

Conditional Use Permit	2550 Hunter Road, Suite 1106
CUP-25-59	Jorge's Mexican Restaurant



Summary

Request:	Renewal of a Conditional Use Permit		
Applicant:	Jorge H. Ruiz Martinez Ruiz Calderon LLC 2550 Hunter Road, Suite 1106 San Marcos, TX 78666	Property Owner:	David Chiu 311 Laurel Hill San Marcos, TX 78666
CUP Expiration:	10/25/2025	Type of CUP:	Mixed Beverages
Interior Floor Area:	1000 sq ft	Outdoor Floor Area:	N/A
Parking Required:	52 spaces	Parking Provided:	Shared
Days & Hours of Operation:	Monday: Closed Tuesday: 7am-9pm Wednesday: 7am-9pm Thursday: 7am-9pm Friday: 7am-11pm Saturday: 7am-11pm Sunday: 7am-2pm		

Notification

Posted:	October 10, 2025	Personal:	October 10, 2025
Response:	None as of the date of this report		

Property Description

Legal Description:	Hunters Hill Subdivision Section 1, Block 1, Lot 3A, Acres 1.921		
Location:	Hunters Road south of Foxtail Run Approximately 700 feet		
Acreage:	1.918 acres	PDD/DA/Other:	N/A
Existing Zoning:	Community Commercial	Proposed Zoning:	Same
Existing Use:	Restaurant	Proposed Use:	Same
Preferred Scenario:	Mixed Use Medium	Proposed Designation:	Same
CONA Neighborhood:	Hunter's Hill	Sector:	Sector 9
Utility Capacity:	Adequate	Floodplain:	No
Historic Designation:	N/A	My Historic SMTX Resources Survey:	No

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	Public and Institutional (P)	Retail/ Middle School	Neighborhood Medium
South of Property:	MF-24, Multiple-Family Residential District (MF-24)	Multifamily Apartments	Neighborhood High
East of Property:	Community Commercial (CC)	Vacant/ Restaurant/ Retail	Mixed Use Medium
West of Property:	MF-24, Multiple-Family Residential District (MF-24), Public/Institutional (P)	Middle School/ Multifamily Apartments	Neighborhood High/ Neighborhood Medium

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Staff Recommendation

Approval as Submitted	☒	Approval with Conditions	Denial
1. This permit approval is subject to the Commission's approval of the Distance Variance VR-25-12 2. The permit shall be valid for one (1) year, commencing October 28, 2025, provided standards are met; 3. The following statement shall be included on all restaurant menus: "Due to the close proximity of a school campus, please be alert for students and drive carefully. This restaurant will accommodate, as necessary, any individual that needs transportation after consuming alcoholic beverages;" 4. The restaurant shall operate such that gross revenue from alcohol sales will be less than 25% of the total gross revenue for the business, with the restaurant submitting annual reports indicating this condition has been met; 5. The permit shall be posted in the same area and manner as the Certificate of Occupancy.			
Staff: Craig Garrison		Title: Planner	Date: October 22, 2025

History

This Conditional Use Permit (CUP) accompanies a Variance application VR-25-12 Jorge's Mexican Restaurant for relief to the 300 ft. distance requirement from public or private schools. This CUP renewal is for the sale of mixed beverages on premises at a restaurant. A CUP and variance to the distance requirement were previously approved at this location in 2023 and 2024. According to staff records, there have been Conditional Use Permit Sales for alcohol sales at this location since 2007. The businesses that have existed on the same property are: Tres Hermanas (2007-2016), Pappa Pasta's (2008-2013), Komal Latin Kitchen (2017-2018), El Jefe's (2021-2022), and Jorge's (2023-current).

Additional Analysis

See additional analysis below.

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.
		<u>N/A</u>	The proposed use is consistent with any adopted small area plan or neighborhood character study for the area. <i>Studies were not complete at the time of the request.</i>
<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. <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.