

<b>Conditional Use Permit CUP-26-19</b>	<b>141 E Hopkins Street Freddy C's Lounge</b>
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**Summary**

<b>Request:</b>	Renewal of a Conditional Use Permit (CUP)		
<b>Applicant:</b>	Sean Neal 141 E Hopkins Street San Marcos, TX 78666	<b>Property Owner:</b>	Brian Scofield 127 E Hopkins Street San Marcos, TX 78666
<b>CUP Expiration:</b>	March 28, 2027	<b>Type of CUP:</b>	CBA Bar
<b>Interior Floor Area:</b>	2500 sq ft	<b>Outdoor Floor Area:</b>	N/A
<b>Parking Required:</b>	N/A	<b>Parking Provided:</b>	No
<b>Days &amp; Hours of Operation:</b>	Monday - Thursday: 4pm – 2am and Friday – Saturday: 2pm -2am		

**Notification**

<b>Posted:</b>	May 8, 2026	<b>Personal:</b>	May 8, 2026
<b>Response:</b>	None as of the date of this report		

**Property Description**

<b>Legal Description:</b>	Original Town of San Marcos, Block 20, Lot E Part of 5		
<b>Location:</b>	Northwest corner of East Hopkins Street and N LBJ Drive		
<b>Acreage:</b>	0.198 acres	<b>PDD/DA/Other:</b>	N/A
<b>Existing Zoning:</b>	Character District 5 Downtown (CD-5D)	<b>Proposed Zoning:</b>	Same
<b>Existing Use:</b>	Bar	<b>Proposed Use:</b>	Same
<b>Preferred Scenario:</b>	Mixed Use Medium	<b>Proposed Designation:</b>	Same
<b>CONA Neighborhood:</b>	Downtown (CBA)	<b>Sector:</b>	8
<b>Utility Capacity:</b>	Adequate	<b>Floodplain:</b>	No
<b>Historic Designation:</b>	Hays County Courthouse NRHP District, and Downtown Local Historic District	<b>My Historic SMTX Resources Survey:</b>	Yes and Medium Priority

**Surrounding Area**

	<b>Zoning</b>	<b>Existing Land Use</b>	<b>Preferred Scenario</b>
<b>North of Property:</b>	Character District 5 Downtown (CD-5D)	Retail Sales/ Restaurants	Mixed Use Medium
<b>South of Property:</b>	Public and Institutional	Hays County Courthouse	Conservation/ Cluster
<b>East of Property:</b>	Character District 5 Downtown (CD-5D)	Bars/ Multifamily/ Retail Sales/ Restaurants	Mixed Use Medium
<b>West of Property:</b>	Character District 5 Downtown (CD-5D)	Bars/ Retail Sales/ Restaurants	Mixed Use Medium

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**Staff Recommendation**

Approval as Submitted	<input checked="" type="checkbox"/> Approval with Conditions	Denial
<ol style="list-style-type: none"> <li>1. This permit shall be valid for one (1) year, and shall expire May 26, 2027, provided standards are met.</li> <li>2. No outdoor Amplified, Background, or Acoustic Sound shall be permitted after the closing of the business but in no case later than 10pm Sunday – Thursday;</li> <li>3. No outdoor Amplified, Background, or Acoustic Sound shall be permitted after the closing of the business but in no case later than 11pm Friday – Saturday;</li> <li>4. The business is responsible for cleaning the area within 100 feet of exit (LDC Section 5.1.5.5.E.2.d)</li> <li>5. The maximum people occupying the building is required to remain compliant with the fire code, to include ensuring that occupant loads stay at or below posted levels;</li> <li>6. This permit shall be posted in the same area and manner as the Certificate of Occupancy.</li> </ol>		
<b>Staff:</b> Craig Garrison	<b>Title:</b> Planner	<b>Date:</b> May 20, 2026

**History**

The applicant is currently requesting to renew and amend the Conditional Use Permit for Freddy C's its sister bar Wildfire due to a change in ownership, as is required San Marcos Development Code Section 2.8.3.5. The footprint of the building and the entertainment space within these businesses are currently not proposed to change.

**October 2018:** The business submitted a Bar CUP which was approved by the Planning and Zoning Commission for one year, with conditions.

**March 2023:** The renewal of the Restaurant CUP was approved by the Planning and Zoning Commission for one year with conditions.

**March 2024:** The renewal of the Restaurant CUP was approved by the Planning and Zoning Commission for three years with conditions.

**Additional Analysis**

Per Senate Bill 1008 and since this a bar, the City can enforce the existing noise ordinance and the conditions related to noise added to this CUP.

Staff are recommending a one-year approval due to the number of police calls, and types of calls on the property. This will allow Freddy C's Lounge and Wildfire the opportunity to address the concerns.

**Comments from Other Departments**

<b>Police</b>	See Attached Police Report
<b>Fire</b>	No Comment
<b>Public Services</b>	No Comment
<b>Engineering</b>	No Comment
<b>Health/Code Compliance</b>	No Comment

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CUP-26-19**

**141 E Hopkins Street  
Freddy C's Lounge**



Evaluation			Criteria for Approval (Sec. 2.8.3.4 & 5.1.5.5)
Consistent	Inconsistent	Neutral	
<u>X</u>			The proposed use at the specified location is consistent with the policies embodied in the adopted comprehensive plan.
<u>X</u>			The proposed use is consistent with any adopted small area plan or neighborhood character study for the area. <b><i>The proposed business meets goals, such as fostering small businesses, written in the Downtown Area Plan.</i></b>
<u>X</u>			The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.
<u>X</u>			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.
<u>X</u>			The proposed use does not generate pedestrian and vehicular traffic which shall be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
<u>X</u>			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. <b><i>The proposed request is consistent with the established use of a bar/entertainment business on the property</i></b>
		<u>X</u>	The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties. <b><i>No visual impacts are expected to cause adverse effects on adjacent properties.</i></b>
<u>X</u>			The proposed use meets the standards for the applicable 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.
<u>X</u>			The proposed use is not within 300 ft. of a detached single family residence located in a zoning district that only permits detached single family residences.
<u>X</u>			The proposed use is not within 300 ft. of a church, public or private school, or public hospital.
<u>X</u>			The proposed use is not within 1,000 ft. of a public or private school as outlined within section 5.1.5.5.