that the distance is measured from the front door of the establishment to the front door of the protected use, and that the distance from the vacant lease space to the church was over 600-feet. Boyer stated that had received six phone calls since the date of the staff report, five were inquiries and one was in opposition based on limited parking.

James Heflin, Pastor, College Station Baptist Church, 2555 Texas Avenue South, College Station, Texas. Pastor Heflin had questions regarding the notification process and the measurement of separation distances for alcohol permits. Pastor Heflin also expressed concerns regarding limited parking and potential overflow parking that could end up in the Church's parking lot, and operating hours of the night club.

Chairman Shafer asked for clarification regarding the separation distance requirement for alcohol permits. Boyer stated that the State ordinance specified how the separation distance

was measured. Boyer stated that essentially it is as the pedestrian would walk from the front door of the establishment to the front door of a protected use. Chairman Shafer also asked for clarification regarding the 200-foot notification ring. Boyer stated that the notification ring was measured from all edges of the property.

Ed Goff, Treasurer of College Station Baptist Church. Mr. Goff had concerns with traffic, parking and the distance from the Church and night club. Mr. Goff spoke in opposition to the night club.

David Alexander, Alexander Properties; Bryan Haggie, Applicant and Mike Cutter, At Home Properties all spoke in favor of the night club. Mr. Alexander stated that the parking situation at that shopping center had always been managed and it was not an issue. Mr. Haggie spoke about the night club and its operating hours, and stated that he did not feel parking would be a problem.

Commissioner White asked if there was anyone at the hearing from the adjoining mobile home park. Boyer stated that she had spoken to the owner of the mobile home park and that they did not have any opposition to the night club because of its size.

Commissioner White stated that he agreed with the concerns of the Church regarding the nightclub's opening hours on Sunday. Commissioner White asked Mr. Haggie if they were willing to delay their opening hours on Sunday. Mr. Haggie stated that they were. Carla Robinson, Senior City Attorney stated that the City could not place conditions related to hours of operation on the permit because the Texas Alcoholic Beverage Commission regulated that aspect of a Nightclub.

Doug Bryan, 3824 Park Hampton, Bryan, Texas. Mr. Bryan spoke in opposition to the nightclub because of alcohol service and limited parking.

Commissioner Fedora motioned to approve the Conditional Use Permit. Commissioner Nichols seconded the motion, motion passed (5-0).