

<b>Conditional Use Permit</b>	<b>1900 N IH 35, Ste 104</b>
<b>CUP-26-14</b>	<b>Swing Station</b>



**Summary**

<b>Request:</b>	New Conditional Use Permit (CUP)		
<b>Applicant:</b>	Tyler Gescheidle 1900 N IH 35, Ste 103 San Marcos, TX, 78666	<b>Property Owner:</b>	Jacob Sutherland 1900 N IH 35, Ste 101 San Marcos, TX, 78666
<b>CUP Expiration:</b>	N/A	<b>Type of CUP:</b>	Beer & Wine
<b>Interior Floor Area:</b>	1,800 sq ft	<b>Outdoor Floor Area:</b>	N/A
<b>Parking Required:</b>	30 spaces	<b>Parking Provided:</b>	Yes
<b>Days &amp; Hours of Operation:</b>	Monday-Thursday: 9am-7pm    Friday-Sunday: 10am-8pm		

**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>	Lot 1 in the Rough Sawn Subdivision (2020)		
<b>Location:</b>	East side of IH 35 Frontage Road, approximately 500 feet South of Crepe Myrtle Dr		
<b>Acreage:</b>	0.888 acres	<b>PDD/DA/Other:</b>	N/A
<b>Existing Zoning:</b>	Community Commercial (CC)	<b>Proposed Zoning:</b>	Same
<b>Existing Use:</b>	Professional Office & Indoor Recreation	<b>Proposed Use:</b>	Same
<b>Preferred Scenario:</b>	Commercial/Employment Medium Place Type	<b>Proposed Designation:</b>	Same
<b>CONA Neighborhood:</b>	Fairlawn	<b>Sector:</b>	6
<b>Utility Capacity:</b>	Adequate	<b>Floodplain:</b>	Yes
<b>Historic Designation:</b>	N/A	<b>My Historic SMTX Resources Survey:</b>	No

**Surrounding Area**

	<b>Zoning</b>	<b>Existing Land Use</b>	<b>Preferred Scenario</b>
<b>North of Property:</b>	Community Commercial (CC)	Vacant	Commercial/Employment Medium Place Type
<b>South of Property:</b>	Community Commercial (CC)	Auto Repair	Commercial/Employment Medium Place Type
<b>East of Property:</b>	Community Commercial (CC)	Place of Worship	Neighborhood Medium Place Type
<b>West of Property:</b>	General Commercial (GC)	Gas Station	Commercial/Employment Medium Place Type

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**Staff Recommendation**

Approval as Submitted	<input checked="" type="checkbox"/>	<b>Approval with Conditions</b>	<input type="checkbox"/>	Denial
<ol style="list-style-type: none"> <li>The permit shall be valid for one (1) year, and shall expire on May 26, 2027, provided standards are met;</li> <li>No outdoor Amplified, Background, and/or Acoustic Sound shall be permitted;</li> <li>The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.E.2.d);</li> <li>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; and</li> <li>The permit shall be posted in the same area and manner as the Certificate of Occupancy.</li> </ol>				
<b>Staff:</b> Kaitlyn Buck		<b>Title:</b> Planner		<b>Date:</b> May 20, 2026

**History**

This is a new request.

**Additional Analysis**

Swing Station is a new business that opened on November 7, 2025. Swing Station is an indoor entertainment venue centered around golf simulator experiences. The business proposes limited alcohol sales as an accessory use to the primary recreational activity, with service restricted to canned beer, wine, and hard seltzers stored in a locked refrigerator behind the reception desk. Alcohol consumption would be limited to the interior of Suite 104 and intended solely as a secondary amenity for patrons utilizing the golf simulators. The business currently operates two semi-private golf simulator bays and does not provide food service; however, outside snacks are permitted for guests using the simulator bays and for private events.

The business will allow minors when accompanied by a parent or legal guardian. Alcohol service will be monitored by staff during operating hours and alcoholic beverages will only be served to guests 21 years of age or older with valid government-issued identification. Additionally, alcohol will be distributed solely through the reception area and measures such as posted policies, staff oversight, and surveillance cameras will be utilized to prevent alcoholic beverages from leaving the suite.

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**

<b>Police</b>	No Calls Reported
<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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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>N/A</u>	The proposed use is consistent with any adopted small area plan or neighborhood character study for the area. <b>The subject property is not located within a neighborhood character study area.</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. <b>The proposed use is compatible with and preserves the character and integrity of adjacent developments; no improvements are necessary at this time.</b>
<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>No improvements are being proposed as the subject structure is an existing development.</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>No visual impacts are expected to cause adverse effects on adjacent properties.</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. <b>The proposed use is located about 800 feet from the closest church (Calvary Baptist Church San Marcos), measuring from the front door of the business, along the property lines of street frontages, to the front door of the church.</b>
<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.