

Conditional Use Permit	3939 S IH 35
CUP-26-11	Tapville



Summary

Request:	Renewal of a Conditional Use Permit (CUP)		
Applicant:	Rama Popuri 8339 Sylvan Dale Rd Frisco, TX 75036	Property Owner:	San Marcos Premium Outlets 3939 IH 35, Suite 900 San Marcos, TX 78666
CUP Expiration:	June 1, 2026	Type of CUP:	Beer & Wine
Interior Floor Area:	N/A	Outdoor Floor Area:	145 sq ft
Parking Required:	4 spaces	Parking Provided:	Yes
Days & Hours of Operation:	Monday-Thursday: 11am-8pm Friday & Saturday: 11am-9pm Sunday: 11am – 7pm		

Notification

Posted:	March 6, 2026	Personal:	March 6, 2026
Response:	None as of the date of this report		

Property Description

Legal Description:	Lot 1 in the Prime Outlet 1 Subdivision		
Location:	Northeast corner of Centerpoint Rd and IH 35 frontage road		
Acreage:	76.5 acres	PDD/DA/Other:	N/A
Existing Zoning:	General Commercial (GC)	Proposed Zoning:	Same
Existing Use:	Retail & Restaurants	Proposed Use:	Same
Preferred Scenario:	Commercial/Employment Medium	Proposed Designation:	Same
CONA Neighborhood:	N/A	Sector:	5
Utility Capacity:	Adequate	Floodplain:	Yes
Historic Designation:	N/A	My Historic SMTX Resources Survey:	No

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	General Commercial (GC)	Undeveloped	Commercial/Employment Medium
South of Property:	General Commercial (GC)	Retail & Restaurants	Commercial/Employment Medium
East of Property:	General Commercial (GC)	Hotel	Commercial/Employment Low
West of Property:	General Commercial (GC)	Retail & Restaurants	Commercial/Employment Medium

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Staff Recommendation

Approval as Submitted	☒	Approval with Conditions	Denial
1. The permit shall be valid for three (3) years, commencing June 1, 2026, and shall expire on June 1, 2029, provided standards are met; 2. The business is responsible for cleaning the area within 100 feet of the kiosk (LDC Section 5.1.5.5.E.2.d); 3. An employee shall be on site while the system is operational; 4. No alcohol sales shall occur after 9pm; and 5. The permit shall be posted in the same area and manner as the Certificate of Occupancy.			
Staff: Kaitlyn Buck	Title: Planner		Date: March 18, 2026

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History

2025: The business submitted a Bar CUP which was approved by the Planning and Zoning Commission for six (6) months, with conditions.

Additional Analysis

The proposed Tapville kiosk at San Marcos Premium Outlets introduces a self-pour beer and wine concept that is compatible with the mall's commercial setting. Although the unit is a trailer, it will be permanently placed, skirted, landscaped, and connected to mall utilities.

Operations are structured with safeguards to ensure responsible alcohol service. According to the applicant, a trained employee will always be on site to check IDs, monitor consumption, and manage safety. The self-pour system uses built-in pour limits to prevent overconsumption. Additionally, individual stores may decide whether beverages are allowed inside their spaces. San Marcos Premium Outlets' General Manager has provided a letter of acknowledgement (see attached letter).

Public safety impacts: Staff added a condition of approval that no alcohol sales shall occur after 9pm to avoid late-night activity. Additional safety measures as indicated by the applicant include, locking the trailer, refrigeration, and dispensing system after hours.

This request aligns with the General Commercial zoning district and Comprehensive Plan goals by supporting retail activity, expanding visitor amenities, and encouraging local business investment. With conditions in place, the use is expected to operate responsibly and without adverse impacts.

Summary of Key Safeguards:

- Employee must be on site at all times when the system is operational.
- Built-in pour limits restrict overconsumption and allow staff to suspend service.
- Individual stores may restrict entry of open beverages, preserving tenant discretion.
- Kiosk will be secured after hours through multiple lock-out measures.
- Alcohol service limited to mall operating hours and within state-authorized timeframes.

Per Senate Bill 1008, City Staff may not enforce certain limits on amplified sound from the business, unless it's a restaurant. Since this does not meet the definition of a restaurant, the City can enforce the existing noise ordinance and the conditions related to noise added to this CUP.

Comments from Other Departments

Police	No Calls Reported
Fire	No Comment
Public Services	No Comment
Engineering	No Comment
Health/Code Compliance	No Comment

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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. <i>The proposed business meets goals, such as supporting local businesses to encourage job creation, written in the comprehensive plan.</i>
		<u>N/A</u>	The proposed use is consistent with any adopted small area plan or neighborhood character study for the area. The subject property is not located within a neighborhood character study area.
<u>X</u>			The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations. <i>The proposed use is consistent with the intent of the General Commercial zoning district as beverage service within a commercial center is consistent with the role of the mall as a destination for retail and leisure.</i>
		<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. <i>The proposed use is compatible with and preserves the character and integrity of adjacent developments; no improvements are necessary at this time.</i>
<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. <i>No improvements are being proposed as the subject structure is an existing development.</i>
		<u>X</u>	The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties. <i>No visual impacts are expected to cause adverse effects on adjacent properties.</i>
<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.