



**CITY OF SAN MARCOS**  
**NEIGHBORHOOD ENHANCEMENT**  
**Code Compliance & Environmental Health**

**MEMORANDUM**

**To:** Planning and Development Services Department

**REF:** Eating Establishment Violations  
*Axis (202 N Lbj Dr. #A)*

**May 19, 2026**

Good Afternoon Planning & Development Services Staff:

On May 15, 2026, a walkthrough of *Axis-Eating Establishment* was conducted due to an observation of a potential vendor outside of the premises. The purpose of the walkthrough was to verify the permit holder and staff followed safety protocols for the community, health and safety codes for an eating establishment, and the conditions listed on their *Conditional Use Permit-CBA (CUP 25-26)* due to their upcoming renewal. The establishment has been under close monitoring due to citations previously issued for uncleanliness and violations of their permit. Below is a list of the violation(s) observed, discussed with the staff, and documented during my walkthrough:

- Property is in violation of the following **International Property & Maintenance Code (IPMC 2021)** section(s):
  - **308.1 Accumulation of rubbish or garbage:** Exterior property and premises, and the interior of every structure, shall be free from any accumulation of *rubbish or garbage*.
    - a) *Failure to maintain in a sanitary condition the kitchen and accumulation of food residue and waste on cooking appliances, refrigerator, and food preparation areas.*
    - b) **GARBAGE:** The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.
  - **404.7 Food Preparation:** Spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.
    - a) *Cooking appliances and storage in unsanitary conditions*
      - *Commercial griddle*
      - *Fryers*
      - *Microwave*
      - *Refrigerators*
- Property is in violation of the following **COSM Ordinance** section(s):
  - **18.092 Permit Required**
    - a) A Person must hold a permit issued by the health authority to operate a food establishment.
    - b) A person must hold a food establishment permit issued by the health authority to operate a group residence, boarding home, or congregate living facility with occupancy for 16 or more residents when food is provided, stored, or prepared onsite, or **prepared by a third-party operator or facilitator.**
    - c) A vending machine that only dispenses non-time/temperature control for

safety food is not considered a food establishment and does not require a permit.

- d) A person must comply with the requirements of this chapter to receive or retain a permit.
  - e) A permit issued under this chapter is not transferable.
  - f) The health authority may cite, suspend operations, or suspend utilities against the person or business that is operating a food establishment that does not have a current or valid food permit.
- **Pending**--Code Official observed *rodent feces* on the ground, including a rat trap. Pest control reports will be requested from the establishment.
- 

The staff present at the time were a few employees, with their newly promoted Assistant General Manager, identified as *Christian*, unknown last name. Christian stated he was not aware and had no knowledge of the food operations of the establishment or the contract with the unpermitted vendor. The unpermitted vendor on site was identified as *Bobcat Crawfish, LLC*, and was very respectful and willing to become a registered vendor with COSM. The owner, *Riley Mella*, has scheduled a meeting with our Health Officials to verify they are in compliance with their permits, and health protocols when hosting events in collaboration with other downtown businesses.

Christian summoned one of the owners to the establishment, identified as *Henry Hogensen (05/01/1983)*. Henry and I reviewed the Corrective Action Plan (CAP) he submitted during our court hearing back in March and May of this year. Henry took full responsibility of the failure to maintain the establishment clean. Most importantly, Henry was made aware he would be issued multiple citations for the repeated uncleanliness, including one for hosting an unpermitted vendor.

A few days prior, Miles (business owner), had reached out to me, inquiring about temporary vendors and additional options to increase their food sales. I sent Miles, Henry, and Jovan an email response from our Health Officials with the information requested, including the need for *Temporary Permits* and referred them to their Downtown Manager and Economic & Development Services Office for additional resources.

Henry was issued citations **#000386** and **#000387** for the following violations from the International Property Maintenance Code (2021) and COSM Ordinance(s):

- **IPMC 308.1 Accumulation of Rubbish/Garbage**
  - Kitchen/Refrigerator food storage/preparation area uncleanliness
- **IPMC 404.7 Food Preparation**
  - Griddle uncleanliness
- **IPMC 404.7 Food Preparation**
  - Fryer uncleanliness
- **IPMC 404.7 Food Preparation**
  - Microwave uncleanliness
- **COSM 18.092 Permit Required**
  - Unpermitted 3<sup>rd</sup> party vendor on-site

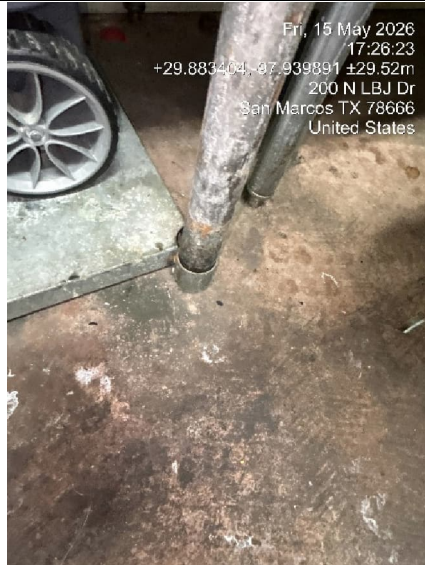
Below are some of the images of violations taken during the walkthrough.

**\*Axis**

**IMAGES TAKEN ON SITE ON 05/15/2026**



**\*Unpermitted Vendor**



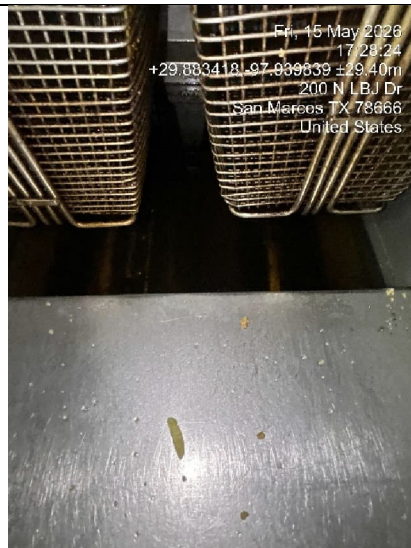
**\*Rodent feces**



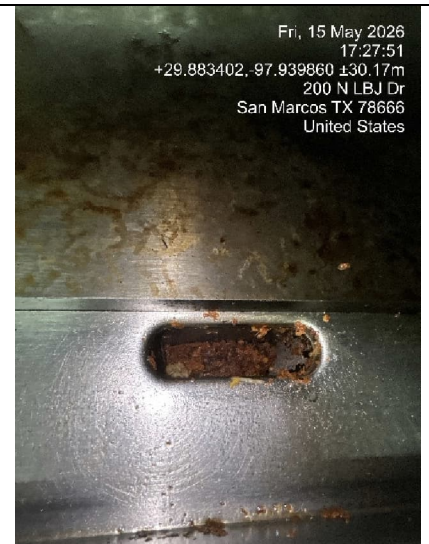
**\*Food residue in microwave**



**\*Food residue all over refrigerator**



**\*Food residue in fryer**



**\*Residue in Griddle**

**\*Active Eating Establishment CUP Holder**

Below is a timeline of violations documented at the business during my walkthroughs:

## Axis Timeline

- **December 2024**
  - **APPROVAL** New CUP 24-69 for Axis
    - *Eating Establishment*
  - Previous CUP (16-05)
    - Formerly known as *Kiva*, permanently closed in 2019
- **March 2025**
  - Business Compliance Inspection
    - All permits posted and valid
- **April 2025**
  - *Courtesy Reminder*
    - Exterior property maintenance
- **June 2025**
  - **APPROVAL** CUP Renewal 25-26 for Axis
    - *Eating Establishment*
- **September 2025**
  - Menu changes to 3<sup>rd</sup> party vendor
    - *Bagel Bros*
    - **\*\*Applicant advised notifying of changes to verify they are in compliance**
- **February 2026**
  - **OUT OF COMPLIANCE**--Business Compliance Inspection (02/05) revealed several violations in which citations were issued to business owner, including *failure* to operate as an *Eating Establishment*.
    - San Marcos LDC 2.8.3.5 (D)
      - Not operating as an Eating Establishment
    - IPMC 308.1 Accumulation of Rubbish/Garbage
      - Kitchen preparation area uncleanliness
    - IPMC 404.7 Food Preparation
      - Griddle uncleanliness
    - IPMC 404.7 Food Preparation
      - Fryer uncleanliness
    - IPMC 404.7 Food Preparation
      - Microwave uncleanliness

- IPMC 506.3 Grease Interceptors
      - Failure to provide records of maintenance
- **IN COMPLIANCE**—Compliance inspection and Health Authority Inspection 02/19

- **March 2026**

- Municipal Court (03/10)
  - Citations will be kept on the dock to continue monitoring the establishment
  - Corrective Action Plan (CAP) submitted by business owners
    - *Jovan Marin*
    - *Miles Altgelt*
    - *Henry Hogensen*
- **IN COMPLIANCE**--Compliance walkthrough (03/26)

- **May 2026**

- Municipal Court (05/12)
  - Citations will be kept on the dock to continue monitoring the establishment
- **VIOLATIONS**—Compliance walkthrough (05/15) revealed an unpermitted vendor and several violations in which citations were issued to business owner:
  - COSM Ordinance 18.092
    - No Temp Permit for 3<sup>rd</sup> party vendor
  - IPMC 308.1 Accumulation of Rubbish/Garbage
    - Kitchen preparation area refrigerator uncleanliness
  - IPMC 404.7 Food Preparation
    - Griddle uncleanliness
  - IPMC 404.7 Food Preparation
    - Fryer uncleanliness
  - IPMC 404.7 Food Preparation
    - Microwave uncleanliness

The business is currently under review for their CUP application. I am *In Support* of the proposed **APPROVAL** for *CUP 26-23*, and I will leave the timeframe at staff's discretion. For the safety and welfare of the public, we will monitor this establishment closely to verify they are following local regulations. Thank you for reviewing my observations and documentation. Additional photos of the violations observed are available. Please contact me with any questions or concerns. Thank you for your attention to this matter.

Respectfully,

*Claudia Cormier*



Claudia Cormier  
Code Compliance Officer  
512-393-8437

CC:

- Shanna O'Brien, Director Neighborhood Enhancement
- Terry Floyd, Director of Planning & Development Services
- David Soto, Planning Manager
- Craig Garrison, Planner

## Corrective Action Plan

Re: February Code Compliance Violations

Establishment: Axis

Address: 202 N LBJ, San Marcos, TX 78666

Date: March 9, 2026

To Whom It May Concern,

This letter serves as our Corrective Action Plan regarding the violations identified during the February inspection. All listed items have been addressed and corrected. We are submitting the following summary of the actions taken and the procedures now in place to maintain compliance going forward.

### **1. Violation: Not Operating as an Eating Establishment**

Code Reference: San Marcos LDC 2.8.3.5(D)

Corrective Action Taken:

At the time of inspection, the establishment was not fully operating as an eating establishment. This issue has since been corrected. Axis is now fully operating as a food service establishment, including food preparation and service to the public, with appropriate staffing, available food inventory, and active kitchen use.

Ongoing Preventive Measures:

We now maintain adequate food inventory onsite, ensure kitchen staffing is scheduled during operating hours, and monitor daily operations to confirm the establishment is functioning in accordance with its approved use permit.

### **2. Violation: Accumulation of Rubbish/Garbage / Kitchen Preparation Area Uncleanliness**

Code Reference: IPMC 308.1

Corrective Action Taken:

The kitchen preparation area was thoroughly cleaned and all rubbish, debris, and unnecessary materials were removed. Work surfaces, prep areas, floors, and surrounding storage areas were cleaned, sanitized, and organized.

Ongoing Preventive Measures:

A daily cleaning checklist has been implemented for all kitchen prep areas. Staff are responsible for cleaning throughout the day and at closing, and management performs routine inspections to ensure the area remains sanitary and free of rubbish and clutter.

### **3. Violation: Griddle Uncleanliness**

Code Reference: IPMC 404.7 Food Preparation

Corrective Action Taken:

The griddle was deep cleaned to remove grease buildup, food residue, and debris. The unit is now maintained in a clean and sanitary condition.

Ongoing Preventive Measures:

The griddle is now cleaned after each use and again during end-of-day closing procedures. Staff have been instructed on proper cleaning requirements, and management verifies completion as part of daily closing duties.

### **4. Violation: Deep Fryer Uncleanliness**

Code Reference: IPMC 404.7 Food Preparation

Corrective Action Taken:

The deep fryer was thoroughly cleaned and sanitized, including all removable parts and surrounding surfaces.

Ongoing Preventive Measures:

The deep fryer is now included in the daily equipment cleaning schedule. Staff are required to clean it after use and inspect it regularly to prevent grease and food buildup.

### **5. Violation: Microwave Uncleanliness**

Code Reference: IPMC 404.7 Food Preparation

Corrective Action Taken:

The microwave was cleaned and sanitized, including the interior, exterior, and all food splatter or residue.

Ongoing Preventive Measures:

The microwave is now cleaned daily and as needed during operating hours. Staff are instructed to wipe down the unit immediately after spills, and management checks cleanliness during routine inspections.

## **6. Violation: Failure to Provide Grease Interceptor Maintenance Records**

Code Reference: IPMC 506.3 Grease Interceptors

Corrective Action Taken:

Maintenance records for the grease interceptor have been obtained, organized, and made available for review. We have confirmed that the interceptor is being maintained as required.

Ongoing Preventive Measures:

We will retain all grease interceptor service and maintenance records onsite and keep them readily available for inspection. Future service dates will be tracked to ensure timely maintenance and documentation.

### **Additional Compliance Measures Implemented**

To prevent future violations, we have also implemented the following:

- A written cleaning schedule for kitchen areas and equipment
- Routine management inspections of food preparation and storage areas
- Staff training on sanitation and cleaning responsibilities
- Recordkeeping procedures for required maintenance documents
- Ongoing monitoring to ensure continuous compliance with health and code requirements

All violations identified in February have been corrected, and we are committed to maintaining the establishment in a clean, safe, and compliant condition.

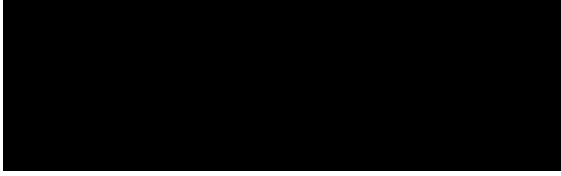
Respectfully,

Henry Hogensen

Co Owner

Axis

202 N LBJ, San Marcos, TX 78666



COPY



**CITY OF SAN MARCOS**  
**NEIGHBORHOOD ENHANCEMENT**  
**Code Compliance & Environmental Health**

**MEMORANDUM**

**To:** Planning and Development Services Department

**REF:** Eating Establishment Violations  
*Axis (202 N Lbj Dr. #A)*

**February 09, 2026**

Good Afternoon Planning & Development Services:

On February 06, 2026, a walkthrough of the **Axis** (202 N. Lbj Dr.) Eating Establishment was conducted with the SMPD Downtown Corporal, *Ysidro Contreras*. The purpose of the walkthrough was to verify the permit holder and staff followed safety protocols for the community, health and safety codes for an eating establishment, and the conditions listed on their *Conditional Use Permit-CBA (CUP 25-26)*. Below is a list of the violation(s) observed, discussed with the staff, and documented during my walkthrough:

- Property is in violation of the following **San Marcos Land & Development Code (2025): Section 2.8.3.5 Duration; Expiration; Suspension; Violation; Revocation:**
  - **D. Violation.** It is unlawful for any person to violate or to cause or permit to be violated any terms or conditions of a conditional use permit or upon which a conditional use permit was issued or renewed. For purposes hereof, the term “person” shall include the permit holder, the owner or a manager of the permit holder, and any office of the permit holder.
    - a) *Failure to operate as an Eating Establishment according to conditions established in 5.1.5.5 Restaurant/Bar [4.b.1-5].*
      - *No food in refrigerators*
      - *Items in freezer included “Smuckers Uncrustable Peanut Butter & Jelly sandwich,” not in current food menu*
        - *Did not check other grocery bags for items*
      - *No cook or 3<sup>rd</sup> party providing food in the establishment*
      - *Did not observe plates or utensils for the public to use during consumption*
- Property is in violation of the following **International Property & Maintenance Code (IPMC 2021)** section(s):
  - **308.1 Accumulation of rubbish or garbage:** Exterior property and premises, and the interior of every structure, shall be free from any accumulation of *rubbish or garbage*.
    - a) *Failure to maintain in a sanitary condition the kitchen and accumulation of food residue and waste on cooking appliances and food preparation areas.*
    - b) **GARBAGE:** The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.
  - **404.7 Food Preparation:** Spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.
    - a) *Cooking appliances in unsanitary conditions*

- *Commercial griddle*
  - *Air fryers*
  - *Microwave*
- **506.3 Grease Interceptors:** Grease interceptors and automatic grease removal devices shall be maintained in accordance with this code and the manufacturer's installation instructions. Grease interceptors and automatic grease removal devices shall be regularly serviced and cleaned to prevent the discharge of oil, grease, and other substances harmful or hazardous to the building drainage system, the public sewer, the private sewage disposal system or the sewage treatment plant or processes. Records of maintenance, cleaning and repairs shall be available for inspection by the code official.
  - a) *Failure to produce grease manifest or detailed record of maintenance for compliance inspection.*
  - b) **CODE OFFICIAL:** The official who is charged with the administration and enforcement of this code, or any duly authorized representative.
- Property is in violation of the following **Texas Food Establishment Rules (2021)** section(s):
  - **228.31 Certified Food Protection Manager and Food Handlers Requirements**
    - a) The original food manager certificate shall be posted in the food establishment in a location that is conspicuous to consumers.
    - b) Except as specified in subsection (c) of this section, a certified food protection manager *shall* be present at the food establishment during all hours of operation as required in Food Code 2-101.11 and 2-102.12.
      - *No staff members present, including owner, are Certified Food Protection Managers.*
  - **San Marcos Police Department—Corporal Ysidro Contreras**
    - Following TABC protocols
      - a) Verified open bottles were clean
        - Officers observed insects in 3 bottles that were discarded in their presence
      - b) Verified bottles portrayed TABC labels
    - Safety measures and protocols
      - a) Verified staff were implementing safety measures and protocols previously discussed
        - Handheld metal detector at entry

The staff present at the time were only 2 bar tenders, the most senior (4-year veteran) identified himself as *Nicholas Ryan (01/19/2002)*. Nicholas was not aware and had no knowledge of a Conditional Use Permit (CUP). Nicholas summoned one of the owners to the establishment, identified as *Miles Altgelt (11/27/1987)*. Nicholas and Miles are neither *Certified Food Managers*.

I proceeded to ask about the chef or cook for the establishment. Nicholas stated their designated cook was no longer employed at the establishment. When Miles arrived, he stated *Bagel Bros* was no longer their food supplier and had left their establishment approximately 6 weeks ago. Instead, they hired another vendor only identified by his first name as *Blake*, and his business as *Taco Doggie*. Miles mentioned they had multiple issues with *Blake* that led to his departure. Miles was referred to *Cpl. Y. Contreras* regarding multiple text messages between *Blake* and him in case of a potential criminal offense.

Based on the uncleanliness of the kitchen area, lack of food in the refrigerators, and cooking staff, I determined the establishment is **OUT OF COMPLIANCE** and **IS NOT** preparing and serving meals to the public due to the health and safety concerns, and violations observed.

Miles was issued citations **#000380** and **#000381** for the following violations from the San Marcos Land & Development Code (2025) and the International Property Maintenance Code (2021):

- **San Marcos LDC 2.8.3.5 (D) Violation**
  - Not operating as an Eating Establishment
- **IPMC 308.1 Accumulation of Rubbish/Garbage**
  - Kitchen preparation area uncleanliness

- **IPMC 404.7 Food Preparation**
  - Griddle uncleanliness
- **IPMC 404.7 Food Preparation**
  - Air Fryer uncleanliness
- **IPMC 404.7 Food Preparation**
  - Microwave uncleanliness
- **IPMC 506.3 Grease Interceptors**
  - Failure to provide records of maintenance

Therefore, a formal request to meet with the permit holder will be sent to discuss the violations and expectations to come into compliance with all departments. I explained to Miles the citations will remain on the dock to monitor their improvements. I am *not* a licensed **Sanitarian** and therefore *cannot* issue citations for any Food and Drug Administration or Texas Food Establishment Rules. Below are some of the more egregious images of violations taken during the walkthrough. A meeting with the permit holder and inspection date for the establishment will be scheduled in the future.

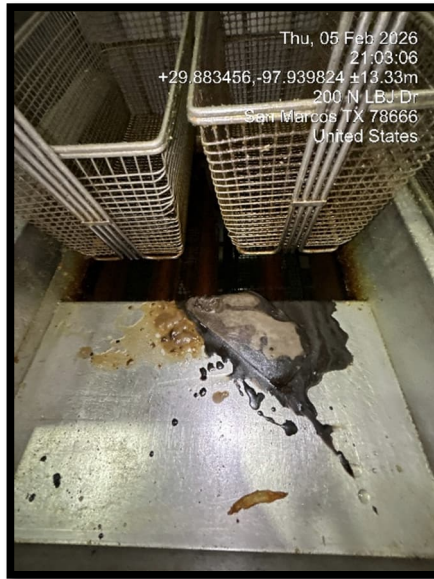
**\*Axis**

**IMAGES TAKEN ON SITE ON 02/05/2026**



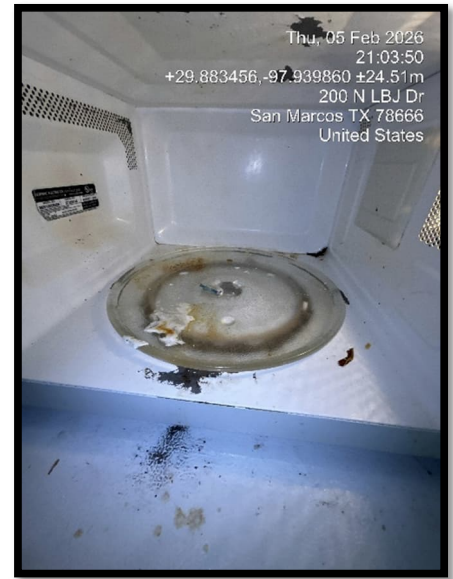
Thu, 05 Feb 2026  
21:03:27  
+29.883438, -97.939918 ±12.60m  
200 N LBJ Dr  
San Marcos TX 78666  
United States

*\*Empty Refrigerator*



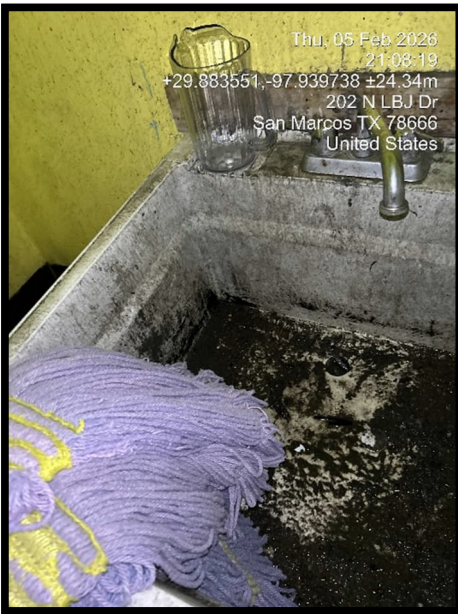
Thu, 05 Feb 2026  
21:03:06  
+29.883456, -97.939824 ±13.33m  
200 N LBJ Dr  
San Marcos TX 78666  
United States

*\*Stagnant oil*



Thu, 05 Feb 2026  
21:03:50  
+29.883456, -97.939860 ±24.51m  
200 N LBJ Dr  
San Marcos TX 78666  
United States

*\*Unsanitary microwave*



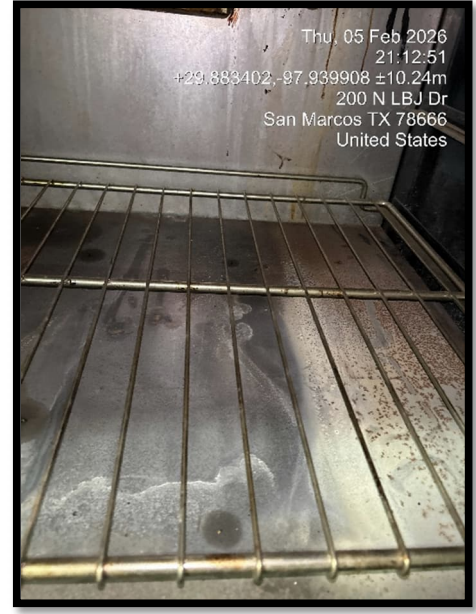
Thu, 05 Feb 2026  
21:08:19  
+29.883551, -97.939738 ±24.34m  
202 N LBJ Dr  
San Marcos TX 78666  
United States

*\*Mop sink*



Thu, 05 Feb 2026  
21:13:22  
+29.883457, -97.939844 ±7.06m  
200 N LBJ Dr  
San Marcos TX 78666  
United States

*\*Corroded air fryer*



Thu, 05 Feb 2026  
21:12:51  
+29.883402, -97.939908 ±10.24m  
200 N LBJ Dr  
San Marcos TX 78666  
United States

*\*Solidified grease in oven*

**\*Active Eating Establishment CUP Holder**

Thank you for reviewing my observations and documentation. Additional photos of the violations observed are available. Please contact me with any questions or concerns.

Respectfully,

*Claudia Cormier*



Claudia Cormier  
Code Compliance Officer  
512-393-8437

CC:

- Shanna O'Brien, Environmental Health & Safety Manager
- Terry Floyd, Director of Planning & Development Services
- Josie Falleta, Downtown Manager
- Jonathan Henderson, Fire Marshal
- David Soto, Planning Manager
- Craig Garrison, Planner
- Ysidro Contreras, Downtown Corporal